



TRINIDAD AND TOBAGO.

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I ASSENT,

A. B. WRIGHT,  
*Acting Governor.*  
7th August, 1943.

AN ORDINANCE to amend the Marriage Ordinance.

[12th August, 1943.]

Commencement.

**E**NACTED by the Governor of Trinidad and Tobago  
with the advice and consent of the Legislative Council  
thereof.

1. This Ordinance may be cited as the Marriage (Amend- Short title.  
ment) Ordinance, 1943, and shall be read as one with the  
Marriage Ordinance hereinafter referred to as the Ch. 29. No. 2.  
Principal Ordinance.

Sections 19, 20, 31, 35 of the Principal Ordinance replaced.

2. Sections 19, 20, 31 and 35 of the Principal Ordinance are hereby repealed and replaced respectively by the following :—

Special provisions in cases where one party to intended marriage does not reside in Colony.

19. (1) In any case in which one of the parties (hereinafter referred to as the "resident party") to a marriage intended to be solemnized or contracted under the provisions of this Ordinance is resident in the Colony and the other party to such intended marriage (hereinafter referred to as the "non-resident party") is not so resident, it shall be lawful for the Governor if he shall think fit and if the provisions of section 20 of this Ordinance have been complied with, by a writing under his hand (hereinafter referred to as "the Governor's authority"), to authorise the District Registrar to whom notice of intended marriage has been given by the resident party to issue his certificate in accordance with the provisions of section 14 of this Ordinance in respect of the non-resident party as if notice had been given to him by such non-resident party jointly with the resident party and as if such non-resident party had the residential qualification prescribed in section 12 of this Ordinance.

*Amended by Sec 3(b) of 24/47*

(2) The Governor's authority shall be, as near as may be, in the form in Schedule G1 to this Ordinance.

*Replaced by Sec 3(b) of 24/47*

Schedule G1.

Application for authorisation under section 19.

20. (1) Before <sup>the Governor's authority</sup> any such authority as is mentioned in section 19 of this Ordinance may be granted, the following conditions shall be complied with :—

*Amended by Sec 4 of 24/47*

(a) the resident party shall have given notice of the intended marriage in the manner provided by section 12 of this Ordinance to the District Registrar of the district within which he has previously resided for not less than seven days next preceding the date of such notice ;

- (b) not less than seven days but not more than five months shall have elapsed since the entry of the notice referred to in paragraph (a) of this subsection ;
- (c) the resident party shall have made application to the Colonial Secretary for the Governor's authority not later than five months after the entry of the notice referred to in paragraph (a) of this subsection ;
- (d) the resident party shall have paid to the officer appointed by the Governor to receive the same the sum of \$14.40 for the issue of the Governor's authority aforesaid.

(2) The application to the Colonial Secretary shall state—

- (a) the christian or other names and surnames of both parties, their respective profession, occupation and place of residence ;
- (b) whether the parties or either of them have or has been previously married ;
- (c) that no impediment of kindred or alliance or other lawful cause to prevent the proposed marriage is known to the applicant ;
- (d) that the resident party has resided in the district in which the notice referred to in paragraph (a) of subsection (1) of this section has been given, for not less than seven days next preceding the date of such notice ;
- (e) where either of the parties, not being a widower or widow, is under the age of twenty-one years, that the consent of the person or persons whose consent to such marriage is required under this Ordinance has been obtained.

(3) The application referred to in subsection 1 (c) of this section shall be signed by the resident party and shall be accompanied by a statutory declaration made by him before the Registrar of Marriage in the form given in Schedule H to this Ordinance.

Proof of  
certain matters  
not required  
after marriage.

31. After any marriage shall have been solemnized or contracted in the manner in this Ordinance provided, it shall not be necessary in support of such marriage to give any proof of the actual dwelling or of the period of dwelling of either of the parties in the district mentioned in a notice of marriage previous to the giving of such notice, nor of the consent of any person whose consent thereunto is required by law, nor shall any evidence be given to prove the contrary.

Void marriages

35. (1) If any person shall knowingly and wilfully intermarry under the provisions of this Ordinance, without due notice given in accordance with section 12 or section 15 of this Ordinance or without a certificate under section 14 or 17 of this Ordinance having been duly issued, or without a licence issued under this Ordinance, the marriage of such persons shall be null and void.

(2) If any persons to any marriage are within the prohibited degrees of consanguinity or affinity according to the law of England from time to time in force, the marriage of such persons shall be null and void.

Section 39 of  
the Principal  
Ordinance  
amended.

3. Section 39 of the Principal Ordinance is hereby amended by inserting the words "from time to time in force" between the word "England" and the word "shall".

Validation

4. No marriage solemnized or contracted under the Principal Ordinance, other than a marriage heretofore adjudged to be void by a court of competent jurisdiction, shall be, or be deemed to have been, invalid by reason only that a licence issued under section 19 of the Principal Ordinance, prior to the coming into force of this Ordinance, was issued less than two clear days after application therefor had been made or that a District Registrar's certificate was issued in compliance with such licence less than seven days after the time of entry of notice of marriage given to such District Registrar under section 12 of the Principal Ordinance by one of the parties to the marriage.

