

# Western Australia.

## MARRIAGE ACT, 1894-1932.

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# MARRIAGE.

58 Vict., No. 11.

(As amended by 62 Vict., No. 23; 1 and 2 Edw. VII., No. 14; No. 7 of 1907<sup>a</sup>; No. 48 of 1915; and No. 46 of 1932.)

## AN ACT to consolidate and amend the Law relating to the Celebration of Marriage.

[Assented to 1st November, 1894.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

### PART I.—PRELIMINARY.

1. This Act may be cited for all purposes as the *Marriage Act, 1894-1932*, and shall come into operation and take effect on and from the first day of January, one thousand eight hundred and ninety-five.

Short title,  
No. 46 of 1932,  
S. 4.

2. This Act is divided into parts, as follows:—

Division of  
Act.

PART I.—PRELIMINARY, SS. 1-4;

PART II.—PERSONS AUTHORISED TO CELEBRATE MARRIAGES, AND TIME THEREOF, SS. 5 and 6;

PART III.—CELEBRATION OF MARRIAGE, SS. 7-20A;

PART IV.—OFFENCES, SS. 21-26;

PART V.—MISCELLANEOUS, SS. 27-38.

3. (1.) The Acts specified in the First Schedule to this Act are hereby repealed.

Repeal of Acts.  
First Schedule.

(2.) Such repeal shall in nowise affect the validity of any marriage celebrated before the coming into operation of this Act, but every such marriage shall from the time of the celebration of the same remain and continue as legal and as valid as though this Act had never been passed.

Existing marriages.

<sup>a</sup> This Act came into operation on 1st January, 1908 (Section 2). By Section 3, Sections 2 and 3 of 62 Vict., No. 23, were repealed.

Saving of things  
duly done; pro-  
ceedings and of-  
fences under re-  
pealed Acts.

(3.) Whenever, before the coming into operation of this Act, any offence against the Acts hereby repealed has been wholly or partly committed, or any penalty thereunder has been incurred, or any act or thing has been done under the authority thereof, or where in respect of any matter or thing done prior to the coming into operation of this Act any right, liability, or privilege accrues or has accrued, or any action, prosecution, or other proceeding has been commenced, every such offence shall be dealt with and punished and every such penalty shall be recovered, and every such act or thing shall remain valid and have effect, and every such right, liability, or privilege shall continue and be in force, and every such action, prosecution, or other proceeding shall be prosecuted, continued, or defended in the same manner as if this Act had never been passed.

Interpretation.

4. In this Act, unless the context otherwise indicates, the following terms shall have the meanings set against them respectively:—

“Church” shall include a cathedral, chapel, or other building or place in which religious services are regularly held.

“District” shall mean a district established for the registration of births, deaths, and marriages under the law for the time being regulating such registration.

“District Registrar” shall mean the officer appointed to register births, deaths, and marriages within a district, but shall not include any assistant district registrar.

No. 7 of 1907,  
s. 4.

“Minister” shall mean any minister of religion or other person authorised to celebrate marriages under this Act.

“Registrar General” shall mean the Registrar General of births, deaths, and marriages appointed under the law for the time being regulating the registration of births, deaths, and marriages within Western Australia.

## PART II.—PERSONS AUTHORISED TO CELEBRATE MARRIAGES, AND TIME THEREOF.

Persons who  
may celebrate  
marriages.

5. Subject to the provisions of this Act, the following persons, and none other, may celebrate marriages:—

(1) A minister of religion, ordinarily officiating as such, whose name, designation, religious denomination, and

usual place of residence have been and continue to be duly registered according to law in the office of the Registrar General as authorised to celebrate marriages, or

- (2) The district registrar of the district wherein the marriage is celebrated.

6. No marriage shall be celebrated before eight o'clock in the morning or after eight o'clock in the evening: Provided that no district registrar shall be compellable to celebrate a marriage after four o'clock in the afternoon, or at all on any Sunday or Bank Holiday.

Time of celebration of marriage.  
No. 7 of 1907, s. 5.

This section shall not apply or extend to any marriage between parties both of whom are Jews.

No. 7 of 1907, s. 15.

### PART III.—CELEBRATION OF MARRIAGE.

#### (1).—*General Provisions as to Marriage.*

7. No marriage shall be celebrated unless and until a declaration upon oath or solemn affirmation has been made by the parties to such intended marriage, in the respective forms set forth in the Second Schedule to this Act, before a minister or district registrar, who are hereby authorised to administer such oaths and to take and receive such declarations and solemn affirmations; and every such declaration or solemn affirmation shall be indorsed upon the back of the register form of such marriage required by the law regulating the registration of marriages to be transmitted to the Registrar General.

Declaration by parties to marriage.  
No. 7 of 1907, s. 6.  
Second Schedule.

8. No marriage shall be celebrated unless two or more witnesses, of the full age of sixteen years and upwards, are present.

Witnesses to marriage.  
No. 7 of 1907, s. 7.

9. If either party to any intended marriage, not being a widow or widower, is under the age of twenty-one years, such marriage shall not be celebrated unless there is produced to the minister or district registrar about to celebrate such marriage the consent, according to one of the forms contained in the Third Schedule to this Act, of the father of such party, if he is within Western Australia, or if he is not within Western Australia, of a guardian appointed by such father; or if there is no such guardian within Western Australia, of the mother of such party, if she is in Western Australia; or if

Consent in case of minority.  
Third Schedule.

there is no such parent or guardian within Western Australia, or if such parent or guardian is incapable of duly consenting by reason of distance, habitual intoxication, mental incapacity, or other substantial cause, of some justice of the peace: Provided that such justice of the peace shall make inquiry as to the facts and circumstances of the case before giving such consent.

Consent to be indorsed on Certificate of Marriage.

Fourth Schedule.

10. Whenever any marriage is celebrated upon the production of any such consent as aforesaid, a statement of the fact of such consent, in the form contained in the Fourth Schedule to this Act shall be indorsed on each register form of such marriage required to be made by the law regulating the registration of marriages, and shall be signed by the minister or district registrar celebrating such marriage.

Marriages to be registered in triplicate.

11. Immediately after the celebration of every marriage, the minister or district registrar celebrating the same shall register or cause to be registered, in triplicate, the several particulars relating to such marriage, as required by the law regulating the registration of marriages.

(2).—*Marriages by Ministers.*

Minister may celebrate marriage after banns; or

No. 7 of 1907, s. 8.

12. Except by special license hereinafter mentioned, no minister shall celebrate any marriage unless and until—

- (1) The banns of such marriage have, within the three months next preceding the date of such marriage, been duly published on three Sundays in a church within the district wherein one of the parties to such marriage has resided for not less than seven days next preceding the first publication thereof, and the certificate in the prescribed form of such banns has been produced before such marriage to the celebrating minister; or
- (2) A notice, in writing, of the intention to celebrate such marriage, in the form contained in the Fifth Schedule, has, within the three months next preceding the date of such marriage, been and continued to remain for fourteen days affixed to the outside of the outer door of a church within the district wherein one of the parties to such marriage has resided for not less than seven days next preceding the affixing of such notice, and the certificate in the prescribed form has been produced before such marriage to the celebrating minister; or

Notice posted on door of church, etc.; or Fifth Schedule.

- (3) The parties to such marriage have, within three months next preceding such marriage, given notice, in the form contained in the Sixth Schedule, to the district registrar of the district wherein such parties have respectively resided for not less than seven days next preceding the giving of such notice, and the respective certificates of the giving of such notice are produced to such minister before such marriage:

Notice to district registrar.

Sixth Schedule.

Provided always, that if such parties have resided in the same district for not less than seven days as aforesaid, or if one of such parties has not resided in Western Australia for seven days immediately preceding the giving of such notice, then notice as aforesaid, at the instance of one of such parties, shall be deemed to be notice on behalf of each of such parties, and the production of the certificate of such notice shall be sufficient.

This section shall not extend or apply to any marriage between parties both of whom are Jews.

No. 7 of 1907, s. 15.

(3).—*Marriages by District Registrars.*

13. No district registrar shall celebrate any marriage unless and until—

District Registrar not to celebrate marriage except after declaration made.

- (1) The parties to such marriage have made, in the presence of such district registrar, a declaration in the form contained in the Seventh Schedule to this Act; and

Seventh Schedule.

- (2) Such parties have, within the three months next preceding such marriage, given notice, in the form contained in the Sixth Schedule to this Act, to the district registrar of the district wherein such parties have respectively dwelt, for not less than seven days next preceding the giving of such notice: Provided always, that if both of such parties have resided in the same district for not less than seven days as aforesaid, or if one of such parties is not, or has not resided, in Western Australia for seven days immediately preceding the giving of such notice, then notice as aforesaid by one of such parties shall be deemed to be notice on behalf of each of such parties; and

Notice given.

Sixth Schedule.

Certificate pro-  
duced.

- (3) The certificates or certificate according to the circumstances of the case hereinafter required of the giving of such notice are or is produced to such district registrar before such marriage.

Marriage not to  
be celebrated ex-  
cept by District  
Registrar to  
whom notice is  
given.

14. [*Repealed* by No. 7 of 1907, Section 3.]

Form of marriage  
by District  
Registrar.

15. No marriage shall be celebrated by a district registrar except in his office and except in the form of words set forth in the Eighth Schedule to this Act, which form of words shall be repeated and signed by the parties to such marriage respectively.

Eighth Schedule.

Notice to be  
posted and en-  
tered in Marriage  
Notice Book.  
Sixth Schedule.  
No. 7 of 1907.  
s. 9.

16. The district registrar receiving the notice in the form contained in the Sixth Schedule, signed by one of the parties to the intended marriage, shall forthwith post such original notice in a conspicuous place in his office, and a true copy thereof on the outside of the outer door of the building wherein such office is situated, where they shall remain posted for seven consecutive days; and shall also enter a true copy of such notice into a book provided for that purpose, to be called "The Marriage Notice Book"; and for every entry so made the district registrar shall charge the fee of one shilling; and such book shall be open at all reasonable times, without fee, to all persons desirous of inspecting the same.

After seven days  
certificate of  
notice to be  
given.

17. After the expiration of seven days from the giving of such notice the district registrar receiving the same shall, upon the request of or on behalf of either party to the marriage mentioned in such notice, and upon payment of the fee of one shilling, issue under his hand a certificate in the form contained in the Ninth Schedule to this Act, unless—

Ninth Schedule.

- (1) It is shown to the satisfaction of such district registrar that some lawful impediment exists why such certificate should not issue, or
- (2) The issue of such certificate is forbidden in the manner hereinafter mentioned by any person whose consent to such marriage is required by law.

Issue of District  
Registrar's certi-  
ficate may be  
forbidden.

18. Any person whose consent to a marriage is required by law may forbid the issue by a district registrar of such certificate, by writing or causing to be written, at any time before such issue, the word "forbidden" opposite to the entry

of the notice of such marriage in the Marriage Notice Book, and by subscribing or causing to be subscribed thereto his place of abode and character as parent or guardian.

19. Every district registrar shall, on the first day of every month, transmit to the office of the Registrar General all notices of marriages received by such district registrar and all certificates thereof received by him during the month preceding, and such notices and certificates shall be thereafter kept in such office in such order and manner as the Registrar General thinks fit, so that such notices and certificates may be most readily seen and examined.

Notices to be sent to Registrar General.

(4)—*Marriage by Special License.*

20. When by reason of the parties to an intended marriage, or one of them, residing at a distance of fifty miles—

Governor or resident magistrate may grant Special License in certain cases.

(a) From a church belonging to the religious denomination according to the rites of which the parties desire to be married; or

(b) From the office of a district registrar; or when, by reason of special circumstances, it is shown to the satisfaction of the Governor or any resident magistrate that there exists a good reason for the speedy celebration of a marriage, and that the circumstances of the case will not admit of a compliance with the provisions of this Act as to the publication of banns or the posting or giving of notice of such marriage, then in such case the Governor or any resident magistrate may grant his license for the celebration of such marriage without compliance with such provisions, in the form in Tenth Schedule to this Act, and thereupon such marriage may be celebrated. Such license shall be produced and delivered to the person about to celebrate the marriage, and after the celebration thereof shall be transmitted, with the register form of marriage, in the case of a minister, to the district registrar, and, in the case of a district registrar, to the Registrar General.

Tenth Schedule.

(5)—*Marriage between Jews.*

20A. (1.) Marriages between parties both of whom are Jews may be celebrated—

Celebration of marriages between Jews.

(1) By a minister or other person of the Jewish religion, whose name, designation, and usual place of residence have been and continue to be duly registered according to law, in the office of the Registrar General, as authorised to celebrate marriages; or

No. 7 of 1907, s. 14.

- (2) By a district registrar in the manner provided by the principal Act for the marriage of persons by district registrars.

Validating certain marriages.

No. 7 of 1907, s. 16.

(2.) Notwithstanding any act, usage, or custom to the contrary, no marriage heretofore celebrated by a district registrar between persons both of whom are Jews, in accordance with the provisions regulating the marriage of persons other than Jews, shall be impeachable on the ground only that such marriage was celebrated by a district registrar.

#### PART IV.—OFFENCES.

Certain offences by ministers and district registrars and others to be misdemeanours.

See Criminal Code Act, 1913, Schedule, Chapter XXXIV.

21. [*Repealed* by 1 and 2 Edwd. VII., No. 14, Section 3.]

Minister of Religion not registered by reason of inadvertence and celebrating marriage summarily punishable.

22. Any minister of religion whose name, designation, religious denomination, and usual place of residence have not been and do not continue to be duly registered as a minister authorised to celebrate marriages by reason of accident or inadvertence, and who celebrates a marriage, shall be guilty of an offence against this Act, and summarily punishable, upon conviction before two or more justices of the peace, by a penalty not exceeding twenty pounds.

Minister, district registrar, or other person falling in performance of duty summarily punishable.

23. Any minister or district registrar or other person failing in any way in the performance of their respective duties to comply with the provisions of this Act shall be guilty of an offence against this Act, and be summarily punishable, upon conviction before two or more justices of the peace, by a penalty not exceeding fifty pounds and not less than ten pounds.

False statement to be deemed perjury.

See Criminal Code Act, 1913, Schedule, Sections 169, 170.

24. [*Repealed* by 1 and 2 Edwd. VII., No. 14, Section 3.]

Abetting an irregular marriage a misdemeanour.

See Criminal Code Act, 1913, Schedule, Chapter XXXIX.

25. [*Repealed* by 1 and 2 Edwd. VII., No. 14, Section 3.]

26. [Repealed by 1 and 2 Edwd. VII., No. 14, Section 3.]

Forging consent to minor's marriage or certificate of marriage.

See Criminal Code Act, 1913, Schedule, Section 471, and Section 473

(4), (k), (l), (m), (n).

PART V.—MISCELLANEOUS.

27. Every marriage celebrated by a minister or district registrar after the declaration upon oath or solemn affirmation by the parties to such marriage in the form contained in the Second Schedule to this Act shall be a legal and valid marriage to all intents and purposes.

Every marriage celebrated after declaration made to be valid.

Second Schedule. No. 7 of 1907, s. 10.

28. No marriage shall be deemed to have been unduly celebrated by reason only of any mere defect or error in such declaration, or in any notice or certificate required before solemnisation, or in the registration of the marriage when solemnised, if the identity of the parties to such marriage shall not be in question.

Marriage not to be vitiated by error in declaration.

No. 7 of 1907, s. 11.

29. No marriage in fact shall be avoided by reason only of the same having been celebrated by a person not being a minister or district registrar respectively, if either of the parties to such marriage at the time thereof *bonâ fide* believes that such person was a minister or district registrar respectively.

Marriage not to be avoided by reason of celebration by a person other than a minister or District Registrar.

30. No marriage shall be avoided by reason of the omission of the minister celebrating the same to cause his name, designation, religious denomination, or usual place of residence to be registered according to law, or by reason of the same ceasing to be so registered, or by reason of the improper or defective appointment of the district registrar celebrating such marriage.

Marriage not to be avoided by reason of non-registration of minister or improper appointment of District Registrar.

30A. No marriage celebrated before the passing of the Marriage Act Amendment Act, 1907, shall be avoided for any infringement of the principal Act\* if such marriage would not be avoided under the principal Act as amended by the Marriage Act Amendment Act, 1907.

Amendments to apply to existing marriages.

No. 7 of 1907, s. 12.

30B. Every minister shall, on the first day of every month, transmit to the Registrar General a return, in the

Monthly returns.

No. 7 of 1907, s. 13.

\* The Marriage Act, 1894. See No. 7 of 1907, Section 1.

prescribed form, of all marriages celebrated by him, or stating that no marriage has been celebrated by him (as the case may be), within the State during the month last preceding.

Copy of Registry to be evidence of marriage.

**31.** A copy of the marriage registry to be kept in the office of the Registrar General and under his hand of any marriage shall be deemed to be evidence in all proceedings, civil or criminal, of the fact that such marriage has been duly celebrated, until the contrary is shown.

Marriage with deceased wife's sister to be valid.

**32.** No marriage between any man and the sister of his deceased wife shall within Western Australia be voidable or in anywise impeachable upon the ground only of such affinity between the parties thereto, any law, usage, or custom to the contrary notwithstanding.†

Marriage with deceased husband's brother.

No. 48 of 1915, s. 2.

**32A.** No marriage heretofore or hereafter contracted between a woman and her deceased husband's brother shall be deemed to have been or shall be void or voidable by reason only of such affinity: Provided that—

- (a) if any such marriage shall have been heretofore annulled by lawful decree or if either party thereto shall heretofore (after the marriage and during the life of the other) have lawfully married another, then such marriage shall be deemed to have become and to be void upon and after the date of the decree or the subsequent marriage;
- (b) this section shall not deprive or be held to have deprived any person of any property or right heretofore lawfully vested in him;
- (c) no will shall be deemed to be or to have been revoked by reason of any marriage heretofore contracted as aforesaid being validated by this section.

Marriage with daughter of deceased wife's brother, etc.

No. 46 of 1932, s. 2.

**32B.** No marriage heretofore or hereafter contracted between a man and the daughter of his deceased wife's brother, or the daughter of his deceased wife's sister, or between a woman and the son of her deceased husband's brother, or the son of her deceased husband's sister, shall be deemed to have been or shall be void or voidable by reason only of such affinity:

† First enacted by the Act 41 Vict., No. 21. Royal assent proclaimed 7th May, 1878.

Provided that this section shall not have effect if the man stands in the relationship (of the whole blood or of the half blood) of brother to a parent of the daughter of a deceased wife's brother or of the daughter of a deceased wife's sister, or the woman stands in the relationship (of the whole blood or of the half blood) of sister to a parent of the son of a deceased husband's brother or of the son of a deceased husband's sister.

33. Nothing in this Act contained shall legalise any marriage declared or made invalid by any court of competent jurisdiction, nor any marriage either party to which at the time of the celebration thereof has another wife or husband living, nor any marriage other than a marriage between a widower and the sister of his deceased wife, or (subject to the proviso to section thirty-two B) the daughter of his deceased wife's brother or the daughter of his deceased wife's sister, or between a widow and the brother of her deceased husband, or (subject as aforesaid) the son of her deceased husband's brother or the son of her deceased husband's sister, which would be void by reason of relationship, kindred, or alliance, nor any marriage which would be void by reason of fraud or incapacity to contract marriage.\*

Nothing in this Act to legalise certain marriages.

No. 48 of 1915, s. 3.

No. 46 of 1932, s. 3.

\* Section 2 of the Marriage Act, 1835 (5 & 6 Will. IV., c. 54, adopted by 7 Vict., No. 13), is as follows:—

All marriages which shall hereafter be celebrated between persons within the prohibited degrees of consanguinity or affinity shall be absolutely null and void to all intents and purposes whatsoever.

The prohibited degrees, which had received statutory recognition, were expressed in the table set forth in the year 1563, as follows:—

- (a) A man may not marry his grandmother, grandfather's wife, wife's grandmother, father's sister, mother's sister, father brother's wife, mother's brother's wife, wife's father's sister, wife's mother's sister, mother, step-mother, wife's mother, daughter, wife's daughter, son's wife, sister, wife's sister,\* brother's wife,\* son's daughter, daughter's daughter, son's son's wife, daughter's son's wife, wife's son's daughter, wife's daughter's daughter, brother's daughter, sister's daughter, brother's son's wife, sister's son's wife, wife's brother's daughter,\* wife's sister's daughter.\*
- (b) A woman may not marry her grandfather, grandmother's husband, husband's grandfather, father's brother, mother's brother, father's sister's husband, mother's sister's husband, husband's father's brother, husband's mother's brother, father, step-father, husband's father, son, husband's son, daughter's husband, brother, husband's brother,\* sister's husband,\* son's son, daughter's son, son's daughter's husband, daughter's daughter's husband, husband's son's son, husband's daughter's son, brother's son, sister's son, brother's daughter's husband, sister's daughter's husband, husband's brother's son,\* husband's sister's son.

\* As to marriages with a deceased wife's sister, see section 32 of this Act; with a deceased husband's brother, see section 32A; with the daughter of a deceased wife's brother or sister, or with the son of a deceased husband's brother or sister, see section 32B.

Marriages of  
Quakers.

62 Vict., No. 23,  
s. 4.

34. Nothing in this Act previously contained shall extend to be construed to extend to any marriage between parties, both of whom are Quakers, if such marriage is celebrated according to the usages of the Quakers.

Such marriages  
to be valid.

62 Vict., No. 23,  
s. 5.

35. Every such marriage celebrated according to the usages of the Quakers shall be as legal and valid as any other marriage duly celebrated under this Act.

Such marriages  
to be registered  
like other  
marriages.

36. (1.) The particulars of every such marriage required to be registered by the law regulating the registration of marriages shall, within seven days from the celebration of the marriage, be given in writing by the person celebrating the same to the district registrar, who shall register such marriage in triplicate, and observe the same procedure and law in respect of such registration as is enacted in respect of the registration of any other marriage.

Penalty.

(2.) Any person celebrating such marriage and failing to give such particulars to the district registrar shall be subject to the like penalties and punishable in the same manner as a minister failing in the performance of his duties to comply with the provisions of the law regulating the registration of marriages.

Mark may be  
made in lieu of  
signature to  
documents.

37. Whenever under the provisions of this Act any person being illiterate or unable to write is required to sign any declaration, certificate, consent, statement, notice or other document, such person may express his assent thereto by making his mark in the presence of an attesting witness.

Regulations.  
No. 7 of 1907,  
s. 17.

37A. (1.) The Governor may make regulations—

- (a) for the preparation and transmission of all returns and certificates from ministers and district registrars respectively;
- (b) prescribing the necessary forms for all books, certificates, and documents;

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In reference to the prohibited degrees, relationship by the half blood is a bar to marriage, equally with relationship by the whole blood, and illegitimacy equally with legitimate relationship. See Halsbury's "Laws of England," Volume XVI., paragraph 526.

By Section 62 of the Ordinance to regulate Divorce and Matrimonial Causes (27 Vict., No. 19) it is enacted that, when by a decree absolute a marriage is declared to be dissolved or null and void, it shall be lawful for the parties to marry again as if the former marriage had been dissolved by death.

(c) for all other matters necessary to carry out the provisions of this Act.\*

(2.) All such regulations shall be notified in the *Gazette*, and shall thereupon have the force of law.†

38. Sections A, E, F, G, and H of the Shortening Ordinance, 1853, shall be incorporated with and taken to form part of this Act to all intents and purposes, and in as full and ample a manner as if the said sections had been introduced and fully set forth in this Act.

Incorporation of Shortening Ordinance.‡

\* By Section 19 of the Registration of Births, Deaths, and Marriages Act, 1894, as amended by the Act No. 19 of 1907, the Governor may fix the fees to be paid under that Act or the Marriage Act, 1894. See the Order in Council published in the *Gazette* of 20th November, 1931, and set out in the Appendix to the Registration of Births, Deaths, and Marriages Act, 1894, as reprinted with amendments.

The fees relating to marriages, as prescribed by that Order, are as follows:—

	£	s.	d.
For a special license . . . . .	10	0	0
For a marriage performed by a district registrar . . . . .	2	0	0
On giving the district registrar notice of marriage . . . . .	0	1	0
For a district registrar's certificate of notice being posted . . . . .	0	1	0

Power to remit fees was conferred on the Registrar General by Order in Council published in the *Gazette* of 5th February, 1904, page 317.

The following notice was published in the *Gazette*, No. 28 of 1904, at page 1258:—

Marriage by Special License.

It is hereby notified, for general information, that His Excellency the Governor has been pleased to direct that the fee hitherto charged for the issue of a special license for the celebration of a marriage is raised to £10 from the 1st of May next; power being, however, given His Excellency the Governor, the magistrate who issues the license, or the Registrar General to, in the exercise of his discretion, remit the whole or any portion of the fee. Malcolm A. C. Fraser. Registrar General's Office, Perth, 29th April, 1904.

The Order in Council now in force relating to the remission of fees is printed in the Appendix.

† This subsection is subject to Section 36 of the Interpretation Act, 1918, whereby regulations must be laid before both Houses of Parliament.

‡ The Shortening Ordinance, 1853, was repealed by 62 Vict., No. 30. The provisions corresponding with this section are now Section 47 of the Interpretation Act, 1918, and Schedule 2. Paragraph E of Schedule 2 provides that the complaint in respect of an offence must be made and the proceedings commenced within 12 months after the offence thereby charged was committed.

## SCHEDULES.

## FIRST SCHEDULE.

## Section 3.

No. and Year of Act.	Title.
19 Vic. No. 11 ...	An Ordinance to amend and consolidate the laws affecting the solemnisation of matrimony in the Colony of Western Australia.
41 Vic. No. 21 ...	An Act to legalise the marriage of a man with the sister of his deceased wife.
43 Vic. No. 28 ...	The Marriage Law Amendment Act, 1879.

## SECOND SCHEDULE.

## Section 7.

## DECLARATION BEFORE MINISTER OR DISTRICT REGISTRAR.

(To be indorsed on Marriage Certificate to be transmitted to Registrar General.)

I, A. B., of (*usual place of residence and designation or employment*); make oath and say (*or if objecting to take an oath, "do solemnly and sincerely declare and affirm"*) that I believe there is no impediment or lawful objection, by reason of any kindred, relationship, or alliance, or any former marriage, or the want of consent of parents or guardians, or any other lawful cause, to my being married to C. D., of (*usual place of residence and occupation, if any*), daughter of E. F., of (*usual place of residence and occupation*).

Signature of A. B.

Sworn (*or solemnly declared and affirmed*) by the }  
 said A. B. this                      day of }  
 19

Before me

(Signature of Minister or District Registrar).

And I, the said C. D., make oath and say (*or, "do solemnly and sincerely declare and affirm"*) that I believe that there is no impediment or lawful objection, by any such reason or other lawful cause as aforesaid, to my being married to the said A.B.

Signature of C. D.

Sworn (*or solemnly declared and affirmed*) by the }  
 said C. D. this                      day of }  
 19

Before me

(Signature of Minister or District Registrar).

Marriage.

THIRD SCHEDULE.

Section 9.

FORM OF CONSENT OF FATHER, MOTHER, OR GUARDIAN TO MARRIAGE OF MINORS.

I (name of father, mother or guardian) of (residence and occupation) as (father, mother or guardian) do hereby give my consent to the marriage of my (son, daughter or ward, with name in full, residence and occupation) aged (state age) to (name in full of intended bride or bridegroom) of (residence and occupation, if any).

Dated this day of 19 .

Signature of Father, Mother, or Guardian.

FORM OF CONSENT OF JUSTICE OF THE PEACE TO MARRIAGE OF MINOR.

I (name in full and residence), being a Justice of the Peace for the State of Western Australia, acting herein under Section 9 of "The Marriage Act, 1894," for the reasons hereon indorsed, do give my consent to the marriage of (name at full length, residence and occupation, if any), aged (state age) to (name of intended bride or bridegroom in full, residence and occupation, if any) and I do certify that previous to giving such consent I have made due inquiry into the facts and circumstances of the case and am satisfied that no valid objection to such marriage exists.

Dated this day of 19 .

Signature of Justice of the Peace.

FOURTH SCHEDULE.

Section 10.

FORM OF INDORSEMENT OF CONSENT TO MARRIAGE OF MINOR UPON A CERTIFICATE OF MARRIAGE.

I certify that the consent of (name in full, residence and occupation) the (father, mother, or guardian) of (name in full, residence and occupation, if any) a minor, or of (name in full of.....) a Justice of the Peace was given to the marriage between the parties named in this certificate.

Signature of Minister or District Registrar.

FIFTH SCHEDULE.

Section 12.

NOTICE OF MARRIAGE.

I hereby give notice that a marriage is intended to be celebrated within three calendar months from the entry hereof between me and the other party herein named and described, that is to say:—

Table with 5 columns: Name, Condition, Age over or under 21, Dwelling place, District wherein party resides. Rows for Intended Husband and Intended Wife.

Witness my hand this day of 19 . (Signed)



NINTH SCHEDULE.

Section 17.

DISTRICT REGISTRAR'S CERTIFICATE.

I, \_\_\_\_\_, District Registrar for the Registry District of \_\_\_\_\_ in Western Australia, do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ notice was duly entered in the Marriage Notice Book of the said District of the marriage intended between the parties therein named and described, that is to say:—

Name.	Condition.	Rank or profession or occupation.	Age over or under 21.	Residence.	State length of residence. If over 7 days insert more than one week.

Date of notice received, entered, and posted up 19\_\_\_\_ } The issue of this Certificate has not been forbidden by any person authorised to forbid the issue thereof.  
 Date of Certificate given 19\_\_\_\_ } Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
 .....  
 District Registrar.

NOTE.—This Certificate will be void unless the marriage is celebrated within three months from the receipt of the above notice.

TENTH SCHEDULE.

Section 30.

LICENSE FOR MARRIAGE.

WHEREAS you, A.B., and you, C.D., are minded to enter into a contract of marriage under the provisions of "The Marriage Act, 1894," and are desirous that the same may be speedily celebrated: And whereas you have respectively signed the declaration required by the said Act to be signed previous to marriage, and have satisfied me that you, the said A.B. and C.D., have had your usual place of abode within the district of \_\_\_\_\_ (or districts of \_\_\_\_\_ and \_\_\_\_\_ respectively), and that there exists good reason for the speedy celebration of your marriage, and that the circumstances of the case will not admit of a compliance with the provisions of the said Act as to the publication of banns or the posting or giving of notice of the marriage. I do, therefore, hereby grant unto you full license, according to the authority given to me by the said Act, to proceed to the celebration of your marriage, provided that the same be celebrated within one month from the date hereof.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
 (Signature.)

NOTE.—This License must be transmitted by a minister celebrating a marriage by virtue thereof to the District Registrar, with the register form of marriage.

## APPENDIX.

No. 12945.—C.S.O.

THE MARRIAGE ACT AMENDMENT ACT, 1907.

Colonial Secretary's Office,

4523/08.

Perth, 30th October, 1908.

HIS Excellency the Governor has been pleased to make the following Regulations under "The Marriage Act Amendment Act, 1907."

F. D. NORTH,

Under Secretary.

## REGULATIONS.

## Celebration of Marriages.

Minister's name, etc., to be registered.

1. No marriage can be celebrated unless the officiating minister's full christian name or names, and surname, designation, denomination, and usual place of residence have been, and continue to be registered for that purpose in the office of the Registrar General.

## Penalty for neglect.

2. Any minister, whose name is not registered, celebrating a marriage, is liable to a penalty not to exceed £20.

Minister to register Certificates in triplicate.

3. Every minister shall, immediately after a marriage celebrated by him, register or cause to be registered in triplicate, according to the form of the Eleventh Schedule of "The Registration of Births, Deaths, and Marriages Act, 1894," Form R.G. No. 1, the several particulars relating to that marriage, in like manner to those set out in the Examples Nos. 1 and 2 hereto.

## Information Papers.

4. To facilitate the complete and correct entry of the several particulars required, ministers are furnished with "*Information Papers*," Form R.G. No. 27, which should be handed or supplied to the parties when giving notice of the intended marriage, and these *the parties* should fill in previous to their presenting themselves for the marriage ceremony, so that the particulars can be easily and correctly copied by the minister on to the three certificates.

5. The following Forms, which are obtainable on application to the Registrar General or any District Registrar, are prescribed as those to be used by ministers in connection with the Registration and Marriage Acts, and amendments thereto:—

(a) Form R.G. No. 1.—Certificate of Marriage to be registered in triplicate.

Clergy Register Book.

1. *The Register (or Certificate) Book*, Eleventh Schedule of 58th Vict., No. XVI.\* This is retained by the minister for his own use.

Loose sheets to be bound into books.

2. *The loose sheet*.—This is intended to be kept for public information in the Registrar General's office in Perth, where with others it is bound into a book, and constitutes the permanent record Certificate of the Marriage.

Bride's Certificate.

3. *The loose sheet*, which forms the *marriage lines*; which immediately after the marriage must be delivered to one of the parties thereto (usually the bride).

Declaration.

On the back of this form is printed the declaration or solemn affirmation (Second Schedule, 58 Vict., 11), which has to be made and signed *before the marriage* by both parties in the presence of a minister or District Registrar. If the parties making the declaration object to take an oath, the words "make oath and say," near the commencement of the declaration, and the word "sworn," lower down should be carefully ruled through.

(b) Form R.G. No. 2.—Consent of Father, Guardian, or Mother to Marriage of Minors.

If either of the parties be under age, and not a widower, widow, or divorced person, the production of the *written consent* of—

1. The father, or in his absence from the State, or if dead, of
2. A guardian appointed by the father, or, if there be no guardian so appointed, of
3. The mother, or if the mother is not in the State, or dead, then

(c) Form R.G. No. 2A.—Consent of a Justice of the Peace to Marriage of Minor must be obtained before a marriage can be legally celebrated.

The neglect to obtain the proper consent renders a minister liable to a heavy penalty. When a written consent is produced, the fact must be indorsed on each of the three register forms required, which indorsement must bear the original signature of the celebrant minister.

(d) Form R.G. No. 3.—Notice of Marriage to be posted on Church Door.

This form is required for use of parties who desire to notify an intended marriage by posting a notice thereof on a church door, and is to be affixed by, or by order of, the minister for the time being in charge, on the outside of the outer door of a church within the district wherein one of the parties to such marriage has resided for not less than seven days immediately preceding the affixing of such notice.

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\* Registration of Births, Deaths, and Marriages Act, 1894.

## Marriage.

(e) Form R.G. No. 96.—Minister's Certificate of publication of Banns of Marriage.

This form must be filled in and signed by the minister calling the *third* publication of banns, and is required to be produced to the celebrating minister *before* a marriage founded on banns can take place.

(f) Form R.G. No. 97.—Minister's Certificate of Notice of Marriage being posted on Church Door.

This form must be filled in and signed by the minister in charge for the time being of the church, on the outside of the outer door of which the notice of the intended marriage is posted, and is required to be produced to the celebrating minister *before* a marriage, founded on a church door notice, can take place.

(g) Form R.G. No. 98.—Minister's monthly Return of Marriages celebrated.

This form is required to be filled in, signed, and transmitted to the Registrar General, Perth, on the 1st day of every month, by *every minister registered to celebrate marriages* within the State.

Should no marriages have been celebrated anywhere by a minister during the month, the return must be signed and sent in marked "Nil."

The fact of a minister being absent from his usual address on account of holidays, or illness, or any other reason, does not in any way relieve him of this responsibility.

(h) Form R.G. No. 12.—Certificate of Baptism.

On payment of the prescribed fee of one shilling this certificate is required to be issued to the parent of any child to whom a baptismal name has been given by a minister or other person, after the registration of its birth has been duly effected (Section 31 of 58 Vict., No. 16).

(i) Form R.G. No. 26.—Notice of Burial without Certificate of Registration of Death being produced.

This form is required to be filled in by the minister or other person who performs any funeral or religious service for the burial of any dead body, *before* the burial of which no certificate of the registration of the death has been delivered to the said minister or other person, by the undertaker or other person who disposes of the body, and is to be forwarded forthwith to the District Registrar of the district within which the death took place. (Section 39 of 58 Vict., No. 16.)

(j) Form R.G. No. 27.—Marriage Information Paper.

This form, as stated in Clause 4, is required to be filled in by the parties to an intended marriage.

The three Certificates to be literal transcripts.

6. The three certificates, Form R.G. No. 1, must all be original documents, that is, be exact and literal transcripts of each other, and must each bear the original signatures of the parties, the witnesses, and the minister, and must each have had the declaration on the back duly signed by the parties and attested by a minister or District Registrar *before* the marriage.

## *Marriage.*

Certificates to be filled in with best black ink, and not to be cut, torn,  
or mutilated.

7. The certificate form which is to be filed for record purposes must be filled in as fully, clearly, and neatly as possible with the best black ink, and must on no account *be cut, trimmed, torn, or otherwise mutilated*; if it is it will not be accepted at the Head Office, as these certificates have eventually to be bound in book form, for which purpose it is absolutely necessary that they should be of a uniform size.

Christian names and dates to be complete, and written in at full length.

8. Every particular in the certificate must be written in full. No abbreviations are allowed (except in the case of signatures). The writing must be distinct and bold, and every possible care must be taken to avoid errors. Every name given must be properly spelt, and all christian names (excepting signatures) must be inserted at full length and written in such a manner that they cannot be mistaken for other names or surnames. All dates must be complete as to year, month, and day, the month being always written in full.

Witnesses.

9. Two witnesses at least, of the full age of sixteen years and upwards, in addition to the minister and the contracting parties, must be present at the ceremony, and sign the requisite certificates.

Time of celebration of Marriage.

10. Marriages may only be celebrated between the hours of eight o'clock in the morning and eight o'clock in the evening.

Period within which Marriage must be celebrated.

11. Marriage founded on Banns must be celebrated within three months from date of first publication of banns.

Marriage founded on Church Door Notice must be celebrated within three months from the date of posting of notice.

Marriage founded on District Registrar's Notice must be celebrated within three months from date of posting the notice.

Marriage founded on Special License must be celebrated within one month from date of issue of the License.

### MARRIAGE CERTIFICATES.

Instructions as to filling in Certificates.

12. Column 1.—This should be left blank in the case of the certificate transmitted to the District Registrar, who will fill in his own number as necessary.

Name of Church or place of ceremony.

13. Column 2.—The date must be written in full, as "4th December, 1908." The name of the church or place where the ceremony is performed must always be distinctly specified, together with that of the parish, as:—"St. George's Cathedral, Perth," or "St. Peter's Church, Greenough," or "at 371 Blank Street, Perth, the residence of Henry Hayes," or "At 'Greenlawn,' the residence of John Smith, Pinjarra."

## Marriage.

### Christian Names.

14. Column 3.—Initials must on no account be used in this column, but the Christian name or names of both the bridegroom and the bride must be entered in full.

### Age.

15. Column 4.—The respective age last birthday of both parties must be entered in full, as:—"31," "27." The words "over" and "under age" are *not* on any account to be used.

### Condition of the Parties.

16. Column 5.—Bachelor or spinster, widower or widow, or presumed widower or presumed widow. In case of a divorced person, state divorced, giving place, date of month, and year of decree absolute.

### Rank, etc.

17. Column 6.—The rank, profession, or occupation of both the bridegroom and bride should be here entered. If any difficulty, however, exists as to specifying the rank, etc., of the bride, the entry in her case may be left blank.

### Present residence.\*

18. Column 7.—The present residence or place at which either of the parties may be temporarily staying or permanently living should be here entered, as:—"286 Hay Street, Perth," "47 Lonsdale Street, Leederville."

### Residence

19. Column 8.—Usual or permanent place of residence—"The Mount, Jarrahdale, Murray District," and "47 Lonsdale Street, Leederville."

### Names of fathers.

20. Column 9.—Christian name or names of fathers of both parties, and surnames in full. If the father of either of the parties be dead, the word "*deceased*" must be entered under the name.

### Rank of fathers.

21. Column 10.—Rank or profession of fathers of both parties, or if the father of either of the parties be dead, then his late rank or profession.

### Names of mothers.

22. Column 11.—Christian name or names, and *maiden* names of mothers of both parties in full. If dead, the word "*deceased*" must be entered, as in Column 9.

### Parties married to read Certificate before signing.

23. So soon as all the before-mentioned particulars have been filled in on the certificate by the minister, he must request the parties married, if they can read, to carefully examine the entry, if they cannot read, he must read it to them. They alone are responsible for the correctness of the particulars.

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\* NOTE.—Columns 7 and 8 were amended by the form of certificate of marriage prescribed by Order in Council published in the *Gazette* of 16th March, 1923. Regulation 18 should now be read as relating to the place and country of birth, and in lieu of "The present residence" etc. the words "The place and country of birth" must be read. See form on page 27.

Ministers to correct errors.

24. The minister must then carefully examine the certificate and all errors that are discovered must be at once corrected in the marginal blank space left for the purpose at the foot of the certificate as follows:—

In column.....for.....read.....;

and be verified by the signature of the officiating minister.

Spinsters to sign in their maiden surname, widows in their previous married surname.

25. The parties married must then, if the certificate is correct and if they can write, sign their names in their usual manner on the lines following the words, "This marriage was celebrated between us." The man must sign on the upper line. The woman must sign, *not in her newly-married surname*, but, if she was a spinster, in her maiden surname, and if a widow, in her previous married surname.

Witnesses.

26. The witnesses, who must be of the full age of sixteen years, must, if they can write, sign their names, in their usual manner, on the lines following the words "In the presence of us."

Signing by marks.

27. If either of the parties or witnesses is unable to write, the minister must request him or her, unassisted, to make a mark thus:—

his  
John or  
or her  
Mary + Smith  
mark,

when the Minister shall fill in the full particulars as to whose mark it is. The mark need not be specially witnessed, as the signature of the celebrant minister vouches for the genuineness of the whole certificate.

Illegible signatures.

28. Should any of the signatures be indistinct or illegible, the minister should write them lightly, but legibly, in pencil in the margin, so as to insure their being correctly indexed and recorded in the Registry Department.

Foreign names.

29. If either of the parties or witnesses be a foreigner, the minister must endeavour to obtain a signature in English characters. But if such person be unable to sign in English characters, he should, if able to write, be requested to sign in his ordinary manner. The minister should then write below in ink "The signature of \_\_\_\_\_," adding the full name and surname as though a mark had been made.

Minister not to correct signatures.

30. If there be an error in the signature of any person, such person, and not the minister, must correct it.

## Erasures not allowed.

31. In no case whatever may a minister correct an error by smearing it out, striking it out, or by writing upon it. And no writing—not even an accidental blot—may be removed from a certificate by erasing with a knife, or by any other means. All amendments must be made as explained in No. 29.

## Minister to sign Certificate.

32. When satisfied that the certificate is complete and, so far as he then knows, correct, the minister must sign it in his usual manner, adding the denomination to which he belongs to his signature.

## Errors of fact or substance, correction of.

33. *Errors of fact or substance* which may subsequently be discovered in a certificate can only be corrected on the order of the Registrar General, under certain conditions, for which see Section 43 of 58 Vict., No. 16.

## Authority for Celebration of Marriage.

34. The officiating minister must always fill in the authority under which the marriage is celebrated, such as:—“*On production of minister's certificate of publication of banns,*” or “*on production of minister's certificate that notice has been posted,*” or “*on production of District Registrar's Certificate,*” or “*and under special license.*” These words must be added after the words “*duly made as by law required.*” See example No. 1, page 27.

## Marriage under Special License.

35. In the case of marriage under Special License, the License is to be forwarded to the District Registrar, together with the Certificate of Marriage.

## Returns to District Registrar.

36. Every minister must, *within seven days* after the celebration of a marriage, forward the certificate, together with the usual registration fee, to the District Registrar of the district where the marriage was celebrated, to be by him, after entry in his marriage register, transmitted to the Registrar General, in whose office it will be carefully preserved, with others, in bound volumes, so as to be readily available to the public when searches and certified copies are required.

## Omission to send in Return.

37. All returns must be sent in as regularly and punctually as possible, as wilful neglect to do so is punishable by a heavy fine.

## Postage on Certificates and Returns.

38. Packets or envelopes containing marriage certificates, or returns of marriages celebrated, addressed to the Registrar General or to a District Registrar, will be transmitted through the post without postage stamps being affixed thereto, provided they are marked “*O.H.M.S.,*” and the Minister signs his name on the left hand lower corner over the words “*marriage certificate,*” or “*return of marriage,*” as the case may be.

Certificates to be forwarded through registered post.

39. Every minister, where possible, should register the packets of certificates when transmitting them to the District Registrar. No expense will be incurred by him in doing so if the packets are marked as stated in Clause 38.

Receipts to be obtained for Certificates.

40. Ministers must insist upon obtaining from District Registrars receipts for all certificates forwarded, and every case of wilful negligence or omission should be at once reported to the Registrar General.

Presumed death of former Wife or Husband.

41. A person whose wife or husband shall have been continually absent from such person for the space of *seven years* then last past, and shall not have been known by such person to be living within that time, may marry again, without being held to the guilty of *bigamy*, the presumption being that the former wife or husband is dead, and that such person is a "presumed widower," or a "presumed widow," and should be thus described in Column 5. In the event, however, of the former wife or husband returning, the second marriage will be held to be null and void.

Mixed Marriages.

42. If the parties desire that two valid marriage ceremonies be performed on the same day, the necessary preliminaries must be duly complied with as though no other ceremony were about to be performed. It matters not whether either of such ceremonies be intended to be performed in a Church or Chapel, or in a Registry Office or private dwelling, or according to the usages of the Quakers or Jews. And it is immaterial which of such ceremonies is performed first.

Re-marriages.

43. Persons who are desirous of being re-married, whether on account of some informality or supposed informality in the proceedings connected with a former marriage, or for other reasons, are, in giving notice of such re-marriage, subject to the same conditions as in giving an original notice.

Adopted Name.

44. If either of the parties has adopted, or is commonly known by, a name or surname other than his or her true name or surname, both names or surnames should be recorded in the certificate with the word *otherwise* between them, thus; "John Jones, otherwise Thomas Thompson," the true name coming first.

Divorced Persons.

45. In the case of a divorced woman her surname to be entered in Column 3 of the certificate must be that of her divorced husband; the fact that she is divorced, and the date and place of the decree absolute, must be also entered in Column 5; this latter provision also applies to a divorced man.

## Marriage.

Ministers or District Registrars can demand the production of the  
Decree Absolute.

46. Should a minister or District Registrar think it necessary, he can demand the production, by the divorced party, of the *decree absolute* under which the divorce was granted.

### Illegitimates.

47. Persons of illegitimate birth are sometimes unwilling or unable to state the name and rank or profession of their father. If, on a minister asking for these particulars, there be any hesitation or reluctance to state them, he need not make any further inquiry, but may leave the two columns blank.

### Marriages between parties both of whom are Jews.

48. Marriages between parties both of whom are Jews may be celebrated *only* by a minister or other person of the Jewish religion, whose name, designation, and usual place of residence have been and continue to be duly registered according to law, in the office of the Registrar General, as authorised to celebrate marriages, or by a District Registrar.

### Marriages between Female Aboriginal and person other than an Aboriginal.

49. No marriage of a female aboriginal with any person other than an aboriginal must be celebrated without permission, in writing, of the Chief Inspector of Aborigines (Section 42 of 5 Edw. VII., No. 14).

## CERTIFICATE OF MARRIAGE.

1	2	3	4	5	6	7	8	9	10	11
No.	When and Where Married.	Christian Name and Surname of the Parties.	Age.	Condition of the Parties : (Bachelor or Spinster), (Widower or Widow).	Rank or Profession, or Occupation.	Place and Country of Birth.	Residence.	Father's Christian Name and Surname.	Rank or Profession of Father.	Mother's Christian Name and Maiden Name.
1	1902. 2nd January. St. George's Cathedral (or if at private dwelling state address in full), Perth	John Alexander McGill  Mary Emma Walters	Years. 43  19	Widower (or divorced at Melbourne, Victoria, May, 1893) Spinster	Squatter ...  Dressmaker	Fremantle  Perth	Barcoo Station, West Kimberley  608 Hay Street, Perth	Alexander McGill (Deceased)  Henry Walters	Shepherd  Draper ...	Alice Amelia Evans.  Mary Williams (Deceased).
<p>Married in <i>St. George's Cathedral, Perth</i> (or the residence of <i>Henry Walters, 608 Hay Street, Perth</i>), according to rites and ceremonies of the Church of England, by me, after declaration on oath (or solemn affirmation) duly made as by law required on production of Minister's certificate of publication of banns (or on production of Minister's certificate that notice has been posted) (or on production of District Registrar's Certificate) (or and under special license).</p>		<p>I certify that the consent of..... ..... the..... of ..... a minor (or of..... a Justice of the Peace), was given to the Marriage between the parties named in the Certificate.</p>			<p>I certify that the consent of <i>Henry Walters, the father of Mary Emma Walters,</i> a minor (or of..... a Justice of the Peace), was given to the Marriage between the parties named in the Certificate.</p>		<p>This Marriage was celebrated between us { <i>Jno. A. McGill,</i> <i>M. E. Walters.</i></p> <p>In the presence of us { <i>Simon McGill,</i> <i>Sarah Walters.</i></p>			
<p>Signature of Minister or District Registrar { <i>Thos. McDonald,</i> <i>Officiating Minister,</i> <i>C. of E.</i></p>		<p>Signature of Minister or District Registrar { <i>Thos. McDonald,</i> <i>Officiating</i> <i>Minister, C. of E.</i></p>			<p>Signature of Minister or District Registrar { <i>Thos. McDonald,</i> <i>Officiating</i> <i>Minister, C. of E.</i></p>					

Specimen of correction of errors:—

In column 3, and throughout this certificate and declaration for  
"Mary Emma" read "Marie Ellen."  
In column 10, for "Shepherd" read "Pastoralist."

Jno. A. McGill,  
Informant.

{ Thos. McDonald,  
Officiating Minister,  
2nd January, 1903.

NOTE.—Columns 7 and 8 have been amended in accordance with the form of Certificate of Marriage prescribed by Order in Council in the *Gazette* of 16th March, 1923, in lieu of the Eleventh Schedule to the Registration of Births, Deaths and Marriages Act, 1894.

58 V., 11, Sec. 7.—2nd Schedule.

[EXAMPLE 2.]

DECLARATION BEFORE MINISTER OR DISTRICT REGISTRAR.

*To be indorsed on Marriage Certificate to be transmitted to Registrar General.*

Marriage.

I <sup>(1)</sup> John Alexander McGill, of <sup>(2)</sup> Barcoo Station, West Kimberley, Squatter, make oath and say [*or, if objecting to take an oath, "do solemnly and sincerely declare and affirm"*] that I believe there is no impediment or lawful objection, by reason of any kindred, relationship, or alliance, or any former marriage, or the want of consent of Parents or Guardians, or any other lawful cause, to my being married to <sup>(3)</sup> Mary Emma Walters, of <sup>(4)</sup> 608 Hay Street, Perth, daughter of <sup>(5)</sup> Henry and Mary Walters, of <sup>(4)</sup> 608 Hay Street, Perth.

Sworn [*or solemnly declared and affirmed*] by the said John Alexander McGill this 2nd day of January, 1908 } JNO. A. MCGILL <sup>(6)</sup>.

Before me,

Signature of Minister, } THOS. McDONALD,  
or District Registrar. } Officiating Minister, C. of E.

- <sup>(1)</sup> Man's Christian name or names and surname in full.
- <sup>(2)</sup> Usual place of residence, and designation or employment.
- <sup>(3)</sup> Woman's Christian name or names and surname in full.

And I the said <sup>(3)</sup> Mary Emma Walters make oath and say [*or, "do solemnly and sincerely declare and affirm"*] that I believe that there is no impediment or lawful objection, by any such reason or other lawful cause as aforesaid, to my being married to the said <sup>(1)</sup> John Alexander McGill.

Sworn [*or, solemnly declared and affirmed*] by the said Mary Emma Walters this 2nd day of January, 1908. } M. E. WALTERS <sup>(7)</sup>.

Before me,

Signature of Minister, } THOS. McDONALD,  
or District Registrar. } Officiating Minister, C. of E.

- <sup>(4)</sup> Usual place of residence and occupation (if any).
- <sup>(5)</sup> Christian names and surname of parents.
- <sup>(6)</sup> Signature of intended bridegroom.
- <sup>(7)</sup> Signature of intended bride.

Approved by His Excellency the Governor in Executive Council, this 15th day of October, 1908.

BERNARD PARKER,  
Clerk of the Council.

*Extract from Government Gazette of 22nd February, 1935, page 299.*

AT a meeting of the Executive Council held in the Executive Council Chambers, at Perth, this 20th day of February, 1935, the following Order in Council was authorised to be issued:—

The Registration of Births, Deaths, and Marriages Act, 1894.

ORDER IN COUNCIL.

C.S.D. 98/35.

HIS Excellency the Lieutenant-Governor, by and with the advice and consent of the Executive Council, doth hereby, under Section 19 of "The Registration of Births, Deaths, and Marriages Act, 1894," as amended by Section 7 of Act No. 19 of 1907, authorised the Registrar General to remit the whole or any part of any fee payable under the said Act or the Marriage Act, 1894, as prescribed by the Order in Council published in the *Government Gazette* on the 20th day of November, 1931, in any case where, in the special circumstances, the Registrar General may think fit to do so; and, with respect to the prescribed fee of £10 for a special marriage license, the Governor, the Resident Magistrate, or the Registrar General may, on the grant of such license, in any case where in the special circumstances he may think fit to do so, remit the whole or any part of such fee.

L. E. SHAPCOTT,

Clerk of the Council.