



ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER M40

MARRIAGE ACT

Showing the Law as at 15 December 2010

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

This Edition consolidates—

Act 4/2001, in force 25 June 2001

Act 2/2007, in force 26 February 2007

Act 7/2010, in force 1 November 2010

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MARRIAGE ACT

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MARRIAGE ACT

PART 1

PRELIMINARY

Interpretation

1. In this Act—

“infant” means a person under the age of 18 years;

“marriage” means the union of a man and a woman as husband and wife;

(Act 2/2007, s. 2)

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

“pauper” means a person in receipt of poor relief from the funds of Anguilla, and certified as such by the chairman of the board dispensing poor relief in Anguilla;

“prescribed fee” means the fee prescribed under section 66;

(Act 4/2001, s. 1)

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

“Registrar-General” means the person appointed under this Act to be Registrar-General for the purposes of this Act.

PART 2

REGISTRAR-GENERAL, MARRIAGE OFFICERS,
REGISTERED BUILDINGS, ETC.*Registrar-General and Marriage Officers***Appointment of Registrar-General**

2. The Registrar-General of Births, Deaths and Marriages of Anguilla shall be *ex officio* the Registrar-General for the purposes of this Act.

Appointment of marriage officers

3. (1) Every—

(a) minister of the Christian religion ordained or otherwise set apart to the ministry of the Christian religion, according to the usage of the denomination to which he belongs; and

(b) such minister who although not ordinarily resident in Anguilla is the recognized head within Anguilla of the denomination to which he belongs;

shall be entitled to be appointed by the Governor as a marriage officer for Anguilla unless the Governor is satisfied that he is unfit to be so appointed.

(2) The Governor may in any case require any applicant for appointment to prove that he is a minister of the Christian religion so ordained or set apart as aforesaid.

(3) The Registrar-General shall be *ex officio* a marriage officer.

(4) Every minister of the Christian religion, ordained or otherwise set apart to the ministry of Christian religion according to the denomination to which he belongs, who is lawfully a marriage officer in Antigua, the British Virgin Islands, Montserrat or Saint Christopher Nevis may solemnize a marriage in accordance with the provisions of this Act, and shall, save as provided in subsection (5), be deemed to be a marriage officer appointed under this Act, but such solemnization shall take place in the presence of a marriage officer appointed under this Act.

(5) Where any marriage is solemnized by a marriage officer of Antigua, the British Virgin Islands, Montserrat or Saint Christopher Nevis under the provisions of subsection (4), the marriage officer appointed under this Act in whose presence such marriage is solemnized shall comply with the requirements of sections 50 and 51 as to the keeping of marriage registers and the making of duplicates thereof, and shall be deemed to be the marriage officer for the purposes of such sections, and shall enter upon the original register and duplicate register, being in Forms 10 and 11 respectively in Schedule 1, that the marriage was solemnized in his presence by a minister of religion, stating the name and address of such minister and the original register and duplicate register shall be signed by the minister of religion solemnizing the marriage.

Power to refuse to act

4. (1) No marriage officer being a minister of a Christian religion shall be required to act as such with respect to any marriage which is contrary to, or desired to be solemnized in any manner other than is prescribed by, the rules of the religious denomination to which he belongs.

(2) Nor shall a marriage officer being a minister of the Christian religion be liable to any penalty for solemnizing with consent in writing of the recognized head, if any, within Anguilla of the denomination to which he belongs, according to the rules and rites of his denomination, the marriage of parties who are desirous of being religiously united in accordance with the rules of such denomination, but are unable to comply with the requirements of this Act, but the performance of such ceremony shall be and be deemed to be totally void and of no effect as a marriage in law and such marriage ceremony shall not be entered in the marriage register book required to be kept by this Act.

Application for appointment as a marriage officer

5. (1) All applications by ministers of religion for appointment as marriage officers shall be made in writing to the Registrar-General.

(2) Every minister of religion acting as such for a congregation or having the local superintendence of several congregations, who applies to be appointed a marriage officer, shall 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 such local superintendence and the postal address to which all communications intended for him may be addressed.

Notification of ministers of religion ceasing to act

6. Any marriage officer being a minister of religion who shall cease to act as such minister of religion shall forthwith notify the fact to the Registrar-General.

Marriage officer may resign

7. Any marriage officer appointed under the provisions of this Act may resign his appointment as such by notifying his resignation to the Registrar-General. Such resignation shall be notified in the *Gazette* and shall take effect from the date of publication.

Notification in *Gazette*

8. 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 of marriage officers

9. (1) Any marriage officer intending to be temporarily absent from Anguilla shall notify the Registrar-General of such intention, and shall make such arrangements for the custody of the marriage register books supplied to him as shall be satisfactory to the Registrar-General.

(2) The provisions of subsection (1) relating to the notification of absence to the Registrar-General shall not apply to a marriage officer of the class referred to in section 3(1)(b) if he complies with such requirements for the safe custody of such Register Books as may be prescribed by any general or special instructions of the Registrar-General.

Power to cancel appointment

10. The Governor in Council shall have full power, on good cause being shown, to cancel the appointment of any marriage officer. In the event of an appointment of a marriage officer being cancelled the fact and cause thereof shall be communicated to the recognized head within Anguilla, if any, of the religious denomination to which he belongs.

Register of marriage officers

11. (1) The Registrar-General shall keep a register in accordance with Form 1 in Schedule 1 of all marriage officers appointed under this Act.

(2) Whenever any 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 his charge or superintendence of which is not recorded at such office, he shall forthwith report in writing to the Registrar-General such change of residence, postal address or ministerial charge, and in default thereof his appointment as marriage officer may be cancelled.

Applications, notices, etc., to be sent to Registrar-General

12. Every application, notice or other notification required by or under this Part to be sent to the Registrar-General shall, in case the minister concerned is a member of any denomination having a recognized head in Anguilla, be sent through such head.

Appointments to be published in *Gazette*

13. All appointments under this Part shall be published in the *Gazette*.

Limitation of Registrar-General's powers

14. The Registrar-General shall not perform any function or act in respect of marriages elsewhere than in an office appointed under this Act for the purpose or otherwise than in accordance with the express provisions of this Act.

Appointment of offices

15. The Governor may appoint any building or buildings to be the office or offices of the Registrar-General.

*Registered Buildings***Registration of buildings at any time**

16. (1) Any proprietor or trustee or any other person who has sole control of a separate building used as a place of Christian worship may apply to the Registrar-General in order that such building may be registered for the publication of banns, and in such case shall deliver or send to the Registrar-General a certificate, signed by not less than 5 householders resident within the area, that such building has been and is intended to be used as a usual place of public religious worship, and that they are desirous that such place should be registered as aforesaid, which certificate shall be countersigned by the proprietor or trustee or other person making the application.

(2) On receipt of such certificate, and on sufficient cause being shown to him, the Registrar-General shall register such building in the book in which buildings used for the publication of banns are registered, and the Registrar-General shall endorse on such certificate the date of the registry, and shall keep the same with the other records of his office, and shall give a certificate of such registry under his hand on substantial paper to the proprietor or trustee or other person by whom the certificate is countersigned, and shall give public notice of the registration of such building by advertisement in the *Gazette*.

(3) For every such entry, certificate and publication, the Registrar-General shall receive at the time of delivery to him of the application to register the prescribed fee.

(Act 4/2001, s. 2)

Separate building

17. 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 section 16, notwithstanding the same is under the same roof with any other building or forms a part only of a building.

Use of building as school, etc.

18. 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 such building being registered for the publication of banns.

Cancellation of registry

19. (1) If at any time subsequent to the registry of any building, it is made to appear to the satisfaction of the Registrar-General that such building has been disused for the public religious worship of a congregation on whose behalf it was registered as aforesaid, the Registrar-General shall

cause the registry thereof to be cancelled, but, if it is proved to the satisfaction of the Registrar-General that the same congregation use instead thereof some other such building for the purpose of public religious worship, the Registrar-General may substitute and register such new place of worship instead of the disused building.

(2) Every application for cancelling the registry of any such building, or for such substitution and registry of a substituted building, shall be made to the Registrar-General, and such cancellation or substitution when made and the date thereof shall be entered in the book provided for the registry of such building, and shall be certified and published in the manner hereinbefore provided in the case of the original registry of the disused building.

(3) For every such substitution the Registrar-General shall receive, at the time of the delivery of the certificate, from the party requiring the substitution, the prescribed fee.

(Act 4/2001, s. 3)

(4) After any such cancellation or substitution has been made by the Registrar-General, it shall not be lawful to publish banns in such disused building, unless the same is again registered in the manner hereinbefore provided.

Rebuilding or repair of registered building

20. In any case in which any registered building is being rebuilt or under repair, it shall be lawful for the Registrar-General on application in writing made to him for that purpose to order and direct that banns of marriage may be published in any church or other building, which he by order in writing directs, until the registered building is again opened for the performance of divine service, and during all such period the church or building shall, for all purposes relating to the publication of banns of marriage, be deemed and taken to be the registered building so being rebuilt or under repair as aforesaid.

Notice to be placed in building

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

“Banns may be published in this building or church (as the case may be).”

Consent required for use of registered building

22. No banns 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 such minister belongs, where he is by law empowered to give such consent.

PART 3

RESTRICTIONS ON MARRIAGE

*Persons who may not intermarry***Prohibited degrees**

23. (1) Intermarriage between the persons hereinafter mentioned is hereby prohibited, namely—

- (a) in the case of persons related by blood between—
 - (i) ascendants and descendants namely, parents and children upwards and downward *in infinitum*,
 - (ii) brothers and sisters, or step-brothers and step-sisters, or
 - (iii) uncles and their nieces, that is, their brothers' or sisters' children or grandchildren and descendants, or aunts and their nephews, that is, their brothers' or sisters' sons or grandsons or their descendants, in both classes of cases *in infinitum*;
- (b) in the case of persons 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 such husband or wife in the hereinafter 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) any man and his step-daughter, that is the daughter of a former marriage of his wife, or of any of his wife's descendants, or any woman and her stepson, that is, the son of a former marriage of her deceased husband, or any of her husband's descendants, or
 - (iii) any man and his wife's niece or the widow of his nephew, that is, the widow of his brother's or sister's son or the widow of any of his brother's or sister's descendants, or any widow and her husband's nephew or the widower of her brother's or sister's daughter, or the husband of any of her brother's or sister's grandchildren or descendants.

(2) Notwithstanding subsection (1), a man may marry any of the persons referred to in section 2 of the Marriage (Prohibited Degrees of Relationship) Act.

Marriages within prohibited degrees void

24. Any marriage solemnized or celebrated between persons forbidden to intermarry shall be null and void to all intents and purposes whatsoever.

Restriction in case of minority

25. (1) Where either of the parties, not being a widower or widow is under the age of 18 years, no marriage shall take place between them until the consent of the persons or person required by this Act has been first obtained.

(2) The consent required to the marriage of an infant under this section shall, in the case of a marriage intended to be solemnized on the granting of a licence by the Registrar-General or in the case of a marriage intended to be solemnized after the publication of banns, be that of the persons or person mentioned in Schedule 2, but—

- (a) if the marriage officer is satisfied that the consent of any person whose consent is so required cannot be obtained by reason of absence or inaccessibility or by reason of his being under any disability, the necessity for the consent of that person shall be dispensed with, if there is any other person whose consent is also required; and if the consent of no other person is required, the Registrar-General may dispense with the necessity of obtaining any consent, or the High Court may, on application being made, consent to the marriage, and the consent of the Court so given shall have the same effect as if it had been given by the person whose consent cannot be obtained; and
- (b) if any person whose consent is required refuses his consent, the High Court may, on application being made, consent to the marriage, and the consent of the Court so given shall have the same effect as if it had been given by the person whose consent is so refused.

(Act 4/2001, s. 4)

(3) A marriage solemnized between persons either of whom is under the age of 16 years shall be void, but the Registrar-General may, in his discretion, if, for serious reasons, he considers it to be in the interest of the intending spouses so to do, grant a licence to marry to any person under the age of 16 years but over the age of 15 years; and the exercise of such discretion by the Registrar-General shall not be enquired into by any Court if all the necessary consents to such marriage have been previously obtained by the parties thereto.

(Act 4/2001, s. 4)

PART 4**PRELIMINARIES TO MARRIAGE****Authority for solemnization or celebration**

26. Except in the cases mentioned in Part 7, no marriage shall be solemnized or celebrated unless there is produced to the marriage officer solemnizing or celebrating the same, a certificate or certificates, as the case may be, in the form or to the effect set out in Form 3 of Schedule 1 of the due publication of the banns within the preceding 3 months, or the Registrar-General's licence which is still in force or a certificate or certificates from the Registrar-General which is or are still in force but, where a marriage is solemnized by a marriage officer officiating in the registered building in which banns of such marriage have within the aforesaid period been duly published, or celebrated at the office of the Registrar-General where any notice relating to such marriage has been duly given, and is still in force, it shall not be necessary to issue a certificate of the publication in such registered place or of the notice given in such office.

(Act 4/2001, s. 5)

*Banns of Marriage***Publication of banns**

27. (1) Subject to the provisions of this Act, any minister of the Christian religion, ordained or otherwise set apart to the ministry of Christian religion, according to the usage of the persuasion to which he may belong, if appointed as a marriage officer (but not otherwise) shall himself or by someone officiating under his control publish banns of marriage between persons desirous of being joined together in matrimony.

(2) Such 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 such minister officiates and shall be in the words as nearly as may be in Form 4 in Schedule 1 and shall contain the Christian and other name and surname and place of abode of each of the parties, and shall be published on 3 Sundays within a period not exceeding 3 months preceding the solemnization of the marriage.

(3) If the parties to be married dwell in different places whether within or without Anguilla the banns shall be published in the place (both within and without Anguilla) in which each party dwells, and the manner of publication of the banns within Anguilla shall be in accordance with the provisions of subsection (2).

(4) If one or both of the parties dwell in any place in which there is no registered building used for public Christian worship belonging to the denomination to which he or she belongs, then a notice to the Registrar-General of the place shall be given in accordance with the provisions of section 39, and shall be in substitution for publication of such banns in respect of such of the parties to be married as dwell in such place, and the certificate of the Registrar-General issued under section 42 shall be accepted as sufficient evidence of such notification in all respects in respect of such party or parties.

Notification before banns

28. No marriage officer shall be obliged to publish banns between any persons whomsoever, unless the persons to be married, 2 days at the least before the time required for the first publication of such banns respectively, deliver, or cause to be delivered to such marriage officer, a notice of their true Christian and other names and surnames, their respective ages, rank, profession or occupation, and a description of their place or respective places of abode, and of the time during which they have dwelt in such place or places and state whether they or one, and if one only which of them, have or has been married before, and such 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.

Publication, when void

29. (1) In all cases where any person whose consent to a marriage is by this Act required forbids such marriage and gives notice thereof before it is solemnized to the minister publishing the banns for such marriage, the publication of such banns shall, subject nevertheless to the provisions of this Act, be void unless the person so objecting afterwards withdraws his objection, in which case the publication shall hold good.

(2) In all cases where 3 calendar months from the last publication of banns have elapsed without the marriage to which such banns relate having been solemnized, the publication of such banns shall be void.

(3) In either of those cases before the parties can be married by banns, it shall be necessary to re-publish banns anew, in manner and form aforesaid, as if no banns had ever been published between them.

Certificate of publication of banns

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

(2) For every such certificate the officiating minister shall be entitled to demand and receive the prescribed fee.

(Act 4/2001, s. 6)

Supply of register book of banns

31. (1) The Registrar-General shall provide for use at every building wherein banns may be published under this Act a proper register book of banns, in the form or to the effect set out in Form 5 in Schedule 1, of substantial paper ruled and having the several pages numbered progressively wherein the particulars of all banns published in the building shall be recorded; and immediately after each publication of banns the officiating minister, or the person officiating under his control, shall enter the date of such publication and sign it.

(2) Every marriage officer supplied with a register book of banns shall safely keep and preserve it, and such book shall be open to the inspection of the Registrar-General at all times.

Marriage Licences

Registrar-General may grant marriage licences

32. The Registrar-General, 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 under this Act.

(Act 4/2001, s. 7)

Restriction in case of minority

33. Where either of the parties, not being a widower or widow, is under the age of 18 years, no licence shall be granted until the consent of the persons or person required by section 25(2) has been first obtained.

Marriage officer may be stated in licence

34. The parties intending marriage or either of them may require that such licence shall authorise the solemnization or celebration of the marriage in respect of which such licence is applied for by any marriage officer by whom such marriage could have been solemnized or celebrated if banns or notice of marriage thereof had been published as required by this Act.

Application for licence

35. (1) Any persons intending marriage who desire to obtain such licence shall apply to the Registrar-General therefor by petition.

(Act 4/2001, s. 8)

(2) The petition shall state—

- (a) the Christian or other names and surnames of the parties, their respective ages, rank, profession or occupation;
- (b) the place where, and the marriage officer by whom, the marriage is to be solemnized or celebrated;
- (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 parties has, for the space of 15 days immediately preceding such application, had his or her usual place of abode within Anguilla, but, where neither of the parties has had his or her usual place of abode within Anguilla, the Registrar-General may in his absolute discretion grant a licence to marry without publication of banns or notice of marriage on payment of an additional fee or such other fee as prescribed; and

(Act 4/2001, s. 8)

- (f) where either of the parties, not being a widower or widow, is under the age of 18 years, that the consent of the person or persons whose consent to such marriage is required under this Act has been obtained.

(3) The petition which shall be in the form or to the effect set forth in Form 6 in Schedule 1 shall be signed by both parties and shall be accompanied by such evidence of the statements therein made as the Registrar-General may prescribe in the case of such petitions.

(Act 4/2001, s. 8)

Form of licence

36. The licence shall be in the form or to the effect set forth in Form 7 in Schedule 1.

Objection to grant of licence

37. If any objection to the grant of any licence for a marriage be lodged at the office of the Registrar-General, such objection being duly signed by or on the behalf of the person who lodges the same, stating his place of residence and the ground of objection, no licence shall be issued until the Registrar-General 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.

(Act 4/2001, s. 9)

Licence void 3 months after date

38. In all cases where 3 calendar months from the date of the licence has elapsed without the marriage to which a licence relates having been solemnized or celebrated, such licence shall be void, and before the parties can be married by licence a fresh licence shall be obtained as if no licence had previously been granted.

*Registrar-General's Certificate***Notice of intended marriage**

39. (1) Any persons intending marriage who desire to obtain a certificate in Form 2 of Schedule 1 from the Registrar-General, shall give notice under their hands in the form or to the effect set out in Form 8 in Schedule 1 to the Registrar-General for not less than 7 days then next preceding.

(2) Every such notice shall have at the foot thereof a statutory declaration made and signed by the parties or party giving such notice and 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 marriage;
- (b) that they, or he, or she (as the case may be), have or has for the space of 7 days immediately preceding the giving of such notice, had their, his, or her usual place of abode and residence within Anguilla; and
- (c) when either of the parties intending marriage, and not being a widower or widow, is under the age of 18 years, that the consent of the persons whose consent to such marriage is by law required or of a Judge of the High Court has been given.

(3) Such declaration may be made before and taken by any person by law authorised to administer an oath, or before and by the Registrar-General to whom the notice is about to be given.

Filing notice

40. (1) The Registrar-General to whom any such notice of marriage is given, on being satisfied that such notice is conformable to the requirements of this Act, shall forthwith file the same with the records of his office and also enter the particulars thereof in the marriage notice book, which shall be in Form 9 of Schedule 1, and for every such entry the Registrar-General shall be entitled to have the prescribed fee.

(Act 4/2001, s. 10)

(2) The marriage notice book may, at any reasonable time, on application to the Registrar-General, be inspected without fee by any person.

Publication of notice

41. The Registrar-General receiving, filing and entering any such notice shall on the same day cause a notice thereof with a statement under his hand that any objections to the intended marriage shall be lodged with him within 21 days from the date thereof, to be suspended or affixed in some conspicuous and accessible place outside his office for the 21 days next after the day of entry of such notice in his marriage notice book. Such notice and statement shall be in the form or to the effect set out in Form 10 in Schedule 1.

Certificate of notice

42. (1) After the expiration of 21 days next after the day of the entry of such notice in his marriage notice book, the Registrar-General shall issue under his hand, upon the request of any party giving such notice, a certificate in the form or to the effect set forth in Form 2 in Schedule 1 that in the meantime no lawful impediment or valid objection to such marriage has been shown to exist.

(2) For every such certificate the Registrar-General shall be entitled to demand and receive the prescribed fee, but no fee shall be claimed or paid in the case of a pauper.

(Act 4/2001, s. 11)

Objections to issue of certificate

43. (1) Any person may enter an objection to the issue of a Registrar-General's certificate, on the ground of any legal impediment to a marriage between the parties, or of consent on the part of any person whose consent is required to such marriage, not having been obtained.

(2) Such objection shall be in writing signed by or on behalf of the person who enters the same, shall state his name and place of residence and the ground of his objection, and shall be lodged with the Registrar-General within 21 days from the date of the notice set up outside his office under section 41.

(3) When any objection is lodged as aforesaid, the Registrar-General shall forward the objection to a Judge of the High Court who shall decide upon it as expeditiously as the circumstances of the case will permit, the objection so forwarded being as far as practicable regarded and dealt with as a petition to the Judge sitting in Chambers.

(4) The Registrar-General shall in any such case 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 on any objection by a Judge shall be in the Judge's discretion.

Certificate, when void

44. In all cases where 3 calendar months from the date of entry of notice have elapsed without the marriage to which a certificate relates having been solemnized or celebrated, such certificate shall be void, and before the parties can be married on a Registrar-General's certificate, a fresh notice shall be given as if no proceedings had previously been taken to obtain a certificate.

PART 5**SOLEMNIZATION OR CELEBRATION OF MARRIAGE****Solemnization or celebration of marriage**

45. Every marriage shall, except in the cases mentioned in Part 7, be solemnized or celebrated—

- (a) between the hours of 6:00 a.m. and 8:00 p.m., if solemnized by a marriage officer other than the Registrar-General, and between the hours of 10:00 a.m. and 3:00 p.m. if celebrated by the Registrar-General;

- (b) by a marriage officer in the presence of 2 or more credible witnesses beside such marriage officer, and, if such marriage officer is the Registrar-General, then such marriage shall be celebrated in the office of the Registrar-General appointed for the purpose; and
- (c) according to such form and ceremony as the parties may see fit to adopt, but 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, and, if a marriage is celebrated in the office of the Registrar-General, 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).”

Addition of religious ceremony to civil if desired

46. If the parties to any marriage contracted at the office of the Registrar-General 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 of such church or persuasion, and such minister, upon the production of their certificate of marriage before the Registrar-General, may, if he thinks fit, perform the marriage service of the church or persuasion to which he belongs, but nothing in the performance of such service shall supersede or invalidate any marriage so previously contracted, nor shall the performance of such service be entered as a marriage among the marriages in any marriage register provided under this Act, but at no marriage celebrated at the office of the Registrar-General shall any religious service be used at such office.

Fee for celebration of marriage

47. For every marriage celebrated in his office the Registrar-General shall be entitled to demand and receive from the parties married the prescribed fee, but no fee shall be claimed or paid in the case of the marriage of a pauper.

(Act 4/2001, s. 12)

Case of marriage between minors after publication of banns

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

PART 6

REGISTRATION OF MARRIAGE

Safety of marriage register books and forms

49. (1) The Registrar-General shall control and direct the proper registration of all marriages under this Act. He shall whenever necessary furnish to every marriage officer a marriage register

book, which shall be in Form 11 of Schedule 1 and shall be bound, with separate sheets for a duplicate original register, all of substantial paper according to the forms provided for the registration of marriages by this Act.

(2) Every marriage officer shall safely keep and preserve every such marriage register book furnished to him, and such book shall be open to the inspection of the Registrar-General at all times.

(3) The cost of providing such books and separate sheets shall be defrayed from public funds.

Keeping of register of marriages

50. Immediately after the solemnization or celebration of every marriage, an entry thereof shall be made in the marriage register book, by the marriage officer; and in every such entry in every such register it shall be expressed that the marriage was had by banns or the Registrar-General's licence or Registrar-General'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 guardian or other persons or person having lawful authority to withhold consent to the marriage, or after such order of the Judge as aforesaid, and shall be signed by the marriage officer with his proper addition, and by the parties married, and shall be attested by such 2 witnesses; and every such entry shall be in the form or to the effect set out in Form 11 in Schedule 1.

(Act 4/2001, s. 13)

Duplicate register

51. (1) Of every such entry at the same time before the parties depart shall then and there be made on a separate sheet of paper as supplied from time to time by the Registrar-General a duplicate original register in which the same matter shall be entered and signed and attested by the same parties in the form or to the effect set out in Form 12 in Schedule 1.

(2) All such duplicate original registers shall within 14 days from the date thereof be transmitted by the marriage officer to the Registrar of Births, Deaths and Marriages, and the Registrar of Births, Deaths and Marriages shall, at the end of every 3 months, viz., within the first 10 days of January, April, July and October of each year, transmit all such duplicates to the Registrar-General who shall file and safely preserve them in his office.

(3) The Registrar-General shall make or cause to be made and kept in his office an alphabetical index of all duplicate original registers filed in his office.

(4) Every original register, and also every copy thereof, certified to be a true copy under the hand of the marriage officer or Registrar-General who for the time being has the lawful custody of the original, and every such duplicate original register, and also every copy thereof, certified under the hand of the Registrar-General 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 the same relates.

Right to search register books and have copies of entries

52. It shall be lawful for all persons at all reasonable times in the day (except Sundays and holidays) on application to the marriage officer or Registrar-General to search the original marriage register book and also the file of duplicate original registers, in the presence of the person for the time being having the care of the same respectively, and to have a true copy of any entry therein, certified under the hand of the marriage officer, or Registrar-General, having the custody of the original or

duplicate original register as aforesaid (as the case may be) which true copy such marriage officer, or Registrar-General, 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 same shall be headed "Certified Copy of Original (or Duplicate Original) Marriage Register Book" (as the case may be) and shall be dated on the day, month and year when the same is delivered.

Fees payable for searches and for copies of entries

53. The fees prescribed by regulation under the Registration of Births, Deaths and Marriages Act as from time to time amended shall be demanded and paid before any search is made or, as the case may be, any certified copy of an entry is delivered to any person.

PART 7

CLINICAL MARRIAGES

Marriage *in articulo mortis*

54. (1) It shall be lawful for any minister of the Christian religion, being a duly appointed marriage officer under the provisions of this Act, to solemnize a marriage without any licence or certificate of notice or banns in the following special case, that is to say, where the marriage is between 2 persons, one of whom he believes from the certificate of a medical practitioner, if any such practitioner has been in attendance on such person during his or her last illness (as the case may be), to be *in articulo mortis*; or if no medical practitioner has been in attendance as above, and for reason shown to the satisfaction of the marriage officer that it is impossible to procure a medical certificate within the probable time of death of one of the parties concerned, and the marriage officer believes from his own observation that he or she (as the case may be) is *in articulo mortis*, but—

- (a) in every such case, before the solemnization of any such marriage, the person so believed to be *in articulo mortis* shall first declare in the presence of 2 credible witnesses that he or she (as the case may be) believes that he or she (as the case may be) is at the point of death; and
- (b) no marriage *in articulo mortis* shall be solemnized unless both parties to such marriage are able to and actually and previously signify, in the presence of 2 or more credible witnesses, besides the marriage officer, their consent to such marriage.

(2) No such marriage shall be solemnized where either of the parties is under 18 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 such person is present such consent may be given orally, and such person shall sign the register of such marriage in token of assent thereto. If such person is absent such consent shall be in writing and shall be attached to the duplicate original register.

(3) If the person whose consent is by law required to be given is absent, inaccessible, *non compos mentis*, or being present withholds his, her or their consent to such marriage, the marriage officer may, if he is of opinion that the consent of such person is unreasonably withheld and that the condition of the dying person does not permit of the delay involved in a petition to the High Court, proceed to solemnize the marriage but, such parent or guardian may, by petition to the High Court, within a reasonable time, in any case not exceeding 3 months, from the date of the marriage, have the marriage made void of effect on proof that the marriage was one to which the Court would not have consented had the matter come before it in the first instance.

(4) No marriage solemnized under the provisions of this section shall be valid unless the foregoing conditions are observed.

(5) A marriage solemnized under this Part shall be specially registered and the certificate of the medical practitioner, or of the marriage officer who performed the ceremony, as the case may be, that in his opinion the sick person is or was at the point of death, shall be attached to the duplicate original register and forwarded to the Registrar-General.

(6) The register and duplicate original register shall contain the particulars and be in the form or the effect set out in Forms 13 and 14 respectively in Schedule 1. In all other respects the provisions of this Act relating to registration of marriage and the keeping of registers of marriage shall apply, but the duplicate original marriage register in each case of a marriage *in articulo mortis* shall be forwarded by the marriage officer to the Registrar-General by the first opportunity and not later in any case than 7 days after the solemnization of the marriage. On receipt of the duplicate original register the Registrar-General shall for a space of 3 weeks cause a true and exact copy thereof to be suspended or affixed in some conspicuous and accessible place outside his office.

(7) The certificate to be given by a medical practitioner or by a marriage officer for the purposes of this section shall be in the form prescribed in Form 15 or 16 in Schedule 1. The prescribed fee shall be payable to any Government medical officer for any such certificate if a special visit is required or not required before it can be given, but no fee shall be claimed and paid in the case of a pauper.

(Act 4/2001, s. 14)

PART 8

OFFENCES, ETC.

Unduly solemnizing marriage

55. Any person who knowingly and wilfully—

- (a) solemnizes or celebrates marriage at any other time than between the hours fixed by section 45(a), save in the cases mentioned in section 4(2) and Part 7;
- (b) solemnizes or celebrates any marriage save in the cases mentioned in section 4(2) and Part 7 without due publication of banns, or licence of marriage from the Registrar-General, or certificate from the Registrar-General first had and obtained;

(Act 4/2001, s. 15)

- (c) solemnizes or celebrates any marriage save as aforesaid more than 3 months after the last publication of banns, or the issue of a licence by the Registrar-General, or the entry of a notice of such marriage by the Registrar-General; or

(Act 4/2001, s. 15)

- (d) falsely pretending to be a marriage officer solemnizes or celebrates marriage;

is guilty of an offence and is liable on conviction to imprisonment for a term of 2 years but all prosecutions for any such offence shall be commenced within 3 years after the offence was committed.

Making false declaration, etc.

56. Any person 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 purposes of procuring any marriage, is deemed guilty of perjury and is liable to be prosecuted and punished accordingly.

Celebration by Registrar-General of a void marriage

57. A Registrar-General who knowingly and wilfully celebrates or permits to be celebrated in his office any marriage in this Act declared to be null and void is guilty of an offence and on conviction thereof is liable to imprisonment for a term of 2 years.

Liability of persons lodging an objection on frivolous grounds

58. (1) Any person who shall enter an objection at the office of the Registrar-General against the grant of any licence or issue of any certificate, on grounds which the Registrar-General or a Judge shall declare to be frivolous as well as being such as ought not to obstruct the grant of the licence or certificate, shall be liable for the cost of the proceedings, and for damages which may be recovered by plaint or action by the party against whose marriage such objection has been lodged.

(2) For the purpose of enabling any person 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 Registrar-General purporting to be signed by him or a copy of the judgment of the Judge, shall be evidence that the Registrar-General or Judge has declared such 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.

(Act 4/2001, s. 16)

Injury, etc., of marriage register

59. Any person who knowingly and unlawfully falsifies, destroys, injures, removes or corrects any public register of marriages with intent to defeat, or obstruct, or prevent the course of justice, or to defraud or injure any person, is liable to imprisonment for a term of 3 years.

Injury, etc., of a certificate

60. Any marriage officer who knowingly and unlawfully falsifies, destroys, injures or conceals any notice or certificate which is in his possession, custody or control, or to which he has access by virtue of his office, is liable to imprisonment for a term of 2 years.

Penalty for non-compliance with provisions of Act

61. Any marriage officer who knowingly and wilfully makes default in strictly complying with the provisions of this Act as regards the safe and proper custody of any book or form supplied to him by the Registrar-General under the provisions of this Act, or who fails to transmit to the Registrar-General within the time specified the several registers or documents herein required to be transmitted, or who obstructs the Registrar-General in the execution of his duty under this Act, is guilty of an offence and is liable on summary conviction to a penalty of \$3,840.

PART 9
MISCELLANEOUS

Dispensation with proof of certain preliminary matters after marriage

62. After the solemnization or celebration of any marriage under this Act, it shall not be necessary, in support of such marriage, or in any action, suit, or proceeding where the same may come into question, to give any proof of the consent of any person 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 place, 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 celebrated, in the place and by a person, where and by whom it ought to have been solemnized or celebrated, but nothing herein contained shall prevent any evidence being given that such marriage is null and void under any provision of this Act expressly declaring such marriages to be null and void, but the burden of proof shall in all such cases lie on the party alleging any such marriage to be null and void.

Prohibiting of proceedings to compel marriage

63. 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 entered into, or by reason of seduction or of any cause whatsoever which shall arise after 1st January, 1918, any law or usage to the contrary notwithstanding, but nothing herein contained shall prevent any person 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 as aforesaid.

Invalidation of certain marriages

64. If—

- (a) any persons, save in the cases mentioned in Part 7—
 - (i) knowingly and wilfully intermarry in any other place than the building wherein marriages may be lawfully celebrated, or
 - (ii) knowingly and wilfully intermarry without due publication of banns, or licence from the Registrar-General, or a certificate from the Registrar-General first had and obtained; or
- (Act 4/2001, s. 17)*
- (b) any person knowingly and wilfully consents to, or acquiesces in the solemnization or celebration of their marriage by any person not being a marriage officer;

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

Securing of property when necessary consent to marriage not obtained

65. (1) Where either of the parties to a marriage is under 18 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 such minor shall take place, nor shall any property be acquired from such 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 such party by any ante-nuptial contract for any benefit from the property of such minor be valid or of any effect.

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

Prescribed fee

66. The Governor in Council may by regulation prescribe the fees payable under this Act.

(Act 4/2001, s. 18)

Saving clause as to fees

67. Nothing in this Act shall affect the right of any marriage officer to receive for any duty performed by him under this Act such fees as have been customarily paid to ministers of the same denomination for the performance of duty.

Payment of fees into Consolidated Fund

68. All fees received under this Act by the Registrar-General shall be paid into the Consolidated Fund.

(Act 7/2010, s. 26)

Citation

69. This Act may be cited as the Marriage Act, Revised Statutes of Anguilla, Chapter M40.

SCHEDULE 1**FORMS**

FORM 1

(Section 11(1))

Anguilla

MARRIAGE ACT**REGISTER OF MARRIAGE OFFICERS**

No.	Name.	Denomination.	Date of appointment.	Postal Address.		Remarks.
				Originally given.	At present time.	

FORM 2
(Sections 39 and 42)

Anguilla

MARRIAGE ACT

REGISTRAR-GENERAL'S CERTIFICATE

I, Registrar-General,, a marriage officer in and for Anguilla do hereby certify that on the day of the following notice was duly entered in the Marriage Notice Book—

Names and Surname.	Condition, i.e. widower, bachelor, widow or spinster.	Rank, profession or occupation.	Age.	Dwelling.	Length of residence.
Between					
and					

The issue of this certificate has not been objected to by any person (*or as the case may be*) (*has been objected to but such objection has been overruled*).

This certificate will be void unless the marriage is solemnized or celebrated within 3 calendar months after the date of the entry of notice, namely, on or before the day of

(Signed)

Marriage Officer.

FORM 3

(Section 26)

Anguilla

MARRIAGE ACT

CERTIFICATE OF PUBLICATION OF BANNS OF MARRIAGE

I hereby certify that the banns of marriage between *A.B.*, bachelor or widower (as the case may be), and *C.D.*, widow or spinster (as the case may be) were duly published, in the church of
..... on three Sundays, viz., on and no objection was declared.

This certificate will be void unless the marriage between the parties herein named be solemnized or celebrated within 3 calendar months from the last day of publication of banns as hereinbefore stated.

(Signed)

Marriage Officer

Date

FORM 4

(Section 27(2))

Anguilla

MARRIAGE ACT

FORM OF WORDS TO BE USED IN THE PUBLICATION OF BANNS

I publish the banns of marriage between *A.B.*, of (*here state place*), bachelor or widower (*as the case may be*), and *C.D.*, of (*here state place*), spinster or widow (*as the case may be*).

If any of you know cause or just impediment why these 2 persons should not be joined together in holy matrimony ye are to declare it.

This is the first (*or second or third, as the case may be*) time of asking.

FORM 5
 (Section 31)
 Anguilla
 MARRIAGE ACT
REGISTER BOOK OF BANNs

Banns of marriage published in church.

Names and Surname.	Condition, i.e. widower, bachelor, widow or spinster.	Rank, profession or occupation.	Age.	Dwelling place. Length of residence.
Between and				
1 st Publication on Sunday by				
2 nd " on Sunday by				
3 rd " on Sunday by				
Between and				
1 st Publication on Sunday by				
2 nd " on Sunday by				
3 rd " on Sunday by				
Between and				
1 st Publication on Sunday by				
2 nd " on Sunday by				
3 rd " on Sunday by				
Between and				
1 st Publication on Sunday by				
2 nd " on Sunday by				
3 rd " on Sunday by				

FORM 6
(Section 35(3))
Anguilla
MARRIAGE ACT
PETITION

To the Registrar-General.

The humble petition of bachelor/widower native of
residing at and spinster/widow native of
residing at.....

Respectfully sheweth, that your first named petitioner is of the age of years, and that
your second named petitioner is of the age of years.

That has/have for the space of 15 days immediately preceding
the date of this petition had his or her/their usual place of abode within Anguilla.

That your petitioners are desirous of being married without publication of banns or notice of marriage
and know of no cause or impediment to prevent the proposed marriage, and therefore pray for the grant to
them of a special licence whereby any marriage officer shall be authorised to solemnize or celebrate the same.

That your petitioners desire the marriage to be solemnized/celebrated at
by a marriage officer.

And your petitioners as in duty bound will ever pray.

Signature

Date

DECLARATION*

I do hereby solemnly declare that I know of no lawful cause or
impediment why I should not be married to

Taken before me this day of

Justice of the Peace.

CERTIFICATE

I, the undersigned, hereby certify that after due enquiry I am satisfied that the statements contained in this
petition are true and correct, and that to the best of my knowledge and belief there is no impediment to the
proposed marriage of with.....

This day of, 20.....

Signature

Justice of the Peace or Minister of Religion.

* To be made by each party.

(Act 4/2001 s.19)

FORM 7
(Section 36)
Anguilla
MARRIAGE ACT
LICENCE

By the Registrar-General of Anguilla

To all whom these presents shall come;

Be it known that bachelor/widower of age born in
an inhabitant at of Anguilla, and spinster/widow of age
born in an inhabitant at in Anguilla, having petitioned me for a
licence to marry without publication of banns or notice of marriage, and they the said
having made it appear that there does not exist any lawful cause or impediment to their marriage, licence is
hereby granted to (a) marriage officer to solemnize/celebrate a marriage
between the said and without publication of banns or notice of
marriage according to the provisions of the Marriage Act, provided no lawful impediment be known to the
contrary.

This licence will be void unless the marriage between the parties herein named be solemnized or
celebrated within 3 calendar months from the date thereof.

Given under my hand, at the Registrar-General's office, Anguilla, this day of
..... and in the year of Her Majesty's reign.

Registrar-General.

(Act 4/2001 s 20)

FORM 8
Anguilla
(Section 39(1))
MARRIAGE ACT
NOTICE OF MARRIAGE

To the Registrar-General

I/We (as the case may be) the undersigned, hereby give you notice that a marriage is intended to be held within 3 calendar months from the date hereof, between me/us and the other party herein named and described, that is to say—

Table with 6 columns: Names and Surname, Condition, Rank, Age, Dwelling place, Length of residence. Rows for 'Between' and 'and'.

And I/We hereby solemnly and sincerely declare that I/We know of no impediment of kindred or alliance or other lawful hindrance to the said marriage, and that I/We the above-named, have for the space of 7 days immediately preceding the giving of this notice, had my/our usual place of abode and residence within the above-mentioned marriage district.

And I/We further solemnly and sincerely declare that of the parties herein named and described (neither is a minor under the age of 18 years) (or in lieu of the part within brackets (a) not being a widower (or widow), is (or am) a minor under the age of 18 years, and that the consent of whose consent to the marriage is required by law has been duly given and obtained thereto).

And I/We 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 I/We have hereunto set and subscribed my/our hand this day of, 20.....

(Signed)

Declared before me this day of, 20.....

(Signed)

FORM 9
(Section 40)

Anguilla

MARRIAGE ACT

MARRIAGE NOTICE BOOK

Names and Surname.	Condition, i.e. widower, bachelor, widow or spinster.	Rank, profession or occupation.	Age.	Dwelling place. Length of residence.	Date of notice accepted and entered in Marriage Notice Book.
Between					
and				Signature of Registrar-General	
Between					
and				Signature of Registrar-General	

FORM 10

(Section 41)

Anguilla

MARRIAGE ACT

PUBLIC NOTICE OF INTENDED MARRIAGE

Notice has this day been received, and entered in the Marriage Notice Book at this office, of a marriage intended to be had between the following persons, that is to say—

Names and Surname.	Condition, i.e., widower, bachelor, widow or spinster.	Rank, profession or occupation.	Place and length of residence.
Between			
and			

Any objections to a certificate being granted authorising the marriage between the above-named parties must be lodged with me in writing within 21 days from this date by the objector, who must appear personally and declare before me the truth thereof.

Marriage Officer.

Date of notice.

FORM 11
 (Sections 49 and 50)
 Anguilla
 MARRIAGE ACT

MARRIAGE REGISTER BOOK
Original Register

20..... Marriages Solemnized (*or celebrated*) at in Anguilla.

No.	Names and Surname.	Ages.	Condition.	Rank, profession or occupation.	Residence at the time of Marriage.	Father's Name and Surname.
	Between					
	and					

Married this day of, 20, at in Anguilla, (*a*)
 by me.....

(Signed)

Marriage Officer.

This marriage was solemnized (*or celebrated*)

(*a*) "After Banns" "by
 Licence" or "After between us { In the presence of us {
 Publication," as the }
 case may be. }

FORM 12
(Section 51)
Anguilla

MARRIAGE ACT

MARRIAGE REGISTER BOOK

Duplicate Original Register

20..... Marriages Solemnized (or celebrated) at in Anguilla.

No.	Names and Surname. Between and	Ages.	Condition.	Rank, Profession or Occupation.	Residence at the time of Marriage.	Father's Name and Surname.

Married this day of, 20, at in Anguilla, (a)
..... by me.....

(Signed)

Marriage Officer

This marriage was solemnized (or celebrated)

(a) "After Banns" "by
Licence" or "After between us }
Publication," as the }
case may be. }
.....
.....

Examined with the original Register, by me and certified to be correct.

Marriage Officer

FORM 13
(Section 54(6))
Anguilla
MARRIAGE ACT

MARRIAGE REGISTER BOOK
Original Register, Marriage in *Ariculo Mortis*

20 Marriages Solemnized at in Anguilla.

No.	Names and Surname.	Age.	Condition.	Rank, Profession or Occupation.	Residence at the time of Marriage.	Father's Name and Surname.	Whether married on certificate given by Medical Practitioner or by Marriage Officer.
	Between						
	and						

Married this day of, 20, at in Anguilla, by me
, a Marriage Officer of Anguilla.

This Marriage was in the presence of us, who certify that both parties
 solemnized between us. } to the marriage previously signified in our }
 Believing that he/she is at presence their consent to the marriage believing }
 the point of death. } that he/she is at the point of death. }

(a) Add if (a) I consented to the marriage of
 circumstances I hereby certify that immediately before the solemnization of this marriage, the said
 require. solemnly declared to me in the presence of the witnesses who have attested that he believed self to
 be at the point of death.

This day of, 20.....

Marriage Officer

FORM 14
(Section 54(6))
Anguilla
MARRIAGE ACT
MARRIAGE REGISTER BOOK
Duplicate Original Register, Marriage in *Articulo Mortis*

20 Marriages Solemnized at in Anguilla.

No.	Names and Surname.	Age.	Condition.	Rank, Profession or Occupation.	Residence at the time of Marriage.	Father's Name and Surname.	Whether married on certificate given by Medical Practitioner or by Marriage Officer.
	Between						
	and						

Married this day of, 20, at in Anguilla, by me

..... a Marriage Officer of Anguilla.

This marriage was in the presence of us, who certify solemnized between us. { that both parties to the marriage previously signified in our presence their consent to the marriage believing that he/she is at the point of death. }

Believing that he/she is at the point of death.

(a) Add if (a) I consented to the marriage of circumstances I hereby certify that immediately before the solemnization of this marriage, the said require. solemnly declared to me in the presence of the witnesses who have attested that he believed self to be at the point of death.

This day of, 20.....
Marriage Officer

Examined with the Original Register by me and certified to be correct
Marriage Officer

FORM 15

(Section 54(7))

Anguilla

MARRIAGE ACT

CERTIFICATE OF MEDICAL PRACTITIONER

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

Signature

Medical Practitioner.

Date, 20.....

(Or as case may be.)

FORM 16

(Section 54(7))

Anguilla

MARRIAGE ACT

CERTIFICATE BY MARRIAGE OFFICER

I marriage officer, hereby certify that has declared to me in the presence of 2 witnesses that he/she believes that he/she is at the point of death, that there is no medical practitioner in attendance on the said, that for reasons shewn to my satisfaction it is impossible to obtain a medical certificate within the probable time of death of the said and that in my opinion formed from my own observation I believe the said to be *in articulo mortis*.

Signature

Marriage Officer.

Date, 20.....

SCHEDULE 2

(Section 25(2))

CONSENTS REQUIRED TO THE MARRIAGE OF AN INFANT

1. Where the Infant is Legitimate

Circumstances:	Person or Persons whose consent is required:
1. Where both parents are living:	
(a) if parents living together;	Both parents.
(b) if parents are divorced or separated by order of Court or by agreement;	The parent to whom the custody of the infant is committed by order of any Court or by 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 deprived of custody of infant by order of Court;	The person to whose custody the infant is committed by order of the Court.
2. Where one parent is dead:	
(a) if there is no other guardian;	The surviving parent.
(b) if a guardian has been appointed by the deceased parent.	The surviving parent and the guardian if acting jointly, or the surviving parent or the guardian if the parent or guardian is the sole guardian of the infant.
3. Where both parents are dead.	The guardians or guardian appointed by the deceased parents or by the Court under section 6 of the Guardianship of Infants Act.

2. Where the Infant is Illegitimate

Circumstances:	Person whose consent is required:
1. If the mother of the infant is alive.	The mother, or if she has by order of the Court 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.
2. If the mother of the infant is dead.	The guardian appointed by the mother.

