
First Session Fifth Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 32 of 1996

[L.S.]

AN ACT to amend the Marriage Act, Chap. 45:01

[Assented to 22nd October, 1996]

ENACTED by the Parliament of Trinidad and Tobago as ^{Enactment} follows:—

1. This Act may be cited as the Marriage ^{Short title} (Amendment) Act, 1996.
2. In this Act, "the Act" means the Marriage Act. Chap. 45:01

Section 19A inserted

3. The Marriage Act is amended by inserting immediately after section 19, the following new section:

“Residential
requirement
for non-
residents
Chap. 3:01

19A. (1) In the case of two non-resident parties intending that a marriage shall be solemnised between them, each party shall be present in Trinidad and Tobago for not less than three days prior to the time of the marriage.

(2) For the purposes of subsection (1) the requisite three-day period shall run from the day after the date of arrival of the respective parties.

(3) Parties to whom subsection (1) applies shall, on payment of a fee of three hundred dollars, be granted a Special Licence signed by the Registrar of Marriages or District Registrar and such Special Licence shall be in the form set out in Schedule G and shall authorise the solemnisation of the marriage between the parties named in the Special Licence.

(4) Before a marriage can be solemnised, both parties shall appear personally before the Registrar of Marriages or District Registrar not less than twenty-four hours before the intended time of the marriage and shall each make an affidavit or statutory declaration that by the law of the respective domicile of each of the parties:

(a) there is no impediment of consanguinity or affinity or other lawful hindrance to the said marriage; and

(b) either that the consent of the person or persons whose consent to marriage is required by law has been obtained or that no such consent is required.

(5) The Minister may, by Order prescribe such documents that shall be submitted in support of an affidavit or statutory declaration made by each of the parties appearing before the Registrar of Marriages or District Registrar.

Chap. 6:52

(6) Notwithstanding the Commissioner of Affidavits Act, for the purposes of subsection (4) every District Registrar shall be *ex officio* a Commissioner of Affidavits.

(7) The District Registrar as a Commissioner of Affidavits is subject to the provisions of the Commissioner of Affidavits Act.

(8) Every District Registrar, shall forthwith transmit to the Registrar of Marriages a copy of every affidavit or declaration made before him.

(9) Every such affidavit or declaration shall be preserved by the Registrar of Marriages among the records of his office.

(10) Section 25 of the Interpretation Act shall not apply to this section.”

4. Section 12 of the Act is amended by re-numbering Section 12 amended paragraph (d) as paragraph (e) and inserting a new paragraph (d) as follows:

“(d) under the authority of a Special Licence from the Registrar of Marriages or District Registrar under the provisions of section 19A;”.

5. Section 28 of the Act is amended by inserting after Section 28 amended the words “President,” the words, “or on the delivery of a Special Licence from the Registrar of Marriages or District Registrar.”.

Section 29 repealed
and substituted

6. Section 29 of the Act is repealed and replaced as follows:

"Marriages
before
District
Registrar

29. (1) On the delivery of the certificate of a District Registrar, or in case the parties shall have given notice to the District Registrars of different districts then on the delivery of the certificate of each such District Registrar, or on the delivery of the certificate of a Marriage Officer, or in case the parties have given notice to different Marriage Officers then on the delivery of the certificate of each such Marriage Officer, or on the delivery of a licence from the President, or on the delivery of a Special Licence from the Registrar of Marriages or District Registrar, to any District Registrar, the parties named in the certificate or certificates or licence, as the case may be, may, if they see fit, contract a marriage.

(2) A marriage shall be solemnised with open doors by a District Registrar in the presence of two or more credible witnesses between the hours of ten o'clock in the forenoon and four o'clock in the afternoon of the same day."

Section 30 amended

7. Section 30 of the Act is amended by—

- (a) inserting after the words "section 19," occurring in line three the following words:
"or a Special Licence under section 19A,"; and
- (b) inserting after the word "new" occurring in line eight the following words:
"or Special".

Section 41 amended

8. Section 41 of the Act is amended by inserting after the words "President," the words "or a Special Licence from the Registrar of Marriages or District Registrar,".

Schedule amended

9. Schedule G is amended by inserting the words "Form 1" immediately below the words "Schedule G" and by inserting immediately after Form 1, as amended the following new Form:

“FORM 2

(Section 19A)

SPECIAL LICENCE

(Applicable to the case of non-resident parties)

To any District Registrar or Marriage Officer,

This is to License and Permit you to solemnise a marriage between A.B.(here give name, surname, condition, calling and place of residence of A.B.) and C.D. (here give name, surname, condition, calling and place of residence of C.D.) and according to the provisions of the Marriage Act, you knowing no lawful impedient to the contrary.

Given under my hand at this..... day of, 19

Signed.

N.B. This Special Licence will be void unless the marriage is solemnised on or before the day of 19 next.”

Passed in the Senate this 9th day of July, 1996.

N. COX
Clerk of the Senate

Passed in the House of Representatives this 7th day of August, 1996.

J. SAMPSON
Clerk of the House

House of Representatives amendments agreed to by the Senate this 8th day of October, 1996.

N. COX
Clerk of the Senate