

1977/136



THE MARRIAGE REGULATIONS 1977

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 30th day of May 1977

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Marriage Act 1955, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Marriage Regulations 1977.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Interpretation—In these regulations “the Act” means the Marriage Act 1955; and a reference to a numbered form is hereby declared to be a reference to the form so numbered in the First Schedule to these regulations.

3. Forms—(1) The forms set out in the First Schedule to these regulations shall be used in the proceedings under the Act to which those forms refer.

(2) The Marriage Register Book to be kept pursuant to section 35 of the Act shall be in form 3.

(3) Every certified copy of an entry of marriage in the Registrar-General’s Office shall be in either form 10 or form 12.

(4) Every certified copy of an entry of marriage in the register book in the lawful custody of a Registrar shall be in either form 11 or form 13.

(5) Every certified copy of an entry of marriage shall include the particulars set out in the form used for that purpose so far as they are registered.

(6) Except where particulars of the parents of either of the parties to a marriage are material for the purpose for which the certified copy is required, a certified copy of an entry of marriage in form 10 or form 11, as the case may be, shall be issued and used in respect thereof:

Provided that where such particulars are so material a certified copy of an entry of marriage in form 12 or form 13, as the case may be, shall so be issued and used.

4. Fees—(1) There shall be paid to the Registrar-General and to every Registrar, for the various matters set out in the Second Schedule to these regulations, the respective fees set out in that Schedule.

(2) There shall be paid to every New Zealand representative who gives a certificate under section 43 of the Act a fee of \$10 for each such certificate.

5. Certificate under section 41 of Act—Where notice is received that a New Zealand citizen intends to be married in a country other than New Zealand and according to the law of that country, the Registrar-General shall, before the issue of the certificate referred to in section 41 of the Act, make the following searches and enquiries:

- (a) He shall search the birth records to confirm the age of the citizen:
- (b) He shall search the marriage records covering the period during which the citizen could have been married in New Zealand to ascertain if the citizen was so married:
- (c) He shall, if he considers it necessary in the circumstances to do so, inquire from some person who knows the citizen whether there is any impediment to the proposed marriage:
- (d) He may in any case ask the Commissioner of Police to inquire and report as to whether or not there is any impediment to the proposed marriage.

6. Revocations—The following regulations are hereby revoked:

- (a) The Marriage Regulations 1956*:
- (b) The Marriage Regulations 1956, Amendment No. 1†:
- (c) The Marriage Regulations 1956, Amendment No. 4‡.

*S.R. 1956/36
†S.R. 1961/119
‡S.R. 1975/116

SCHEDULES

FIRST SCHEDULE

Form 1

Reg. 3 (1)

NOTICE OF INTENDED MARRIAGE

To the Registrar of Marriages,

Notice No.

Notice is hereby given that the undermentioned parties intend to marry at either [*Place where marriage intended to be solemnised*] or [*Alternative place*].

Name of marriage celebrant:

	Bridegroom	Bride
Name and surname		
Age		
Profession or occupation		
Conjugal status (never married, or previously married)		
If previously married how and when previous marriage dissolved		
Birthplace		
Usual residence (in full)		
Name and surname of father		
Profession or occupation of father		
Name and surname of mother		
Profession or occupation of mother		
Maiden surname of mother		

I solemnly and sincerely declare (1) that the several particulars set forth in this notice are true; (2) that I believe that the marriage is not prohibited by section 15 of the Marriage Act 1955; (3)* that the said being under the age of 20 years and not having been previously married, the consents required by law to the intended marriage have been given; and (4) that there is no other lawful impediment to the intended marriage.

FIRST SCHEDULE—*continued*

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

.....
[Signature of party giving notice]

Declared at this day of 19.... before me—

.....
Registrar of Marriages.

*Delete paragraph (3) where not applicable.

Reg. 3 (1)
Form 2

Notice No.
Registry:

MARRIAGE LICENCE

To
.....
.....

THIS licence authorises you (or any other marriage celebrant) to solemnise the marriage between and at either of the following places namely [*Place where marriage intended to be solemnised*] or [*Alternative place*].

[*Date of expiry of licence*].

Issued at this day of 19....

.....
Registrar of Marriages.

Section 31 of the Marriage Act 1955 provides:

(1) Every marriage solemnised by a marriage celebrant shall be solemnised at a place described in the marriage licence issued in respect of that marriage.

(2) Subject to subsection (3) of this section, every such marriage shall take place between the persons named in the licence according to such form and ceremony as they may think fit to adopt, and shall be solemnised with open doors in the presence of a marriage celebrant and 2 or more witnesses at any time between 6 a.m. and 10 p.m.

(3) During the solemnisation of every such marriage each party to it shall say to the other:

I call on the people present here to witness that I, A. B., take you C. D., to be my legal wife (*or husband*),
or words to similar effect.

Form 3

FIRST SCHEDULE—continued
MARRIAGE REGISTER

Reg. 3 (2)

Number

When married

Where married

	Bridegroom	Bride
Name and surname		
Age		
Profession or occupation		
Conjugal status (never married, or previously married)		
If previously married how and when previous marriage dissolved		
Birthplace		
Usual residence (in full)		
Name and surname of father		
Profession or occupation of father		
Name and surname of mother		
Profession or occupation of mother		
Maiden surname of mother		

This marriage was solemnised

between us—

{
.....
[Signature of bridegroom.]
.....
[Signature of bride.]

in the presence of us—

{
.....
[Signature of witness and his full address.]
.....
[Signature of witness and his full address.]

Married by me (after delivery of licence required by the Marriage Act 1955),—

.....
[Signature of marriage celebrant or Registrar.]

FIRST SCHEDULE—continued

Reg. 3 (1)
Form 4

Notice No.

NOTICE OF INTENDED MARRIAGE OF NEW ZEALAND CITIZEN IN ANOTHER COUNTRY

To the Registrar-General,
Wellington.

I HEREBY give notice that I, A.B., a New Zealand citizen, at present residing at intend to marry C.D., a national or citizen of [*Name of country*], in [*Name of country*].

The following particulars are furnished to enable searches and inquiries to be made in order to ascertain whether or not there is any impediment to the said marriage:

- (1) Date and year of birth:
- (2) Place of birth:
- (3) If New Zealand citizen by registration or naturalisation—
 - (a) Year of arrival in New Zealand:
 - (b) Date of registration or naturalisation:
- (4) Name and surname of father:
- (5) Name and surname of mother:
- (6) Maiden surname of mother:
- (7) If previously married how and when previous marriage dissolved:
- (8) Address of parents, if living in New Zealand:
- (9) Name and address of some relative or friend in New Zealand who has known me over a period of time [*To be completed if no parent living in New Zealand*]:

Dated at this day of 19....

.....
[Signature of person giving notice.]

Reg. 3 (1)
Form 5

Notice No.

CERTIFICATE OF NO IMPEDIMENT TO MARRIAGE

WHEREAS notice has been given to me that A.B., a New Zealand citizen at present residing at, intends to marry C.D., a national or citizen of [*Name of country*], in [*Name of country*].

And whereas such searches and inquiries have been made and such notices have been given as are prescribed by law, I certify that no lawful impediment to the marriage has been shown to me to exist.

Issued at Wellington, New Zealand, this day of 19....

.....
Registrar-General.

FIRST SCHEDULE—continued

Form 6

Reg. 3 (1)

No.

NOTICE OF INTENDED MARRIAGE OUTSIDE NEW ZEALAND

To the Registrar of Marriages,

.....

Notice is hereby given that the undermentioned parties intend to marry in [*Name of country*],

	Bridegroom	Bride
Name and surname		
Age		
Profession or occupation		
Conjugal status (never married, or previously married)		
If previously married how and when previous marriage dissolved		
Birthplace		
Usual residence (in full)		
Length of residence in New Zealand		
Name and surname of father		
Profession or occupation of father		
Name and surname of mother		
Profession or occupation of mother		
Maiden surname of mother		

I solemnly and sincerely declare (1) that the several particulars set forth in this notice are true; (2) that I believe that the marriage is not prohibited by section 15 of the Marriage Act 1955; (3)* that the said being under the age of 20 years and not having been previously married, the consents required by law to the intended marriage have been given; and (4) that there is no other lawful impediment to the intended marriage.

FIRST SCHEDULE—*continued*

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

.....
[Signature of party giving notice.]

Declared at this day of 19.... before me—

.....
Registrar of Marriages.

*Delete paragraph (3) where not applicable.

Reg. 3 (1)
Form 7

Notice No.

Registry:

CERTIFICATE THAT NOTICE HAS BEEN GIVEN OF MARRIAGE INTENDED TO
BE SOLEMNISED OUT OF NEW ZEALAND

I, Registrar of Marriages at, certify that on
[Date], [Full name of person giving notice] of [Address],
..... [Occupation] gave notice to me of intended marriage with
..... [Full name of other party], of [Address], in
[Name of country], and I further certify that all the provisions of the
Marriage Act 1955 with respect to the issue of this certificate have been
complied with.

Issued at this day of 19....

.....
Registrar of Marriages.

FIRST SCHEDULE—continued

Form 8

Reg. 3 (1)

CERTIFICATE OF MARRIAGE OUTSIDE NEW ZEALAND

I,, a New Zealand representative, certify that on
 [Date in full] I attended the marriage of A.B., a New Zealand citizen, and
 C.D., a citizen of at [Church or other place], and that
 I am satisfied that the marriage has been solemnised in accordance with
 the formalities of the law of [Name of country].

Issued at this day of 19....

.....
 New Zealand Representative.

Particulars of Marriage

When married

Where married

	Bridegroom	Bride
Name and surname		
Age		
Profession or occupation		
Conjugal status		
Birthplace		
Usual residence		
Name and surname of father		
Profession or occupation of father		
Name and surname of mother		
Profession or occupation of mother		
Maiden surname of mother		

.....
 New Zealand Representative.

[Signed copy of this certificate must be forwarded to the
 Registrar-General, Wellington, New Zealand.]

Reg. 3 (1)
Form 9

FIRST SCHEDULE—continued

SERVICE MARRIAGE REGISTER

When married

Where married

	Bridegroom	Bride
Name and surname, [Official number, rank, and appointment]		
Age		
Profession or occupation [Civil] ..		
Conjugal status (never married, or previously married)		
Birthplace		
Nationality or citizenship		
Civilian address		
Name and surname of father		
Profession or occupation of father ..		
Name and surname of mother		
Profession or occupation of mother ..		
Maiden surname of mother		

This marriage was solemnised

between us—

{
.....
[Signature of bridegroom.]
.....
[Signature of bride.]

in the presence of us—

{
.....
[Signature of witness, occupation, and civilian address.]
.....
[Signature of witness, occupation, and civilian address.]

Married at by me.

.....
[Rank and signature of member of forces solemnising marriage.]

FIRST SCHEDULE—*continued*

Form 10

Reg. 3 (3)

CERTIFIED COPY OF ENTRY OF MARRIAGE IN THE REGISTRAR-GENERAL'S OFFICE

Number:.....

When married:.....

Where married:.....

	Bridegroom	Bride
Name and surname		
Age		
Profession or occupation		
Conjugal status		
Birthplace		
Usual residence (in full)		

Certified to be a true copy of the above particulars included in a marriage entry in the records of the Registrar-General's Office.

Given under the seal of the Registrar-General this day of 19

—

FIRST SCHEDULE—*continued*

Reg. 3 (4)
Form 11

CERTIFIED COPY OF ENTRY OF MARRIAGE IN THE MARRIAGE REGISTER
BOOK IN THE LAWFUL CUSTODY OF THE REGISTRAR OF MARRIAGES
AT

Number:

When married:.....

Where married:.....

	Bridegroom	Bride
Name and surname		
Age		
Profession or occupation		
Conjugal status		
Birthplace		
Usual residence (in full)		

I hereby certify that the above is a true copy of the above particulars included in an entry of marriage in the register book in my lawful custody.

Dated at this day of 19....

Registrar.

FIRST SCHEDULE—*continued*

Form 12

Reg. 3 (3).

CERTIFIED COPY OF ENTRY OF MARRIAGE IN THE REGISTRAR-GENERAL'S
OFFICE

Number:.....

When married:.....

Where married:.....

	Bridegroom	Bride
Name and surname		
Age		
Profession or occupation		
Conjugal status		
Birthplace		
Usual residence (in full)		
Name and surname of father		
Profession or occupation of father		
Name and surname of mother		
Profession or occupation of mother		
Maiden surname of mother		

Certified to be a true copy of the above particulars included in a marriage entry in the records of the Registrar-General's Office.

Given under the seal of the Registrar-General this day of
..... 19

FIRST SCHEDULE—*continued*

Reg. 3 (4)
Form 13

CERTIFIED COPY OF ENTRY OF MARRIAGE IN THE MARRIAGE REGISTER
BOOK IN THE LAWFUL CUSTODY OF THE REGISTRAR OF MARRIAGES
AT

Number:.....

When married:.....

Where married:.....

	Bridegroom	Bride
Name and surname		
Age		
Profession or occupation		
Conjugal status		
Birthplace		
Usual residence (in full)		
Name and surname of father		
Profession or occupation of father		
Name and surname of mother		
Profession or occupation of mother		
Maiden surname of mother		

I hereby certify that the above is a true copy of the above particulars included in an entry of marriage in the register book in my lawful custody.

Dated at this day of 19....

Registrar.

FIRST SCHEDULE—continued

Form 14

Reg. 3 (1)

CERTIFICATE OF DECREE ABSOLUTE OF DISSOLUTION OF MARRIAGE
 I CERTIFY that the marriage of [Full name of bridegroom] and
 [Full name of bride], solemnised on [Date of marriage],
 at, was dissolved by [Decree absolute of divorce] [Decree absolute of
 presumption of death and dissolution of marriage] [Decree absolute of nullity in
 respect of a voidable marriage]* made by the Supreme Court at
 [Place] on [Date].

Dated this day of 19....

.....
 Registrar of Supreme Court.

*Strike out words that do not apply.

Form 15

Reg. 3 (1)

CERTIFICATE OF DECREE OF NULLITY OF VOID MARRIAGE

I CERTIFY that on the [Date], at [Place], the
 Supreme Court made a decree of nullity in respect of the marriage
 solemnised on [Date] at [Place], between A.B. and
 C.D.

Dated this day of 19....

.....
 Registrar of Supreme Court.

SECOND SCHEDULE

Reg. 4

FEEs TO BE PAID TO THE REGISTRAR-GENERAL AND TO REGISTRARS UNDER
 THE MARRIAGE ACT 1955

	\$
For every notice of a marriage intended to be solemnised by a marriage celebrant, and for every notice under section 41 of the Act	15.00
For every marriage solemnised by a Registrar (including a certified copy of the entry in the register book if that certificate is issued at the time of solemnisation)	20.00
Additional fee in respect of a marriage celebrated by a Registrar at a time when his office is not ordinarily open for the trans- action of public business under the Act	5.00
For every notice under section 42 of the Act	5.00
For every caveat entered	10.00
Search or inspection of marriage notice books or Registrar's marriage register book, in respect of each name or entry searched or inspected	1.00

Reg. 4 SECOND SCHEDULE—*continued*

	\$
Search in any index or marriage records in the office of the Registrar-General, in respect of each name or entry searched:	
For every search extending up to 3 years	0.50
For every search extending beyond 3 years and up to 10 years	2.00
For every search extending beyond 10 years and up to 20 years	4.00
For every search extending beyond 20 years and up to 50 years	10.00
For every search extending beyond 50 years, for each 10 years	2.00
Verification of items in a marriage entry—	
For every 3 items verified	1.00
For every item numbering fewer than 3	0.50
For every certified copy of an entry in a Registrar's marriage register book (other than for a certificate issued at the time of solemnisation) and for every certified copy of an entry in the records of the office of the Registrar-General (including search not extending beyond a period of 3 years) ..	4.00
In respect of every application under subsection (1) of section 55A of the Act	5.00
Registration of marriage by Registrar-General under section 38 (2) of the Act	5.00

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations replace the Marriage Regulations 1956, and apart from deleting one form no longer in use reflect the lowering of the age of majority to 20, and the amendments effected by the Marriage Amendment Act 1976. The fees for various matters done pursuant to the Marriage Act 1955 have, with 3 exceptions, been increased.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 2 June 1977.

These regulations are administered in the Department of Justice.