



BELIZE

**MARRIAGE ACT
CHAPTER 174**

REVISED EDITION 2000
SHOWING THE LAW AS AT 31ST DECEMBER, 2000

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Laws of Belize, Revised Edition 1980 - 1990.

This edition contains a consolidation of the following laws-	Page
ARRANGEMENT OF SECTIONS	3
MARRIAGE ACT	10
Amendments in force as at 31st December, 2000.	



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CHAPTER 174

MARRIAGE

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CHAPTER 174

MARRIAGE

[1st January, 1954]

Ch. 184,
R.L., 1958.
CAP. 140,
R.E. 1980-1990.
40 of 1963.
16 of 1976.
32 of 1980.
14 of 1982.
25 of 1985.
27 of 1985.
27 of 1987.
7 of 1995.
6 of 2000.
Short title.

PART I

Preliminary

1. This Act may be cited as the Marriage Act.
2. In this Act, unless the context otherwise requires:-

“district” means a marriage district;

“infant”, for the purpose of this Act, means a person under the age of eighteen years;

“judge” means a justice of the Supreme Court;

“marriage district” means a district declared by section 7 to be a marriage district;

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

“minister of religion” shall include all persons ordained or set apart to the ministry of any religion or duly authorised according to the usage of any religion;

16 of 1976.

“registered building” means a building registered under this Act as one wherein banns of matrimony may be published.

PART II

Restriction on Marriage

Persons Who May Not Intermarry

3.-(1) A marriage solemnised between a man and any of the persons mentioned in the first column of Part I of the First Schedule, or between a woman and any of the persons mentioned in the second column of the said Part I, shall be void.

Marriages within prohibited degrees. First Schedule, Part I.

(2) A marriage solemnized between a man and any of the persons mentioned in the first column of Part II of the First Schedule, or between a woman and any of the persons mentioned in the second column of the said Part II, shall not be void or voidable by reason only of affinity.

First Schedule, Part II.

(3) A marriage which, by virtue of subsection (2), is not void or voidable if solemnised after the decease of any person shall be void if solemnised during the lifetime of that person.

(4) With reference to the First Schedule, “brother” includes a brother of the half-blood, and “sister” includes a sister of the half-blood.

First Schedule.

4.-(1) A marriage solemnised between persons either of whom is under the

Age of marriage.

age of fourteen shall be void.

(2) Nothing in this Act shall affect any marriage solemnised or contracted before the passing of this Act, and any such marriage shall be or become valid in any case where, if this Act had not been passed, it would have been or have become valid.

Consent to Marriage

Consent to
marriage of
infants.
32 of 1980.

5.-(1) Subject to this section, consent to the marriage of an infant shall be obtained in accordance with the following provisions-

- (a) if both the infant's parents are alive and living together, consent shall be obtained from both parents;
- (b) if the infant's parents are living apart and the infant is living with one parent, consent shall be obtained from the parent with whom the infant is living;
- (c) if the parents are living apart and the infant is not living with either, consent shall be obtained-
 - (i) from both parents in any case where they are, or have been married to each other, unless the consent of one parent is dispensed with by a magistrate;
 - (ii) from the mother, in any case where the parents have never been married;
- (d) if one of the parents is dead and the parents had at any time been married to each other, consent shall be obtained from the surviving parent or any other person who is the legal guardian of the infant;

- (e) if both parents are dead and they had at any time been married to each other, consent shall be obtained from any person who is the legal guardian of the infant;
- (f) if the infant's parents had never been married to each other and one or both of them is dead, consent shall be obtained from the mother if she is alive or from any person who is the legal guardian of the infant if the mother of the infant is dead.

(2) Where the marriage of an infant, not being a widower or widow, is intended to be solemnised after the publication of banns of matrimony, then, if any person whose consent to the marriage is required under this Act openly and publicly declares or causes to be declared, in the registered building in which the banns are published, at the time of the publication, his dissent from the intended marriage, the publication of banns shall be void.

(3) Persons who may have attained the age of eighteen years and widowers and widows may marry without the consent of others.

6.-(1) If-

- (a) the person whose consent is necessary to a marriage is *non compos mentis*, or absent from Belize, or otherwise incapable as aforesaid of consenting, or refuses his or her consent; or
- (b) there is no one capable of consenting,

Guardian unable or refusing to consent.

the person wishing to marry may apply by petition to a justice of the Supreme Court, who is hereby empowered to proceed upon the petition in a summary way.

(2) If upon examination, the marriage proposed appears to be proper, the judge shall judicially declare that the marriage is proper and order that it be solemnised forthwith.

(3) Every marriage duly solemnised in pursuance and under the authority of any such order shall be as good, valid and effectual to all intents and purposes whatever, as if the consent had been given by the person whose consent is required.

(4) Rules of court may be made for enabling applications under this section, and shall provide that, where an application is made in consequence of a refusal to give consent, notice of the application shall be served on the person who has refused consent.

PART III

Marriage Districts, Marriage Officers and Registered Buildings

Marriage Districts

Division of Belize into marriage districts.

7.-(1) The several judicial districts into which Belize is divided are hereby declared to be marriage districts for the purposes of this Act.

(2) No alteration at any time made in the limits of any those districts shall affect any proceedings which at the time of the alteration are being taken under this Act to procure due solemnisation of any marriage, but those proceedings may be continued and shall have the like effect as if the alteration had not taken place.

Marriage Officers

8.-(1) The Minister may, in his discretion, appoint any minister of religion a marriage officer for Belize.

Appointment of ministers of religion as marriage officers. 40 of 1963. 16 of 1976.

(2) Any marriage officer may act in that character throughout Belize.

9. No marriage officer shall be required to act in that character with respect to any marriage contrary to, or desired to be solemnised in any manner other than is prescribed by the rules of the religious denomination to which he belongs.

Power to refuse to act.

10.-(1) All applications by ministers of religion for appointment as marriage officers shall be made in writing to the Solicitor General who shall without delay transmit the application to the Minister for his consideration.

Application for appointment as marriage officer. 40 of 1963.

(2) Every minister of religion acting in that character for a congregation, or having the local superintendence of several congregations, who applies to be appointed a marriage officer shall state in his application the name or other description of the place of public worship or the congregations over which he has local superintendence, and the postal address at or to which all communications intended for him may be delivered or sent.

(3) All ministers of religion whose names, designations and usual residences are, at the passing of this Act, registered in the office of the Solicitor General as persons authorised to celebrate marriages pursuant to any law in force at the commencement of this Act shall be deemed to have made applications for appointment under this section as marriage officers, and the Registrar General may require any of such ministers to supply to him, in such form as he may think fit, information regarding the names or other descriptions of the places of public worship of the congregations over which they have local superintendence, and the postal addresses at or which all

communications intended for them may be delivered or sent.

- Tenure of office. 11. A marriage officer, when duly appointed, shall retain his office until it is notified in the *Gazette* that he has ceased to be a marriage officer.
- Temporary absence of marriage officer. 12. A marriage officer who intends to be absent temporarily from Belize shall notify the Registrar General of his intention, and shall make arrangements satisfactory to the Registrar General for the custody of the marriage register books supplied to him.
- Cancellation of appointment. 13. The Minister shall have power for good cause shown to cancel the appointment of any marriage officer.
- Register of marriage officers. Second Schedule. Form 1. 14.-(1) The Registrar General shall keep a "Register of Marriage Officers" in accordance with the Second Schedule, Form 1, of all marriage officers appointed under this Act.
- (2) Whenever a marriage officer changes his 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 of which his charge or superintendence is not recorded at that office, he shall forthwith report in writing to the Registrar General the change of residence, postal address or ministerial charge, and in default thereof his appointment as marriage officer may be cancelled.
- Sending in of application or notifications. 15. Every application, notice or other notification required by this Act to be sent to the Registrar or Solicitor General, if the minister concerned is a member of any denomination having a recognised head in Belize, shall be sent through that head.
- Publication of appointment and charges. 16. All appointments under this Act, and all changes of residence, postal address or ministerial change of marriage officers shall be published in the *Gazette*.

Magistrate and Senior Justice of the Peace

6 of 2000.

17.-(1) All magistrates and senior justices of the peace shall have full power and authority to perform marriages under this Act within the districts for which they are appointed magistrates or senior justices of the peace, and they shall be marriage officers within the meaning of this Act.

Magistrates and senior justices of the peace to be marriage officers.
14 of 1982.
6 of 2000.

(2) It shall not be necessary for the Registrar General to enter the names of magistrates and senior justices of the peace in the Register of Marriage Officers.

6 of 2000.

(3) The postal address of a magistrate or the senior justice of the peace under this Act shall be the office of the magistrate or the senior justice of the peace, as the case may be.

6 of 2000.

18. A magistrate or a senior justice of the peace shall not perform any functions or act in respect of marriages elsewhere than in the magistrate's office in the district, or otherwise than in accordance with the express provisions of this Act:

Limitation of powers.
14 of 1982.
6 of 2000.

Provided that the Minister may permit a marriage to be performed elsewhere than in the magistrate's office in the district on such conditions as to the keeping of records or otherwise as he may think fit, and every such marriage shall be deemed to have been performed in the magistrate's office, and the provisions of this Act and the regulations made thereunder with respect to the performance of marriages shall apply to every such marriage.

6 of 2000.

Registered Buildings

19.-(1) The head of every denomination of the Christian religion in Belize, within one month after the commencement of this Act, shall 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 is head

Registration of buildings in use at the commencement of this Act.

wherein banns of matrimony are to be published.

(2) The Registrar General shall register the buildings in a book to be kept for that purpose at his office and make out, and cause to be published in the *Gazette*, a list of all of them, in which list there shall be stated the marriage district within which each building so registered is situate.

(3) A copy of the list, or of the *Gazette* containing it, shall be sent to the head of every such denomination and every marriage officer.

(4) Where it is desired to register a building belonging to a denomination which has no head in Belize and which has been exclusively used as a place of Christian worship belonging to that denomination, and wherein banns of matrimony are to be published, the person in charge of the building shall do, in respect of it, what by the foregoing provisions is required to be done by the head of a denomination, and the Registrar General shall deal with the building in the manner provided by those provisions.

Registration of
buildings set apart
for religious
worship.

20.-(1) Any proprietor, trustee or other person who has the sole control of a separate building used as a place of Christian worship may apply to the Registrar General in order that the building may be registered for the publication of banns, and in that case shall deliver or send to the Registrar General a certificate signed by not less than five householders resident within the marriage district, that the building has been and is intended to be used as a usual place of public religious worship, and that they desire the place to be registered for the purposes of this Act, which certificate shall be countersigned by the proprietor, trustee or other person making the application.

(2) The Registrar General shall-

(a) on receipt of the certificate, register the building in the

book in which buildings used for the publication of banns are registered and indorse on the certificate the date of the registration;

- (b) keep the certificate with the other records of his office, and give a certificate of the registration under his hand on stout paper to the person by whom the certificate is countersigned;
- (c) give public notice of the registration of the building by advertisement in the *Gazette*; and
- (d) demand and receive for the entry, certificate and publication, at the time of the delivery to him of the application or registration, the sum of ten dollars.

21. Any building or part of a building which has been, and is intended to be, used regularly for public religious worship shall be taken to be a separate building for the purpose of being registered under section 20, notwithstanding that it is under the same roof with any other building or forms a part only of a building.

Meaning of
“separate
building”.

22. 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 that building being registered for the publication of banns, and the Registrar General, if satisfied that the necessities of any marriage district so required and not otherwise, may, on application as above provided, register for the publication of banns a building in which the religious worship of any denomination is usually carried on within that district, notwithstanding that it is used for other purposes while religious worship is not going on therein.

Use of building
as a school.

Cancellation of registration if building disused.

23.-(1) If, at any time subsequent to the registration of a building, it is made to appear to the satisfaction of the Registrar General that the building has been disused for the public religious worship of the congregation on whose behalf it is registered under this Act, he shall cause the registration thereof to be cancelled.

(2) If it is proved to the satisfaction of the Registrar General that the same congregation use instead thereof some other building for the purposes of public worship, he may substitute and register the new place of worship in the place of the disused building.

(3) Every application for cancelling the registration of a disused building, or for the substitution and registration of a substituted building, shall be made to the Registrar General, and the cancellation or substitution when made and the date thereof shall be entered in the book provided for the registration of those buildings.

(4) The Registrar General shall certify and publish every such cancellation or substitution in manner hereinbefore provided in the case of the original registration of the building which has become disused.

(5) For every substitution, the Registrar General shall demand and receive at the time of the delivery of the certificate from the party requiring the substitution the sum of two dollars and fifty cents.

(6) After the cancellation or substitution has been made by the Registrar General, no banns of matrimony shall be published in the disused building unless it is again registered in the manner provided in section 20.

Rebuilding or repair of registered building.

24.-(1) Whenever a registered building is being reconstructed or repaired, the Registrar General, on application in writing made to him for that purpose, may direct that banns of matrimony may be published in any church or other building in the same marriage district which he in writing nominates, for such period as he may think fit pending the re-opening of the

registered building for the performance of divine service.

(2) During the whole of any such period that church or building, for all purposes relating to the publication of banns of matrimony, shall be deemed and taken to be the registered building under reconstruction or repair.

25. There shall be posted in some conspicuous place at the main entrance, or one of the main entrances, of every registered building, a notice in these words:

Notice to be placed in registered building.

“Banns may be published in this building”.

26. 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 the minister belongs, where he is by law empowered to give that consent.

Consent required for use of registered building.

PART IV

Preliminaries to Marriage

27.-(1) Except in the cases mentioned in Part VII, no marriage shall be solemnised or celebrated unless there is produced to the marriage officer solemnising or celebrating it, a certificate or certificates, as the case may be, of the due publication of the banns within the preceding three months, or a licence of the Minister which is still in force.

Publication of banns.

40 of 1963.

(2) Where a marriage is to be solemnised by a marriage officer officiating in the registered building in which banns of that marriage has been within the aforesaid period duly published, or is to be celebrated at a district officer's office where any notice relating to that marriage, and still in force, has been duly given, it shall not be necessary to issue a certificate of the publication in that registered building or of the notice given in that office.

Banns of Matrimony

Publication of
banns.

28.-(1) Any minister of the Christian religion, ordained or otherwise set apart to the ministry thereof, according to the usage of the communion to which he belongs, if appointed as a marriage officer under this Act, may himself, or by someone officiating under his control, publish banns of matrimony between persons wishing to be joined together in holy matrimony.

(2) The publication shall be made in an audible manner some time during public divine service on a Sunday, in the face of the congregation before whom, and in the registered building in which, the minister officiates, in the marriage district in which dwell both of the parties to be married.

(3) The publication shall contain the Christian and other name and surname and place of abode of each of the parties and made on three Sundays within a period not exceeding three months preceding the solemnisation of the marriage.

(4) If the parties to be married dwell in different marriage districts, the banns shall be published in like manner in each marriage district.

(5) If one or both of the parties dwell in any place not within any marriage district, then the banns of the party or parties to be married who dwell there shall be published in manner aforesaid in some marriage district next adjoining thereto.

29.-(1) No marriage officer shall be obliged to publish banns between any persons whomever, unless the persons to be married, two days at the least before the time required for the first publication of the banns respectively, deliver or cause to be delivered to the marriage officer, a notice of their true Christian and other names and surnames, their respective profession or occupation, and a description of their place or respective places of abode in the marriage district or place aforesaid, and of the time during which they dwelt there.

Notification to be made to marriage officer before publication of banns by parties intending to marry.

(2) The persons to be married shall state whether they, or one, and if one only which of them, have or has been married before.

(3) The 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.

30.-(1) If anyone whose consent to a marriage is by this Act required, forbids the marriage and gives notice thereof before it is solemnised to the minister publishing the banns therefor, the publication of those banns shall be void unless the person so objecting afterwards withdraws his objection, whereupon the publication shall hold good.

Publication, when void.

(2) Whenever three calendar months from the last publication of banns of matrimony expire before the marriage to which those banns relate has been solemnised, the publication of the banns shall be void.

(3) If the publication of any banns is void under this section, the parties to whose intended marriage the publication of banns relates shall not be married pursuant to those banns, but banns may be published anew in the manner and form provided under this Act.

31.-(1) The officiating minister at any registered building where banns have been duly published under this Act shall, unless that publication is void, on the request of both or either of the parties whose banns have been published,

Certificate of publication of banns.

give to the party requiring it a certificate of the banns having been duly published in that building.

(2) For the certificate, the officiating minister shall be entitled to demand and receive a fee of one dollar.

Supply of books for the registration of banns.

32.-(1) The Registrar General shall provide for use in the publication of banns of matrimony under this Act a proper "Register of Banns" of substantial paper, ruled and having the several pages numbered progressively.

(2) The banns shall be published from the register book and not from loose paper and, after publication, the book shall be signed by the officiating minister or by some person under his direction.

Marriage Licences

Power of the Minister to grant marriage licences. 40 of 1963.

33. Subject to the restriction mentioned in section 34, the Minister, or any person authorised by him, may if he thinks fit in any case grant a licence to marry without publication of banns.

Restriction of Minister's power.

34. Where either of the parties, not being a widower or widow, is an infant, the licence shall not be granted until the consent of one of the persons mentioned in section 5 (1) (a) to (f) has been first obtained according to the circumstances of the case.

Rights of parties obtaining licence.

35. The parties who intend to marry, or either of them, may require that the licence shall authorise the solemnisation of the marriage, in respect of which application for the licence is made, by any marriage officer by whom that marriage could have been solemnised if banns thereof had been published under this Act, or by the Registrar General.

Application for licences. 7 of 1995.

36.-(1) The person who desires to obtain a licence to marry shall apply therefor by petition at least three days before it is required.

- (2) The petition shall state-
- (a) the Christian or other names and surnames of the parties, their respective rank, profession or occupation;
 - (b) the place where, and the marriage officer by whom, the marriage is to be solemnised or whether the marriage is to be performed by the Registrar General;
 - (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 said parties, for the space of at least three days immediately preceding the date of the licence, has or shall have resided in Belize; 7 of 1995.
 - (f) where either of the parties, not being a widower or widow, is an infant, that the consent of the persons or person whose consent to the marriage is required under this Act has been obtained.

(3) The petition shall be signed by both parties and shall be verified by affidavit and accompanied by such other evidence of the statements therein made as the Minister may from time to time prescribe in the case of these petitions.

(4) It shall be permissible for the parties to submit the petition from outside Belize in anticipation of their arrival in Belize to celebrate the marriage. 7 of 1995.

37.-(1) A licence shall be in the form prescribed by the Minister. Form of licence.

- 7 of 1995. (2) No such licence shall be issued until the applicant has paid the following fee into the Treasury, as appropriate:
- (a) if one or both parties are Belizean nationals – a fee of fifty dollars;
 - (b) if both parties are non-Belizean – a fee of two hundred dollars:

Provided that the Minister may, if he thinks fit, waive the payment of the fees specified in this subsection.

Objections
against issue of a
licence.
40 of 1963.
14 of 1982.

38. If any objection to the grant of any licence for a marriage be lodged at the office of the Permanent Secretary or at the office of a magistrate, that objection being duly signed by or on behalf of the person who lodges it, stating his place of residence and the ground of objection, no licence shall be issued until the Minister has examined into the matter of the objection and is satisfied that it ought not to obstruct the grant of the licence for the marriage, or until the objection is withdrawn by the party who lodges it.

Licence when
void.

39. Whenever three calendar months have expired before the marriage to which the licence relates has been solemnised, that licence shall be void, and, before the parties can be married by licence, a fresh licence must be obtained as if no licence had been previously granted.

Notice of Marriages to the Magistrate

Notice of
marriage.
14 of 1982.
6 of 2000.
Second Schedule.
Form 2.
7 of 1995.

40.-(1) The persons who desire to have their marriage celebrated by a magistrate or a senior justice of the peace shall give notice under their hands in Form 2 or to the like effect to the magistrate of the district within which they have dwelt for not less than three days then next preceding.

(2) If the parties dwell in different marriage districts, each shall give like notice to the magistrate of the district wherein he or she has dwelt

for the period aforesaid.

(3) The notice shall have at the foot thereof a statutory declaration, made and signed by the parties or party giving it, stating-

(a) that they, or he, or she, as the case may be, know or knows of no impediment of kindred, alliance or other lawful hindrance, to the said marriage;

(b) that they, or he, or she, as the case may be, for the space of three days immediately preceding the giving of the notice, have or has had their, his or her usual place of abode and residence within the district of the magistrate to whom the notice or notices, as the case may be, is or are so given; and

7 of 1995.

(c) when any of the parties who desire to marry, not being a widower or widow, is an infant, further stating that the consent of the persons whose consent to that marriage is by law required, or a judge, has been given.

(4) The declaration may be made before and taken by anyone by law authorised to administer an oath, or before and by the magistrate to whom the notice is about to be given.

(5) The said notice shall not be received by any magistrate unless it is in the prescribed form and accompanied by the declaration aforesaid.

41.-(1) The magistrate to whom the notice of marriage is given shall forthwith file it with the records of his office, and also enter the particulars thereof in the book to be called the "Marriage Notice Book", and for each entry there shall be demanded and received a fee of twenty-five cents.

Filing and entry of notice. 14 of 1982.

(2) The marriage notice book may at any reasonable time be

inspected without fee by anyone.

Publication of
notice.
14 of 1982.

42. The magistrate who receives the notice shall cause a true and exact copy thereof, with a statement under his hand that any objections to the intended marriage must be lodged with him within twenty-one days from the date thereof, to be suspended or affixed in some conspicuous place outside his office for the twenty-one days next after the day of the entry of the notice in his Marriage Notice Book.

Certificate of
notice.
14 of 1982.
Second Schedule.
Form 3.

43.-(1) Upon the expiration of twenty-one days next after the day of the entry of the notice in his Marriage Notice Book, the magistrate shall issue under his hand, at the request of any party giving the notice, a certificate in Form 3, if no lawful impediment or valid objection to the marriage has been in the meantime shown to exist.

(2) For every such certificate, the magistrate shall demand and receive a fee of one dollar.

Objections to
issue of
certificate.
14 of 1982.

44.-(1) Anyone may enter an objection to the issue of a magistrate's certificate on the ground of any legal impediment to a marriage between the parties or of consent on the part of anyone whose consent is required to the marriage not having been obtained.

(2) The objection shall-

- (a) be in writing and signed by or on behalf of the person who enters it;
- (b) state his name and place of residence and the ground of his objection; and
- (c) be lodged with the magistrate within twenty-one days from the date of the notice set up outside his office under section 42.

(3) When any objection is so lodged, the magistrate shall transmit it to a justice of the Supreme Court who shall decide upon it as expeditiously as the circumstances of the case will allow, the objection so transmitted being as far as practicable regarded and dealt with as a petition.

(4) The magistrate in that case shall suspend the issue of his certificate until he receives a certified copy of the judge's decision, and shall act in conformity therewith.

(5) The costs of and incidental to the decision by a judge on any objection shall be in the judge's discretion.

45. Whenever three calendar months have expired before the marriage to which a certificate relates has been performed that certificate shall be void, and the parties shall not be married pursuant to that certificate, but a fresh notice shall be given as if no proceedings had previously been taken to obtain a certificate.

Certificate, when void.

Notice of Marriage under the Foreign Marriage Act, 1892

46.-(1) A notice of a marriage intended to be solemnised under the Foreign Marriage Act 1892, shall be given to the Registrar General by one of the parties intending the marriage who has had his or her usual abode in some place in Belize for the week immediately preceding or for such other period as the Minister may, from time to time by Order published in the *Gazette*, prescribe.

Notice of a marriage.
1892, c. 23.

(2) The notice shall be given in Form 4 and shall be published in the *Gazette* for three consecutive weeks on payment of the prescribed fee.

Second Schedule.
Form 4.

(3) The Registrar General, unless he is aware of any impediment or objection which should obstruct the solemnisation of the marriage, shall give a certificate that the notice has been so given and published as aforesaid, in the like manner and in the like form, so far as the same is applicable on

payment of the like fee, as in the case of a marriage in a marriage district.

Notice of Intended Marriage given under the Marriage of British Subjects (Facilities) Act 1915

Power to give notice of marriage intended to take place in the United Kingdom.

47.-(1) A British subject resident in Belize who intends to marry in the United Kingdom a British subject resident in the United Kingdom may give to the Registrar General notice of his or her intended marriage.

Second Schedule. Form 5.

(2) A notice of marriage shall be in Form 5, and shall contain a statutory declaration by the person giving the notice to the effect:-

- (a) that both parties to the intended marriage are British subjects;
- (b) that the declarant has resided in Belize for the immediately preceding seven days or such other period as may from time to time be prescribed;
- (c) that the declarant believes that there is not any impediment to the intended marriage as provided by this Act or otherwise;
- (d) whether either party to the intended marriage is an infant, and if so and such party is not a widower or widow, that the consent of the persons whose consent to the marriage is by law required has been obtained, or that there is no person having authority to give such consent, in which case an order of a judge authorising the marriage shall be obtained; and
- (e) giving such other particulars or information as may from time to time be prescribed.

(3) The Registrar General shall preserve every notice of marriage, and shall on payment to him of the fee of five dollars cause a true copy thereof to be posted at the Court House in Belize for the period of fourteen consecutive days or for such other period as may from time to time be prescribed.

48.-(1) When a notice of marriage has been duly posted, the Registrar General shall, unless a valid objection to the issue of a certificate of notice of marriage has been delivered to him, issue a certificate of notice of marriage which shall be in Form 6.

Issue of certificates of notice of marriage. Second Schedule. Form 6.

(2) A certificate of notice of marriage shall not be issued after the expiration of three months from the date when the notice of marriage was given to the Registrar General unless, in the opinion of the Registrar General, the delay was caused by the lodgment of an objection.

49.-(1) Any person may lodge with the Registrar General an objection to the issue of a certificate of notice of marriage on any of the following grounds-

Objections to issue of certificate of notice of marriage.

- (a) that his consent to the marriage is required by law;
- (b) that either of the parties to the intended marriage is not a British subject;
- (c) on any ground which prevents the lawful solemnisation of the marriage; or
- (d) that the declaration contained in the notice of marriage is, in any material particular, incorrect,

and in such case the Registrar General shall inquire into the objection and, if satisfied that the objection is valid, shall not issue his certificate of notice of marriage.

- CAP. 91. (2) Every decision of the Registrar General on an objection to the issue of a certificate of notice of marriage shall be deemed to be a judgment of an inferior court, and the provisions of Part X of the Supreme Court of Judicature Act, shall apply accordingly.
- Recognition of certificates for marriage issued in the United Kingdom. 50.-(1) Certificates for marriage issued by superintendent registrars in England and certificates for marriage issued by registrars, and certificates of proclamation of banns in Scotland, and certificates of marriage issued by registrars in Ireland shall be recognized and accepted by all persons concerned as sufficient notice in respect of marriages between British subjects intended to be solemnised or contracted in Belize.
- (2) For the purpose of this section, the expression “certificate for marriage” in reference to certificates issued in Scotland means a certificate of due publication of notice of intention to marry.
- Power to make regulations. 51. The Minister may, from time to time, by Order published in the *Gazette*, make regulations-
- (a) with respect to any matter or thing which under section 47 may be prescribed;
- Second Schedule. Forms 5 and 6. (b) for altering Forms 5 and 6; and
- (c) generally for carrying into effect sections 47 to 51.

PART V

Solemnisation or Performance of Marriage

- Provisions as to solemnisation. 52. Every marriage shall, except in the cases mentioned in Part VII, be solemnised or performed-

- (a) between the hours of five in the morning and nine in the evening, if solemnised by anyone other than a magistrate or a senior justice of the peace, and between the hours of ten in the morning and four in the afternoon, if performed at a magistrate's office; 14 of 1982.
6 of 2000.
- (b) by the Registrar General or by some marriage officer in the presence of two or more credible witnesses besides the Registrar General or the marriage officer;
- (c) according to the form and ceremony the parties 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;
- (d) if the marriage is performed in a magistrate's office or by the Registrar General, by each of the parties saying 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)". 14 of 1982.

53.-(1) If the parties to a marriage contracted at the magistrate's office or performed by the Registrar General 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 that church or persuasion, who, upon the production of their certificate of marriage by the magistrate or the Registrar General, may if he thinks fit, perform the marriage service of the church or persuasion to which he belongs, but nothing in the performance of that service shall supersede or invalidate a marriage so previously contracted, nor shall the performance of that service be entered as a marriage among the marriages in any marriage register provided under this

Addition of religious ceremony to civil marriage.

Act.

14 of 1982.

(2) No religious service shall be used at any marriage performed at a magistrate's office or by the Registrar General.

Fee of magistrate, Senior Justice of the Peace or Registrar General for performance of marriage.
6 of 2000.

54.-(1) A fee of ten dollars shall be paid by the parties to the magistrate or senior justice of the peace or the Registrar General for performing any marriage under this Act.

(2) All fees received by a magistrate or senior justice of the peace or the Registrar General under this Act shall be paid into the Consolidated Revenue Fund.

Case of marriage between infants after publication of banns.

55. No person who performs a marriage under this Act 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 the marriage an infant, shall be answerable or responsible, or liable to any pain, penalty or proceeding for having solemnised the marriage without the consent of the parents or guardians, or other persons, if any, whose consent is required by law, unless those parents or guardians, or other persons, or one of them, forbid the marriage and give notice thereof to the marriage officer before he has solemnised the marriage.

Marriages which may be performed on authority of magistrate's certificate.
14 of 1982.

56. Subject to this Part, the following marriages may be performed on the authority of a certificate of the Registrar General or a magistrate-

- (a) a marriage in the office of a magistrate;
- (b) a marriage according to the usages of the Society of Friends, commonly called Quakers;
- (c) a marriage between two persons professing the Jewish religion according to the usages of the Jews;

- (d) a marriage according to the rites of the Church of England;
- (e) in the case of any other marriage, according to such form and ceremony as the persons to be married see fit to adopt.

57.-(1) No person who is not a member of the Society of Friends shall be married according to the usages of that Society unless he or she is authorised to be so married under or in pursuance of a general rule of the said Society in England.

Marriages according to usages of Society of Friends.

(2) A marriage solemnised according to the said usages shall not be valid unless either-

- (a) the person giving notice of marriage declares, either verbally or, if so required, in writing, that each of the parties to the marriage is either a member of the Society of Friends or is in profession with or of the persuasion of that Society; or
- (b) there is produced to the magistrate or the senior justice of the peace, at the time when notice of marriage is given, a certificate purporting to be signed by a registering officer of the Society of Friends in England to the effect that any party to the marriage who is not a member of the Society of Friends, or in profession with or of the persuasion of that Society, is authorised to be married according to the said usages under or in pursuance of a general rule of the said Society in England.

14 of 1982.
6 of 2000.

(3) Any such certificate shall be for all purposes conclusive evidence that any person to whom it relates is authorised to be married according to the usages of the said Society, and the entry of the marriage in a

marriage register book under Part VI, or a certified copy thereof made under the said Part VI, shall be conclusive evidence of the production of such a certificate.

(4) A copy of any general rule of the Society of Friends purporting to be signed by the recording clerk for the time being of the said Society in London shall be admitted as evidence of the general rule in all proceedings touching the validity of any marriage solemnised according to the usages of the said Society.

Void marriages.

58. If any person, except in the case mentioned in Part VII, knowingly or wilfully intermarry under this Act-

- (a) without having given due notice of marriage; or
- (b) without a certificate for marriage having been duly issued by a marriage officer to whom notice of marriage was granted; or
- (c) without a licence by the Minister; or
- (d) on the authority of a certificate which is void under this Act; or
- (e) in the case of a marriage in the office of a magistrate or the Registrar General, in the absence of the magistrate or the Registrar General or of two credible witnesses besides the magistrate or the Registrar General; or
- (f) in the case of any other marriage, in the absence of a marriage officer or of two credible witnesses besides the marriage officer,

the marriage shall be void.

PART VI

Registration of Marriage

59.-(1) An “Original Marriage Register” and separate sheets for a “Duplicate Marriage Register”, all of substantial paper according to the forms provided under this Act for the registration of marriages, shall, whenever necessary, be supplied to each marriage officer by the Registrar General. Supply of register book.

(2) The cost of providing the books and separate sheets shall be defrayed from money granted by the National Assembly.

60.-(1) Immediately after the solemnisation or performance of every marriage, an entry thereof shall be made in an Original Marriage Register by the marriage officer or other person authorised to perform the same. Keeping of register of marriages.

(2) In every entry in every such register, it shall be expressed that the marriage was had by banns, or by licence of the Minister or magistrate’s or Registrar General’s certificate. 14 of 1992.

(3) If both or either of the parties married by licence or certificate is an infant and not a widow or widower, it shall be stated that it was had with the consent of the parents or guardians, or other persons or person having lawful authority to withhold consent to the marriage, or after an order of a judge.

(4) The entry shall be signed by the marriage officer, with his proper description, and by the parties married, and shall be attested by the two witnesses.

(5) Every entry shall be in or to the effect of Form 7. Second Schedule.
Form 7.

(6) The marriage officer or the Registrar General shall, immediately after the marriage, deliver to one of the parties to the marriage a

certified copy of the entry made in the Original Marriage Register.

14 of 1982.

(7) The bishop, chairman or head of the denomination to which a marriage officer belongs and every magistrate shall make arrangements for the custody of every Original Marriage Register which shall be kept when not in use in a safe container and available for all purposes of this Act.

Duplicate Original
Marriage Register.
Second Schedule.
Form 8.

61.-(1) Before the parties depart from the place of marriage, the marriage officer shall enter in a form, hereinafter referred to as the Duplicate Original Marriage Register, as shown in Form 8, the same matter as is entered in the Original Marriage Register, and this form shall be signed by the marriage officer, the parties to the marriage and the two witnesses thereto.

(2) All Duplicate Original Marriage Registers made in any one calendar month shall, within the first ten days of the calendar month next following, be transmitted by the marriage officer to the Registrar General and shall be filed and safely preserved by him in his office.

(3) Every marriage officer shall be entitled to demand and receive, out of the moneys which the National Assembly provides for that purpose, the sum of twenty-five cents for every marriage so entered and transmitted.

(4) Every Original Marriage Register, and also every copy thereof certified under the hand of the marriage officer, who for the time being has the lawful custody of the original, to be a true copy, and every Duplicate Original Marriage Register, and also every copy thereof, certified, under the hand of the Registrar General or his lawful deputy 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 whatever in which it may be necessary to give evidence of the marriage to which they relate.

62. All persons at all reasonable times in the day, except Saturdays, Sundays and public holidays, may search the original registers, and also the file of duplicate original registers, in the presence of the person for the time being having the care of them respectively, or his deputy, and may have a true copy of any entry therein, certified under the hand of the marriage officer or officers for the time being respectively having the custody of the Original Marriage Register or Duplicate Original Marriage Register as aforesaid, as the case may be, which true copy the marriage officer or Registrar General, or his lawful deputy, is hereby required to make, examine and certify under his hand to be a true copy, in the form of the Duplicate Original Marriage Register, except that the copy shall be headed "Certified Copy of Original (or Duplicate Original) Marriage Register", as the case may be, and shall be dated on the day, month and year when it is delivered.

Right to search registers and to have certified copies of entries therein.
27 of 1985.

63. The Minister may from time to time make rules for prescribing the fees payable in respect of all or any of the matters required to be done by this Act.

Fees payable for search and for certified copies of entries.
25 of 1985.

PART VII

Clinical Marriages

64.-(1) A marriage officer may solemnise a marriage, without any licence, or certificate of notice, or publication of banns of matrimony, between two persons, one of whom he believes from the certificate of a medical practitioner, if a medical practitioner has been in attendance on that person, or if no practitioner is actually in attendance on that person or if it appears to the marriage officer impossible to obtain a certificate in time, then from his own observation, to be in *articulo mortis*, the person, before the solemnisation, declaring that he or she believes that he or she is at the point of death.

Marriage in *articulo mortis*.

(2) The marriage shall not be solemnised-

- (a) unless both parties are able to signify their consent thereto in the presence of two witnesses;
- (b) where either of the parties is an infant, not being a widower or widow, without the verbal or written consent of the person whose consent is by law required and if that person is present, the consent may be given orally, and the person shall sign the register of the marriage in token of assent thereto, but if the person is absent the consent shall be in writing, and shall be attached to the Duplicate Original Marriage Register.

(3) A marriage so solemnised or performed shall be specially registered, and the certificate of the medical practitioner, or the marriage officer who performed the ceremony, as the case may be, that in his opinion the sick person is at the point of death, shall be attached to the Duplicate Original Marriage Register.

Second Schedule.
Form 9.

(4) The Original Marriage Register and the Duplicate Original Marriage Register shall contain the particulars required by, and be in, Form 9, but shall in all other respects be subject to the provisions of this Act relating to marriage registers.

Second Schedule.
Form 10.

(5) The certificate to be given by a medical practitioner, or a marriage officer, for the purposes of this section, shall be in Form 10.

(6) The fee payable to any government medical officer for the certificate shall be five dollars if a special visit is not required before it can be given, but if a special visit is required, a fee of ten dollars.

(7) No marriage solemnised under this section shall be valid unless the foregoing conditions are observed.

PART VIII

Offences

- 65.-(1) Every person who knowingly and wilfully-
- | | | |
|-----|---|--|
| (a) | solemnises or performs marriage at any other time than between the hours of five in the morning and nine in the evening, except in the case mentioned in Part VII; or | Unduly solemnising marriage.
Penalty for fraudulent marriage. |
| (b) | solemnises or performs marriage, except as aforesaid, without due publication of banns of matrimony, or licence of marriage from the Minister or person authorised by him, or certificate from a magistrate or the Registrar General first had and obtained; or | 40 of 1963.
14 of 1982. |
| (c) | solemnises or performs any marriage, except as aforesaid, more than three months after the last publication of banns, or the issue of a licence by the Minister or person authorised by him, or the entry of a notice of the marriage by a magistrate; or | 14 of 1982. |
| (d) | solemnises or performs, or professes or attempts to solemnise or perform, the marriage of any infant, not being a widower or widow, without the written consent of the person required under this Act to give such consent; or | |
| (e) | solemnises or performs, or professes or attempts to solemnise or perform, the marriage of any infant, not being a widower or widow, under a consent given by a person not required to give it under this Act; or | |
| (f) | solemnises or performs, or professes or attempts to | |

solemnise or perform, any marriage in any case contrary to, or without compliance with the provisions of, this Act,

commits a misdemeanour, and on conviction thereof on indictment shall be liable to a fine not exceeding five thousand dollars or to imprisonment for any term not exceeding two years, or to both such fine and term of imprisonment.

(2) All prosecutions under this section shall be commenced within three years after the offence was committed.

Penalty for fraudulent marriage.

66.-(1) Every person who-

- (a) wilfully marries any infant, not being a widower or widow, whom he or she knows to be an infant, without previously obtaining the consent required to be obtained prior to the celebration of marriage with an infant; or
- (b) induces, or endeavours to induce, any marriage officer or other person to celebrate or perform such marriage; or
- (c) knowingly abets or assists any person to commit an offence under paragraphs (a) and (b) of this subsection,

commits a misdemeanour, and on conviction thereof on indictment shall be liable to a fine not exceeding five thousand dollars or to imprisonment for any term not exceeding two years, or to both such fine and term of imprisonment.

(2) All prosecutions under this section shall be commenced within

three years after the offence was committed.

67.-(1) Every person who forges, or assists in forging, or procures to be forged-

Penalty for
forgery of
consent, etc.

- (a) any consent purporting to be a consent of or by a person whose consent is required by this Act to the marriage of an infant; or
- (b) any certificate purporting to be a certificate under this Act; or
- (c) any copy of a writing purporting to be issued by the Registrar General under this Act,

commits a felony.

(2) Every person who utters, or assists in uttering, or procures to be uttered, knowing the same to be forged, any such consent, certificate or writing commits a felony.

(3) Every person who signs, or transmits to the Registrar General, any such consent, certificate or writing which to his knowledge contains any false statement therein commits a felony.

(4) Every person who is guilty of felony under this section shall be liable to imprisonment for a term not exceeding five years.

68. Every person who knowingly and wilfully makes any false declaration, statutory or otherwise, or signs any petition, notice, statement or certificate required by this Act which is false in any material particular, for the purpose of procuring any marriage, shall be deemed guilty of wilful or corrupt perjury and shall be liable to be prosecuted and punished accordingly.

Making false
declaration,
etc.

Penalties for false statements.
55 & 56 Vict., c. 23
U.K.

69.-(1) Every person who-

- (a) knowingly and wilfully makes a false declaration, or signs a false notice under this Act, for the purpose of procuring a marriage under the Foreign Marriage Act, 1892; or
- (b) forbids a marriage under that Act by falsely representing himself to be a person whose consent to the marriage is required by law, knowing the representations to be false,

shall be liable to the penalties for perjury and may be tried and dealt with in the same manner in all respects as if he were tried for perjury under the Criminal Code.

CAP. 101.

(2) Every proprietor, editor or publisher of any newspaper published in Belize who wilfully publishes, and every person sending for such publication, any fictitious or false statement of the marriage of any person knowing it to be fictitious or false shall be liable to a fine not exceeding two hundred and fifty dollars or to imprisonment for any term not exceeding three months.

Performance by magistrate or Senior Justice of the Peace of a void marriage.
14 of 1982.
6 of 2000.

70. Every magistrate or senior justice of the peace who knowingly and wilfully performs, or permits to be performed, in his office any marriage in this Act declared to be null and void commits a misdemeanour and on conviction thereof on indictment shall be liable to imprisonment for any term not exceeding two years.

Liability of persons lodging an objection on frivolous grounds.
40 of 1963.
14 of 1982.

71.-(1) Every person who enters an objection with the Solicitor General or magistrate against the grant of any licence or issue of any certificate, on grounds which the Minister or a judge declares to be frivolous as well as being such as ought not to obstruct the grant of the licence, shall be liable for the costs of the proceedings, and for damages which may be recovered by

plaint or action by the party against whose marriage the objection has been lodged.

(2) For the purposes of enabling anyone 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 a copy of the judgment of the judge, shall be evidence that the Minister or judge has declared the 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.

40 of 1983.

72.-(1) If any marriage officer, having solemnised or performed any marriage, fails to transmit any Duplicate Original Marriage Register to the Registrar General, he shall be liable on summary conviction to a fine not exceeding four hundred dollars.

Omission or refusal to comply with requirements.

(2) Every person who, being required by this Act to do or perform any other act or thing, wilfully refuses or omits to do or perform the same commits an offence and on summary conviction is liable to a fine not exceeding two hundred dollars.

PART VIII

Miscellaneous

73.-(1) After the solemnisation or performance of any marriage under this Act, it shall not be necessary, in support of the marriage, or in any action, suit or proceeding where it may come into question, to give any proof of the consent of anyone 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

Dispensing with proof of certain preliminaries.

notice given, or that the marriage was solemnised or performed in the place, and by a person, where and by whom it ought to have been solemnised or performed.

(2) Nothing in this section shall prevent any evidence being given that the marriage is null and void under any provision of this Act expressly declaring marriages to be null and void, but the burden of proof shall in all those cases lie on the party alleging the marriage to be null and void.

Prohibiting proceedings to compel marriage.

74.-(1) In no case whatever shall any suit or proceeding be had, in any court, or before any jurisdiction whatever, to compel the celebration of any marriage by reason of any promise of marriage contract made, or by reason of seduction, or any cause whatever which arises after the commencement of this Act, any law or usage to the contrary notwithstanding.

(2) Nothing in this section shall prevent anyone aggrieved from suing for or recovering damages in any court, or by any proceedings wherein and whereby damages may be lawfully recovered for breach of promise of marriage, or for seduction, or other cause aforesaid.

Securing of property where necessary consent to marriage not obtained.

75.-(1) Where either of the parties to a marriage is an infant, 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 property shall be acquired from the infant by the other party to the marriage by last will, gift, transfer or in any other way whatever.

(2) No stipulation made by that party in any marriage settlement for any benefit out of the property of the infant shall be valid or have any effect.

(3) The parent or guardian of the infant whose consent has not been given to that marriage may take proceedings in the Supreme Court by action for securing the property, and the court shall have power to order and direct that all the property of the infant shall be secured under the

direction of the court for the benefit of the infant or of the issue of the marriage, or of both, in such manner as the court thinks fit, for the purpose of preventing the other spouse from deriving any interest or pecuniary benefit from the marriage.

76. Nothing in this Act shall affect the right of any marriage officer to receive for any duty performed by him under this Act the fees heretofore customarily paid to ministers of the same denomination for the performance of that duty.

Marriage
officers' fees.

77.-(1) Every marriage celebrated prior to the commencement of this Act by any minister of religion, or person ordinarily officiating as such, or magistrate, or district officer, shall be and be deemed to have been from the time of the celebration thereof a perfectly legal and valid marriage to all intents and purposes.

Savings as to
marriages
contracted
before this Act.

- (2) Nothing in this section shall legalise any marriage-
- (a) declared or made, or which shall hereafter be declared or made, invalid by any competent court, or by any law of Belize, including Acts and laws which have been repealed; or
 - (b) where either party thereto had another wife or husband then living; or
 - (c) which would have been, or would be, void by reason of relationship, kindred or alliance, or of fraud, or incapacity to contract marriage; or
 - (d) where, the same being at the time of its celebration invalid, either of the parties thereto afterwards, and prior to the commencement of this Act, has intermarried with some other person.

Marriage with deceased wife's sister validated.

78.-(1) No marriage contracted before or after 1st July, 1908, between a man and his deceased wife's sister, within Belize or without, shall be deemed to have been or shall be void or voidable by reason only of such affinity.

(2) If, in cases before 1st July, 1898, any marriage mentioned in subsection (1) was annulled or either party thereto, after the marriage and during the life of the other, lawfully married another, it shall be deemed to have become and to be void upon and after the day on which it was so annulled, or on which either party thereto lawfully married another.

(3) No right, title, estate or interest, whether in possession or expectancy, and whether vested or contingent on 1st July, 1898, existing in, to or in respect of any property, and no act or thing lawfully done or omitted before the said date shall be prejudicially affected.

(4) A will shall not be revoked by reason of any marriage contracted prior to 1st July, 1898, being declared valid by this section.

Register of marriages celebrated in the years 1897 to 1916 lost in the fire of 1918.

79.-(1) The Registrar General shall, on the written application of either party to a marriage celebrated between the years 1897 and 1916, both years inclusive, or of any issue of such a marriage and on proof to his satisfaction of the solemnisation of the marriage, register the particulars thereof in a book to be provided for the purpose.

Second Schedule. Form 11.

(2) As far as practicable the same particulars shall be registered and in the same form as those given in the form of certificate contained in Form 11.

(3) The failure to prove some of the particulars given in that form shall not prevent the registration of such particulars as are proved.

14 of 1982.
Second Schedule.
Form 11.
6 of 2000.

(4) Without prejudice to any other mode of proof, a certificate in Form 11 purporting to be signed by the minister or magistrate or senior

justice of the peace who celebrated the marriage or a copy of such certificate certified to be a true copy of the original certificate shall, unless the Registrar General sees good reason for the contrary, be accepted as sufficient proof of the particulars specified in the certificate or copy.

(5) A copy under the hand of the Registrar General of any entry made by him in pursuance of this section with reference to a marriage shall in all proceedings, whether civil or criminal, be accepted as evidence of the due celebration of the marriage unless and until it is shown that the marriage was not duly celebrated.

FIRST SCHEDULE

PART I

Prohibited Degrees of Relationship

[Section 3 (1)]

First Column.	Second Column.
Mother	Father
Daughter	Son
Father's mother	Father's father
Mother's mother	Mother's father
Son's daughter	Son's son
Daughter's daughter	Daughter's son
Sister	Brother
Wife's mother	Husband's father
Wife's daughter	Husband's son
Father's wife	Mother's husband
Son's wife	Daughter's husband

Father's father's wife	Father's mother's husband
Mother's father's wife	Mother's mother's husband
Wife's father's mother	Husband's father's father
Wife's mother's mother	Husband's mother's father
Wife's son's daughter	Husband's son's son
Wife's daughter's daughter	Husband's daughter's son
Son's son's wife	Son's daughter's husband
Daughter's son's wife	Daughter's daughter's husband
Father's sister	Father's brother
Mother's sister	Mother's brother
Brother's daughter	Brother's son
Sister's daughter	Sister's son

PART II

Statutory Exceptions from Prohibited Degrees of Relationship

[Section 3 (2)]

First Column	Second Column
Deceased wife's sister	Deceased sister's husband
Deceased brother's wife	Deceased husband's brother
Deceased wife's brother's daughter	Father's deceased sister's husband
Deceased wife's sister's daughter	Mother's deceased sister's husband
Father's deceased brother's wife	Deceased husband's brother's son
Mother's deceased brother's wife	Deceased husband's sister's son
Deceased wife's father's sister	Brother's deceased daughter's husband
Deceased wife's mother's sister	Sister's deceased daughter's husband
Brother's deceased son's wife	Deceased husband's father's brother
Sister's deceased son's wife	Deceased husband's mother's brother

SECOND SCHEDULE

FORM 1

Register of Marriage Officers

[Section 14 (1)]

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

FORM 2

[Section 40 (1)]

Form of Notice of Marriage

To the Magistrate of the

District

I (or we) the undersigned, hereby give you notice that a marriage is intended to be celebrated within three calendar months from the date hereof, between me and the other party herein named and described (or us) that is to say:

Name and surname	Condition, i.e. widower, bachelor, widow or spinster	Rank or Profession	Age	Dwelling Place	Length of Residence	Marriage district in which the parties respectively dwell
(a)						

7 of 1995.

And hereby solemnly and sincerely declare that know of no impediment of kindred or alliance or other lawful hindrance to the said marriage, and that the above-named, have for the space of three days immediately preceding the giving of this notice, had usual place of abode and residence within the above-mentioned marriage district of

AND further solemnly and sincerely declare that of the parties herein named and described (neither is an infant *(or in lieu of the part within brackets)* (b) not being a widower (or widow) is (or am) an infant, and the consent of whose consent to this marriage is required by law has been duly given and obtained thereto).

AND make the foregoing declarations conscientiously believing the same to be true, pursuant to the provisions of the Marriage Act, 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 have hereunto set and subscribed hand this day of 20 .

7 of 1995.

CAP. 174.

(Signed)

DECLARED before me this day of 20 .

(Signed)

- Note:* (a) The names and particulars relating to the man should be first entered in the several columns, and then the names and particulars of the woman placed below.
- (b) If both parties are infants, the form must be adapted so as to meet the case.

FORM 3

[Section 43 (1)]

Form of Magistrate's Certificate

I, _____ Magistrate of the marriage district of _____ do hereby certify that on the _____ day of _____ the following notice was duly entered in the marriage notice book of the said district (*here copy notice omitting the declarations at foot thereof*).

The issue of this certificate has not been objected to by any person (*or has been objected to but the objection has been overruled*).

This certificate will be void unless the marriage is solemnised or performed within three calendar months after the date of the entry of notice, namely, on or before the _____ day of _____.

(Signed) _____ Magistrate.

FORM 4

[Section 46 (2)]

Notice of Marriage

TO the Registrar General

at Belize City, BELIZE.

I, A.B., hereby give you notice that a marriage is intended to be solemnised at (*name of place and country*) within three months from the

date hereof between me and the other party herein named and described
(that is to say):

Name and Surname	Condition *	Rank or Profession	Under or above eighteen years of age	Dwelling place	Length of residence
1					
2					

Witness my hand this day of , 20 .

(Signed) A.B.

*Bachelor, Spinster, Widower or Widow.

FORM 5

[Section 47 (2)]

*Form of Notice of Marriage***TO** the Registrar General,

I (*name in full of person giving this notice*) of (*address and description*) hereby give you notice that a marriage is intended to be celebrated within three calendar months from the date hereof between me and the other party herein named and described, that is to say:

Name in full	Condition	Rank or Profession	Ages	Residence
A. B.	Bachelor		Of full age	
C. D.	Spinster		An Infant	

Witness my hand this (date)

(Signature of person giving the notice)

I, the said A.B. (*name in full of person giving the notice*) do solemnly and sincerely declare as follows:

(1) A marriage is intended to be solemnised or contracted in the United Kingdom between me and the above-named C.D.

- (2) Both I and the said C.D. are British subjects.
- (3) I have for the seven days immediately preceding this date resided in Belize.
- (4) I believe there is no impediment of kindred or alliance or other lawful hindrance in the said marriage.
- (5) Neither I nor the said C.D. is an infant (*if this is not the case, state the facts as required by section 47 as, for example, "I am an infant, but I am the widow of E.F. who died on the day of " or "I am an infant and the consent of G.H. whose consent is required to my marriage has been given as shown by the writing under his hand now produced to me and marked"*).

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act.

CAP. 130.

DECLARED before me this day of

(Signature of declarant).

(Signature of Registrar General).

FORM 6

[Section 48]

Form of Certificate of Notice of Marriage

CAP. 174.

I (Name of Registrar General) Registrar General of Belize, hereby certify pursuant to the Marriage Act that on the (date) I received the following notice of marriage (that is to say), (copy notice of marriage including the solemn declaration) and that such notice was posted at the Court House in Belize for the period of fourteen consecutive days and that I am not aware of any impediment which should obstruct the solemnisation of the above marriage.

WITNESS my hand this (date)

(Signature of Registrar General).

FORM 7

[Section 60 (5)]

Original Marriage Register

THE SUBSTANTIVE LAWS OF BELIZE

Printed by the Government Printer,
No. 1 Power Lane,
Belmopan, by the authority of
the Government of Belize.

REVISED EDITION 2000

20 . Marriages solemnised or performed at , in the marriage district 20 .

No.	When Married	Names and surnames	Ages	Condition	Rank or Profession	Residence at the time of marriage	After banns or licence or Magistrate s certificate	Consent, by whom given, or Judges order

Married at in the marriage district aforesaid, after , by me.

(Signed)
Marriage Officer

This marriage was solemnised (or performed) between us { } in the presence of us { }

Marriage

ICAP. 174

59

FORM 8

[Section 61 (1)]

Duplicate Original Marriage Register

60

CAP. 174]

Marriage

THE SUBSTANTIVE LAWS OF BELIZE

Printed by the Government Printer,
No. 1 Power Lane,
Belmopan, by the authority of
the Government of Belize.

REVISED EDITION 2000

20 . Marriages solemnised or performed at , in the marriage district 20 .

No.	When Married	Names and surnames	Ages	Condition	Rank or Profession	Residence at the time of marriage	After banns or licence or Magistrate s certificate	Consent, by whom given, or Judges order

Married at in the marriage district aforesaid, after , by me.

(Signed)

Marriage Officer

This marriage was solemnised (or performed) between us { } in the presence of us { }

Examined with the Original Marriage Register by me and found to be correct.

Marriage Officer

FORM 9

[Section 64 (4)]

Form of Original Marriage Register and of Duplicate Original Marriage Register

(MARRIAGE IN *Articulo Mortis*)

No.	When married	Names and surnames	Condition	Rank or Profession	Ages	Marriage district and residence at time of marriage	Father's Name and Surname

Married at _____ in the _____ marriage district
by (or before) me _____ a marriage officer of
Belize.

This marriage was solemnised (or performed) between us {
..... } in the presence of us {
..... }

(a) (I consent to the marriage of _____ (Signed) _____ .)

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 this marriage that _____ he
believed _____ self to be at the point of death.

This _____ Marriage Officer.
day of _____, 20 ____ .

(a) Add, if circumstances require.

FORM 10

[Section 64 (5)]

*Medical Practitioner's
Certificate*

MARRIAGE IN *Articulo Mortis*

medical practitioner

I,

having been in attendance on
certify that in my opinion the said
is in *articulo mortis*.

Printed by the Government Printer,
No. 1 Power Lane,
Belmopan, by the authority of
the Government of Belize.

FORM 11

[Section 79 (2) and (3)]

Certificate of Marriage

No.	When and where married	Name and Surname	Under or above the age of eighteen years	*Condition	Rank or Profession	Residence at time of marriage	Father's Name and Surname	Rank or Profession of Father

Marriage

Married in the law required. according to law by me after declaration duly made as by

Marriage Officer.

This marriage was solemnised between us { } in the presence of { }

*Bachelor, Spinster, Widower or Widow.

ICAP: 174