



ANNO OCTAVO

## GEORGI VI REGIS.

A.D. 1944.

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### No. 7 of 1944.

An Act to amend the Marriage Act, 1936-1941.

[Assented to 19th October, 1944.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Marriage Act Amendment Act, 1944". Short titles.

(2) The Marriage Act, 1936-1941, as amended by this Act, may be cited as the "Marriage Act, 1936-1944".

(3) The Marriage Act, 1936-1941, is hereinafter referred to as "the principal Act".

2. Section 26 of the principal Act is amended by striking out subsection (4) thereof and by inserting in lieu thereof the following subsections :— Amendment of principal Act, s. 26.—  
Consent to marriage of minor.

(4) If the person by whom a marriage is proposed to be celebrated is satisfied by documentary evidence that any parent or guardian whose consent to the marriage is required by this section has in fact consented to the marriage, he may celebrate the marriage without the production of the consent of that parent or guardian in the form required by this section. In every such case the person celebrating the marriage shall forthwith report the marriage to the principal registrar and the reasons for not complying with subsection (1).

(5) If the Minister is satisfied—

(a) that there is no parent or guardian resident in South Australia by whom consent can be given as required by this section ; or

- (b) that any parent or guardian by whom consent is required to be given by this section is incapable of giving consent or is absent from South Australia, and that, in any such case, it is not practicable to obtain the consent of that parent or guardian ; or
- (c) that the place of residence of any parent or guardian of any party to the marriage and by whom consent is required to be given by this section is unknown to that party ; or
- (d) that the consent of any parent or guardian by whom consent is required to be given by this section is being unreasonably withheld,

the Minister, if of opinion that in the circumstances of the case it is desirable that the marriage should be celebrated, may, by notice in writing given on the recommendation of the principal registrar, authorize the celebration of the marriage without the consent of that parent or guardian.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

J. M. NAPIER, Lieutenant-Governor.