

ST HELENA



MARRIAGE ORDINANCE, 2017

MARRIAGE REGULATIONS, 2018

In exercise of the powers conferred by section 33 of the Marriage Ordinance, 2017, the Governor in Council makes the following Regulations:

Citation

1. These Regulations may be cited as the Marriage Regulations, 2018.

Premises approved for the solemnisation of marriage

2. When considering an application under section 8 of the Ordinance for approval of premises to be used for solemnisation of civil marriages, the Registrar-General must inquire whether the premises—

- (a) are regularly open to the public;
- (b) have a fire safety assessment;
- (c) have sufficient sanitary facilities or whether portable facilities will be available at the time of solemnisation;
- (d) have sufficient facilities for parking;
- (e) have disable access;
- (f) are within a reasonably distance from the road and take into account the condition of the driveway or other access to the premises; and
- (g) are adequate in relation to the number of attendees expected.

(2) The Registrar-General may request the applicant to provide such additional information he or she considers necessary in order to decide on the approval of the premises.

Suitable public locations agreed for solemnisation of marriage

3. (1) When agreeing to solemnise a marriage at a place of solemnisation under section 5(b)(iii) of the Ordinance, the Registrar-General or Registrar, as the case may be, must take into consideration the matters referred to in regulation 2, having regard to the persons who will be attending the ceremony and other concerns that the Registrar-General or Registrar may have with respect to the accessibility and safety of the location.

(2) The decision by the Registrar-General or Registrar to agree with the parties to an intended marriage on a location for the solemnisation of the marriage under section 5(b)(iii), is at the discretion of the Registrar-General or Registrar and is not subject to judicial review.

Forms

4. The forms in Schedule 1 must be used for the purposes referred to in the following provisions of the Ordinance:

- (a) Form A: Notice of intended marriage (*section 9*)
- (b) Form B: Certificate by Registrar (*section 10*)
- (c) Form C: License by the Governor (*section 11*)
- (d) Form D: Statement of marriage and entry by a Minister (*sections 21 and 22*)
- (e) Form E and F: Certificate of a marriage *in articulo mortis* (*section 23*)
- (f) Form G1: Application for approval of premises for solemnisation of civil marriage (*section 8*)
- (g) Form G2: Request for agreement to solemnise marriage at suitable public location (*section 5(b)(iii)*)
- (h) Form H: Certificate of registration of place of worship as a place for the solemnisation of religious marriages (*section 6*)

Fees

3. The fees in Schedule 2 are payable in respect of the matters set out therein.

SCHEDULE 1

FORMS

FORM A

(SECTION 9)

FORM OF NOTICE OF INTENDED MARRIAGE

To the Registrar of Marriages for St Helena

I, the undersigned hereby give notice of our intention of marriage without/by [*delete whichever is not applicable*] Licence within 3 calendar months from the date of this form between me and the other party named and described below:—

	Name and Surname	Condition ¹	Rank or Profession	Date of birth ²	Address	Church or Building in which Marriage is to be solemnised	Consent ³ (if required) given by
<i>Applicant</i>							
<i>Other party</i>							

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

And I further declare that—

Delete

whichever

does not apply

a) neither I nor the other party is a minor under the age of 18 years.

b) there is no person whose consent to marriage is required by law.
state his / her or my

c), not being a *widow/er*, a minor
either write "I" or the name of the other party or both state "is" or "am"

under the age of 18 years, and that the consent of
state the full name of the person giving consent and capacity in which consent is given

whose consent to marriage is required by law, has been duly given and obtained
his / her or my

And I declare solemnly that the information in this form is true and acknowledge that making a false declaration knowingly or wilfully is an offence.

.....
Signature by the applicant and date

.....
Witnessed by

¹ Never married before, divorced, widow/er

² Under section 26 of the Marriage Ordinance 2017, marriage of any person under the age of 16 years is void.

³ Consent is required by a person with parental responsibility for any party to marriage who is over the age of 16 years but under 18 years.

FORM B

(SECTION 10)

REGISTRAR'S CERTIFICATE

I, Registrar of Marriages for St Helena, hereby certify that on
state name of Registrar

..... Notice was entered in the Marriage Notice Book of St Helena, of the marriage
insert date

intended between the parties named and described below.

Delivered under the hand of one of the parties—
insert the name of the applicant

	Name and Surname	Condition ⁴	Rank or Profession	Date of birth ⁵	Address	Church or Place where Marriage is to be solemnised
<i>Applicant</i>						
<i>Other party</i>						

Date of notice entered

Date of certificate given }

Delete whichever does not apply

a) The issue of this certificate has not been forbidden by any person authorised to forbid the issue thereof.

b) The issue of this certificate is authorised by licence of the Governor and has not been forbidden by any person authorised to forbid it from being issued.

(Signed), Registrar.

Date:

This certificate will be void unless the marriage is solemnised on or before
the date inserted here must be 3 calendar months from the date the Notice was entered in the Marriage Notice Book

[The blanks in this Schedule to be filled up as the case may be.]

⁴ Never married before, divorced, widow/er

⁵ Under section 26 of the Marriage Ordinance 2017, Marriage of persons under 16 is void.

FORM C

(SECTION 11)

MARRIAGE LICENCE

Whereas on the, notice was given to the Registrar of Marriages for St Helena, of an intended marriage between..... and..... and the said desires to obtain a Licence for the immediate issue of a certificate of such notice, and has made before the Registrar the declarations required for that purpose:

Now therefore in pursuance of the provisions of the Marriage Ordinance 2017, I hereby authorise the said Registrar to issue the certificate at any time after, but within 3 calendar months of date of notice of intended marriage referred to above.

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

(Signed)

Governor.

FORM D

(Sections 21 and 22(1))

No.	Date of Marriage.	Names and Surnames of Parties.	Ages.	Condition	Rank or Profession.	Residence at time of Marriage.	Place of Marriage.	Signatures of Parties.	Signatures of officiating Minister / Registrar and Witnesses.

.....
Party to marriage 1

.....
Registrar

.....
Party to marriage 2

.....
Witnesses

FORM E

(Section 23)

**MARRIAGE IN ARTICULO MORTIS
OFFICIATED BY A MINISTER OF RELIGION**

I, the undersigned minister of authorised to solemnise marriages in
state your address

..... and we, the undersigned,of
State registered place of Worship State name and profession of witness 1

..... and of
State address of witness 1 State name and profession of witness 2

..... being of the age of 18 years or more hereby certify that on
State address of witness 2

....., the ceremony of marriage was performed by the said minister
insert date of wedding

in the presence of the said witnesses between of
state name and surname of the party to marriage 1 and whether a widow/er

..... and of
state address of party 1 state name and surname of the party to marriage 2 and whether a widow/er

..... and that both the saidand.....
state address of party 2

at the time of the performance of such ceremony were of full age and were legally competent to contract
marriage and to signify their consent, and the said is a member of
Name of party in dying state

the same religious communion or denomination to which the said minister belongs, that is to say, the
.....; and that at the time of the performance of such Ceremony the said
insert religious communion or denomination

..... was, to the best of our knowledge and belief, in a dying state.
Name of party in dying state

Signatures—

- (1) Party to marriage 1:
- (2) Party to marriage 2
- (3) Minister:
- (4) Witness 1:
- (5) Witness 2:

FORM F

(Section 23)

MARRIAGE IN ARTICULO MORTIS

OFFICIATED BY THE REGISTRAR

I, the undersigned Registrar of St Helena authorised to solemnise marriages and we, the undersigned,

.....of and

State name and profession of witness 1

State address of witness 1

..... of

State name and profession of witness 2

State address of witness 2

being of the age of 18 years or more hereby certify that on, the

insert date of wedding

ceremony of marriage was performed by the said Registrar in the presence of the said witnesses between

..... of

state name and surname of the party to marriage 1 and whether a widow/er

state address of party 1

and of

state name and surname of the party to marriage 2 and whether a widow/er

state address of party 2

and that both the said and at the time of the performance of such ceremony were of full age and were legally competent to contract marriage and to signify their consent, and that at the time of the performance of such Ceremony the said

..... was, to the best of our knowledge and belief, in a dying state.

Name of party in dying state

Signatures—

(1) Party to marriage 1:

(2) Party to marriage 2

(3) Registrar:

(4) Witness 1:

(5) Witness 2:

FORM G1

(Sections 5(b)(ii) and 8)

APPLICATION FOR APPROVAL OF PREMISES FOR SOLEMNISATION OF CIVIL MARRIAGE

FORM G2

(Sections 5(b)(iii))

APPLICATION FOR APPROVAL OF SUITABLE PUBLIC LOCATION FOR SOLEMNISATION OF CIVIL MARRIAGE

FORM H

(Sections 8)

CERTIFICATE OF PREMISES APPROVED FOR SOLEMNISATION OF CIVIL MARRIAGE

I, the undersigned Registrar-General of St Helena, having considered the application of

..... in his / her capacity as

State name of the applicant

State if: proprietor, tenant or person legally occupying the premises

of the premises at, hereby approve their use for the
solemnisation of civil marriage from until

insert date of grant

insert one year from date of grant

and this approval is granted with the following conditions:

state 'none' if no conditions are imposed

.....
.....

Signature and date —

SCHEDULE 2

FEES

1.	For every certified copy of an entry in the Register:	£6.50
2.	For entering a notice of intended marriage	£10.00
3.	For issuing a certificate pursuant to notice of intended marriage	£10.00
4.	For every search of the Register	Such fee as the Registrar may assess, not exceeding £100.00
5.	For every Governor's Licence	£100.00
6.	For contracting marriage before a Registrar:	
	(a) In case of an applicant who has been on St Helena for at least 90 days before the date when the application is made:	
	(i) at the Registrar's Office (section 5(b)(i))	£50.00
	(ii) at a place with current approval (section 5(b)(ii))	£50.00
	(iii) at a place agreed by the Registrar (section 5(b)(iii))	£70.00
	(b) In the case of any other applicant:	
	(i) at the Registrar's Office (section 5(b)(i))	£100.00
	(ii) at a place with current approval (section 5(b)(ii))	£100.00
	(iii) at a place agreed by the Registrar (section 5(b)(iii))	£150.00
7.	For lodging a caveat	£10.00
8.	For registering any building to be used for the solemnisation of religious marriages	£60.00
9.	For registering any substituted building	£30.00
10.	Application to register premises as a place for the solemnisation of civil marriages or request for agreement to solemnise marriage at suitable public location	£10.00
11.	For registering any building to be used for the solemnisation of civil marriages	£10.00 per year
12.	For every issue of a Marriage Certificate to the Minister	£10.00
13.	For correction made to Register	£10.00

Made by the Governor in Council this day of

2018.

Lydia H. Buchanan
Clerk of Councils

EXPLANATORY NOTE

(This note is not part of the Regulations)

The purpose of these Regulations is to prescribe the requirements for premises to be approved for purposes of solemnisation of marriages and to prescribe the forms to be used and fees payable for purposes of the Marriage Ordinance, 2017.