MARRIAGES

Consents to Marriage of Minors

REGULATIONS, DATED 31ST AUGUST, 1954, MADE BY THE MINISTER OF FINANCE UNDER SECTION 5 OF THE MARRIAGES ACT (NORTHERN IRELAND), 1954.

1954. No. 134

I, THE RIGHT HONOURABLE BRIAN MAGINESS, Q.C., Minister of Finance for Northern Ireland, in exercise of the powers conferred upon me by sub-section (1) of section five of the Marriages Act (Northern Ireland), 1954, and of all other powers enabling me in that behalf, hereby make the following Regulations:—

1.—(1) These Regulations may be cited as the Marriage of Minors (Consents) Regulations (Northern Ireland), 1954.

(2) These Regulations shall come into operation on the date hereof and shall have effect in relation to all marriages of minors solemnized or intended to be solemnized on or after the 1st October, 1954.

2. The Interpretation Act, 1889, as applied to Northern Ireland by the Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations as it applies for the purpose of the interpretation of an Act of the Parliament of Northern Ireland.

3. In these Regulations, unless the context otherwise requires—

"the Act" means the Marriages Act (Northern Ireland), 1954;

"the Act of 1844" means the Marriages (Ireland) Act, 1844;

"consent" means written consent to the marriage of a minor as required by section one of the Act;

"order" means an order of a county court made under section two of the Act dispensing with any consent required by section one of the Act;

"Registrar-General" means the Registrar-General for Northern Ireland;

"registrar" means a registrar of marriages appointed under the Act of 1844;

"registrar of marriages" means a registrar of marriages appointed under the Registration of Marriages (Ireland) Act, 1863;

"superintendent registrar" means a superintendent registrar appointed under the Registration of Marriages (Ireland) Act, 1863.

4.—(1) In the case of a marriage by licence, special licence, or registrar's certificate the consent shall be in two parts, A and B, in the form set forth in the First Schedule to these Regulations. In any other case, the consent shall be in the form of the said Part B only.

(2) Every consent shall be signed in the presence of one of the persons set forth in the Second Schedule to these Regulations, who shall attest the signature of the person or persons required by the Act to give consent.

5. In the case of a marriage intended to be solemnized by licence or registrar's certificate, Part A of the consent shall be deposited with the person to whom application has been made for the issue of the licence or certificate at least two clear days before the date on which the licence or certificate is to issue, or within such shorter period as the licenser, licensing minister or registrar may regard as sufficient to satisfy himself as to the authenticity of the consent.

6. In the case of a marriage intended to be solemnized by special licence, Part A of the consent shall be deposited with the person authorised to issue the special licence at least one clear day before the date on which the special licence is to issue, or within such shorter period as that person may regard as sufficient to satisfy himself as to the authenticity of the consent.

7. Part B of the consent shall be deposited with the person who is to solemnize the marriage at least one clear day before the date on which the marriage is to be solemnized, or within such shorter period as that person may regard as sufficient to satisfy himself as to the authenticity of the consent and shall be signed by that person immediately after the marriage has been solemnized.

8. Every consent deposited with a person authorised to issue a licence, special licence or registrar's certificate, shall be filed and preserved by such person with the other documents relating to the marriage.

9. An order produced to a person to whom application has been made for a licence, special licence or registrar's certificate, shall be returned by that person to the parties to the intended marriage for deposit with the person who is to solemnize the marriage.

10. Every consent or order deposited with any person under the provisions of these Regulations shall be available at all reasonable times, without fee, to all persons desirous of inspecting the same.

11. Where a consent or order has been deposited with a person who solemnizes a marriage which is within the provisions of the Act of 1844, and it is not the duty of that person to furnish a copy of the entries in the Register Book in which the marriage is

registered, the consent or order shall, after the marriage has been solemnized, be delivered by that person to the person on whom the duty aforesaid is laid by section sixty-five or section sixty-six of the said Act, or by section nine of the Marriage Law (Ireland) Amendment Act, 1863.

12. In the case of a marriage solemnized within the provisions of the Act of 1844, Part B of the consent or the order shall—

(*a*) where deposited with a Registrar—be forwarded by him to the Registrar-General with a copy of the entry of marriage at the end of the quarter in which the marriage was solemnized.

(*b*) where the marriage is by special licence—be annexed to the certificate to be sent to the Registrar-General under the provisions of section twenty-two of the Matrimonial Causes and Marriage Law (Ireland) Amendment Act, 1871.

(*c*) in every other case—be sent to the registrar with a copy of the entry of the marriage at the end of the quarter in which the marriage was solemnized for transmission to the Registrar-General.

13. Where a certificate under the provisions of section eleven of the Registration of Marriages (Ireland) Act, 1863, is delivered to a registrar of marriages in respect of the marriage of a minor and a consent or order is not annexed thereto, or a consent is annexed thereto which has not been properly executed or signed by the person who solemnized the marriage, the certificate and the consent (if any) shall be forwarded to the Registrar-General by the registrar of marriages who shall not register that marriage without instructions from the Registrar-General.

14. Subject to the provisions of the last preceding Regulation every consent or order received by a registrar of marriages under paragraph (*c*) of sub-section (1) of section three of the Act shall be delivered with the certificate of marriage at the end of the quarter in which the marriage was registered to the Superintendent Registrar who shall transmit it to the Registrar-General with a copy of the entry of the marriage.

15. Forms Nos. 1, 2, 3, 4 and 5 in the Third Schedule to these Regulations shall be substituted for the forms contained in Schedules B, C and E to the Act of 1844, Schedule B to the Marriage Law (Ireland) Amendment Act, 1863, and Schedule (A) No. 1 to the Matrimonial Causes and Marriage Law (Ireland) Amendment Act, 1870, respectively.

Dated this 31st day of August, 1954.

Brian Maginess,

Minister of Finance for Northern Ireland.

FIRST SCHEDULE

PART A

Consent to the Marriage of a Minor

Proposed marriage of.....
residing at.....
with.....
residing at.....
I (*a*).....being the (*b*).....and
I (*a*).....being the (*b*).....of the
above named.....a minor, aged.....years, and being
the persons whose consent to h..... marriage is required by law do hereby
give consent to the above marriage.

Witness my hand this.....day of.....19.....
Signature of person giving consent.....
Address .....
Witness to the above signature.....
Qualification .....
Address .....

Witness my hand this.....day of.....19.....
Signature of person giving consent.....
Address .....
Witness to the above signature.....
Qualification .....
Address .....

(*a*) Insert name in full. (*b*) Insert "Father", "Mother", "Guardian" etc., as the case may be.

PART B

Consent to the Marriage of a Minor

Proposed marriage of.....
residing at.....
with.....
residing at.....
I (*a*).....being the (*b*).....and
I (*a*).....being the (*b*).....of the
above named.....a minor, aged.....years, and being
the persons whose consent to h..... marriage is required by law do hereby
give consent to the above marriage.

Witness my hand this.....day of.....19.....
Signature of person giving consent.....
Address .....
Witness to the above signature.....
Qualification .....
Address .....

Witness my hand this.....day of.....19.....
Signature of person giving consent.....
Address .....
Witness to the above signature.....
Qualification .....
Address .....

(*a*) Insert name in full.
(*b*) Insert "Father", "Mother", "Guardian", etc., as the case may be.
Signature of person solemnizing marriage.....
at..... Date.....