

CHAPTER 120**MARRIAGE****MARRIAGE RULES****(SECTION 51)***[Commencement 28th April, 1953]**G.N. 106/1953**S.I. 69/1983**5 of 1987**S.I. 65/1989**S.I. 71/1989**S.I. 18/1990**S.I. 35/2003*

Short title.

1. These Rules may be cited as the Marriage Rules.

2. Each marriage officer on his appointment will be furnished from the general register office with a copy of the Marriage Act and of any Acts amending the same, a copy of these Rules for his direction, and a set of marriage registers, together with a supply of all necessary forms for the purpose of registering marriages solemnised or witnessed by him.

Marriage officer.

3. Marriage officers and registrars of marriages are required to make themselves fully acquainted with their duties under the Acts and these Rules, which are binding upon them.

Familiarisation with Acts and Rules.

4. Every marriage officer shall, on ceasing so to act, forthwith notify the fact if in New Providence to the Registrar General, and if in an Out Island to the commissioner, and at once send in to the general register office if in New Providence, and to the commissioner if in an Out Island, the marriage register book or books then in his charge, and all forms, documents, etc., belonging to the Registration Department.

Action on ceasing to be a marriage officer.

5. The original and duplicate registers of marriages should not together remain in one place any longer than is absolutely unavoidable, lest such entire existent record of a marriage should at any time be lost by accident or otherwise, and the earliest opportunity should therefore be taken, after registering a marriage, for transmitting the duplicate register accompanied by a letter of advice to the general register office as directed by section 28 of the Act.

Original and duplicate registers not to remain in one place.

Acknowledgement of duplicate register.

6. For every duplicate register received at the general register office an early acknowledgement will be sent to the marriage officer, and, in the event of no such acknowledgement being received by the marriage officer, he should at once report the fact to the Registrar General, in order that enquiry may be made.

Register of marriages.

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

Cancellation of forms in marriage register.

8. In the event of any of the forms in the marriage register being accidentally rendered useless it must on no account be destroyed. The word “cancelled” must be written across it, and also across a correspondingly numbered form in the duplicate register, the cancelled duplicate form must be sent up to the Registrar General in its regular order of number, and the cancelled original form must be left in its place in the marriage register.

Avoidance of errors.

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

No erasures in register.

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

- 11.** All names, dates, and ages must be written at full length thus — Names, etc., to be written in full.
- MARY JANE SMITH,
Sixteenth August, 1907,
Fifty-nine years.
- 12.** Signatures may in all cases be written in the way usually adopted by the person signing. Signatures.
- 13.** Marriage officers should obtain signatures in preference to “marks” where the person can write at all, an indifferent or even a bad signature being always more satisfactory than a mere mark. When the signature is so ill-written that it cannot be read with certainty the name represented by such signature should be written against it in pencil by the marriage officer. Signatures in preference to “marks”.
- 14.** Uneducated persons, bearing common Christian names, frequently spell them incorrectly in their signatures; in such cases, if the names are correctly written elsewhere in the same entry, the discrepancy should be allowed to remain. Spelling of Christian names.
- 15.** Care should be taken that in both the original and duplicate register the entry about to be made shall follow in exact corresponding order of number (without intervening blank spaces or forms) the entry last previously made. Continuity of numbers in registers.
- 16.** Marriage officers should apply in writing to the general register office for books and forms before the supply in hand is exhausted. Supply of books, etc.
- 17.** A good quality of black ink must at all times be used for registration purposes. Quality of ink.
- 18.** All letters, documents, etc., addressed to the Registrar General and marked “On Bahamas Government Service” pass free of postage. Postage.
- 19.** If a marriage officer shall not have registered any marriage during one of the quarters ending respectively on 31st March, 30th June, 30th September or 31st December, he must, within the first seven days of the new quarter, fill in and transmit to the Registrar General a certificate on one of the forms supplied to him for the purpose, to the effect that he has not, during the past quarter, solemnised, or been present at, any marriage in respect of which it was his duty to effect registration. Procedure if no marriage in any quarter.

Registrars of marriages.

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

Handing over to new registrar.

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

New registrar to appoint a deputy.

22. Every newly-appointed registrar immediately after his appointment must, by writing under his hand, appoint, subject to the approval of the Minister, a fit person to act as his deputy in case of his illness or absence. The appointment must be made out in duplicate, and when signed they must be sent to the Registrar General.

On the Minister's approval being signified it will be noted upon the document, one being returned to the registrar, and one being retained in the general register office.

Registrar General to be told when deputy acting.

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

Interim registrar.

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

Lapse of time between notice and issue of certificate.

25. A registrar must explain to the parties who have given notice of intended marriage that the certificate of such notice of intended marriage cannot be issued until seven clear days have expired after the day of entry of notice in the marriage notice book: thus if the notice be entered on the 1st January, the certificate cannot be issued

until the 9th January. It must also be explained that the intended marriage must take place within three calendar months after the day of the entry of the notice, otherwise it will become necessary for a new notice to be given; and for a new entry to be made.

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

27. The following are the fees to be paid for performance of acts under the Marriage Act — Fees.
5 of 1987, Sch.;
S.I. 65/1989;
S.I. 71/1989;
S.I. 18/1990;
S.I. 35/2003.

<i>Marriage Officers</i>	<i>Fee</i>
For receiving a notice of banns	\$10.00
For receiving an objection, payable by the person making an objection	\$15.00
For witnessing a marriage solemnised in his presence payable by one of the parties to the marriage	\$20.00
For every certified copy of an entry in a marriage register (other than a copy required to be furnished by section 28)	\$5.00
For every search in a marriage register	\$2.00
<i>Registrar of Marriages</i>	
For receiving a notice of marriage	\$10.00
For receiving an objection payable by the person making the objection	\$20.00
For witnessing a marriage solemnised in his presence under section 24, payable by one of the parties to the marriage	\$20.00
For every search in a marriage register	\$2.00
For every certified copy of an entry in a marriage register (other than a copy required to be furnished by section 28)	\$5.00
<i>Registrar-General</i>	
For a general search in the general marriage register	NIL
For a search for particular entry	NIL
For every certified copy of an entry	\$20.00
For issue of a marriage licence by the Registrar-General	\$100.00
For every interview conducted by the Registrar General for the purposes of this Act	\$100.00