

THE MARRIAGE ACT

RULES
(*under section 38*)

The Marriage Rules, 1898

G.N. 109/98
L.N. 94/58

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(Made by the Registrar-General on the 14th day of February, 1898,
and approved by the Governor in Privy Council on the 8th March,
1898)

G.N. 108/98
Amd:
L.N. 94/58

1. These Rules may be cited as the Marriage Rules, 1898.
2. Each Marriage Officer on his appointment will be furnished from the General Register Office with a copy of the Act, a copy of these Rules and a set of Marriage Registers together with a supply of all necessary forms for the purpose of registering marriages solemnized or witnessed by him.
3. Marriage Officers and Superintendent Registrars of Marriages are required to make themselves fully acquainted with their duties under these Rules, such Rules being binding upon them under the Act.
4. Every Marriage Officer shall, on ceasing so to act, *forthwith notify the fact* to the Registrar-General, *and at once* send in to the General Register Office the Marriage Register Book or Books then in his charge and all forms, documents, etc., belonging to the Registration Department.
5. The Original and Duplicate Register of a marriage should not together remain in one place any longer than is absolutely unavoidable, lest such entire existent record of a marriage should at any time be lost by accident or otherwise, and the earliest opportunity should therefore be taken, after registering a marriage, for transmitting the Duplicate Register to the General Register Office as directed by section 32 of the Act.
6. If a Marriage Officer shall not have registered any marriage during one of the quarters ending respectively on 31st March, 30th June, 30th September, or 31st December, he must, within the first seven days of the new quarter, fill in, and transmit to the Registrar-General, a

certificate on one of the forms supplied to him for the purpose, to the effect that he has not, during the past quarter, solemnized, or been present at any marriage, in respect of which it was his duty to effect registration.

7. A Register of Marriages is a legal record which may at any time be required to be produced as evidence in a court of law; or for other important purposes. It is, therefore, of the utmost importance that every entry should not only be accurately made as to the facts required to be set forth in it, but that every word therein should be clearly and distinctly written. When this is not the case mistakes in indexing or transcribing may occur, or correct indexing be rendered impossible, and subsequent searches of the records for any particular Marriage Register may be fruitless.

8. In the event of any one of the forms in the Marriage Registers being accidentally rendered useless *it must on no account be destroyed*. The word "cancelled" must be written across it, and also across the corresponding numbered form in the Original or Duplicate Register as the case may be; the cancelled duplicate form must be sent up to the Registrar-General in its regular order of number, and the cancelled original form must be left in its place in the Marriage Book.

9. In order to avoid errors and obliterations the particulars required to be registered, especially names, should be written down on a piece of paper and be shown or read to the parties to the marriage before they are inserted in the Register Book.

10. If any word, letter or figure has been inserted erroneously, the Marriage Officer must draw a line through it and make the correct insertion, but he must in no case make any *erasure*, that is to say, the entire removal of what may have been written, by scraping the paper with a sharp instrument, or by other means, and on no account is the surface of any incorrect word, letter or figure to be written over. All such corrections on the Register must be made before signature by the several parties and *each correction* must be initialled and dated by the Marriage Officer.

11.—(1) All names, dates, and ages must be written at full length thus—

James William Johnson, Twenty-first March, 1879, Thirty-one years.
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(2) In addition to the surnames of the parties to a marriage, all the Christian names must, where possible, be entered on the Marriage Register and must be written at full length.

12. Signatures may in all cases be written in the way usually adopted by the person signing.

13. Marriage Officers should obtain signatures in preference to "marks" where the person can write at all, an indifferent, or even a bad signature being always more satisfactory than a mere mark. When the signature is so ill-written that it cannot be read with certainty, the name represented by such signature should be written against it *in pencil* by the Marriage Officer.

14. Uneducated persons bearing common Christian names frequently spell them incorrectly in their signatures; in such cases, if the names are correctly written elsewhere in the same entry, the discrepancy should be allowed to remain.

15. Certified copies of Marriage Registers are issuable in valid form from the General Register Office only, and Marriage Officers should not furnish such documents other than the free certified copy required to be delivered at the time of the marriage, under section 32 of the Act.

16. Care should be taken that in both the Original and Duplicate Register the entry about to be made shall follow in exact corresponding order of number (without intervening blank spaces or forms) the entry last previously made.

17. Marriage Officers should apply to the General Register Office for books and forms before the supply in hand is exhausted.

18. A good quality of *black ink* must at all times be used for registration purposes.

19. All letters, documents, etc., addressed to the Registrar-General and marked "On Her Majesty's Service", pass free of postage.

Superintendent Registrars of Marriages

20. Superintendent Registrars of Marriages will be governed by the foregoing Rules for the direction of Marriage Officers in so far as they relate to the duties of their office, and by the following which specially apply to them.

21. A newly appointed Superintendent Registrar of Marriages on his appointment must forthwith apply to his predecessor in office, or to the *interim* Superintendent Registrar who has acted during the vacancy of the Superintendent Registrarship, for the Register Books, forms, books, and documents relating to registration which he ought to possess, and on obtaining possession of the same, must make a list of all that he takes over and forward it to the Registrar-General.

22. Every newly appointed Superintendent Registrar immediately after his appointment, must, by writing under his hand, appoint, subject to the approval of the Minister, a fit person to act as his Deputy in case of his illness or absence. The appointment must be made out in duplicate, and when the forms are signed they must be sent to the Registrar-General. On the Minister's approval being signified it will be noted upon the forms, one being returned to the Superintendent Registrar, and one being retained in the General Register Office.

23. The Superintendent Registrar must act personally, when not prevented from doing so by illness or absence from his office. When he intends to call upon his Deputy to act in his stead for any period longer than *three* days he must notify his intention to the Registrar-General stating the time at which the Deputy Superintendent will begin to act and afterwards reporting to the Registrar-General when the Deputy has ceased so to act.

24. If the Superintendent Registrar dies, resigns, or otherwise ceases to hold his office, his Deputy will become *interim* Superintendent Registrar, and he must perform all the duties of a Superintendent Registrar until the appointment of another Superintendent Registrar is made and notified by the Minister.

25. The Superintendent Registrar must explain to the parties who have given notice of intended marriage that the certificate of such notice of intended marriage cannot be issued until *seven* clear days have expired after the day of entry of notice in the Marriage Notice Book; thus, if the notice be entered on the 1st January, the certificate cannot be issued until the 9th January. It must also be explained that the intended marriage must take place within *three calendar months* after the day of the entry of the notice otherwise it will become necessary for a new notice to be given, and for a new entry to be made.

26. There is no legal obligation on the Superintendent Registrar to open his office for the celebration of marriage on a Sunday, but he may do so as a matter of favour if he sees fit.