

MARRIAGE ACT

CHAPTER 45:01

Act 13 of 1923

Amended by

9 of 1932	45 of 1979
24 of 1943	51/1980
24 of 1947	17 of 1981
35 of 1952	5 of 1982
172/1961	11 of 1988
16 of 1962	6 of 1993
2/1963	32 of 1996
28 of 1973	4 of 2013
136/1976	159/2013
	*8 of 2017

(*See Note on page 2)

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Note on Delegation Powers

See the Current Edition of Consolidated Index of Acts and Subsidiary Legislation for Delegation Powers made under sections 6, 18 and 19.

Note on Adaptation

Certain fees in this Chapter were increased by the Commission under paragraph 4 of the Second Schedule to the Law Revision Act (Ch. 3:03). Where this occurs, a marginal reference in the form normally indicating an amendment is made to LN 51/1980 (the Legal Notice by which the President's approval was signified).

Note on Act No. 8 of 2017

The Amendments made to this Act by Act No. 8 of 2017 took effect on 2nd October 2017 by LN 109/2017.

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MARRIAGE ACT

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CHAPTER 45:01

MARRIAGE ACT

1950 Ed.
Ch. 29. No. 2.
13 of 1923.

An Act relating to the Solemnisation and Registration of Marriages.

Commencement.

[1ST JANUARY 1924]

Short title.

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

Interpretation.
[5 of 1982].

2. In this Act “Minister” means the Minister to whom responsibility for the administration of Legal Affairs is assigned.

ADMINISTRATION

Registrar of
Marriages.

3. The Registrar General shall be the Registrar of Marriages under this Act, and shall keep at his office in Port-of-Spain a general register of marriages in Trinidad and Tobago.

District
Registrar,
Port-of-Spain.

4. The Registrar of Marriages shall be, in right of his office, District Registrar of Marriages within the City of Port-of-Spain.

District
Registrars,
San Fernando
and Arima.

5. The President may appoint such persons as he thinks fit to be District Registrars of Marriages for the City of San Fernando and the Borough of Arima, and every person so appointed shall hold office during the President’s pleasure.

District
Registrars, other
Counties.

***6.** The Revenue Officer in charge of a District Revenue Office of each County shall be, in right of his office, District Registrar of Marriages within the Wards comprised in such County, and such Wards shall be deemed the district of such District Registrar.

MARRIAGE OFFICERS

Marriage
Officers.

7. (1) The President, or any person duly authorised by him, may grant licences to such persons being ministers of any Christian

*See Act No. 21 of 1990.

religion, as the President or such authorised person may, in his discretion, think fit, to be Marriage Officers, and, without assigning any reason for so doing, cancel any such licence.

(2) A licence under this section shall be in the form set out in Schedule A.

Schedule A.

(3) Notice of the granting or cancellation of any such licence shall be published in the *Gazette*. Every such notice shall take effect from the date of publication.

8. (1) Any minister of religion who desires to be licensed as a Marriage Officer shall make an application to the Minister which shall—

Application for licence as a Marriage Officer. [6 of 1993].

- (a) state the dwelling place of the applicant;
- (b) state the name of the religious denomination to which the applicant belongs;
- (c) be accompanied by a certificate from the local head of such religious denomination to the effect that the applicant is a fit and proper person to be licensed as a Marriage Officer; and
- (d) be accompanied by a fee of fifty dollars.

(2) Upon the grant of the licence, the minister of religion shall pay a fee of two hundred dollars.

(3) A licence granted under this section is renewable every ten years on payment of a fee of one hundred dollars.

9. Any Marriage Officer, subject to the approval in writing of the local head of his religious denomination, may resign his appointment as such. Any such resignation shall be notified in the *Gazette*, and shall take effect from the date of publication.

Resignation of Marriage Officer.

10. Any Marriage Officer may act as such in any part of Trinidad and Tobago.

Marriage Officer may act in any part of Trinidad and Tobago.

11. Every District Registrar shall keep affixed in a conspicuous place in his office a list of all licensed Marriage Officers, which list shall state the dwelling place of each Marriage Officer, and the name or other description of the place or places of public worship (if any) at which he acts as a minister of religion.

District Registrars to keep lists of Marriage Officers.

**PRELIMINARIES TO SOLEMNISATION
OF MARRIAGE**

Alternative
procedure which
may be
followed as a
preliminary to
solemnisation of
marriage.
[32 of 1996
4 of 2013].

12. Marriage may be solemnised—

- (a) under the authority of a District Registrar's certificate or District Registrars' certificates; or
- (b) under the authority of a Marriage Officer's certificate or Marriage Officers' certificates; or
- (c) under the authority of a licence from the Minister; or
- (d) under the authority of a Special Licence from the Registrar of Marriages or District Registrar under the provisions of section 19A; or
- (e) under the provisions of section 42.

Notice to
District
Registrar.
[51/1980
6 of 1993].
Schedule B.

13. (1) In every case of marriage intended to be solemnised under the authority of a District Registrar's certificate or District Registrars' certificates, each of the parties shall give notice of the intended marriage, in the form set out in Schedule B (making the declaration therein contained), to the District Registrar of the district within which he or she has respectively resided for not less than seven days next preceding the date of such notice. However, when each of the parties to the intended marriage has resided for the required period in the same district, a single notice shall be sufficient.

(2) On the receipt of a notice of an intended marriage, the District Registrar shall forthwith enter the particulars set forth in the notice and also the date of the receipt of the notice, in a book to be called the "Marriage Notice Book", and shall place a copy of such notice in a conspicuous place in his office for a period of not less than seven days from the time of its receipt.

(3) For every entry made in the Marriage Notice Book the District Registrar shall be entitled to a fee of ten dollars, and such Marriage Notice Book shall be open at all reasonable times, without fee, to all persons desirous of inspecting the same.

14. (1) Every District Registrar, not being the Registrar of Marriages, shall forthwith transmit to the Registrar of Marriages a copy of every entry which is made by him as provided in section 13, and the Registrar of Marriages shall, on the receipt of such entry, file and preserve the same among the records of his office.

District Registrars to send copies of entries to Registrar.

(2) Any District Registrar who, without reasonable cause or excuse, fails to transmit to the Registrar of Marriages a copy of any entry in accordance with this section is liable on summary conviction to a fine of two hundred dollars.

15. At any time not more than six months nor less than seven days after the entry of notice, the District Registrar or where the Marriage Notice Book is kept by a Revenue Officer in the capacity of District Registrar, any officer authorised in that behalf in writing by the Revenue Officer, upon being requested so to do by or on behalf of the party by whom such notice was given, and in case no lawful impediment shall have been shown to the satisfaction of such District Registrar or officer, as the case may be, why such certificate should not issue, and in case no *caveat* shall have been entered against the issue of such certificate in the manner hereinafter mentioned, shall issue under his hand a certificate according to the form set out in Schedule C, and every such certificate shall state the particulars set forth in the notice, and the date on which the notice was entered, and that no *caveat* has been entered against the issue of such certificate, and that the full period of seven days has elapsed since the entry of such notice; and for every such certificate the District Registrar or officer, as the case may be shall be entitled to a fee of ten dollars.

Issue of District Registrar's certificate. [35 of 1952 51/1980 6 of 1993].

Schedule C.

16. (1) In every case of marriage intended to be solemnised under the authority of a Marriage Officer's certificate or Marriage Officers' certificates, each of the parties shall give notice of the intended marriage, in the form set out in Schedule D (making the declaration therein contained), to the Marriage Officer of the congregation to which he or she respectively belongs or is considered to be attached, or if not belonging or not considered to

Notice to Marriage Officer.

Schedule D.

be attached to any congregation then to any Marriage Officer in the district in which he or she has respectively resided for not less than seven days next preceding the date of such notice. However, when each of the parties to the intended marriage belongs to the same congregation a single notice shall be sufficient.

(2) On receipt of a notice of an intended marriage, the Marriage Officer shall forthwith enter the particulars set forth in the notice, and also the date of the receipt of the notice, in a book to be kept by him and to be called the “Marriage Banns Book”, and shall place a copy of such notice for a period extending over two Sundays from the date of its receipt on a notice board to be kept affixed on the outside of the principal door of the place of worship at which he acts as minister of religion.

(3) The Marriage Officer shall also, by himself or by some other person by him duly authorised, publish the banns of marriage between the parties named in the notice in the place of public worship at which he acts as minister of religion. The publication shall be made in an audible manner sometime during divine service on a Sunday, and shall be as nearly as may be in the form set out in Schedule E, and shall be made for two Sundays, during morning or evening service.

Schedule E.

Marriage
Officer to send
copies of entries
to Registrar.

17. (1) Every Marriage Officer shall forthwith transmit to the Registrar of Marriages a copy of every entry which is made by him as provided in section 16, and the Registrar of Marriages shall, on the receipt of such entry, file and preserve the same among the records of his office.

(2) Any Marriage Officer who, without reasonable cause or excuse, fails to transmit to the Registrar of Marriages a copy of any entry in accordance with this section is liable on summary conviction for every such offence, to a fine of two hundred dollars.

Issue of
Marriage
Officer's
certificate.
[51/1980].

18. At any time after publication of banns is complete and before the expiration of six months from the entry of notice, the Marriage Officer, upon being requested so to do by or on behalf of the party by whom the notice was given, and in case no lawful

impediment is shown to the satisfaction of such Marriage Officer why the certificate should not issue, and in case no *caveat* has been entered against the issue of such certificate in the manner hereinafter mentioned, shall issue under his hand a certificate according to the form given in Schedule F, and every such certificate shall state the particulars set forth in the notice, and the date on which the notice was entered, and that no *caveat* has been entered against the issue of such certificate, and that the banns have been published in the manner required by this Act; and for every such certificate the Marriage Officer shall be entitled to a fee of fifty cents.

Schedule F.

19. In the case of persons residing in Trinidad and Tobago intending that a marriage shall be solemnised between them, the Minister may, if he thinks fit, dispense with the giving of notice, and with the issue of the certificate of a District Registrar or a Marriage Officer, and grant his licence, which shall be in the form set out in Schedule G or to the like effect, authorising the solemnisation of marriage between the parties named in the licence. However, before any such licence is issued, one of the parties to the intended marriage shall appear personally before the Registrar of Marriages, and shall make affidavit or solemn declaration that there is not any impediment of consanguinity or affinity or other lawful hindrance to the said marriage, or that such marriage has been authorised by the Chief Justice as provided below; and for every such licence the party requiring it shall pay the sum of one hundred dollars to the Registrar of Marriages.

Procedure by
licence from the
Minister.
[2/1963
51/1980
6 of 1993
4 of 2013
8 of 2017].

Schedule G.

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

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 one day prior to the time of the marriage.

Residential
requirement for
non-residents.
[32 of 1996
8 of 2017].

(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.

Schedule G.

(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.

Ch. 6:52.

(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, there is no impediment of consanguinity or affinity or other lawful hindrance to the said marriage.

(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.

(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) Every 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.

Ch. 3:01.

(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.

Special provisions in cases where one party to intended marriage does not reside in Trinidad and Tobago. [4 of 2013].

20. (1) In any case in which one of the parties (referred to below as the “resident party”) to a marriage intended to be solemnised or contracted under this Act is resident in Trinidad and Tobago and the other party to the intended marriage (hereinafter referred to as the “non-resident party”) is not so resident, the

Minister or any person duly authorised by him may, if the Minister or such authorised person thinks fit and if the provisions of section 21 have been complied with, by a writing under his hand (referred to below as “the Minister’s authority”), authorise the District Registrar to whom notice of the intended marriage has been given by the resident party to issue his certificate in accordance with section 15 in respect of the non-resident party as if notice had been given to him by the non-resident party jointly with the resident party and as if the non-resident party had the residential qualification prescribed in section 13.

(2) The authority mentioned in subsection (1) (referred to below as “the Minister’s authority”) shall be, as nearly as may be, in the form in Schedule H.

Schedule H.

21. (1) Before the Minister’s authority is granted the following conditions shall be complied with:

Application for
authorisation
under
section 20.
[16 of 1962
2/1963
45 of 1979
51/1980
6 of 1993
4 of 2013
8 of 2017].

- (a) the resident party must have given notice of the intended marriage in the manner provided by section 13 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 must have elapsed since the entry of the notice referred to in paragraph (a);
- (c) the resident party must have made application to the Minister for his authority not later than five months after the entry of the notice referred to in paragraph (a);
- (d) the resident party must have paid to the officer appointed by the Minister to receive the same the sum of one hundred dollars for the issue of the Minister’s authority.

(2) The application to the Minister shall state—

- (a) the given 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 subsection (1)(a) has been given, for not less than seven days next preceding the date of the notice.

(3) The application referred to in subsection 1(c) shall be signed by the resident party and shall be accompanied by a statutory declaration made by him before the Registrar of Marriages in the form set out in Schedule I.

Schedule I.

Facilities for marriages between Commonwealth citizens resident in the United Kingdom and Commonwealth citizens resident in Trinidad and Tobago.

22. (1) Where a marriage is intended to be solemnised or contracted in Trinidad and Tobago between a Commonwealth citizen resident in Trinidad and Tobago and a Commonwealth citizen resident in the United Kingdom, a certificate for marriage lawfully issued in any part of the United Kingdom, as the case may be, shall have the same effect as a certificate issued by a District Registrar or a Marriage Officer in Trinidad and Tobago.

(2) Where a marriage is intended to be solemnised or contracted in the United Kingdom between a Commonwealth citizen resident in Trinidad and Tobago and a Commonwealth citizen resident in the United Kingdom, a certificate may be issued in Trinidad and Tobago by a District Registrar or a Marriage Officer in the like manner as if the marriage was to be solemnised or contracted under circumstances requiring the issue of such certificate, and as if both such Commonwealth citizens were resident in Trinidad and Tobago.

(3) For the purposes of subsection (1) of this section, the expression “certificate of marriage lawfully issued” means—

- (a) in the case of England, a certificate for marriage issued by a Superintendent Registrar;
- (b) in the case of Scotland, a certificate for marriage issued by a Registrar or a Certificate of Proclamation of Banns;

(c) in the case of Northern Ireland, a certificate for marriage issued by a Registrar.

**AGE AT WHICH A PERSON MAY
CONTRACT MARRIAGE**

23. (1) The age at which a person is capable of contracting a marriage is eighteen years.

Age at which a person may contract marriage. [8 of 2017].

(2) A marriage shall not be solemnised by a Marriage Officer or District Registrar if either of the parties to the marriage is under eighteen years of age.

(3) Where a marriage is contracted by proxy, the parties on whose behalf the proxy is contracting shall be in compliance with subsection (1).

(4) Nothing in subsection (1) affects the validity of a marriage solemnised before the commencement of the Miscellaneous Provisions (Marriage) Act, 2017, and any such marriage is valid or becomes valid in any case where, if the Act had not come into force, it would be, or would have become valid.

8 of 2017.

24. (Repealed by Act No. 8 of 2017).

CAVEATS

25. Any person who may know of any just cause why a marriage should not take place, may, on payment of twenty-five dollars enter a *caveat* against the issue of a District Registrar's or Marriage Officer's certificate in the following manner:

Objections to marriage. [2/1963 51/1980 6 of 1993 8 of 2017].

- (a) if the marriage is intended to be solemnised under the authority of a District Registrar's certificate, the person shall, at any time before the issue of the certificate, write the word "Forbidden" opposite to the entry of the notice in the Marriage Notice Book, and append thereto his name and place of abode, and the grounds upon which he claims to forbid the marriage;
- (b) if the marriage is intended to be solemnised under the authority of a Marriage Officer's

certificate, the person shall give notice in writing to the person publishing the banns that he forbids the marriage, and append to such notice his name and place of abode, and the grounds upon which he claims to forbid the marriage. The person publishing the banns, if he is not the Marriage Officer, shall forthwith forward such notice to the Marriage Officer and the Marriage Officer shall record in the Marriage Banns Book the fact and date of the receipt of the notice forbidding the marriage.

No District Registrar or Marriage Officer shall issue his certificate until such *caveat* has been removed in the manner provided below.

When *caveat* entered, matter to be referred to Chief Justice.

26. (1) Whenever a *caveat* is entered against the issue of a District Registrar's or Marriage Officer's certificate, the District Registrar or Marriage Officer, as the case may be, shall forthwith refer the matter to the Chief Justice.

(2) If the Chief Justice is of opinion that no legal ground has been disclosed in the *caveat* for forbidding the issue of the certificate, he may remove the *caveat* in the manner hereinafter provided without requiring any of the parties to appear.

(3) In other cases, the Chief Justice shall summon the parties to the intended marriage and the person by whom the *caveat* has been entered, and shall require such last named person to show cause why the District Registrar or Marriage Officer, as the case may be, should not in due course issue his certificate.

(4) Every such matter shall be heard and determined in a summary manner, and the Chief Justice may award compensation and costs to the party against whom the *caveat* was entered, if it appears that the *caveat* was entered on insufficient grounds.

Removal of *caveat*.

27. (1) If the Chief Justice decides that the certificate ought to issue, he shall remove the *caveat* by a declaration under his hand that the intended marriage is proper and may be solemnised;

and a certified copy of such declaration shall be forwarded to the District Registrar or Marriage Officer, as the case may be, by whom the *caveat* was referred.

(2) On the removal of the *caveat*, the District Registrar or Marriage Officer, as the case may be, may issue his certificate in due course, and the marriage may proceed as if the *caveat* had not been entered, but the time which has lapsed between the entering and removal of the *caveat* shall not be computed in the period of six months specified in sections 15 and 18.

SOLEMNISATION OF MARRIAGE

28. On the delivery of the certificate of a District Registrar, or in case the parties 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 Minister, or on the delivery of a Special Licence from the Registrar of Marriages or District Registrar to any Marriage Officer, the Marriage Officer may solemnise a marriage between the parties named in the certificate or certificates or licence, as the case may be. However, such marriage shall be solemnised with open doors between the hours of six o'clock in the forenoon and nine o'clock in the evening of the same day, and in the presence of two or more credible witnesses beside the said Marriage Officer.

Marriages
before Marriage
Officer.
[32 of 1996
4 of 2013
8 of 2017].

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 Minister, or on the delivery of a Special Licence from the Registrar of Marriages or District Registrar, to any District

Marriages
before District
Registrar.
[32 of 1996
4 of 2013].

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.

Notices and licences void unless marriage takes place within six months. [32 of 1996 4 of 2013].

30. Whenever a marriage has not taken place within six months after the entry of notice thereof or after the granting of a licence from the Minister under section 19 or a Special Licence under section 19A, the notice or licence, as the case may be, and all other proceedings shall thereupon be utterly void, and no Marriage Officer shall proceed to solemnise the marriage, nor shall the marriage be contracted before a District Registrar, until new notice has been given and entry made and certificate issued or a new or Special Licence has been granted in the manner aforesaid.

Use of other than English language.

31. Where any party to a marriage commonly uses any other language than English, then the forms and declarations hereby required to be used in the ceremony shall be made in such other language, so always that the words used shall express the true intent and meaning of such forms and declarations.

Proof of certain matters not required after marriage. [8 of 2017].

32. After any marriage has been solemnised or contracted in the manner provided in this Act it shall not be necessary in support of the 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 the notice, nor of the consent of any person whose consent thereunto was, at the time of marriage, required by law, nor shall any evidence be given to prove the contrary.

When Marriage Officer not compellable to marry.

33. (1) No Marriage Officer shall be compellable to accept notice of marriage from, or to enter or publish the banns of, or to issue a Marriage Officer's certificate to, or to solemnise marriage between, persons either of whom is not a member of his own communion, nor otherwise than according to the rules or custom of such communion, nor unless he is satisfied by the declaration

of the parties or otherwise that the proposed marriage is consistent with such rules or custom.

(2) No minister of the Christian religion shall be compelled to publish the banns of marriage or to solemnise the marriage of any person whose former marriage has been dissolved by a judicial decree, where the other party to the former marriage is still living, nor shall any such minister be compelled to permit the use of any church or chapel under his control for publishing any such banns or solemnising the marriage of any such person, nor shall any such minister be liable to any suit, proceeding or penalty for refusing to publish any such banns or for refusing to solemnise any such marriage or for refusing to permit the use of any such church or chapel for any such purposes aforesaid.

(3) No minister of the Christian religion is liable to any suits, proceedings or penalties for publishing any such banns or solemnising the marriage of any such person as mentioned above or for permitting the use of any such church or chapel for any of those purposes. However, nothing in this section shall relieve any such minister from any ecclesiastical proceeding or censure to which by reason of his publishing any such banns or solemnising any such marriage or permitting the use of any such church or chapel for any of the purposes mentioned above he is or from time to time hereafter may be liable according to the doctrine, practice, usage or rules of any such religion.

REGISTRATION OF MARRIAGE

34. (1) Immediately after the solemnisation or contracting of any marriage, the officiating Marriage Officer or the District Registrar, as the case may be, shall enter in a book to be called the "Marriage Register Book" a statement of the said marriage in the form set out in Schedule J, which entry shall be signed by the Marriage Officer or District Registrar, as the case may be, and by the parties to the marriage and by two credible witnesses of the said marriage, and every such Marriage Officer and every District Registrar (not being the Registrar of Marriages) shall forthwith transmit to the Registrar of Marriages a duplicate of

Marriage to be entered in register and duplicate sent to Registrar.
[8 of 2017].
Schedule J.

such statement similarly signed, and all such duplicate statements shall be filed by the Registrar of Marriages and preserved among the records of his office.

(2) Any Marriage Officer or District Registrar who, without reasonable cause or excuse, fails to transmit to the Registrar of Marriages any statement in accordance with the provisions of this section commits an offence and is liable on summary conviction to a fine of five thousand dollars and to imprisonment for six months.

Searches and
certified copies.
[2/1963
11 of 1988
6 of 1993
8 of 2017].

35. (1) Any person may at all reasonable times search the entries in any Marriage Register Book or any file of statements kept by the Registrar or any District Registrar or any Marriage Officer, and have true copies, certified under the hand of the Registrar, District Registrar, or Marriage Officer, of any of the entries or statements.

(2) However, before allowing any search or furnishing any certified copy, the Registrar, District Registrar or Marriage Officer, as the case may be, shall be entitled to demand the fees as set out in Schedule JA.

Schedule JA.

(3) The Minister may by Order amend Schedule JA.

VOID MARRIAGES

Void marriages.
[8 of 2017].

36. (1) If any person knowingly and wilfully intermarries under the provisions of this Act, without due notice given in accordance with section 13 or section 16 or without a certificate under section 15 or 18 having been duly issued, or without a licence issued under this Act, the marriage of such persons shall be void.

(2) If any persons to any marriage are within the prohibited degrees of consanguinity or affinity according to the law of England in force on 30th August 1962 the marriage of such persons shall be void.

(3) Subject to subsection (4), if any party to a marriage is under eighteen years of age at the time of the solemnising of the marriage, the marriage shall be void.

(4) Nothing in subsection (3) affects the validity of a marriage solemnised before the commencement of the Miscellaneous Provisions (Marriage) Act, 2017, and any such marriage is valid or becomes valid in any case where, if that Act had not come into force, it would be, or would have become valid.

OFFENCES

37. Every person who knowingly and wilfully forges or alters or falsely makes or procures to be forged or altered or falsely made, or shall offer, utter, or dispose of, knowing the same to have been forged or altered or falsely made, any register book or any notice, licence, certificate, entry, or statement mentioned in this Act, or any certified copy thereof respectively, or wilfully inserts or causes to be inserted in any register book or certified copy thereof any false entry or marriage, or wilfully gives any false certificate, or certifies any writing to be a copy or extract of any register book, knowing the same to be false in any part thereof, or forges or counterfeits the seal of the Registrar General, commits an offence and is liable on conviction on indictment to a fine of fifty thousand dollars and to imprisonment for seven years.

Forging or altering register book, notice, etc. [8 of 2017].

Making false entries, giving false certificates.

Forged seal.

38. Every person who unlawfully and maliciously destroys or damages or causes to be destroyed or damaged, any register book or any notice, licence, certificate, entry, or statement mentioned in this Act, or any certified copy thereof respectively, commits an offence and is liable on conviction on indictment to a fine of fifty thousand dollars and to imprisonment for seven years.

Destroying or damaging register book, etc. [8 of 2017].

39. (1) Any person having the custody of any register or book, or any part thereof, who negligently loses or damages the same or negligently allows the same to be damaged whilst in his keeping, commits an offence and is liable on summary conviction to a fine of forty thousand dollars and to imprisonment for five years.

Losing or damaging register, book or certified copy. [8 of 2017].

(2) Any person having the custody of any certified copies of any register or book or any part thereof, who

negligently loses or damages the same or negligently allows the same to be damaged whilst in his keeping, commits an offence and is liable on summary conviction to a fine of fifteen thousand dollars and to imprisonment for two years.

Issuing of
certificate to
person within
prohibited
degrees.
[8 of 2017].

40. Every District Registrar or Marriage Officer who knowingly and wilfully issues any certificate for the marriage of any persons being within the prohibited degrees of consanguinity or affinity according to the law of England in force on 30th August 1962 commits an offence and is liable on conviction on indictment to a fine of forty thousand dollars and to imprisonment for five years.

Offences by
Marriage
Officers and
District
Registrars.
[32 of 1996
4 of 2013
8 of 2017].

41. Any minister of religion who knowingly and wilfully solemnises any marriage without being licensed as a Marriage Officer under the provisions of this Act, and any Marriage Officer or District Registrar who solemnises any marriage or allows any marriage to be contracted in his presence before the issue of a certificate or granting of a licence from the Minister, or a Special Licence from the Registrar of Marriages or District Registrar, or after the expiration of six months from the entry of notice or granting of such licence, or who knowingly and wilfully issues any certificate of marriage except within the period allowed by this Act for issuing the same, or any certificate against the issue of which a caveat has been entered until such caveat has been duly removed in the manner provided above, commits an offence and is liable on conviction on indictment to a fine of forty thousand dollars and to imprisonment for five years.

False
declaration.
[8 of 2017].

41A. Any person who knowingly and wilfully makes any false declaration or signs or marks any false application, notice or certificate, required by this Act, for the purpose of the registration of any marriage, and any person who wilfully makes, or causes to be made, for the purpose of being inserted in any register of marriages any false statement with regard to any of the particulars required by this Act to be known and registered, commits an offence and is liable on conviction on indictment to a fine of fifty thousand dollars and to imprisonment for seven years.

41B. (1) A person who knowingly and wilfully solemnises the marriage of a person who is under eighteen years of age commits an offence and is liable on conviction on indictment to a fine of fifty thousand dollars and to imprisonment for seven years.

Solemnising the marriage of a person under eighteen years of age. [8 of 2017].

(2) A person who is convicted under subsection (1) shall cease to be eligible to hold a licence or to solemnise any marriage.

(3) The Registrar General shall publish a notice of the names of persons who are no longer entitled to hold a licence in the *Gazette*.

(4) A notice published under subsection (3) shall take effect on publication.

MARRIAGE IN EXTREMIS

42. (1) Notwithstanding anything contained in this Act, any Marriage Officer may perform the ceremony of marriage between persons, without notice being given of the intended marriage of such persons, or without a certificate duly issued, or before the issue of such certificate, or after the expiration of six months from the entry of notice of such marriage, if both the parties between whom the ceremony of marriage is performed are, at the time of the performance thereof, legally competent to contract marriage and are of full age, and also that one at least of them, to the best of the knowledge and belief of the Marriage Officer and of the other persons signing the certificate hereinafter required shall be, at the time of the performance of such ceremony, in a dying state, and that such dying person is a member of the religious communion or denomination to which such Marriage Officer belongs.

Marriage in extremis.

(2) Immediately after the solemnisation of any such marriage, the officiating Marriage Officer shall transmit to the Registrar of Marriages a certificate of the said marriage in the form set out in Schedule K, signed by the Marriage Officer and by two credible witnesses present at the said marriage. Such statement shall be filed by the Registrar in a register to be specially kept for the purpose.

Schedule K.

(3) Subject to the observance of the foregoing conditions, a marriage solemnised under this section shall be good and effectual in law.

(4) No marriage solemnised under this section shall operate as a revocation of any Will.

MISCELLANEOUS

Forfeiture of
property
acquired by
marriage
procured by
fraudulent
means.
[8 of 2017].

43. (1) If any valid marriage is procured under this Act by means of any wilfully false notice, oath or declaration made by either party to the marriage as to any matter as to which a notice, oath or declaration is herein required, it shall be lawful for the Attorney General, by information on the relation of a parent or guardian of a minor whose consent had not been given to such marriage, as required by law at the time of the marriage, and who shall be responsible for any costs incurred in such suit, such parent or guardian previously making oath as required below, to sue for a forfeiture of all estate or interest in any property accruing to the offending party by such marriage.

(2) The High Court shall have power in such suit to declare such forfeiture and thereupon direct that all such estate and interest, or any such part thereof as the Court thinks fit, shall be secured, in such manner as to the Court shall seem fit, for the benefit of the innocent party, and the issue of the marriage or any of them, or if both parties to the marriage are, in the judgment of the Court, guilty of any such offence as aforesaid then for the benefit of the issue of the marriage, subject to such provisions for the offending parties by way of maintenance or otherwise as the said Court thinks reasonable.

(3) No such suit shall be instituted unless it has been first made out to the satisfaction of the Attorney General by the oath of some person whose consent was required by law to the said marriage that the circumstances of the case are such as to authorise the institution of such proceedings, and that the consent required by law for such marriage had not been obtained, and that the person making such oath had not discovered that the said marriage had been contracted more than six months before making such oath.

44. No prosecution for any indictable offence under this Act shall be commenced after the expiration of five years after the offence has been committed, nor without the written consent of the Director of Public Prosecutions.

Limitation.
[172/1961
136/1976
8 of 2017].

45. All pecuniary penalties under this Act recoverable on summary conviction, may be recovered on complaint in the name of any person authorised in that behalf by writing under the hand of the Director of Public Prosecutions at any time not more than twelve months after such offence has been committed.

Recovery of
penalties.
[172/1961
136/1976].

***46.** All fees received by the Registrar or District Registrars or the Minister under this Act shall be paid into public funds.

Fees payable
into public
funds.

47. All certified copies of entries purporting to be sealed or stamped with the seal of the Registrar General shall be received as evidence of the marriages to which the same relate without any further or other proof of such entry and no certified copy purporting to be given in the office of the Registrar of Marriages shall be of any force or effect which is not sealed or stamped as aforesaid.

Evidence.

48. The Registrar General shall send, once in every year, to the President a general abstract of the number of marriages registered during the twelve months ending on the last day of December then immediately preceding, in such form as the President from time to time shall require; and every such annual general abstract shall be laid before Parliament at its next meeting after the receipt thereof.

Annual
abstract.

49. No marriage solemnised or contracted under this Act, 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 20 prior to 12th August 1943, 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 13 by one of the parties to the marriage.

Validation.

*Amended by implication by Act No. 16 of 1962.

Amendment of
the Schedules.
[4 of 2013].

50. The Registrar General may, subject to the approval of the Minister, by Order, amend any of the forms contained in the Schedules to this Act or prescribe such new forms as may be required to give effect to this Act.

Delegation of
powers.
[4 of 2013].

51. The Minister may by Order delegate to the Registrar General any of his powers under this Act, except this power of delegation or any other power delegated to him under this Act.

Orders made
under sections
50 and 51 to be
laid before
Parliament.
[4 of 2013
8 of 2017].

52. Any Order made in pursuance of section 50 or 51 shall be laid before Parliament.

Savings.
[8 of 2017].

53. The repeal of any provision of this Act by the Miscellaneous Provisions (Marriage) Act, 2017 shall not affect any document made or any thing whatsoever done under the provision so repealed, and every such document or thing, so far as it is subsisting or in force at the time of the repeal and could have been made or done under this Act, shall continue to have effect.

SCHEDULE A

Section 7.

LICENCE TO BE A MARRIAGE OFFICER

A. B. being a Minister of Religion of *(a)* residing at
and officiating at *(b)* *(c)* is hereby licensed as a
Marriage Officer for the purposes of the Marriage Act.

.....
President

(a) State religious denomination.

(b) State place of public worship in which applicant acts as minister (if any).

(c) State city, borough, town, or ward where place of worship is situated.

Section 13.

SCHEDULE B

FORM 1

(Applicable to the case of parties residing in different districts or giving separate notices).

NOTICE TO DISTRICT REGISTRAR

To the District Registrar of the district of

I (*Here insert the name of the person giving notice*) give you notice that a Marriage is intended to be had between me and the other party herein named and described, that is to say—

Name and Surname	Marital Status	Profession/ Occupation	Age	Home Address	Length of residence at this address

And I give this notice with the assent of the other party herein named and described.

And I solemnly declare that I have for seven days, immediately preceding the date of this notice, had my usual place of abode within the above-mentioned district of and that I believe there is no impediment of kindred or alliance or other lawful hindrance to the said Marriage.

In witness whereof I have hereunto set and subscribed my hand this day of, 20..... .

.....
Signature

FORM 2

(Applicable to the case of parties residing in the same district and giving a single notice).

NOTICE TO DISTRICT REGISTRAR

To the District Registrar of the district of

We (Here insert the names of the persons giving notice)
give you notice that a Marriage is intended to be had between us, the parties
herein named and described, that is to say—

Name and Surname	Marital Status	Profession/ Occupation	Age	Home Address	Length of residence at this address

And we solemnly declare that we have for seven days immediately
preceding the date of this notice had our usual place of abode and residence
within the above-mentioned district of, and that we believe
there is no impediment of kindred or alliance or other lawful hindrance to the
said Marriage.

In witness whereof we have hereunto set and subscribed our hands this
..... day of, 20.....

.....
Signatures

Section 15.

SCHEDULE C

REGISTRAR'S CERTIFICATE

I District Registrar of Marriages for do hereby certify that on the day of, 20....., notice was duly entered in the Marriage Notice Book of the said District, of the marriage intended between the parties hereunder named and described.

Name and Surname (if any) at full length	Marital Status	Profession/ Occupation	Age	Home Address	Length of residence at this address

Date of Notice entered day of, 20..... .

Date of Certificate given day of, 20..... .

No *caveat* has been entered against the issue of this certificate
or (as the case may be)

A *caveat* was entered against the issue of this certificate on the day of, 20....., but was removed on the day of, 20....., by the Chief Justice.

Witness my hand this day of, 20..... .

.....
Signed

Registrar for District of

N.B.— This certificate will be void unless the marriage is solemnised on or before the day of, 20....., next.

SCHEDULE D

Section 16.

FORM 1

(Applicable to the case of parties belonging to different congregations or giving separate notices).

NOTICE FOR BANNS

To Minister of Church (or Chapel) in the
District of and a Marriage Officer.

I (Here insert the name of the person giving notice) being a member
of the congregation of the said Church (or Chapel) give you notice that a
Marriage is intended between me and the other party herein named and described,
and that I desire you to publish the banns of such Marriage on two Sundays
beginning with Sunday the day of, 20....., next.

Name and Surname	Marital Status	Profession/ Occupation	Age	Home Address

And I give this notice with the assent of the other party herein named
and described.

And I solemnly declare that I believe there is no impediment of kindred
or alliance or other lawful hindrance to the said Marriage.

In witness whereof I have hereunto set and subscribed my hand this
day of, 20..... .

.....
Signature

FORM 2

(Applicable to the case of parties belonging to the same congregation and giving a single notice).

NOTICE FOR BANNS

To Minister of Church (or Chapel) in the District of and a Marriage Officer.

We (Here insert the names of the persons giving notice), being members of the congregation of the said Church (or Chapel) give you notice that a Marriage is intended between us, the parties herein named and described, and that we desire you to publish the banns of such Marriage in your Church (or Chapel) on two Sundays beginning with Sunday the day of, 20, next.

Name and Surname	Marital Status	Profession/ Occupation	Age	Home Address

And we solemnly declare that we believe there is no impediment of kindred or alliance or other lawful hindrance to the said Marriage.

In witness whereof we have hereunto set and subscribed our hands this day of, 20..... .

.....
Signatures

SCHEDULE E

Section 16.

**FORM OF WORDS TO BE USED IN THE
PUBLICATION OF BANNS**

I publish the Banns of Marriage between *A.B.* of (*Here state the parish as stated in the notice*) and *C.D.* of (*Here state the parish as stated in the notice*).

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

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

Section 18.

SCHEDULE F

MARRIAGE OFFICER'S CERTIFICATE

I Minister of Church (*or* Chapel) in the District of and a Marriage Officer do hereby certify that on the day of, 20....., notice was duly entered in the Marriage Banns Book of the said Church (*or* Chapel) of the marriage intended between the parties hereunder named and described.

Name and Surname	Marital Status	Profession/ Occupation	Age	Home Address

Date of notice entered day of, 20..... .

Date of certificate given day of, 20..... .

No *caveat* has been entered against the issue of this certificate
or (as the case may be)

A *caveat* was entered against the issue of this certificate on the day of, 20..... , but was removed on the day of....., 20..... , by the Chief Justice.

The Banns of Marriage have been published in the manner required by the Marriage Act.

Witness my hand this day of, 20..... .

.....
Signed

Minister of Church (*or* Chapel)
in the District of and a
Marriage Officer.

N.B.—This certificate will be void unless the marriage is solemnised on or before the day of, 20..... , next.

SCHEDULE G
MINISTER'S LICENCE

Section 19.
[159/2013].

TO ANY DISTRICT REGISTRAR OR MARRIAGE OFFICER

THESE are to license and permit you to solemnise a marriage between

.....
..... and

.....
according to the provisions of the Marriage Act, you knowing no lawful
impediment to the contrary.

Given under my hand at this
..... day of, 20.....

For and on behalf of the Minister of Legal Affairs

.....
Registrar General

N.B.—This Licence will be void unless the marriage is solemnised on or before
the day of, 20.....

SCHEDULE H
MINISTER'S AUTHORITY

Section 20.
[159/2013].

To the District Registrar of district.

WHEREAS

.....
has given notice to the District Registrar of

..... district of his/her intended marriage with

..... and whereas the

said has not given
notice of his/her intended marriage because he/she was not resident in the

territory and whereas a period of not less than seven days and not more than five months has elapsed since the giving of notice as aforesaid, and whereas application has been made to the Minister by the said for the grant of the Marriage Licence under section 20 of the Marriage Act.

I hereby authorise the District Registrar of district to issue his certificate under section 15 of the said Act in respect of the said as if he/she has duly given notice under section 13 of the said Act jointly with the said and as if the said has resided in the district during the seven days immediately preceding the giving of such notice.

Given under my hand at Port-of-Spain this day of 20.....

For and on behalf of the Minister of Legal Affairs

.....
Registrar General

Section 21.

SCHEDULE I

I, do solemnly and sincerely declare that the statements made in my application hereto attached and marked A are true and correct.

I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact which I know or believe to be false or do not believe to be true I am liable to fine and imprisonment.

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

.....
Registrar of Marriages

SCHEDULE J

REPUBLIC OF TRINIDAD AND TOBAGO

Section 34.
[159/2013
8 of 2017].

Issued pursuant to the Marriage Act, Chap. 45:01

Name of Bride:

Name of Groom:

Age:

Age:

Marital Status:

Marital Status:

Rank/Profession:

Rank/Profession:

Address:

Address:

Date of Marriage:

Witness:

Marriage Type: Civil ☐ Christian ☐

Witness:

Place of Marriage:

Witness:

Name of Marriage Officer:

District Registrar:

Registration/Entry No.:

Issued under my Hand and Seal of Office

this day of, 20....

**CERTIFIED TRUE AND CORRECT
EXTRACT FROM THE REGISTER OF
MARRIAGES, HELD BY THE REGISTRAR
GENERAL'S DEPARTMENT
MINISTRY OF LEGAL AFFAIRS**

.....
Registrar General

[Section 35(2)].

SCHEDULE JA

SCHEDULE OF FEES

For every search for a particular entry	...	...	...	\$12.50
For every certified copy as aforesaid	...	...	...	\$12.50
For a general search not directed to any particular entry	...	...	...	\$30.00

Section 42.

SCHEDULE K

MARRIAGE IN EXTREMIS

I, the undersigned Marriage Officer of (1) and we, the undersigned of (2) and of (2) being of the age of eighteen years and upwards do hereby certify that on the day of, 20...., the Ceremony of Marriage was performed by me the said in the presence of us the said and between of (3) and of (4) and that both the said and at the time of the performance of such ceremony were legally competent to contract marriage, and were of full age, and that the said (5) was a member of the same religious communion or denomination to which the said (6) belongs, that is to say, the (7); and that at the time of the performance of such ceremony, the said (8) was, to the best of our knowledge and belief, in a dying state.

.....
Signatures

- (1) Residence.
(2) Residence and Profession.
(3) State whether bachelor or widower.
(4) State whether spinster or widow.
(5) Name of party in dying state.
(6) Name of Marriage Officer.
(7) Religious communion or denomination.
(8) Name of party in dying state

SUBSIDIARY LEGISLATION

MARRIAGE (DOCUMENTS IN SUPPORT OF AFFIDAVIT OR STATUTORY DECLARATION) ORDER 188/1996.

made under section 19A

1. This Order may be cited as the Marriage (Documents in Support of Affidavit or Statutory Declaration) Order. Citation.

2. Each of the parties appearing before the Registrar of Marriages or District Registrar shall submit the following documents in support of an affidavit or statutory declaration: Documents required.

- (a) where applicable, certified copies (or translation into English) of final divorce decree or death certificate of former or deceased spouse;
- (b) proof of entry documentation (e.g., Passport, Immigration Card, Airline Ticket).