



ST. CHRISTOPHER AND NEVIS

CHAPTER 12.09

MARRIAGE ACT

Revised Edition

showing the law as at 31 December 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, No. 9 of 1986.

This edition contains a consolidation of the following laws—

MARRIAGE ACT

Act 4 of 1915 ... in force 1st January 1918

Amended by: Act 5 of 1967

Act 6 of 1976

Act 7 of 1987

Act 4 of 2002

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CHAPTER 12.09
MARRIAGE ACT

AN ACT TO PROVIDE FOR THE SOLEMNISATION OR CELEBRATION OF MARRIAGE; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

PART I
PRELIMINARY

Short title.

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

Interpretation.

2. In this Act—

“district” means any of the marriage districts of Saint Christopher and Nevis as hereinafter provided;

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

“Minister” means the Minister responsible for social affairs;
(Inserted by Act 6 of 1976)

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

“Registrar-General” and “Registrar” mean, respectively, the persons appointed under this Act to be “Registrar-General” and “Registrar” for the purposes of this Act;

“pauper” means a person in receipt of poor relief from the funds of Saint Christopher and Nevis, and certified as such by the chairperson of the board dispensing poor relief in the district in which he or she resides.

PART II

REGISTRAR-GENERAL, REGISTRARS AND MARRIAGE DISTRICTS,
MARRIAGE OFFICERS, REGISTERED BUILDINGS, ETC.

Registrars and Marriage Districts.

Appointment of Registrar General and Registrars.

3. (1) The Registrar-General of Births, Deaths and Marriages of Saint Christopher and Nevis shall be *ex officio* the Registrar-General and the Magistrates of Saint Christopher and Nevis shall be *ex officio* Registrars for the purpose of this Act.

- (2) The several magisterial districts into which Saint Christopher and Nevis may, from time to time, be divided shall also be the several marriage districts of the Act for the purposes of this Act.

- (3) No alteration at any time made in the limits of any such registration district shall affect any proceedings which at the time of such alteration are being taken under

this Act to procure due solemnisation or celebration of any marriage, but such proceedings may be continued and shall have the like effect as if such alteration of limits had not taken place.

***Appointment of marriage officers.**

4. (1) Every minister of the Christian religion who—
- (a) is ordained or otherwise set apart to the ministry of the Christian religion, according to the usage of the denomination to which he or she belongs; and
 - (b) although not ordinarily resident in Saint Christopher and Nevis, is the recognised head within Saint Christopher and Nevis of the denomination to which he or she belongs,

may be appointed by the Attorney-General or his or representative to be a marriage officer for Saint Christopher and Nevis unless the Attorney-General or his or her representative is satisfied that he or she is unfit to be so appointed.

(Amended by Acts 5 of 1967 and 4 of 2002)

- (2) Every person being a Justice of the Peace may be appointed a special marriage officer by the Attorney-General.

(Substituted by Act 4 of 2002)

- (3) The Attorney-General shall in any case require any applicant for appointment as a marriage officer to prove that he or she is—

- (a) a minister of the Christian religion so ordained or set apart as required by subsection (1)(a) above; or
- (b) a duly appointed Justice of the Peace.

(Inserted by Act 4 of 2002)

- (4) The Registrar-General and every District Magistrate shall be *ex officio* a marriage officer.

- (5) Every marriage officer may act as such throughout Saint Christopher and Nevis.

Power to refuse to act.

5. (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 solemnised in any manner other than is prescribed by, the rules of the religious denomination to which he or she belongs.

(2) Nor shall a marriage officer being a minister of the Christian religion be liable to any penalty for solemnising with consent in writing of the recognized head, if any, within Saint Christopher and Nevis of the denomination to which he or she belongs, according to the rules and rites of his or her 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:

Provided that 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.

* Subsections (5) and (6) repealed by Act 7 of 1987.

Application for appointment as a marriage officer.

6. (1) All applications by ministers of religion or justices of the peace for appointment as marriage officers shall be made in writing and forwarded to the Registrar-General.

(Amended by Act 4 of 2002)

(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 or her application the name or other description of the places of public worship in which he or she acts, or of the places of public worship of the congregations over which he or she has such local superintendence and the postal address to which all communications intended for him or her may be addressed.

(3) Every application by a Minister of Religion for appointment as a Marriage Officer under this section shall be accompanied by a letter recommending that he or she be so appointed signed by the head, superintendent, superior or other senior church officer of his or her denomination within Saint Christopher and Nevis.

(Inserted by Act 7 of 1987)

Notification of ministers of religion ceasing to act.

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

(Amended by Act 2002)

Marriage officer may resign.

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

Notification in *Gazette*.

9. A marriage officer when duly appointed shall retain his or her office until it is notified in the *Gazette* that he or she has ceased to be a marriage officer.

Temporary absence of marriage officers.

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

(2) The provisions of the preceding subsection relating to the notification of absence to the Registrar-General shall not apply to a marriage officer of the class referred to in paragraph (b) of subsection (1) of section 4 provided he or she 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.

(Amended by Act 5 of 1967)

Power to cancel appointment.

11. (1) The Attorney-General or his or her representative shall have full power, on good cause being shown, to cancel the appointment of any marriage officer.

(2) 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 Saint Christopher and Nevis, if any, of the religious denomination to which he or she belongs.

Register of marriage officers. Form A. First Schedule.

12. (1) The Registrar-General shall keep a register in accordance with form A in the First Schedule of all marriage officers appointed under this Act.

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

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

13. 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 Saint Christopher and Nevis be sent through such head.

Appointments to be published in *Gazette*.

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

Registrar General.

Marriage notice books.

15. (1) The Registrar-General shall furnish to each registrar a book to be called a "Marriage Notice Book," which shall be in the form B in the First Schedule, and a sufficient number of forms of certificates in the form or to the effect set forth in form C, in the First Schedule, which shall be accounted for by each Registrar to the Registrar-General.

(2) The cost of providing marriage notice books and forms of certificates shall be defrayed from public funds.

Powers of Registrar-General.

16. (1) The Registrar-General shall not perform any function or act in respect of marriages otherwise than in accordance with the express provisions of this Act.

(2) The Registrar-General may celebrate a marriage at any place within Saint Christopher and Nevis that he or she is satisfied is a fit and proper place for such celebration.

(Substituted by Act 7 of 1987)

Appointment of offices.

17. (1) The Minister may appoint any building or buildings to be the office or offices of the Registrar-General, of the Magistrate, and of the Registrars for the

purpose of this Act, and on notice thereof being published in the *Gazette* such place or places shall be such office or offices for the purposes of this Act.

(2) There may be more than one such office in any one district: provided that the Attorney-General or his or her representative may at any time cancel any appointment made under this section.

(Amended by Act 6 of 1976)

Registration of buildings in use at commencement of Act.

18. (1) The head of every denomination of the Christian religion in Saint Christopher and Nevis shall, within one month after the coming into operation of this Act, make out and send to the Registrar-General a list of all buildings exclusively used as places of public Christian worship belonging to the denomination of which he or she is head, wherein banns of marriage have been usually published, and the Registrar-General shall register the same in a book to be kept for that purpose at his or her office, and shall make out and cause to be published in the *Gazette* a list of all such buildings, and shall state in such list the district within which each building so registered is situated, and a copy of such list or a copy of the *Gazette* containing the same shall be sent to every marriage officer by the Registrar-General.

(2) Where it is desired to register a building belonging to a denomination which has no head in Saint Christopher and Nevis and which has been exclusively used as a place of public Christian worship belonging to such denomination and wherein banns of marriage have been usually published, the person in charge of such building shall do, as regards such building, what is, by subsection (1) required to be done by the head of a denomination, and the Registrar-General shall deal with the same in the manner provided by the said subsection.

Registration of buildings at any time.

19. (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 five householders resident within the district, 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 or her, 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 or her office, and shall give a certificate of such registry under his or her hand on stout 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 or her of the application to register the sum of twenty-five dollars.

(Amended by Act 5 of 1967)

Separate building.

20. 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 19, 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.

21. 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.

22. (1) If at any time subsequent to the registration 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 registration thereof to be cancelled:

Provided that 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 registration of any such building, or for such substitution and registration 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 registration of such building, and shall be certified and published in manner herein-before provided in the case of the original registration 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 sum of twenty-five dollars.

(Amended by Act 5 of 1967)

(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.

23. 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 or her for that purpose to order and direct that banns of marriage may be published in any church or other building in the same district, which he or she by order in writing directs, until the registered building is again opened for the performance of divine service, and during all such period the said 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.

24. 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

25. 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 or she is by law empowered to give such consent.

PART III

RESTRICTIONS ON MARRIAGE

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

26. 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 downwards *in infinitum*;
 - (ii) brothers and sisters, or step-brothers and step-sisters;
 - (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;
(Amended by Act 5 of 1967)
 - (ii) any man and his step-daughter, that is the daughter of a former marriage of his wife, or of any of his said 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 said husband's descendants;
 - (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;
- (c) provided always that any man may hereafter marry the sister of his deceased wife.

Marriages within prohibited degrees void.

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

Restriction in case of minority.

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

(Amended by Act 7 of 1987)

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

Provided that—

- (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 or her 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 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;
- (b) if any person whose consent is required refuses his or her 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.

(3) A marriage solemnised between persons either of whom is under the age of sixteen shall be void:

Provided however that the Attorney-General or his or her representative may, in his discretion, if, for serious reasons, he or she 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 sixteen but over the age of fifteen; and the exercise of such discretion by the Attorney-General or his or her representative shall not be inquired into by any Court provided all the necessary consents to such marriage have been previously obtained by the parties thereto.

(Inserted by Act 5 of 1967)

PART IV**PRELIMINARIES TO MARRIAGE****Authority for solemnisation or celebration.**

29. Except in the cases mentioned in Part VIII, no marriage shall be solemnised or celebrated unless there is produced to the marriage officer solemnising or celebrating the same, a certificate or certificates, as the case may be, in the form or to the effect

set out in form "D" in the First Schedule of the due publication of the banns within the preceding three months, or the Attorney-General or his or her representative's licence which is still in force or a certificate or certificates from the Registrar-General or a Magistrate which is or are still in force:

Provided that where a marriage is solemnised 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 or Magistrate 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.

Banns of Marriage.

Publication of banns.

30. (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 or she may belong, if appointed as a marriage officer (but not otherwise) shall himself or herself or by some one officiating under his or her 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 Saturday or Sunday, whichever day is the day on which the principal act of worship of such congregation takes place, in the face of the congregation before whom and in the registered building in which such minister officiates and in the district in which both of the parties to be married dwell, and shall be in the words as nearly as may be in Form E in the First Schedule and shall contain the Christian and other name and surname and place of abode of each of the said parties, and shall be published on three such days within a period not exceeding three months preceding the solemnisation of the marriage.

(Amended by Act 7 of 1987)

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

(4) If one or both of the parties dwell in any district 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 Magistrate of the district, in which either or both parties dwell, shall be given in accordance with the provisions of section 42, and shall be in substitution for publication of such banns in respect of such of the parties to be married as dwell in such district, and the certificate of the Registrar-General or the Magistrate issued under section 45 shall be accepted as sufficient evidence of such notification in all respects in respect of such party or parties.

Notification before banns.

31. No marriage officer shall be obliged to publish banns between any person whomsoever, unless the persons to be married, two 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 in such district or place as aforesaid, 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.

32. (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 solemnised 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 persons so objecting afterwards withdraws his or her objection, in which case the publication shall hold good.

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

(3) In either of the said 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.

33. (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 the same 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 a fee of five dollars.

(Amended by Act 7 of 1987)

Supply of register book of banns.

34. (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 F in the First Schedule, of substantial paper ruled and having the several pages numbered progressively wherein the particulars of all banns published in the said building shall be recorded; and immediately after each publication of banns the officiating minister, or the person officiating under his or her control, shall enter the date of such publication and sign the same.

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

Marriage Licences.

Attorney-General or his or her representative may grant marriage licences.

35. (1) The Attorney-General or his or her representative, subject to the restrictions hereinafter mentioned, may grant a licence or special licence to marry without publication of banns, or notice of marriage under this Act.

(Amended by Acts 6 of 1976, 7 of 1987 and 4 of 2002)

(2) Any person applying for a special licence under this section, must submit his petition no less than two days before the date of the intended marriage.

(Inserted by Act 4 of 2002)

Restriction in case of minority.

36. Where either of the parties, not being a widower or widow, is under the age of eighteen years, no licence or special licence shall be granted until the consent of the persons or person required by subsection (2) of section 28 has been first obtained.

(Amended by Act 7 of 1987)

Marriage officer may be stated in licence.

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

(Amended by Act 7 of 1987)

Application for licence.

38. (1) Any persons intending marriage who desire to obtain such licence shall apply to the Attorney-General or his or her representative therefor by petition.

(Amended by Act 4 of 2002)

(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 solemnised 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—
 - (i) in the case of an application for a licence, was resident in Saint Christopher and Nevis for the space of fifteen days immediately preceding the date of the application for the licence; or
 - (ii) in the case of a special licence, there shall be no residency requirement;

(Amended by Acts 7 of 1987 and 4 of 2002)

- (f) where either of the parties, not being a widower or widow, is under the age of eighteen years, that the consent of the person or persons whose consent to such marriage is required under this Act has been obtained;
(Amended by Act 7 of 1987)
- (g) whether the application is for a licence or a special licence.
(Inserted by Act 7 of 1987)

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

(Amended by Acts 7 of 1987 and 4 of 2002)

Form of licence. Form H. First Schedule.

39. The licence shall be in the form or to the effect set forth in Form H in the First Schedule and a special licence shall be in that form except that wherever the word 'licence' occurs the words 'special licence' shall be substituted in its place.

(Amended by Act 7 of 1987)

Objection to grant of licence.

40. If any objection to the grant of any licence or special licence for a marriage be lodged at the Government Office, at Basseterre, such objection being duly signed by or on the behalf of the person who lodges the same, stating his or her place of residence and the ground of objection, no licence or special licence shall issue until the Attorney-General or his or her representative is satisfied that it ought not to obstruct the grant of the licence or special licence for the said marriage, or until the objection be withdrawn by the party who lodges the same.

(Amended by Acts 6 of 1976, 7 of 1987 and 4 of 2002)

Licence void three months after date.

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

(Amended by Act 7 of 1987)

Registrar's Certificate.

Notice of intended marriage.

42. (1) Any persons intending marriage who desire to obtain a certificate under this Act from the Registrar-General or a Magistrate, shall give notice under their hands in the form or to the effect set out in Form I in the First Schedule to the Registrar-General or Magistrate of the district within which they have dwelt for not less than seven days then next preceding, or if the parties dwell in different districts, each shall give the like notice to the Registrar-General or Magistrate of the district wherein he or she has dwelt for the period aforesaid.

(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 said marriage;
- (b) that they, or he, or she (as the case may be), have or has for the space of seven days immediately preceding the giving of such notice, had their, his, or her usual place of abode and residence within the district of the Registrar-General or Magistrate to whom such notice or notices (as the case may be) is or are so given; and
- (c) when either of the parties intending marriage, and not being a widower or widow, is under the age of eighteen years, further stating 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.

(Amended by Act 7 of 1987)

(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 or Magistrate to whom the notice is about to be given.

(4) No such notice as aforesaid shall be received by any Magistrate unless the said notice is in or to the effect of the prescribed form, and accompanied by such declaration as aforesaid.

Filing notice.

43. (1) The Registrar-General or Magistrate 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 or her office and also enter the particulars thereof in the marriage notice book, and for every such entry the Registrar-General or Magistrate shall be entitled to have a fee of five dollars.

(Amended by Act 7 of 1987)

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

Publication of notice.

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

Certificate of notice.

45. (1) After the expiration of twenty-one days next after the day of the entry of such notice in his or her marriage notice book, the Registrar-General or Magistrate shall issue under his or her hand, upon the request of any party giving such notice, a certificate in the form or to the effect set forth in Form C in the First Schedule 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 or Magistrate shall be entitled to demand and receive a fee of five dollars:

Provided that no fee shall be claimed or paid in the case of a pauper.

(Amended by Act 7 of 1987)

Objections to issue of certificate.

46. (1) Any person may enter an objection to the issue of a Registrar-General's or Magistrate'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 or her name and place of residence and the ground of his or her objection, and shall be lodged with the Registrar-General or Magistrate of the district within twenty-one days from the date of the notice set up outside his or her office under section 44.

(3) When any objection is lodged as aforesaid the Registrar-General or Magistrate shall forward the objection to a Judge of the High Court who shall decide upon the same 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.

(Amended by Act 5 of 1967)

(4) The Registrar-General or Magistrate shall, in any such case, suspend the issue of his or her certificate until he or she 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.

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

PART V

SOLEMNISATION OR CELEBRATION OF MARRIAGE

Solemnisation or celebration of marriage.

48. Every marriage shall, except in the cases mentioned in Part VII, be solemnised or celebrated—

- (a) between the hours of six in the morning and eight in the evening, if solemnised by a marriage officer other than the Registrar-General or a Magistrate, and between the hours of eight in the morning and six-thirty in the afternoon if celebrated by the Registrar-General or a Magistrate;

(Amended by Act 7 of 1987)

- (b) by a marriage officer in the presence of two or more credible witnesses beside such marriage officer—
- (i) at any place within Saint Christopher and Nevis that he or she is satisfied is a fit and proper place for such solemnisation; or
(Substituted by Act 7 of 1987)
 - (ii) if such marriage officer be the Registrar-General or a Magistrate, then such marriage shall be celebrated at any place within Saint Christopher and Nevis that he or she is satisfied is a fit and proper place for such celebration;
- (c) (i) according to such form and ceremony as the parties may see fit to adopt:

Provided that 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

- (ii) if the marriage officer is the Registrar-General or Magistrate 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).”

(Amended by Act 7 of 1987)

Addition of religious ceremony to civil if desired.

49. If the parties to any marriage contracted at the office of the Registrar-General or Magistrate 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 or Magistrate, may, if he or she thinks fit, perform the marriage service of the church or persuasion to which he or she 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:

Provided that at no marriage celebrated at the office of the Registrar-General or Magistrate shall any religious service be used at such office.

Fee for celebration of marriage.

50. (1) The Registrar-General or Magistrate shall be paid a fee as may be prescribed by the Attorney-General which fee shall be paid into the Consolidated Fund.

(2) For every marriage celebrated by the Registrar-General or Magistrate at a place other than his or her office, he or she shall, in addition to the fee referred to in subsection (1), be paid such fee for his or her own personal use as may be prescribed by the Attorney-General.

(3) For every marriage celebrated by a marriage officer who is a Justice of the Peace, he or she shall be paid such fee as may be prescribed by the Attorney-General, a portion of which fee shall be paid into the Consolidated Fund on such terms as the Attorney-General shall prescribe.

(Substituted by Act 4 of 2002)

Case of marriage between minors after publication of banns.

51. No marriage officer who solemnises 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 solemnised 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 or she has solemnised the same.

PART VI

REGISTRATION OF MARRIAGE

Safety of marriage register books and forms.

52. (1) The Registrar-General shall control and direct the proper registration of all marriages under this Act.

(2) He or she shall as soon as possible after the coming into operation of this Act and thereafter whenever necessary furnish to every marriage officer a bound book to be called the "Marriage Register Book," which shall be in the Form K in the First Schedule and separate sheets for a duplicate original register, all of substantial paper according to the forms provided for the registration of marriages by this Act.

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

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

Keeping of register of marriages.

53. Immediately after the solemnisation 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 Attorney-General's or his or her representative's licence or Registrar-General's or Magistrate'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 or her proper addition, and by the parties married, and shall be attested by such two witnesses; and every such entry shall be in the form or to the effect set out in Form K in the First Schedule.

(Amended by Act 4 of 2002)

Duplicate register.

54. (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 L in the First Schedule.

(2) All such duplicate original registers shall, within fourteen days from the date thereof, be transmitted by the marriage officer to the Registrar of births, deaths and marriages of the parish in which the marriage takes place, and the Registrar of births, deaths and marriages shall, at the end of every three months, viz., within the first ten 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 or her office.

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

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

55. It shall be lawful for all persons at all reasonable times in the day (except Saturdays, 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 or her 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.

(Amended by Act 7 of 1987)

Fees payable for searches and for copies.

56. The fees set out in Schedule D to 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.

(Substituted by Act 5 of 1967)

PART VII

CLINICAL MARRIAGES

Marriage in *articulo mortis*.

57. (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 solemnise 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 two persons, one of whom he or she 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 or her own observation that he or she (as the case may be) is *in articulo mortis*:

Provided that in every such case, before the solemnisation of any such marriage, the person so believed to be *in articulo mortis* shall first declare in the presence of two 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

Provided also that no marriage *in articulo mortis* shall be solemnised unless both parties to such marriage are able to and actually and previously signify, in the presence of two or more credible witnesses, besides the marriage officer, their consent to such marriage.

(2) No such marriage shall be solemnised where either of the parties is under eighteen years of age, not being a widower or widow, without the verbal or written consent of the person whose consent is by law required, and 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, and if such person is absent such consent shall be in writing and shall be attached to the duplicate original register.

(Amended by Act 7 of 1987)

(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 or she 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 solemnise the marriage:

Provided that such parent or guardian may, by petition to the Supreme Court, within a reasonable time, in any case not exceeding three 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 solemnised under the provisions of this section shall be valid unless the foregoing conditions are observed.

(5) A marriage solemnised 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 or her opinion the sick person is 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 M and N respectively in the First Schedule, and in all other respects the provisions of this Act relating to registration of marriage and the keeping of registers of marriage shall apply:

Provided that 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 seven days after the solemnisation of the marriage, and on receipt of the duplicate original register the Registrar-General shall for a space of three weeks cause a true and exact

copy thereof to be suspended or affixed in some conspicuous and accessible place outside his or her 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 O in the First Schedule, and the fee payable to any Government medical officer for such certificate shall be two dollars, if a special visit is not required before it can be given, but if a special visit is required, a fee of five dollars shall be payable:

Provided that no fee shall be claimed and paid in the case of a pauper.

(Amended by Act 7 of 1987)

PART VIII

OFFENCES, ETC.

Unduly solemnising marriage.

58. Any person who knowingly and wilfully—

- (a) solemnises or celebrates marriage at any other time than between the hours fixed by section 48(1), save in the cases mentioned in section 5(2) and Part VII;
- (b) solemnises or celebrates any marriage save in the cases mentioned in section 5(2) and Part VII without due publication of banns, or licence of marriage from the Attorney-General or his or her representative, or certificate from the Registrar-General or Magistrate first had and obtained;
- (c) solemnises or celebrates any marriage save as aforesaid more than three months after the last publication of banns, or the issue of a licence by the Attorney-General or his or her representative, or the entry of a notice of such marriage by the Registrar-General or Magistrate; or
- (d) falsely pretending to be a marriage officer solemnises or celebrates marriage,

commits a misdemeanour, and shall, on conviction, be liable to imprisonment, with or without hard labour, for any term not exceeding two years:

Provided that all prosecutions for any such misdemeanour shall be commenced within three years after the offence was committed.

(Amended by Act 6 of 1976)

Making false declaration, etc.

59. 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, shall be deemed guilty of wilful and corrupt perjury and shall be liable to be prosecuted and punished accordingly.

Celebration by Registrar of a void marriage.

60. Any marriage officer, being a Registrar-General or Magistrate, who knowingly and wilfully celebrates or permits to be celebrated in his or her office any marriage in

this Act declared to be null and void commits a misdemeanour and on conviction shall be liable to imprisonment with or without hard labour for any term not exceeding two years.

Liability of persons lodging an objection on frivolous grounds.

61. (1) Any person who shall enter an objection at the Government Office at Basseterre, or at the office of the Registrar-General or Magistrate against the grant of any licence or issue of any certificate, on grounds which the Minister 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 complaint 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 Minister purporting to be signed by him or her or a copy of the judgment of the Judge, shall be evidence that the Minister 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.

(Amended by Act 7 of 1987)

Injury, etc., of marriage register.

62. 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, shall be liable to imprisonment with or without hard labour for any term not exceeding three years.

Injury, etc., of a certificate.

63. Any marriage officer who knowingly and unlawfully falsifies, destroys, injures or conceals any notice or certificate which is in his or her possession, custody or control, or to which he or she has access by virtue of his or her office, shall be liable to imprisonment with or without hard labour for any term not exceeding two years.

Penalty for non-compliance with provisions of Act.

64. 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 or her 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 or her duty under this Act, commits an offence and shall, on summary conviction, be liable to a penalty not exceeding four hundred and fifty dollars.

(Amended by Acts 7 of 1976 and 9 of 1986)

PART IX

MISCELLANEOUS

Dispensation with proof of certain preliminary matters after marriage.

65. After the solemnisation 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 district, 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 solemnised or celebrated, in the place and by a person, where and by whom the same ought to have been solemnised or celebrated:

Provided that 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.

66. 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 the coming into operation of this Act, any law or usage to the contrary notwithstanding:

Provided that 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.

67. If any person or persons—

(a) save in the cases mentioned in Part VII—

(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 Attorney-General or his or her representative, or a certificate from the Registrar-General or Magistrate first had and obtained; or

(Amended by Act 6 of 1976)

(b) knowingly and wilfully consents to, or acquiesces in the solemnisation 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.

68. (1) Where either of the parties to a marriage is under eighteen 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.

(Amended by Act 7 of 1987)

(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 said Court shall think fit, for the purpose of preventing the offending party from deriving any interest or pecuniary benefit from such marriage.

Saving clause as to fees.

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

Payment of fees into Treasury.

70. All fees received under this Act by the Registrar-General or a Magistrate except the fee received by him or her under section 50(2) shall be paid into the Public Treasury of Saint Christopher and Nevis.

(Amended by Act 7 of 1987)

Marriages prior to coming into operation of Act declared to be valid.

71. Every marriage which has before the coming into operation of this Act been solemnised in Saint Christopher and Nevis by a minister of the Christian religion between any two persons whether of the age of twenty-one or not, and with the full religious rites of the denomination to which the persons or either of them belong or belongs and duly registered by the officiating minister in the accustomed manner at the time of solemnisation, shall in Saint Christopher and Nevis be deemed and is hereby declared to have been and to be valid and of full force and effect.

Regulations.

72. The Attorney-General may make regulations generally for giving effect to the provisions of this Act.

(Inserted by Act 4 of 2002)

FIRST SCHEDULE

FORM A

(Section 12(1))

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

REGISTER OF MARRIAGE OFFICERS.

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

FORM B

(Section 15)

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

MARRIAGE NOTICE BOOK.

Names and Surname.	Condition, <i>i.e.</i> widower, bachelor, widow or spinster.	Rank, profession or occupation.	Age	Dwelling place. Length of residence.	Marriage District in which parties respectively dwell.	Date of notice accepted and entered by Marriage Officer in Marriage Notice Book.
Between						
and				Signature of Marriage Officer		
Between						
and				Signature of Marriage Officer		

FORM C

(Section 15 and 45)

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

REGISTRAR'S CERTIFICATE.

I, Magistrate of district* marriage officer in and for the State of St. Christopher and Nevis do hereby certify that on the day of the following notice was duly entered in the Marriage Notice Book of this district:

Names and Surname.	Condition, <i>i.e.</i> , widower bachelor, widow or spinster.	Rank, profession or occupation.	Age.	Dwelling.	Length of residence.	Marriage District in which parties respectively dwell.
Between						
and						

* A., B., C., D., as the case may be.

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 solemnised or celebrated within three calendar months after the date of the entry of notice, namely, on or before the day of

(Signed)

Marriage Officer.

FORM D

(Section 29)

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

CERTIFICATE OF PUBLICATION OF BANNS OF MARRIAGE.

I hereby certify that the banns of marriage between *A.B.*, bachelor, of the parish of in the district of, were duly published, in the church of in the parish of on three Saturdays or Sundays, viz., on and no objection was declared.

This certificate will be void unless the marriage between the parties herein named be solemnised or celebrated within three calendar months from the last day of publication of banns as herein-before stated.

(Signed)

Marriage Officer.

Date.

FORM E

(Section 30(2))

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

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

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

If any of you know 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 or third, as the case may be)* time of asking.

FORM F

(Section 34)

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

REGISTER BOOK OF BANNNS.

Parish District.

Banns of marriage published in church.

Names and Surname.	Condition <i>i.e.</i> , widower, bachelor, widow or spinster.	Rank, profession or occupation.	Age.	Dwelling Place. Length of Residence.	Marriage District in which parties respectively dwell.
Between and					

1st Publication on Sunday by

2nd Publication on Sunday by

3rd Publication on Sunday by

Between and					
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1st Publication on Sunday by

2nd Publication on Sunday by

3rd Publication on Sunday by

Between and					
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1st Publication on Sunday by

2nd Publication on Sunday by

3rd Publication on Sunday by

Between and					

1st Publication on Sunday by

2nd Publication on Sunday by

3rd Publication on Sunday by

FORM G

(Section 38(3))

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

To the officer administering the Government of the State
of St. Christopher and Nevis.

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

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 the
State of St. Christopher and Nevis.

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 solemnise or celebrate the same.

That your petitioners desire the marriage to be solemnised/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
20

Justice of the Peace.

* To be made by each party.

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.

FORM H

(Section 39)

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

By Attorney-General of Saint Christopher and Nevis. To all whom these presents shall come;

Be it known that bachelor/widower of age born in an inhabitant at of Saint Christopher and Nevis, and spinster/widow of age born in an inhabitant at of Saint Christopher and Nevis, 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 solemnise/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 solemnised or celebrated within three calendar months from the date thereof.

Given under my hand, this day of and in the year of Her Majesty's reign.

Attorney-General.

N.B.-A Stamp duty not exceeding \$15.00 is payable on this Licence (*vide* Section 9 of the Stamp Act, Cap.).

FORM I

(Section 42)

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

NOTICE OF MARRIAGE.

To the Magistrate of district (*A, B, C or D, as the case may be*) marriage officer in of Saint Christopher and Nevis.

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

Names and Surname.	Condition, widower, bachelor, widow, or spinster.	Rank, profession or occupation.	Age.	Dwelling place.	Length of residence.	Marriage District in which parties respectively dwell.
Between						
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 seven 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 eighteen 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 eighteen 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, Cap. 12.09, 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

(Signed)

FORM J

(Section 44)

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

PUBLIC NOTICE OF INTENDED MARRIAGE.

DISTRICT.

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>i.e.</i> , 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 twenty-one days from this date by the objector, who must appear personally and declare before me the truth thereof.

Marriage Officer.

Date of notice.

FORM L

(Section 54)

MARRIAGE REGISTER BOOK

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

DUPLICATE ORIGINAL REGISTER.

20 Marriages Solemnised (or celebrated) at in the marriage district of in the State of Saint Christopher and Nevis.

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 the marriage district, aforesaid, (a) by me

(Signed)

Marriage Officer.

This marriage was solemnised (or celebrated)

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

between us

In the presence of us

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

Marriage Officer.

FORM M
(Section 57(6))
MARRIAGE REGISTER BOOK
SAINT CHRISTOPHER AND NEVIS
THE MARRIAGE ACT, CAP. 12.09
ORIGINAL REGISTER, MARRIAGE *IN ARTICULO MORTIS*.

20 Marriages Solemnised at in the marriage district ofin the State of Saint Christopher and Nevis.

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 the marriage district, aforesaid, by me a Marriage Officer of the State of Saint Christopher and Nevis.

This marriage was solemnised between us.
Believing that he/she is at that point of death.

{ In the presence of us, who certify 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. }

(a) Add if circumstances require.

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

Marriage Officer.

This day of 20.....

FORM N

(Section 57(6))

MARRIAGE REGISTER BOOK

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

DUPLICATE ORIGINAL REGISTER, MARRIAGE *IN ARTICULO MORTIS*.

20 Marriages Solemnised at in the marriage district of in the State of Saint Christopher and Nevis.

Table with 8 columns: 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.

Married this day of 20....., at in the marriage district, aforesaid, by me a Marriage Officer of the State of Saint Christopher and Nevis.

This marriage was solemnised between us, believing that he/she is at that point of death.

Witnesses' statements: in the presence of us, who certify 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.

(a) Add if circumstances require.

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

This day of 20..... Examined with the Original Register by me and certified to be correct. Marriage Officer.

FORM O

(Section 57(7))

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

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 O

(Section 57(7))

SAINT CHRISTOPHER AND NEVIS

THE MARRIAGE ACT, CAP. 12.09

CERTIFICATE BY MARRIAGE OFFICER.

I marriage officer hereby certify that has declared to me in the presence of two 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.....

SECOND SCHEDULE*(Section 28(2))*

Consent required to the Marriage of a Minor

Consent to the marriage of a minor shall be obtained in accordance with the following provisions—

- (a) if both the minor's parents are alive and living together, consent shall be obtained from both parents;
- (b) if the minor's parents are living apart and he or she is living with one parent, consent shall be obtained from the parent with whom he or she is living;
- (c) if the parents are living apart and the minor is not living with either, consent shall be obtained from both parents unless the consent of one parent is dispensed with by a Judge of the High Court;
- (d) if one of the parents is dead, consent shall be obtained from the surviving parent and any other person who is the legal guardian of the minor;
- (e) if both parents are dead consent shall be obtained from any person who is the legal guardian of the minor.

(Substituted by Act of 1987)
