

CHAPTER 45:01

MARRIAGE ACT

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

SECTION

1. Short title.
2. Interpretation.

PART II

MARRIAGE DISTRICTS AND OFFICERS, AND
REGISTERED BUILDINGS

Marriage Districts

3. Division of Guyana into marriage districts.

MARRIAGE OFFICERS

4. Appointment of marriage officers.
5. Power to refuse to act.
6. Applications for appointment as a marriage officer.
7. Notification of ceasing to act as a minister of religion.
8. Resignation.
9. Tenure of office.
10. Temporary absence from Guyana.
11. Cancellation of appointment.
12. Register of marriage officers.
13. Sending in of applications or notifications.
14. Publication of appointments and changes.

LAWS OF GUYANA

4

Cap. 45:01

Marriage

SUPERINTENDENT REGISTRAR

SECTION

15. Superintendent registrar of marriages.
16. Appointment of deputy.
17. Office.
18. Supply of marriage notice books and forms of certificates.
19. Limitation of powers.
20. Minister may declare any building a superintendent registrar's office.

REGISTERED BUILDINGS

21. Registration of buildings in use at the commencement of this Act.
22. Registration of buildings at any time set apart for religious worship.
23. What a separate building is.
24. Use of building as school.
25. Cancellation of registry if building disused.
26. Rebuilding or repair of registered building.
27. Notice to be placed in registered building.
28. Consent required for use of registered building.

PART III RESTRICTIONS ON

MARRIAGE *Persons who may not*

intermarry

29. Prohibited degrees.
30. Marriages within the prohibited degrees void.
31. Restriction of power in cases of minority of parties.
32. Avoidance of marriages where either party is under the specified age.
33. Case of parent or guardian of party to be married being unable to consent or improperly refusing consent to marriage.

PART IV

PRELIMINARIES TO MARRIAGE

SECTION

34. Authority for solemnisation.

BANNS OR NOTICE OF MARRIAGE

35. Publication of banns.
36. Publication of notice of marriage.
37. Notification to be made to marriage officer before publication of banns or notice of marriage by parties intending to marry.
38. Publication when void.
39. Certificate of publication of banns or notice of marriage.
40. Supply of books for the registration of banns or notice of marriage.

MARRIAGE LICENCES

41. Power of the Minister to grant marriage licences.
42. Restriction of power in cases of minority of parties.
43. Rights of parties obtaining licence.
44. Applications for licences.
45. Form of licence.
46. Objections against issue of a licence.
47. Licence, when void.

SUPERINTENDENT REGISTRAR'S CERTIFICATE

48. Notice of marriage.
49. Filing and entry of notice.
50. Publication of notice.
51. Certificate of notice.
52. Objections to issue of certificate.
53. Certificate when void.
54. (1) Notice of foreign marriage.
 (2) Form of notice.
 (3) Publication of notice.

SECTION

- (4) Certificate of publication of notice.
- (5) False declaration or representation.

PART V

SOLEMNISATION OR PERFORMANCE OF MARRIAGE

- 55. Provisions as to solemnisation.
 - (a) Time.
 - (b) By whom.
 - (c) Ceremony.
- 56. Addition of religious ceremony to civil marriage.
- 57. Persons married under this Act may not contract marriage under Indian Labour Act.
- 58. Fee of superintendent registrar for performance of marriage.
- 59. Case of marriage between minors after publication of banns.

PART VI

REGISTRATION OF MARRIAGE

- 60. Supply of register books.
- 61. Keeping of register of marriages.
- 62. Duplicate register.
- 63. Right to search register books, and to have certified copies of entries therein.
- 64. Fees payable for search and for certified copies of entries.

PART VII

MARRIAGES OF PERSONS
BELONGING TO OTHER RELIGIONS

- 65. Marriages of persons belonging to other religions.

PART VIII

CLINICAL MARRIAGES

SECTION

66. As to marriage in *articulo mortis*.

PART IX

OFFENCES

67. Unduly solemnising marriage.
68. Making false declaration, etc.
69. Performance by superintendent registrar of a void marriage.
70. Liability of persons lodging an objection on frivolous grounds.

PART X

MISCELLANEOUS

71. Dispensing with proof of certain preliminary matters, after solemnisation of marriage.
72. Prohibiting proceedings to compel marriage.
73. Invalidation of certain marriages.
74. Securing of property where necessary consent to marriage not obtained.
75. Fees.
76. Payment of fees into Treasury.
77. Power to make regulations.
78. Registration of certain marriages contracted before commencement of Ordinance No. 35 of 1957.

FIRST SCHEDULE—Forms.

SECOND SCHEDULE—Consents required to the Marriage of an infant by Licence without publication of Banns.

1929 Ed.
c. 142
1953 Ed.
c. 164

CHAPTER 45:01

MARRIAGE ACT

25 of 1901

An Act to consolidate and amend the Law relating to Marriage.

[6TH NOVEMBER, 1901]

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the Marriage Act.

Interpretation.
[13 of 1985]

2. In this Act—

“Form” means Form in the First Schedule;

“marriage district” means a district declared by section 3 to be a marriage district;

“marriage officer” means a marriage officer appointed under this Act;

“registered building” means a building registered under this Act as one wherein banns or notice of marriage may be published;

“Registrar General” means the Registrar General of Births and Deaths;

“superintendent registrar” means the district commissioner, or any officer appointed to be superintendent registrar in a registration district.

PART II

MARRIAGE DISTRICTS AND OFFICERS, AND
REGISTERED BUILDINGS

MARRIAGE DISTRICTS

3. (1) The several registration districts into which Guyana is, from time to time, divided under the Registration of Births and Deaths Act, shall be marriage districts for the purposes of this Act.

Division of
Guyana into
marriage
districts.
c. 44:01

(2) No alteration at any time made in the limits of any of those registration districts shall affect any proceedings which at the time of the alteration are being taken under this Act to procure due solemnisation of any marriage, but those proceedings may be continued and shall have the like effect as if the alteration had not taken place.

MARRIAGE OFFICERS

4. (1) The Minister may appoint any fit and proper person—

- (a) being a minister of the Christian religion, ordained, or otherwise set apart, to the ministry of that religion, according to the usage of the communion to which he belongs; or
 - (b) being of the Hindu religion; or
 - (c) being of the Islamic religion,
- to be a marriage officer for Guyana.

Appointment
of marriage
officers.
[35 of 1957
4 of 1972]

(2) Any marriage officer may act in that character throughout Guyana.

5. No marriage officer shall be required to act in that character with respect to any marriage contrary to, or desired to be solemnised in any manner other than is prescribed by, the rules of the religious denomination to which he belongs.

Power to
refuse to act.
[35 of 1957
13 of 1985]

LAWS OF GUYANA

10

Cap. 45:01

Marriage

Applications
for appoint-
ment as a
marriage
officer.
[35 of 1957]

6. (1) All applications for appointment as marriage officers must be made in writing to the Registrar General, who shall without delay transmit the application to the Minister.

(2) Every minister of the Christian religion acting in that character for a congregation, or having the local superintendence of several congregations, who applies to be appointed a marriage officer must state in his application the name or other description of the place of public worship in which he acts, or of the places of public worship of the congregations over which he has local superintendence, and the postal address at or to which all communications intended for him may be delivered or sent.

(3) Every member of the Hindu or Islamic religion who applies to be appointed a marriage officer shall state in his application his postal address at or to which all communications intended for him may be delivered or sent, and the name of the Hindu or Islamic sect to which he belongs.

Notification of
ceasing to act
as a minister
of religion.
[35 of 1957]

7. Every marriage officer shall, if he ceases to act as a minister of the Christian religion, or to profess the Hindu religion or Islamic religion as the case may be, forthwith notify the fact to the Registrar General.

Resignation.

8. Any marriage officer may resign his appointment as that officer by notifying his resignation to the Registrar General. The resignation shall be published in the *Gazette* and shall take effect from the date of publication.

Tenure of
office.

9. A marriage officer, when duly appointed, shall retain his office until it is notified in the *Gazette* that he has ceased to be a marriage officer.

Temporary
absence from
Guyana.

10. A marriage officer intending temporary absence from Guyana shall notify the Registrar General of his intention, and shall make arrangements for the custody of the marriage register books supplied to him satisfactory to the Registrar General.

LAWS OF GUYANA

Marriage

Cap. 45:01

11

- 11.** The Minister shall have full power, on good cause shown, to cancel the appointment of any marriage officer. Cancellation of appointment.
- 12.** (1) The Registrar General shall keep a register in accordance with Form A of all marriage officers appointed under this Act. Register of marriage officers. Form A.
- (2) Whenever a marriage officer changes his postal address as last recorded on the list of marriage officers at the Registrar General's office, or takes the active charge or superintendence of any place or places of worship of which his charge or superintendence is not recorded at that office, he shall forthwith report in writing to the Registrar General the change of residence, postal address, or ministerial charge, and in default thereof his appointment as marriage officer may be cancelled.
- 13.** Every application, notice, or other notification required by or under this Part to be sent to the Registrar General, if the minister concerned is a member of any denomination having a recognised Head in Guyana, shall be sent through that Head. Sending in of applications or notifications.
- 14.** All appointments under this Part, and all changes of residence, postal address, or ministerial charge, of marriage officers, shall be published in the *Gazette*. Publication of appointments and changes.
- SUPERINTENDENT REGISTRAR
- 15.** The Minister may designate any district commissioner or other officer to be superintendent registrar of marriages in a marriage district. Superintendent registrar of marriages.
- 16.** (1) The Minister may appoint a fit person as the deputy of any superintendent registrar of marriages, for the purpose of performing the functions of a superintendent registrar in the event of illness or absence of the superintendent registrar. Appointment of deputy. [28 of 1960]
- (2) The deputy while performing the functions of the superintendent registrar, shall have all the powers and duties and be subject to all the penalties herein specified concerning superintendent

LAWS OF GUYANA

12

Cap. 45:01

Marriage

registrars, and, in the event of the death of the superintendent registrar he shall perform those functions until another superintendent registrar is appointed.

Office.

17. The superintendent registrar's office shall be taken, for the purposes of this Act, to be within the district of which it is the register office, although not locally therein.

Supply of marriage notice books and forms of certificates.

18. (1) The Registrar General shall furnish to every superintendent registrar a marriage notice book and a sufficient number of forms of certificates, which shall be accounted for by the superintendent registrar to the Registrar General.

(2) The cost of providing marriage notice books and forms of certificates shall be defrayed in like manner as the cost of providing register books of births and deaths.

Limitation of powers.

19. A superintendent registrar shall not perform any function or act in respect of marriages elsewhere than in his office, or otherwise than in accordance with the express provisions of this Act.

Minister may declare any building a superintendent registrar's office.

20. The Minister may at any time declare any building a superintendent registrar's office under this Act, and, on notice thereof being published in the *Gazette*, that place shall be a superintendent registrar's office for all the purposes of this Act, and there may be more than one office in any superintendent registrar's district.

REGISTERED BUILDINGS

Registration of buildings in use at the commencement of this Act.

21. (1) The Head of every denomination of the Christian religion in Guyana, within one month after the commencement of this Act, shall make out and send to the Registrar General a list of all buildings exclusively used as places of public Christian worship belonging to the denomination of which he is Head wherein banns of marriage have been usually published, and the Registrar General shall register the buildings in a book to be kept for that purpose at his office and make out, and cause to be published in the *Gazette*, a list of all of them, and shall state in the list the marriage district within which each building so registered is situate and shall add also the name and place of abode of

the superintendent registrar of each district, and a copy of the list, or of the *Gazette* containing it, shall be sent to every superintendent registrar and marriage officer.

(2) Where it is desired to register a building belonging to a denomination which has no Head in Guyana, and which has been exclusively used as a place of Christian worship belonging to that denomination, and wherein banns of marriage have been usually published, the person in charge of the building shall do, in respect of it, what by the preceding subsection is required to be done by the Head of a denomination, and the Registrar General shall deal with the building in the manner provided by that subsection.

22. (1) Any proprietor, or trustee, or any other person who has the sole control of a separate building used as a place of Christian worship, may apply to the Registrar General in order that the building may be registered for the publication of banns, and in that case shall deliver or send to the Registrar General a certificate signed by not less than five householders resident within the marriage district, that the building has been and is intended to be used as a usual place of public religious worship, and that they desire the place to be registered as aforesaid, which certificate shall be countersigned by the proprietor, or trustee, or other persons, making the application.

Registration of
buildings at
any time set
apart for
religious
worship.
[5 of 1982
13 of 1985
18 of 1985]

(2) On receipt of the certificate, the Registrar General shall register the building in the book in which buildings used for the publication of banns are registered and endorse on the certificate the date of the registration, and shall keep the certificate with the other records of his office, and shall give a certificate of the registration under his hand on stout paper to the person by whom the certificate is countersigned, and give public notice of the registration of the building by advertisement in the *Gazette*.

(3) For the entry, certificate, and publication, the Registrar General shall receive, at the time of the delivery to him of the application for registration the sum of sixty dollars.

(4) The foregoing provisions of this section shall apply in relation to any other religion subject to any reference to publication of banns being construed as a reference to publication of notice of marriage.

What a
separate
building is.

23. Any building which has been, and is intended to be, used exclusively for public religious worship shall be taken to be a separate building for the purpose of being registered under the last preceding section, notwithstanding that it is under the same roof with any other building or forms a part only of a building.

Use of
building as
school.
[13 of 1985]

24. The use of any building for the purposes of a school or the holding of any entertainment therein for any object in connection therewith while religious worship is not going on therein, shall not prevent that building being registered for the publication of banns or notice of marriage; and the Registrar General, if satisfied that the necessities of any marriage district so require and not otherwise, may, on application as above provided, register for the publication of banns or notice of marriage a building in which the religious worship of any denomination is usually carried on within that district, notwithstanding that it is used for other purposes while religious worship is not going on therein.

Cancellation
of registry if
building
disused.
[13 of 1985]

25. (1) If, at any time subsequent to the registration of a building, it is made to appear to the satisfaction of the Registrar General that the building has been disused for the public religious worship of the congregation on whose behalf it was registered as aforesaid, the Registrar General shall cause the registration thereof to be cancelled:

Provided that if it is proved to his satisfaction that the same congregation use instead thereof some other building for the purpose of public religious worship, he may substitute and register the new place of worship instead of the disused building.

(2) Every application for cancelling the registration of a disused building, or for the substitution and registration of a substituted building, shall be made to the Registrar General, and the cancellation or substitution when made and the date thereof shall be entered in the

book provided for the registration of those buildings, and shall be certified and published in manner hereinbefore provided in the case of the original registration of the disused building.

(3) For every substitution the Registrar General shall receive at the time of the delivery of the certificate from the party requiring the substitution the sum of seven dollars and fifty cents.

(4) After the cancellation or substitution has been made by the Registrar General, banns or notice of marriage may not lawfully be published in the disused building unless it is again registered in the manner hereinbefore provided.

26. Whenever a registered building is being reconstructed or repaired, the Registrar General, on application in writing made to him for that purpose, may order and direct that banns or notice of marriage may be published in any church or other building in the same marriage district which he by order in writing directs until the registered building is again opened for the performance of divine service, and during the whole of that period that church or building, for all purposes relating to the publication of banns or notice of marriage, shall be deemed and taken to be the registered building under reconstruction or repair.

Rebuilding or
repair of
registered
building.
[13 of 1985]

27. In some conspicuous place at the main entrance, or one of the main entrances, of every registered building, a notice shall be placed in these words:

Notice to be
placed in
registered
building.
[13 of 1985]

(a) "Banns may be published in this building.", where the building is used exclusively as a place of Christian worship;
or

(b) "Notice of marriage may be published in this building.", where the building is used exclusively as a place of Hindu or Islamic worship.

LAWS OF GUYANA

16

Cap. 45:01

Marriage

Consent
required for
use of
registered
building.
[13 of 1985]

28. No banns or notice of marriage shall be published in any registered building without the consent of the minister or other person having the charge and control thereof, or of the Head of the denomination to which the minister belongs, where he is by law empowered to give that consent.

PART III RESTRICTIONS ON

MARRIAGE *Persons who may not*

intermarry

Prohibited
degrees.

29. Intermarriage between those hereinafter mentioned is hereby prohibited, namely—

(a) in the case of those related by blood, between

(i) ascendants and descendants, namely, parents and children, upward and downward *in infinitum*;

(ii) brothers and sisters, or step-brothers and step-sisters;

(iii) uncles and their nieces, that is, their brother's or sister's children or grandchildren and descendants, or aunts and their nephews, that is, their brother's or sister's sons or grandsons or their descendants, in both classes of cases *in infinitum*;

(b) in the case of those related by affinity, between

(i) a husband and any kinswoman or kindred of his deceased wife, or the wife and any kinsman or kindred of her deceased husband, related to the husband or wife in the hereinbefore stated degrees, namely: between any person and his daughter-in-law, that is, his son's widow or his son's or daughter's son's widow, and so downward, any widow of any of his descendants, or any wife and her son-in-law, that is, the husband of her deceased daughter, or the husband of her son's or daughter's daughter, and so downward, the husband of any of her descendants;

(ii) a man and his step-daughter, that is, the daughter of a former marriage of his wife, or any of his said wife's descendants, or a woman and her step-son, that is, the son of a former marriage of her deceased husband, or any of her said husband's descendants;

(c) between any persons who by the common law of Guyana are forbidden to intermarry:

Provided that—

(i) any man may hereafter marry the sister of his deceased wife; and

(ii) any woman may hereafter marry her deceased husband's brother.

30. All marriages celebrated between persons forbidden to intermarry shall be absolutely null and void to all intents and purposes whatsoever.

Marriages within the prohibited degrees void.

31. (1) Where either of the parties, not being a widower or widow, or a divorced person, is under the age of eighteen years, no marriage shall take place between them until the consent of the appropriate person or persons specified in the Second Schedule has been first obtained.

Restriction of power in cases of minority of parties.
[4 of 1972
O. 4/1974]
Second Schedule.

(2) Persons who have reached the age of eighteen years, and widowers and widows, may marry without the consent of others.

32. (1) Notwithstanding section 31 and subject to subsection (2) a marriage shall be void if the parties or either of them is under the age of sixteen.

Avoidance of marriages where either party is under the specified age.

(2) If a female under the age of sixteen years becomes pregnant or is delivered of a child, she may apply by petition to a Judge of the High Court, for permission to be married under that age to a person not being a person under the age of sixteen years or, if under that age, he admits to being the putative father of the child whether yet delivered or not, or is adjudged by a court of competent jurisdiction to be the father

[35 of 1957
4 of 1972
O. 4/1974
13 of 1985
19 of 1990]

of the child; and the Judge of the High Court, if satisfied that the petitioner is pregnant or has been delivered of a child he shall, subject to sections 29 and 33, judicially declare, by order in writing, that the marriage may be solemnised forthwith; and every marriage duly solemnised in pursuance or under the authority or direction of that Order shall be good, valid and effectual to all intents and purposes whatsoever as if both parties thereto had reached the age of eighteen years.

(3) Nothing in subsection (1) shall affect any marriage contracted before the commencement of this section and any such marriage shall be or become valid in any case where, if subsection (1) had not been enacted, it would be or become valid.

Case of parent or guardian of party to be married being unable to consent or improperly refusing consent to marriage.
[4 of 1972]

33. If a person whose consent is necessary to a marriage is *non compos mentis* or absent from Guyana, or otherwise incapable as aforesaid of consenting, or withholds his, her, or their consent to any marriage, or if there is no one capable of consenting, anyone wishing to marry to whose marriage that consent is necessary but cannot be given, or is withheld, may apply by petition to a Judge of the High Court, who is hereby empowered to proceed upon the petition in a summary way, and if the marriage proposed, upon examination, appears to him to be proper he shall judicially declare, by his order in writing, that the marriage is proper and may be solemnised forthwith; and every marriage duly solemnised in pursuance or under the authority or direction of that order shall be as good, valid, and effectual, to all intents and purposes whatsoever, as if the consent aforesaid had been duly given thereto.

PART IV

PRELIMINARIES TO MARRIAGE

Authority for solemnisation.
[35 of 1957
13 of 1985]

34. Except in the cases mentioned in Part VII, no marriage shall be solemnised or celebrated unless there is produced to the marriage officer, or superintendent registrar, solemnising or celebrating it, a certificate or certificates, as the case may be, of the due publication of the banns or notice of marriage within the preceding three months, or

a licence of the Minister which is still in force, or a superintendent registrar's certificate or superintendent registrar's certificates which is or are still in force:

Provided that where a marriage is solemnised by a marriage officer officiating in the registered building in which banns or notice of that marriage has been within the aforesaid period duly published, or is celebrated at a superintendent registrar's office where any notice relating to that marriage, and still in force, has been duly given, it shall not be necessary to issue a certificate of the publication in that registered place or of the notice given in that office.

BANNS OR NOTICE OF MARRIAGE

35. (1) Any minister of the Christian religion, ordained or otherwise set apart to the ministry thereof, according to the usage of the communion to which he belongs, if appointed as a marriage officer (but not otherwise), may himself, or by someone officiating under his control, publish banns of marriage between persons wishing to be joined together in holy matrimony.

Publication of
banns.

(2) The publication shall be made in an audible manner some time during public divine service on a Sunday, in the face of the congregation before whom, and in the registered building in which the minister officiates and in the marriage district in which dwell both of the parties to be married, and shall contain the Christian and other name and surname and place of abode of each of the parties, and shall be published on three Sundays within a period not exceeding three months preceding the solemnisation of the marriage.

(3) If the parties to be married dwell in different marriage districts the banns shall be published in like manner in each marriage district.

(4) If one or both of the parties dwell in any place not within any marriage district then, if there be a registered building in use in that place, the banns of the party or parties dwelling there shall, subject to section 28, be published there in manner aforesaid; and if there be no

registered building in that place, then the banns of those of the parties to be married who dwell there shall be published in manner aforesaid in some marriage district next adjoining thereto.

Publication of
notice of
marriage.
[13 of 1985]

36. (1) Any person being of the Hindu or Islamic religion if appointed as a marriage officer may himself, or by someone officiating under his control, publish notice of marriage between persons wishing to be joined together in holy matrimony.

(2) The publication shall be made in an audible manner some time during religious service on any day of the week, in the face of the congregation before whom and in the registered building in which the marriage officer officiates and in the marriage district in which dwell both of the parties to be marriage, and shall contain the forename and surname and place of abode of each of the parties, and shall be published on three separate occasions within a period not exceeding three months preceding the solemnisation of the marriage, each publication being separated from the other by a period of not less than seven days:

Provided that for a period of sixty days after the commencement of this section notice of marriage may be published in any building used for worship where the marriage officer officiates notwithstanding that the building is not registered under this Act.

(3) The provisions of section 35(3) and (4) shall, as they apply in relation to the publication of banns of Christian marriage, apply *mutatis mutandis* in relation to the publication of notice of Hindu or Islamic marriage.

(4) Where notice of marriage has been published in accordance with the foregoing provisions, the marriage may be solemnised either in the building where the publication was made or at the place of marriage stated in the notice referred to in section 37.

Notification to
be made to
marriage
officer before
publication of

37. No marriage officer shall be obliged to publish banns or notice of marriage between any persons whomsoever, unless the persons to be married, two days at the least before the time required for the first publication of the banns or notice of marriage respectively, deliver or

cause to be delivered, to the marriage officer, a notice of their true forenames and surnames, their respective rank, profession, or occupation, and a description of their place or respective places of abode in the marriage district or place aforesaid, and of the time during which they have dwelt there, and state whether they, or one, and if one only which of them, have or has been married before, and the notice shall further contain a statement signed by both parties to the effect that they know of no lawful impediment to their marriage with each other. In addition, in the case of a marriage which is proposed to be solemnised in accordance with Hindu or Islamic rites, the said statement shall specify the place where the parties propose to have their marriage solemnised.

banns or notice of marriage by parties intending to marry.
[13 of 1985]

38. (1) Whenever anyone, whose consent to a marriage is by this Act required, forbids the marriage and gives notice thereof before it is solemnized to the minister or marriage officer publishing the banns or notice of marriage therefor, the publication of those banns or notice of marriage shall be void unless the person so objecting afterwards withdraws his objection, and then the publication shall hold good.

Publication when void.
[13 of 1985]

(2) Whenever three calendar months from the last publication of banns or notice of marriage have elapsed without the marriage to which those banns or notice of marriage relate having been solemnised, the publication of the banns or notice of marriage shall be void.

(3) In either of the cases aforesaid, before the parties can be married by banns or notice of marriage, the banns or notice of marriage must be published anew in manner and form aforesaid, as if no banns or notice of marriage had ever been published between them.

39. (1) The officiating minister or marriage officer at any registered building where banns or notice of marriage have been duly published as aforesaid, shall, unless that publication is void, on the request of both or either of the parties whose banns or notice of marriage have been so published, give to the party requiring it a certificate of the banns or notice of marriage having been duly published in that building.

Certificate of publication of banns or notice of marriage.
[13 of 1985
6 of 1997]

LAWS OF GUYANA

22

Cap. 45:01

Marriage

(2) For the certificate the officiating minister or marriage officer shall be entitled to demand and receive a fee of sixty-five dollars.

Supply of
books for the
registration of
banns or notice
of marriage.
[13 of 1985]

40. The Registrar General shall provide, for use at every building wherein banns or notice of marriage may be published under this Act, a proper register book of banns or notice of marriage of substantial paper, ruled and having the several pages numbered progressively; and the banns or notice of marriage shall be published from that book and not from loose papers and, after publication, shall be signed by the officiating minister or marriage officer or by some person under his direction.

MARRIAGE LICENCES

Power of the
Minister to
grant marriage
licences.
[4 of 1972
13 of 1985]

41. The Minister, subject to the restrictions hereinafter mentioned, may, if he thinks fit in any case, grant a licence to marry without publication of banns or notice of marriage.

Restriction of
power in cases
of minority
of parties.
[4 of 1972
O. 4/1974]
Second
Schedule.

42. Where either of the parties, not being a widower or widow or a divorced person, is under the age of eighteen years, the licence shall not be granted until the consent of the appropriate person or persons specified in the Second Schedule has been first obtained.

Rights of
parties
obtaining
licence.
[13 of 1985]

43. The parties intending marriage or either of them may require that the licence shall authorise the solemnisation of the marriage, in respect of which application for the licence is made, by any marriage officer by whom that marriage could have been solemnised if banns or notice of marriage thereof had been published as aforesaid.

Applications
for licences.
[O. 4/1974]

44. (1) Those intending marriage who desire to obtain the licence shall apply to the Minister therefor by petition lodged at the office of the Minister at least two days before it is required.

(2) The petition shall state—

(a) the forenames and surnames of the parties, their respective rank, profession or occupation;

(b) the place where, and the marriage officer by whom, the marriage is to be solemnised;

(c) whether the parties or either of them have or has been previously married;

(d) that they know of no impediment of kindred, or alliance, or other lawful cause, to prevent the proposed marriage;

(e) that one of the said parties, for the space of fifteen days immediately preceding the licence, has had his or her usual place of abode within Guyana;

(f) where either of the parties, not being a widower or widow, is under the age of eighteen years, that the consent of the person or persons whose consent to the marriage is required under this Act has been obtained.

(3) The petition shall be signed by both parties and shall be accompanied by such evidence of the statements therein made as the Minister may from time to time prescribe in the case of those petitions.

45. A licence shall be in the form prescribed by the Minister.

Form of
licence.

46. If any objection to the grant of any licence for a marriage be lodged at the Minister's office that objection being duly signed by or on the behalf of the person who lodges it, stating his place of residence and the ground of objection, no licence shall issue until the Minister has examined into the matter of the objection and is satisfied that it ought not to obstruct the grant of the licence for the marriage, or until the objection is withdrawn by the party who lodges it.

Objections
against issue
of a licence.

47. Whenever three calendar months have elapsed without the marriage to which a licence relates having been solemnized, that licence shall be void, and before the parties can be married by licence a fresh licence must be obtained as if no licence had been previously granted.

Licence, when
void.

SUPERINTENDENT REGISTRAR'S CERTIFICATE

Notice of
marriage.
Form B.
[35 of 1957
O.4/1974]

48. (1) Those intending marriage who desire to obtain a superintendent registrar's certificate shall give notice under their hands in Form B or to the like effect, to the superintendent registrar of the district within which they have dwelt for not less than seven days then next preceding, or, if the parties dwell in different marriage districts, each shall give the like notice to the superintendent registrar of the district wherein he or she has dwelt for the period aforesaid.

(2) The notice shall have at the foot thereof a statutory declaration, made and signed by the parties or party giving it, stating—

(a) that they, or he, or she (as the case may be), know or knows of no impediment of kindred, or alliance, or other lawful hindrance, to the said marriage; and

(b) that they, or he, or she (as the case may be), for the space of seven days immediately preceding the giving of the notice, have or has had their, his, or her usual place of abode and residence within the district of the superintendent registrar or registrars to whom the notice or notices (as the case may be) is or are so given; and

(c) when either of the parties intending marriage, not being a widower or widow, is under the age of eighteen years, further stating that the consent of the persons whose consent to that marriage is by law required, or of a Judge, has been given.

(3) The declaration may be made before and taken by anyone by law authorised to administer an oath, or before and by the superintendent registrar to whom the notice is about to be given.

(4) The notice aforesaid shall not be received by any superintendent registrar unless it is in the prescribed form and accompanied by the declaration aforesaid together with the birth certificates of the parties intending marriage or other satisfactory evidence of the ages of such parties.

49. (1) The superintendent registrar to whom the notice of marriage is given shall forthwith file it with the records of his office, and also enter the particulars thereof in the book to be called The Marriage Notice Book, and for each entry shall be entitled to have a fee of fifty-five dollars.

Filing and
entry of notice.
[5 of 1982
6 of 1997]

(2) The marriage notice book may at any reasonable time be inspected without fee by anyone.

50. The superintendent registrar receiving the notice shall cause a true and exact copy thereof, with a statement under his hand that any objections to the intended marriage must be lodged with him within twenty-one days from the date thereof, to be suspended or affixed in some conspicuous place outside his office for the twenty-one days next after the day of the entry of the notice in his marriage notice book.

Publication of
notice.

51. (1) After the expiration of twenty-one days next after the day of the entry of the notice in his marriage notice book, the superintendent registrar shall issue under his hand, upon the request of any party giving the notice, a certificate in, or to the effect of, Form C, provided no lawful impediment or valid objection to the marriage has been in the meantime shown to exist.

Certificate of
notice.
[5 of 1982
4 of 1985
6 of 1997]
Form C.

(2) For the certificate the superintendent registrar shall be entitled to demand and receive a fee of fifteen dollars.

52. (1) Anyone may enter an objection to the issue of a superintendent registrar's certificate on the ground of any legal impediment to a marriage between the parties, or of consent on the part of anyone whose consent is required to the marriage not having been obtained.

Objections to
issue of
certificate.

(2) The objection shall be in writing, signed by or on behalf of the person who enters it, shall state his name and place of residence and the ground of his objection, and shall be lodged with the superintendent registrar within twenty-one days from the date of the notice set up outside his office under section 50.

(3) When any objection is so lodged the superintendent registrar shall transmit it to a Judge of the High Court who shall decide upon it as expeditiously as the circumstances of the case will allow, the objection so transmitted being as far as practicable regarded and dealt with as a petition.

(4) The superintendent registrar in that case shall suspend the issue of his certificate until he receives a certified copy of the Judge's decision, and shall act in conformity therewith.

(5) The costs of and attending the decision by a Judge on any objection shall be in the Judge's discretion.

Certificate,
when void.

53. Whenever three calendar months have elapsed without the marriage to which a certificate relates having been performed that certificate shall be void, and before the parties can be married by a superintendent registrar's certificate a fresh notice must be given as if no proceedings had previously been taken to obtain a certificate.

Notice of
foreign
marriage.

54. (1) A notice of a marriage intended to be solemnised under the applied Act entitled the Foreign Marriage Act, 1892, shall be given by one of the parties intending the marriage who has had his or her usual abode in some place in Guyana for one week preceding (or for any other period prescribed by order in Council at any time hereafter published under the applied Act aforesaid), to the superintendent registrar of the marriage district in which that place is.

Form of
notice.

(2) The notice shall be given in the like form, so far as it is applicable, and shall be subject to the like requirements as if that party were about to be married in that place.

Publication of
notice.

(3) The superintendent registrar shall deal with the notice and shall publish it in like manner on payment of the like fee as in the case of a marriage within his marriage district.

Certificate of
publication of
notice.

(4) The superintendent registrar, unless he is aware of any impediment or objection which should obstruct the solemnisation of the marriage, shall give a certificate that the notice has been so given

and published as aforesaid, in the like manner and in the like form, so far as the same is applicable on payment of the like fee, as in the case of a marriage in his marriage district.

(5) Anyone who—

False declaration or representation.

(a) knowingly and wilfully makes a false declaration, or signs a false notice under this Act, for the purpose of procuring a marriage under the applied Act entitled the Foreign Marriage Act, 1892; or

(b) forbids a marriage under that Act by falsely representing himself to be a person whose consent to the marriage is required by law, knowing the representations to be false,

shall suffer the penalties of perjury and may be tried in any county in Guyana and dealt with in the same manner in all respects as if the offence had been committed in that county.

PART V

SOLEMNISATION OR PERFORMANCE OF MARRIAGE

55. Every marriage shall, except in the cases mentioned in Part VII, be solemnised—

(a) between the hours of six in the morning and nine in the evening, if solemnised by anyone other than a superintendent registrar, and between the hours of eight in the morning and four in the afternoon if performed at a superintendent registrar's office:

Provisions as to solemnisation.
[35 of 1957
4 of 1972
13 of 1985]
Time.

Provided that the provisions of this paragraph shall not apply to marriages contracted by persons professing the Hindu or Islamic religion;

LAWS OF GUYANA

28

Cap. 45:01

Marriage

- By whom. (b) by some marriage officer, or by the superintendent registrar of the marriage district, if the marriage is performed at his office, and in either case in the presence of two or more credible witnesses besides the marriage officer or superintendent registrar;
- Ceremony. (c) (i) according to the form and ceremony the parties see fit to adopt:

Provided that in some part of the ceremony the consent of each party to accept the other as his or her wife or husband is clearly expressed in the presence of the marriage officer and the witnesses;

(ii) if a marriage is performed in a superintendent registrar's office, each of the parties shall say to the other: "I call upon these persons here present to witness that I, A.B., do take thee, C.D., to be my lawful wedded wife (*or* husband)":

Provided that in the marriage of persons professing the Hindu or Islamic religion, it shall not be necessary for either party to pronounce the name of either party.

Addition of
religious
ceremony to
civil marriage.
[13 of 1985]

56. If the parties to a marriage contracted at the superintendent registrar's office desire to add the religious ceremony ordained or used by any Church or persuasion to the marriage so contracted, they may present themselves for that purpose to any minister or marriage officer of that Church or persuasion, who, upon the production of their certificate of marriage before the superintendent registrar, may if he thinks fit perform the marriage service of the Church or persuasion to which he belongs, but nothing in the performance of that service shall supersede or invalidate a marriage so previously contracted, nor shall the performance of that service be entered as a marriage among the marriages in any marriage register provided under this Act; and at no marriage performed at the registrar's office of any district shall any religious service be used there.

57. No person who has contracted a marriage under this Act shall, upon that marriage being dissolved for any reason whatever, be permitted to contract a marriage under the Indian Labour Act.

Person married under this Act may not contract marriage under Indian Labour Act.
c. 98:02

58. For every marriage performed in his office the superintendent registrar shall be entitled to demand and receive from the parties married a fee of seventy-five dollars.

Fee of superintendent registrar for performance of marriage.
[5 of 1982
4 of 1985
6 of 1997]

59. No marriage officer who solemnises any marriage after due publication of banns or notice of marriage as aforesaid between persons, both or one of whom not being a widow or widower, are or is at the time of the marriage under legal age, shall be answerable or responsible, or liable to any pain, penalty, or proceeding, for having solemnised the marriage without the consent of the parents or guardians, or other persons, if any, whose consent is required by law, unless those parents or guardians, or other persons, or one of them, forbid the marriage, and give notice thereof to the marriage officer before he has solemnised the marriage.

Case of marriage between minors after publication of banns.
[13 of 1985]

PART VI

REGISTRATION OF MARRIAGE

60. (1) A bound marriage register book and separate sheets for a duplicate original register, all of substantial paper, according to the forms provided for the registration of marriages by this Act, shall, at the commencement of this Act and thereafter whenever necessary, be supplied to each marriage officer and superintendent registrar by the Registrar General.

Supply of register books.

(2) The cost of providing the books and separate sheets shall be defrayed in like manner as that of providing register books of births and deaths.

Keeping of
register of
marriages.
[4 of 1972
13 of 1985]

61. Immediately after the solemnisation or performance of every marriage, an entry thereof shall be made in a marriage register book by the marriage officer or superintendent registrar; and in every entry in every register it shall be expressed that the marriage was had by banns or notice of marriage, or by licence of the Minister, or superintendent registrar's certificate, and if both or either of the parties married by licence or certificate be under age and not a widow or widower, that it was had with the consent of the parents or guardians, or other persons or person having lawful authority to withhold consent to the marriage, or after an order of a Judge of the High Court, and shall be signed by the marriage officer or superintendent registrar, as the case may be, with his proper addition, and by the parties married, and shall be attested by the two witnesses; and every entry shall be in or to the effect of Form D.

Form D.

Duplicate
register.
[28 of 1950
18 of 1985]
Form E.

62. (1) Of every entry at the same time before the parties depart shall then and there be made on a separate piece of paper a duplicate original register in which the same matter shall be entered and signed, and attested by the same parties in or to the effect of Form E.

(2) All duplicate original registers made in any one calendar month shall, within the first ten days of the calendar month next following, be transmitted to the Registrar General and shall be filed and safely preserved by him in his office, and every marriage officer and superintendent registrar shall be entitled to receive, out of any moneys provided by Parliament for that purpose, the sum of fifteen dollars for every marriage so entered and transmitted as aforesaid.

(3) Every original register, and also every copy thereof certified, under the hand of the marriage officer, or superintendent registrar, who for the time being has the lawful custody of the original, to be a true copy, and every duplicate original register, and also every copy thereof, certified, under the hand of the Registrar General, or his lawful deputy, to be a true copy, shall respectively be good evidence of the facts therein recorded, in pursuance of this Act in all courts and proceedings whatsoever in which it may be necessary to give evidence of the marriage to which it relates.

63. All persons at all reasonable times in the day (except Sundays), may search the original register book, and also the file of duplicate original registers, in the presence of the person for the time being having the care of them respectively, or his deputy, and may have a true copy of any entry therein, certified under the hand of the marriage officer, superintendent registrar, or officer for the time being respectively having the custody of the original or duplicate original register as aforesaid (as the case may be), which true copy the marriage officer, or Registrar General, or his lawful deputy, is hereby required to make, examine, and certify under his hand to be a true copy, in the form of the duplicate original register, except that the copy shall be headed "Certified copy of original (or duplicate original) marriage register", (as the case may be), and shall be dated on the day, month, and year when it is delivered.

Right to search register books, and to have certified copies of entries therein.

64. The following fees shall be demandable and payable before the performance of the duty to which they respectively relate, that is to say—

for every general search not directed to any particular entry	forty dollars
for every search for a particular entry	twenty dollars
for every search for two or more particular entries and not exceeding four entries	ten dollars for each entry
for every such certified copy as aforesaid	forty dollars.

Fees payable for search and for certified copies of entries.
[5 of 1982
4 of 1985
18 of 1993]

PART VII

MARRIAGES OF PERSONS BELONGING TO OTHER RELIGIONS

65. (1) Notwithstanding anything contained in section 4, the Minister may appoint any fit and proper person from among persons belonging to any religion other than the Christian, Hindu or Islamic religion to be a marriage officer for Guyana.

Marriages of persons belonging to other religions.
[13 of 1985]

(2) The provisions of this Act in so far as they relate to marriage officers of the Hindu or Islamic religion and marriages solemnised by them, shall apply *mutatis mutandis* to, and in relation to, a marriage officer appointed under subsection (1) and any marriage solemnised by him.

PART VIII

CLINICAL MARRIAGES

As to marriage
in *articulo*
mortis.
[O. 4/1974
13 of 1985
6 of 1997]

66. (1) A marriage officer may solemnise a marriage without any licence, or certificate of notice, or banns or notice of marriage, in the following special case, that is to say, where the marriage is between two persons one of whom he believes, from the certificate of a medical practitioner, if a medical practitioner has been in attendance on that person, and if no practitioner is actually in attendance on the person, or it appears to the marriage officer impossible to obtain a certificate in time, then from his own observation, to be *in articulo mortis*, the person, before the solemnisation, declaring that he or she believes that he or she is at the point of death.

(2) The marriage shall not be solemnised unless both parties are able to signify their consent thereto in presence of two witnesses.

(3) The marriage shall not be solemnised where either of the parties is under eighteen years of age, not being a widower or widow, without the verbal or written consent of the person whose consent is by law required; if that person is present the consent may be given orally, and the person shall sign the register of the marriage in token assent thereto; if the person is absent the consent shall be in writing, and shall be attached to the duplicate register.

(4) A marriage so solemnised shall be specially registered, and the certificate of the medical practitioner, or the marriage officer who performed the ceremony, as the case may be, that in his opinion the sick person is at the point of death, shall be attached to the duplicate register.

(5) The register and duplicate original register shall contain the particulars and be in Form F; but shall in all other respects be subject to the provisions of this Act relating to marriage registers. Form F.

(6) No marriage solemnised under this section shall be valid unless the foregoing conditions are observed.

(7) The certificate to be given by a medical practitioner, or a marriage officer for the purposes of this section, shall be in Form G. Form G. The fee payable to any Government medical officer for the certificate shall be sixty-five dollars, if a special visit is not required before it can be given, and if a special visit is required, a fee of one hundred and thirty dollars.

PART IX

OFFENCES

67. Anyone who knowingly and wilfully—

(a) solemnises marriage at any other time than between the hours of six in the morning and nine in the evening, save in the case mentioned in Part VIII; or

(b) solemnises marriage save as aforesaid without due publication of banns or notice of marriage, or licence of marriage from the Minister, or certificate from a superintendent registrar, first had and obtained; or

(c) falsely pretending to be a marriage officer or superintendent registrar, solemnises marriage; or

(d) solemnises any marriage save as aforesaid more than three months after the last publication of banns or notice of marriage, or the issue of a licence by the Minister, or the entry of a notice of the marriage by a superintendent registrar,

shall be guilty of a misdemeanour and liable to imprisonment for two years:

Provided that all prosecutions therefor shall be commenced within three years after the offence committed.

Unduly
solemnising
marriage.
[13 of 1985]

LAWS OF GUYANA

34

Cap. 45:01

Marriage

Making false
declaration,
etc.

68. Anyone who knowingly and wilfully makes any false declaration (statutory or other), or signs any petition, notice, statement or certificate required by this Act, which is in any material respect false, for the purpose of procuring any marriage, shall be deemed guilty of wilful and corrupt perjury and shall be liable to be prosecuted and punished accordingly.

Performance
by superintendent
registrar
of a void
marriage.

69. Any superintendent registrar who knowingly and wilfully performs, or permits to be performed, in his office any marriage in this Act declared to be null and void shall be guilty of a misdemeanour and liable to imprisonment for two years.

Liability of
persons
lodging an
objection on
frivolous
grounds.

70.(1) Anyone who enters an objection with the Minister or superintendent registrar against the grant of any licence or issue of any certificate, on grounds which the Minister or a judge declares to be frivolous as well as being such as ought not to obstruct the grant of the licence, shall be liable for the costs of the proceedings, and for damages which may be recovered by plaint or action by the party against whose marriage the objection has been lodged.

(2) For the purpose of enabling anyone to recover costs and damages in any action, as provided by this section, from any person who has lodged an objection on frivolous grounds, a copy of the declaration of the Minister, purporting to be signed by him, or a copy of the judgment of the judge, shall be evidence that the Minister or judge has declared the objection to have been lodged on grounds that are frivolous as well as being such as ought not to obstruct the grant of the licence or issue of the certificate, as the case may be.

PART X

MISCELLANEOUS

Dispensing
with proof of
certain
preliminary
matters, after
solemnisation
of marriage.

71. After the solemnisation or performance of any marriage under this Act, it shall not be necessary, in support of the marriage, or in any action, suit, or proceeding where it may come into question, to give any proof of the consent of anyone whose consent thereunto is by law required, or, the actual dwelling of the parties married, or of either of them, before the marriage in any specified district, for any prescribed

period, or that the banns were published, or notice of intended marriage given, in the place wherein, or by or to the person by or to whom, the banns ought to have been published, or the notice given, or that the marriage was solemnized or performed in the place, and by a person, where and by whom it ought to have been solemnised or performed:

Provided that nothing herein contained shall prevent any evidence being given that the marriage is null and void under any provision of this Act expressly declaring marriages to be null and void, but the burden of proof shall in all those cases lie on the party alleging the marriage to be null and void.

72. In no case whatsoever shall any suit or proceeding be had, in any court, or before any jurisdiction whatsoever, to compel the celebration of any marriage by reason of any promise or marriage contract made, or by reason of seduction, or of any cause whatsoever which arises after the commencement of this Act, any law or usage to the contrary notwithstanding:

Prohibiting proceedings to compel marriage.

Provided that nothing herein contained shall prevent anyone aggrieved from suing for or recovering damages in any court, or by any proceeding wherein and whereby damages may be lawfully recovered for breach of promise of marriage, or for seduction, or other cause aforesaid.

73. If any persons, save in the cases mentioned in Part VIII, being married by a superintendent registrar—

Invalidation of certain marriages.
[13 of 1985]

(a) knowingly and wilfully intermarry in any other place than a building wherein marriages may lawfully be solemnised; or

(b) knowingly and wilfully intermarry without due publication of banns or notice of marriage, or licence from the Minister, or a certificate from a superintendent registrar, first had and obtained; or

(c) knowingly and wilfully consent to, or acquiesce in, the solemnisation or performance of their marriage by anyone not being a marriage officer or superintendent registrar,

the marriage of those persons shall be null and void to all intents and purposes whatsoever.

Securing of
property where
necessary
consent to
marriage not
obtained.
[O. 4/1974]

74. (1) Where either of the parties to a marriage is under eighteen years of age, not being a widower or a widow, and is married under this Act without the consent of the person whose consent is by law required, no community of property* between the parties for the benefit or to the advantage of the party marrying the minor shall take place, nor shall any property be acquired from the minor by the other party to the marriage by last will, gift, transfer, or in any other way whatsoever, nor shall any stipulation made by that party by any antenuptial contract for any benefit from the property of the minor be valid or of any effect.

(2) The parent or guardian of the minor whose consent has not been given to that marriage may take proceedings in the High Court by action for securing the property; and the court shall have power in the action to order and direct that all the property of the minor shall be secured under the direction of the court for the benefit of the minor or of the issue of the marriage, or of both, in such manner as the court thinks fit, for the purpose of preventing the offending party from deriving any interest, or pecuniary benefit from the marriage.

Fees.
[13 of 1985]

75. Nothing in this Act shall affect the right of any marriage officer to receive for any duty performed by him under this Act the fees heretofore customarily paid to marriage officers of the same denomination or religion for the performance of that duty.

Payment of
fees into
Treasury.

76. All fees received by a superintendent registrar under this Act shall be paid to the Accountant General for the public use.

Power to make
regulations.
[13 of 1985]

77. The Minister may make regulations generally for the purpose of giving effect to the provisions of this Act and in particular, but without prejudice to the generality of the foregoing, for the purpose of—

(a) providing for the publication of banns or notice of marriage between Amerindians, any banns or notice of marriage published in accordance with regulations so made being in all respects valid:

Provided that nothing in this paragraph shall affect the right of Amerindians to have their banns or notice of marriage published in accordance with the general provisions of this Act; and

(b) securing as far as practicable that, subject to differences in religious rituals or ceremony, all marriages in Guyana shall be placed on the same basis.

78. (1) Notwithstanding anything contained to the contrary in this Act or in any other Act, the Registrar General shall, during a period of twelve months from 20th July, 1957 (the date of commencement of the Marriage (Amendment) Ordinance, 1957), upon an application being made to him by persons who have been granted certificates of exemption from the provisions of the Indian Labour Act, cause an entry to be made in a marriage register book in accordance with this Act of the particulars of a marriage contracted between persons professing the Hindu or Islamic religion, and still subsisting at the date of the application, and shall upon being requested by any person, and subject to section 64 cause to be issued a certified copy of the said entry in accordance with section 63.

Registration of
certain
marriages
contracted
before
commence-
ment of Act.
35 of 1957c.
98:02

(2)(a) Where a marriage has been contracted under the Indian Labour Act, and where subsequent to the marriage both parties have been granted certificates of exemption from the said Act, either party to the marriage may apply to the Registrar General in Form H to enter particulars of the said marriage in a marriage register book.

Form H.

(b) Such application shall be accompanied by a certificate of registration issued under section 143 of the Indian Labour Act.

c. 98:02

(c) Upon the receipt of such an application, the Registrar General shall cause an entry to be made in a marriage register book in accordance with sections 61 and 62, and shall cause to be issued upon being requested by any person and subject to section 64 a certified copy of the said entry in accordance with section 63.

LAWS OF GUYANA

38

Cap. 45:01

Marriage

[4 of 1972
O. 4/1974
13 of 1985]
s. 12

FIRST SCHEDULE

FORMS

FORM A

Number	Name	Denomination or Religion	Date of Appointment	Postal Address		Remarks
				Originally given	At present time	

s. 48

FORM B

Form of Notice of Marriage

To the Superintendent Registrar of the district of
in the county of.....

I (or We) the undersigned, hereby give you notice that a marriage
is intended to be held within three calendar months from the date
hereof, between me and the other party herein named and described (or
us) that is to say—

(a) The names
and particulars
relating to the
man should be
first entered in
the several
columns, and
then the names
and particulars
of the woman
placed below.

Forename and surname	Condition, i.e. widower, bachelor, widow or spinster	Rank or profession	Age	Dwelling place	Length of residence	Marriage district and county in which the parties respectively dwell
(a)						

LAWS OF GUYANA

Marriage

Cap. 45:01

39

Andhereby solemnly and sincerely declare that know of no impediment of kindred or alliance or other lawful hindrance to the said marriage, and that.....the above-named, have for the space of seven days immediately preceding the giving of this notice, had usual place of abode and residence.....within the above-mentioned marriage district of.....

Further and.....solemnly and sincerely declare that of the parties herein named and described (neither is a minor under the age of eighteen years.....*(or in lieu of the part within the brackets)*(b).....not being a widower (or widow) is (or am) a minor under the age of eighteen years, and that the consent of.....whose consent to this marriage is required by law has been duly given and obtained thereto).

(b) If both parties are under age, the form must be adapted so as to meet the case.
[O. 4/1974]

And.....make the foregoing declarations conscientiously believing the same to be true, pursuant to the provisions of the Marriage Act, well knowing that every person who knowingly or wilfully makes any false declaration, or who signs any false notice for the purpose of procuring any marriage under the provisions of the said Act, shall suffer the penalties of perjury.

In witness whereof.....have hereunto set and subscribed..... hand this.....day of.....19....

(Signed).....

Declared before me this..... day of.....19.....

(Signed).....

FORM C

s. 51

Form of Superintendent Registrar's Certificate

I, Superintendent Registrar of the marriage district of..... in the county ofdo hereby certify that on the..... day of.....19....., the following notice was duly entered in the marriage notice book of the said district (here copy notice omitting the declarations at foot thereof).

LAWS OF GUYANA

40

Cap. 45:01

Marriage

The issue of this certificate has not been objected to by any person
(or has been objected to but the objection has been overruled).

This certificate will be void unless the marriage is solemnized or
performed within three calendar months after the date of the entry of
notice, namely, on or before the.....day of.....19.....

(Signed).....

Superintendent Registrar

s. 61

FORM D
Original Register

19 MARRIAGES solemnised or performed at in the marriage district of in the county of 19.....								
Number	When married	Forenames and surnames	Ages	Condition	Rank or profession	Residence at the time of marriage	After banns or notice of marriage or licence or supt. registrar's certificate	Consent, by whom given, or judge's order

Married at in the marriage district aforesaid, after by me.
(Signed)

Marriage Officer or Superintendent Registrar
This marriage was solemnised (or performed) between us () in the presence of us ()

s. 62

FORME

Duplicate Original Register

19 MARRIAGES solemnised or performed at in the marriage district of in the county of 19.....								
Number	When married	Forenames and surnames	Ages	Condition	Rank or profession	Residence at the time of marriage	After banns or licence or supt. registrar's certificate	Consent, by whom given, or judge's order

Marriage atin the marriage district aforesaid, after by me
 (Signed)
Marriage Officer or Superintendent Registrar

This marriage was solemnised (or performed) between us (.....) in the presence of us (.....)
 (.....)

Examined with the original register by me and found to be correct—
 (Signed)
Marriage Officer or Superintendent Registrar

FORM F
Form of Marriage Register and of Duplicate Original Marriage Register (Marriage in *articulo mortis*)

s. 66(5)

Number	When married	Forenames and surnames	Condition	Rank or profession	Ages	Marriage district and residence at the time of marriage	Father's forename and surname

Married at in the marriage district of, by (or before) me
a marriage officer of Guyana.

This marriage was
solemnised between us in the presence of us

(a) (I consented to the marriage of (Signed))

I hereby certify that immediately before the solemnisation of this marriage, the said solemnly declared to me in the presence of the witnesses who have attested this marriage that he believed self to be at the point of death.

(Signed)

Marriage Officer

This day of, 19.....

(a) *Add, if circumstances require.*

LAWS OF GUYANA

44

Cap. 45:01

Marriage

s. 66(7)

FORM G

I
 medical practitioner,
 having been in attendance on
 certify that in my opinion the said
 is *in articulo mortis*.

s. 78(2)

FORM H

c. 98:02

Application for Registration of Marriages
 contracted under the Indian Labour Act
 Particulars of Marriage

Date and place of marriage	Husband's name status and age at the date of marriage	Wife's name, status and age at the date of marriage

I, of
 and I, of
 do solemnly and sincerely declare as follows—

1. (a) The details of the marriage set out above are true and such marriage was in accordance with the Indian Labour Act.

(b) Such marriage is still subsisting at the date hereunder written.

c. 45:01

2. We hereby apply to the Registrar General to enter the particulars of the abovementioned marriage in a marriage register in accordance with sections 61 and 62 of the Marriage Act.

c. 98:02

3. A certificate of registration issued under section 143 of the Indian Labour Act is attached hereto.

Declared at this
Before me,
.....
Registrar General

ss. 31, 42

SECOND SCHEDULE

[4 of 1972
13 of 1985]

CONSENT REQUIRED TO THE MARRIAGE OF AN INFANT
BY LICENCE WITHOUT PUBLICATION OF BANNES
OR NOTICE OF MARRIAGE

I. Where the Infant is Legitimate

Circumstances. *Person or Persons whose consent is required.*

1. Where both parents
are living:

- | | |
|---|---|
| (a) if parents are
living together; | Both parents. |
| (b) if parents are
divorced or
separated by
order of any court
or by agreement; | The parent to whom the custody of the infant is committed by order of the Court or by the agreement, or if the custody of the infant is so committed to one parent during part of the year and to the other parent during the rest of the year, both parents. |
| (c) if one parent has
been deserted by
the other; | The parent who has been deserted. |
| (d) if both parents
have been
deprived of
custody of infant
by order of any
court. | The person to whose custody the infant is committed by order of the court. |

LAWS OF GUYANA

46

Cap. 45:01

Marriage

Circumstances. *Person or Persons whose consent is required.*

2. Where one parent
is dead:

(a) if there is no The surviving parent.
other guardian;

(b) if a guardian has The surviving parent and the guardian if
been appointed acting jointly, or the surviving parent of the
by the deceased guardian if the parent or guardian of the infant
parent. is the sole guardian of the infant.

3. Where both The testamentary guardian or guardians and if
parents are dead. there are none the guardian or guardians
appointed by the court.

II. Where the Infant is Illegitimate.

If the mother of The mother or if she has by order of any court
the infant is alive. been deprived of the custody of the infant, the
person to whom the custody of the infant has
been committed by order of the court.

If the mother of The putative father, if the infant is living with
the infant is dead. him or is maintained by him; otherwise, the
guardian appointed by the mother.
