

LAWS OF BRUNEI

CHAPTER 76

MARRIAGE

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LAWS OF BRUNEI

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CHAPTER 76

MARRIAGE

ARRANGEMENT OF SECTIONS

Section

PART I

PRELIMINARY

1. Citation and application.
2. Interpretation.
3. Capacity to marry.
4. Modes of solemnising marriages.
5. Religious and civil marriages.
6. Power to licence ministers of religion.
7. Consent requisite in case of minor.
8. Appointment of Marriage Registrars.

PART II

RELIGIOUS MARRIAGES

9. Notice of marriage to be given.
10. Publication of banns or exhibition of notice.
11. Declaration before marriage.

12. Protesting marriage.
13. Marriage to be solemnised within 3 months.
14. Registration of religious marriages.

PART III

CIVIL MARRIAGES

15. Notice of marriage to be given.
16. Copy to be exhibited in Registrar's office.
17. Marriage Notice Book.
18. Declaration before marriage.
19. Protesting marriage.
20. Marriage to be solemnised within 3 months.
21. Special licence by Registrar.
22. Ceremony before Registrar.
23. Registration of marriage.
24. Entries in Register.
25. Registrar may refuse to marry in certain circumstances.

PART IV

OFFENCES AND PENALTIES

26. False declaration.
27. False impersonation of person whose consent is required.
28. Unqualified person solemnising marriage.
29. Solemnising marriage without witnesses.
30. Solemnising marriage without notice.
31. Tampering with documents.
32. Failure to keep register or to issue copies.

PART IV

GENERAL

- 33. Marriage not void on account of irregularity in certain matters.
- 34. Retrospective effect.
- 35. Petition to High Court.
- 36. Correction of errors in register.
- 37. Searches in register.
- 38. Fees.
- 39. Certified copies of entries to be admissible in evidence.
- 40. Forms.
- 41. Rules.

FIRST SCHEDULE	—	PROHIBITED DEGREES OF KINDRED
SECOND SCHEDULE	—	NOTICE OF MARRIAGE
THIRD SCHEDULE	—	CERTIFICATE OF DUE PUBLICATION OF BANNES OR DUE EXHIBITION OF NOTICE
FOURTH SCHEDULE	—	MARRIAGE REGISTER BOOK OF CHURCH MARRIAGE
FIFTH SCHEDULE	—	MARRIAGE REGISTER BOOK OF CIVIL MARRIAGES
SIXTH SCHEDULE	—	LICENCES
SEVENTH SCHEDULE	—	DECLARATION AT MARRIAGE CEREMONY BEFORE REGISTRAR
EIGHTH SCHEDULE	—	FEES

MARRIAGE ACT

An Act to provide for the solemnisation and registration of church and civil marriages

Commencement: 3rd August 1948

PART I

PRELIMINARY

Citation and application.

1. (1) This Act may be cited as the Marriage Act.

(2) This Act shall not apply to marriages contracted according to the usages of Muslims, Hindus, Buddhists, Dayaks and other persons governed by their own laws or customs of marriage which are recognised by Brunei Darussalam law to be valid and effective if one of the parties to such marriage is a member of the race or religion according to whose usages the marriage is contracted.

Interpretation.

2. In this Act, unless the context otherwise requires —

“Anglican” means and applies to the Church in Brunei Darussalam in communion with the Church of England as established by the law of England;

“Christian” means a person professing the Christian religion;

“Church of Rome” means and applies to the Church under the spiritual jurisdiction of the Pope of Rome;

“Church of Scotland” means the Church of Scotland as established by law;

“civil marriage” means a marriage solemnised in the office of a Marriage Registrar in accordance with the provisions in that behalf of this Act;

“marriage” means a marriage as understood by English law, that is, the voluntary union for life or until the marriage is dissolved by a court of competent jurisdiction of one man with one woman to the exclusion of all others;

“Marriage Registrar” means a person appointed under the provisions of this Act for the purpose of conducting civil marriages;

“minister of religion” means any priest of the Anglican Church, any minister of the Church of Scotland or Presbyterian Church of England, any priest of the Church of Rome and or any other minister or ecclesiastical or religious official of any other denomination or sect who is authorised under this Act to solemnise marriages;

“minor” means a person who, not being a widow or widower, is under the age of 18 years;

“religious marriage” means a marriage solemnised in any church, chapel or any other authorised building in accordance with the rites and ceremonies of any religious denomination;

“Roman Catholic” means and applies to the Church under the spiritual jurisdiction of the Pope of Rome;

“Senior Marriage Registrar” means the Marriage Registrar for Brunei Darussalam.

Capacity to marry.

3. (1) No two persons shall be capable of contracting a valid marriage unless the following conditions are fulfilled —

(a) both parties to the intended marriage have reached the age of 14 years;

(b) both parties to the intended marriage are not related to each other within the degrees of kindred set out in the First Schedule;

(c) if domiciled elsewhere than in the State, the parties to the intended marriage are not related to each other within a degree of kindred prohibited by the law of the country of their domicile;

(d) neither party to the intended marriage is bound by a valid subsisting marriage to a third person;

(e) at the time of the marriage, neither party is a lunatic, an idiot or a person whose mental condition makes him or her incapable of understanding the nature of the marriage contract;

(f) the parties to the intended marriage freely consent to marry each other:

Provided that absence of consent shall not be inferred merely from the fact that one party was induced by fraud to marry the other.

(2) A marriage shall be void unless all the conditions set out in subsection (1) are fulfilled.

Modes of solemnising marriages.

4. (1) Every marriage under this Act shall be solemnised either by a minister of religion or in accordance with section 22.

(2) Subject to the provisions of section 35, every marriage, not being a marriage to which by virtue of section 1(2) does not apply, either or both of the parties to which is monogamous by religion or by the law of his domicile, if solemnised otherwise than in accordance with subsection (1), shall be void.

(3) Subject to the provision of sections 34 and 35, every marriage solemnised before the coming into operation of this Act, not being a marriage to which by virtue of section 1(2) does not apply, either or both of the parties to which is monogamous by religion or by the law of his domicile, shall be and shall be deemed always to have been void, unless it was solemnised by a minister of religion or civil authority under the laws in that behalf then in force.

Religious and civil marriages.

5. (1) A marriage by a minister of religion shall be solemnised according to the rules, rites and ceremonies of the Anglican Church, the Church of Rome, the Church of Scotland, or the Presbyterian Church of England by a duly authorised priest or minister of one of those Churches or according to the rules, rites and ceremonies of the denomination of any minister of religion licensed under section 6.

(2) A marriage before a Registrar shall be solemnised in accordance with section 22.

Power to licence ministers of religion.

6. His Majesty the Sultan and Yang Di-Pertuan in Council may —

(a) grant licences to ministers of religion of denominations other than those mentioned in section 5(1) to solemnise marriages according to the rules, rites and ceremonies of their respective denominations; and

(b) revoke or cancel such licences.

Consent requisite in case of minor.

7. (1) If any party to an intended marriage is a minor, the marriage shall not be solemnised unless such minor first obtains —

(a) the consent of the father of such minor;

(b) if the father be dead, or if his consent is not reasonably obtainable, the consent of the guardian of such minor; or

(c) failing such guardian, the consent of the mother (if living) of such minor.

(2) If the person whose consent is required is of unsound mind, or withholds the requisite consent, the High Court, if satisfied that the consent is unreasonably withheld, may issue an order of consent, *in lieu* of the consent required by subsection (1).

(3) Where there is no one living who is capable of giving a valid consent, the marriage may in the discretion of the minister or registrar proceed without such consent.

(4) No marriage solemnised without the consent or order of the High Court as required by subsection (1) or (2) respectively, shall be void by reason only of the absence of such consent or order, but the minister or registrar solemnising the marriage shall be liable to the penalties prescribed in section 30.

Appointment of Marriage Registrars.

8. (1) His Majesty the Sultan and Yang Di-Pertuan shall appoint a public officer to be a Senior Marriage Registrar.

(2) His Majesty the Sultan Yang Di-Pertuan may appoint public officers to be Marriage Registrars for any place, area or district.

PART II

RELIGIOUS MARRIAGES

Notice of marriage to be given.

9. One of the parties to every intended religious marriage shall give notice thereof to the minister of religion before whom it is intended that the marriage shall be solemnised or to some person acting on his behalf. Such notice shall be in the form prescribed in the Second Schedule and shall contain —

- (a) the full name and nationality of each of the parties to the intended marriage;
- (b) the profession and status or condition of each party;
- (c) the dwelling place of each party;
- (d) the time during which each party has dwelt there;
- (e) the age of each party to the intended marriage;
- (f) the church, chapel or building in which the marriage is to be solemnised;
- (g) the date on which notice is given.

Publication of banns or exhibition of notice.

10. (1) The marriage of which notice is given under section 9 shall not be solemnised until either —

- (a) the banns of the marriage have been published on at least three occasions separated by intervals of not less than 7 days; or

(b) the notice has been exhibited for at least 14 days in some conspicuous part of the church, chapel or building in which it is intended to solemnise the marriage, or in the office of the Marriage Registrar of the District.

(2) If neither of the parties to the intended marriage has resided in the District in which the notice under section 9 is given for at least 14 days next before the giving of the notice, the minister of religion shall not solemnise the marriage until the banns have been duly published or the notice duly exhibited in the District in which one of the parties resides.

(3) Where a marriage is solemnised by —

(a) a priest of the Anglican Church under a specific licence for that marriage from the Bishop of Borneo or his Commissary or Surrogate;

(b) a priest of the Church of Rome under licence from his ecclesiastical superior who is duly authorised by the rules of that Church to grant such licences; or

(c) any minister of religion under licence granted by the Senior Marriage Registrar,

it shall not be necessary to publish the banns or exhibit the notice as required by subsection (1):

Provided that a licence granted under this subsection shall apply only in respect of the particular marriage for which it is granted.

Declaration before marriage.

11. (1) No minister of religion shall solemnise any marriage until —

(a) one of the parties has made either verbally or in writing a solemn declaration before him that he or she believes that there is no impediment of kindred or affinity or other legal hindrance to the marriage, and further, if either party to the intended marriage is a minor, that the consent required under section 7 has been duly obtained; and

(b) he is satisfied that the provisions of section 10 have been complied with.

(2) A minister of religion may solemnise any marriage on the certificate of another minister of religion of the same denomination or of a Marriage Registrar, that the respective provisions of section 10(1) have been complied with. Such certificate shall be in the form prescribed in the Third Schedule or to the like effect.

Protesting marriage.

12. Any person whose consent is required under section 7 to a marriage or any person who is aware of any just impediment to the marriage may, before the solemnisation of the marriage, give notice of his objection verbally or in writing and thereupon the marriage shall not be solemnised until the minister of religion has inquired into the matter and is satisfied that the marriage may lawfully proceed.

Marriage to be solemnised within 3 months.

13. (1) A marriage shall be solemnised within 3 calendar months after the date of the due publication of the banns or the due exhibition of the notice as required by section 10(1).

(2) A marriage solemnised after the expiration of the 3 months required by this section shall not for that reason only be invalid.

Registration of religious marriages.

14. (1) All religious marriages under this Act shall be registered in the manner following —

(a) every minister of religion shall enter in a register the particulars of every marriage solemnised by him in accordance with the form prescribed in the Fourth Schedule. Such entry shall be made immediately after the solemnisation of the marriage and shall be signed and certified by the officiating minister, both the parties to the marriage and at least two witnesses to the marriage ceremony;

(b) a copy of each entry in the register duly signed and certified by the officiating minister of religion shall within one month from the date of solemnisation of the marriage be forwarded to the Marriage Registrar for the District in which the marriage was solemnised.

(2) The Marriage Registrar shall cause such certified copy to be filed, and shall make an entry recording the registration in a Marriage Register Book to be kept by him for the purpose and shall sign and date such entry.

(3) Entries made in the Marriage Registers under subsections (1) and (2) shall be made in order from the beginning to the end of the Register and shall be numbered consecutively.

PART III

CIVIL MARRIAGES

Notice of marriage to be given.

15. One of the parties to every intended civil marriage shall give notice to the Marriage Registrar before whom it is intended that the marriage shall be solemnised or to some person acting on his behalf. Such notice shall be in the form prescribed in the Second Schedule and shall contain —

- (a) the full name and nationality of each of the parties to the intended marriage;
- (b) the profession and status or condition of each party;
- (c) the dwelling place of each party;
- (d) the time during which each party has dwelt there;
- (e) the age of each party to the intended marriage;
- (f) the place at which the marriage is intended to be solemnised;
- (g) the date on which notice is given.

Copy to be exhibited in Registrar's office.

16. (1) The Marriage Registrar receiving the notice under section 15 shall cause a copy thereof to be exhibited in some conspicuous position in his office for at least 14 days.

(2) If neither of the parties to the intended marriage has resided in the District in which the notice under section 15 is given for at least 14 days next before the giving of the notice, the Marriage Registrar shall not solemnise the marriage until the notice has been duly exhibited in the office of the Marriage Registrar of the District in which one of the parties resides.

Marriage Notice Book.

17. The Marriage Registrar shall file all such notices in a book, to be called the Marriage Notice Book, which shall be open to inspection by all persons without fee during the usual office hours of the Registrar.

Declaration before marriage.

18. (1) No Marriage Registrar shall solemnise any marriage until —

(a) one of the parties has made a solemn declaration before him in the form prescribed by section 11(1); and

(b) until he is satisfied that the provisions of section 16 have been complied with.

(2) The Marriage Registrar solemnising a marriage may accept the certificate of another Marriage Registrar that the provisions of section 16(2) have been complied with. Such certificate shall be in the form prescribed in the Third Schedule or to the like effect.

Protesting marriage.

19. Any person whose consent is required under section 7 to a marriage or any person who is aware of any impediment to the marriage may, before the solemnisation of the marriage, give notice of his objection verbally or in writing and thereupon the marriage shall not be solemnised nor shall a certificate be given under section 18(2) until the Marriage Registrar has inquired into the matter and is satisfied that the marriage may lawfully proceed.

Marriage to be solemnised within 3 months.

20. (1) A marriage shall be solemnised within 3 calendar months after the date of the due exhibition of the notice as required by section 16.

(2) A marriage solemnised after the expiration of the 3 months required by this section shall not for that reason only be invalid.

Special licence by Registrar.

21. On payment of the prescribed fee, the Senior Marriage Registrar on receiving the notice under section 15 and the declaration under section 18(1)(a), may by special licence under his hand himself solemnise or may authorise a minister of religion or any Marriage Registrar to solemnise a

marriage, notwithstanding that the notice has not been exhibited as required by section 16.

Ceremony before Registrar.

22. (1) The parties to the intended marriage shall attend before the Marriage Registrar and in the presence of two credible witnesses besides the Marriage Registrar the following ceremony shall take place in a language understood by the parties —

(a) Each party shall declare as follows —

“I solemnly and sincerely declare that I do not know of any impediment why I, *A. B.*, may not marry *C. D.*”

(b) Each of the parties shall then say to the other —

“I call upon these persons here present to witness that I, *A. B.*, take you, *C. D.* to be my lawful wedded wife (or husband).”

(c) The Registrar shall then say to the parties —

“I declare that you, *A. B.*, and you, *C. D.*, are man and wife together.”

(2) The forms prescribed in the Seventh Schedule may be used for the purposes of this section.

Registration of marriage.

23. (1) On payment of the prescribed fee, the Marriage Registrar shall register the marriage in the presence of the parties and the witnesses by entering the marriage in the Marriage Register book in the form prescribed in the Fifth Schedule.

(2) The entry shall then be signed by the Marriage Registrar, the parties to the marriage and the two witnesses.

Entries in Register.

24. Entries made in the Marriage Register under section 23 shall be made in order from the beginning to the end of the Register and shall be numbered consecutively.

Registrar may refuse to marry in certain circumstances.

25. (1) If it appears to a Marriage Registrar that the parties to an intended marriage, not being Christians, are, though of same mind, incapable by reason of their antecedents, mentality or education, of fully understanding and fulfilling the duties and obligations of a marriage as defined by this Act, he may in his discretion refuse to accept the notice of marriage required by section 15 or may refuse to solemnise the marriage until he is satisfied that it is expedient in the interests of the parties to accept the notice or to solemnise the marriage.

(2) In exercising his discretion under this section, the Registrar shall consider whether the parties are able to marry each other under a custom more suited to their mentality and understanding.

(3) Any party aggrieved by the refusal of a Marriage Registrar to accept a notice or to solemnise a marriage under this section may appeal to the Senior Marriage Registrar without fee.

PART IV**OFFENCES AND PENALTIES****False declaration.**

26. Whoever for the purpose of procuring any marriage intentionally makes any false oath, declaration or affirmation, or who intentionally signs any false notice or certificate required by this Act, is guilty of an offence and liable on conviction to a fine and imprisonment for 5 years.

False impersonation of person whose consent is required.

27. Whoever objects under section 12 to a marriage by a minister of religion, or under section 19 to a marriage by a Marriage Registrar, by falsely and knowingly representing himself to be a person whose consent to the marriage is required by this Act, is guilty of an offence and liable on conviction to a fine and imprisonment for 3 years.

Unqualified person solemnising marriage.

28. Whoever not being authorised under this Act to solemnise a marriage, knowingly solemnises a marriage or purports to do so is guilty of an offence and liable on conviction to a fine and imprisonment for 10 years.

Solemnising marriage without witnesses.

29. Whoever knowingly and wilfully solemnises a marriage without the presence of two credible witnesses besides the person so solemnising is guilty of an offence and liable on conviction to a fine and imprisonment for 3 years.

Solemnising marriage without notice.

30. Any person duly authorised to solemnise a marriage who —

(a) knowingly and wilfully solemnises a marriage when one of the parties thereto is a minor and the consent required by section 7 has not been obtained; or

(b) knowingly and wilfully solemnises a marriage except under a valid licence when —

(i) the banns have not been duly published;

(ii) the notice required under section 10 or 16 has not been duly exhibited; or

(iii) after the expiration of 3 months after the date of the due publication of the banns or due exhibition of the notice,

is guilty of an offence and liable on conviction to a fine and imprisonment for 3 years.

Tampering with documents.

31. Any person who —

(a) wilfully destroys, tampers with or injures any Marriage Register book, any entry or certificate therein or any extract or certified copy of such entry;

(b) wilfully and falsely makes or counterfeits any certificate or part of any Marriage Register book; or

(c) wilfully inserts any false entry in such Marriage Register book, certified copy, counterfoil copy or extract,

is guilty of an offence and liable on conviction to a fine and imprisonment for 7 years.

Failure to keep register or to issue copies.

32. Whoever being required under this Act to keep a register of marriages —

- (a) fails to keep a proper register as prescribed in this Act; or
- (b) neglects or refuses to give a certified copy of any entry in such register to any person legally requiring the certified copy on tender of the prescribed fee; or
- (c) does any act or thing which he is prohibited from doing or omits to do any act or thing required of him under this Act for which no penalty is expressly prescribed in this Act,

is guilty of an offence and liable on conviction for the first offence a fine of \$1,000, and for every subsequent offence a fine of \$2,000.

PART V**GENERAL****Marriage not void on account of irregularity in certain matters.**

33. A marriage solemnised under this Act shall not be void merely on account of any irregularity in respect of any of the following matters —

- (a) any statement made in regard to the dwelling place of the persons married or to the consent of any person whose consent to such marriage is required by law;
- (b) notice of the marriage;
- (c) the certificate or translation thereof;
- (d) the time and place at which the marriage was solemnised;
- (e) the registration of the marriage.

Retrospective effect.

34. A marriage solemnised prior to 3rd August 1948, being the date of commencement of this Act shall not be void merely on account of any of the following matters —

- (a) it was not registered by the civil authority;
- (b) there was an irregularity in form or procedure;
- (c) the parties thereto or either of them were not native Christians or were not of different or of no religion.

Petition to High Court.

35. Where it appears that there has been any irregularity in form or procedure or otherwise in any marriage, whether celebrated under this Act or not, a Judge on the application of any person interested may declare that such marriage is valid if satisfied that —

- (a) the parties thereto intended to contract a marriage as defined by this Act or were debarred by the law of their religion or their domicile from contracting a marriage otherwise than in accordance with this Act; and
- (b) there is no factor which under the provisions of section 3 would render the marriage void.

Correction of errors in register.

36. (1) If any person whose duty it is to register any marriage discovers any error in the form or substance of any certificate or entry in the register kept by him, he shall forthwith proceed to correct such certificate or entry in the presence of the parties to the marriage or in their absence in the presence of two independent witnesses.

(2) The person making such correction shall sign his name in the margin opposite such correction and his signature shall be attested by the parties to the marriage or by two independent witnesses in the absence of the parties.

(3) A certified copy of such corrected certificate or entry under the hand of the person making it shall be sent to the person, if any, to whom the original certificate was sent.

Searches in register.

37. (1) Every Marriage Register and every certificate or copy of any entry in a Marriage Register shall be open to the inspection of the public on payment of the prescribed fee, and the person authorised to solemnise marriages and having the custody of such registers or certificates shall, if required, give copies certified under his hand of any certificate or entry in any Register relating to any marriage.

(2) On payment of the prescribed fee, a minister of religion or a Marriage Registrar shall give, when required, a certificate that the provisions of sections 10 and 18 respectively have been complied with.

Fees.

38. (1) The fees chargeable by Marriage Registrars under this Act shall be as prescribed in the Eighth Schedule.

(2) His Majesty the Sultan and Yang Di-Pertuan in Council may cancel, vary or add to the fees prescribed in the Eighth Schedule or he may in any particular case vary or remit them in writing under his hand.

Certified copies of entries to be admissible in evidence.

39. A certified copy purporting to be signed by any person authorised to solemnise marriages of any entry in a Marriage Register or of any certificate or other document kept under his charge shall be admissible in evidence.

Forms.

40. Licences or special licences granted under this Act may be in accordance with the forms prescribed in the Sixth Schedule.

Rules.

41. His Majesty the Sultan and Yang Di-Pertuan in Council may by notification make rules for the purpose of carrying out any of the provisions of this Act and may add to, amend, vary or cancel any of the Schedules.

FIRST SCHEDULE

(section 3(1)(b))

PROHIBITED DEGREES OF KINDRED

A man may not marry his —

grandmother
 grandfather's wife
 wife's grandmother

 father's sister
 mother's sister
 father's 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
 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

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
 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

SECOND SCHEDULE

(sections 9 and 15)

NOTICE OF MARRIAGE

To _____, a Minister (or Registrar) of

I hereby give notice that a marriage is intended between me and the other person named below —

Names	Condition (bachelor, spinster, widow or widower)	Rank, profession or employment	Age	Dwelling place	Length of Residence	Nationality	Church, Chapel or place in which the marriage is to be solemnised

I do hereby solemnly declare that to the best of my knowledge and belief there exists no lawful impediment to this intended marriage* and that I have obtained the necessary consent thereto.

(The Minister or Registrar should explain what is a lawful impediment. See notes on back).

*Delete if not applicable.

Witness my hand, this _____ day of _____, 20____.

(Signed)

SECOND SCHEDULE — *(continued)*

[REVERSE SIDE OF FORM PRESCRIBED IN SECOND SCHEDULE]

Notes

1. Before signing the declaration, the person giving the notice should be examined by the Minister or Registrar as to the possible existence of any impediment to the marriage.
2. The following constitute “lawful impediment” —
 - (a) Relationship between the parties as set out in the First Schedule to the Marriage Act;
 - (b) Previous subsisting marriage of either party;
 - (c) Insufficient age of either party;
 - (d) Insanity of either party.
3. In addition to the causes set out in paragraph 2 a marriage may be invalid if there is a lack of real consent between the parties, e.g. if the marriage is procured by duress or if there is an erroneous belief as to the ceremony.
4. In the case of a minor, the consent of a parent or guardian or of the Court may be necessary. (See section 7 of the Marriage Act (Chapter 76)).
5. When marriage by civil ceremony between non-Christian Asians is contemplated, the attention of the Registrar is drawn to section 25 of the Act, and in such cases he should make inquiries regarding the personal law of the parties.

THIRD SCHEDULE

(sections 11 and 18(2))

CERTIFICATE OF DUE PUBLICATION OF BANNS OR DUE EXHIBITION OF NOTICE

I, _____, do hereby certify that on the _____ day of _____, 20____, notice of an intended marriage between the parties following was duly given to me by _____ and that it was duly entered in my Marriage Notice Book.

Names	Condition	Rank, profession or employment	Age	Dwelling place	Length of Residence	Church, Chapel or place in which the marriage is to be solemnised

I further certify that the declaration, required by section 11 (or 18) of the Marriage Act (Chapter 76) has been duly made by the said _____,

*that the banns have been duly published; (or a notice has been duly exhibited); that no objection to the marriage has been made by any person;

*that the consent of _____ as required by section 7 has been duly given;

*that there is no one living who is capable of giving a valid consent;

Date and place of notice entered _____

Date of notice exhibited
banns published

Where published or exhibited _____

(Signed)

Minister (or Registrar).

*Delete clauses not applicable

FOURTH SCHEDULE

(section 14(1)(a))

MARRIAGE REGISTER BOOK OF CHURCH MARRIAGES

Marriage solemnised at				in Brunei Darussalam				
No.	When married Day, month, year	Name of parties Christian name, surname	Age	Condition	Rank, profession of employment	Residence at time of marriage	Father's name and surname	Rank, profession or employment of father

This marriage was [] in the presence of us [] Address and descriptions of both
solemnised between us [] Names of both witnesses [] witnesses.
Married at according to the Rites and Ceremonies of the Church of by me.
(Signed)

Officiating Priest or Minister.

The certified copy sent to the Marriage Registrar under section 14(2) shall in addition bear the following certificate —
I, , hereby certify that the above is a true copy of the entry No. in the Register of Marriages kept at
Witness my hand, this day of , 20 .

*(Signed)**Officiating Priest or Minister.*

When the certified copy of this certificate is entered in the Marriage Register Book of the Marriage Registrar of the District the date on which it is received and the date on which it is entered and the amount of the fee paid shall be added and the entry signed by the Marriage Registrar, or the following certificate may be used —

This certificate was received on the day of , 20 , and was entered by me in the Marriage Register Book for the
of

Fee \$ paid
(Date)

*(Signed)**Marriage Registrar.*

(section 23(1))

Page .

[illegible]

This marriage was { } in the presence of { }
solemnised between us { } Names of both witnesses { } Address and descriptions of both
witnesses.

Married in the _____ by Civil Ceremony by me.

(Signed)
Marriage Registrar for the District of

This form may also be used as a Certificate of Marriage when the following certificate should be added —
I hereby certify that the above is true copy of the entry No. _____ in the Register of Marriages kept at _____

(Signed)
Marriage Registrar for the District of

SIXTH SCHEDULE

(section 40)

LICENCES

LICENCE TO SOLEMNISE MARRIAGES

Whereas the Reverend _____, residing at _____, a Priest/Minister of Religion of the _____ [*here specify the religious denomination*], is desirous of being authorised to celebrate marriages within the _____.

Now therefore in pursuance of the Marriage Act (*Chapter 76*), His Majesty the Sultan and Yang Di-Pertuan in Council has authorised the said _____, so long as this licence remains unrevoked to solemnise marriages in the _____.

Dated this _____ day of _____, 20 ____.

Clerk to the Council of Ministers

SPECIAL LICENCE

Whereas _____ and _____ desire to marry and sufficient cause has been shown to me why such marriage should be allowed without the formalities prescribed by the Marriage Act.

Now therefore in pursuance of the said Act I do dispense with the publication of banns the exhibition of notice [*or as the case may be*] and I do hereby authorise to solemnise the marriage between the said _____ and _____ at _____ [*place of solemnisation*] upon the _____ day of _____, 20 __, between the hours of _____ and _____.

Given under my hand at _____ this _____ day of _____, 20 ____.

Senior Marriage Registrar

SEVENTH SCHEDULE

(section 22(2))

DECLARATION AT MARRIAGE CEREMONY BEFORE REGISTRAR

- (a) Declaration by each party that there is no impediment —

Bahawa saya dengan bersungguh-sungguh hati menyatakan iaitu saya tidak tahu apa-apa sekatan sebab-sebab yang saya A.B. tidak boleh berkahwin dengan C.D.

بهوا ساي دغن برسڠكوه ۲ هاتي مپتاكن يأت ساي تيدق
تاهواث ۲ سكاتن سبب ۲ يڠ ساي A.B. تيدق بوليہ بر كهوين
دغن C.D.

- (A) 我照良心。虔敬發誓。我並不知有阻礙我某某之所不應與某某結婚之原因

- (b) Declaration by each party that he or she takes the other as wife or husband —

Saya maklumkan kepada orang-orang yang ada hadir kerana menyaksikan ia itu saya A.B. mengambil engkau C.D. menjadi isteri saya (atau suami).

ساي مملو مكن كفداورڠ يڠ اد خضير كران مپتسيكن
يأت ساي A.B. مڠمبل اغكو C.D. منجادي استري ساي
(اتو سوامي)

- (B) 我請求在場諸人作證。我某某與某某依法結合為結髮夫婦

- (c) Declaration by Registrar that the parties are man and wife —

Saya isytiharkan iaitu engkau A.B. dan C.D. menjadi laki dan isteri.

ساي استهاركن يأت اغكو A.B. دان C.D. منجادي لاكي
دان استري

- (C) 我當衆宣佈你某某同你某某現今成為夫婦矣

EIGHTH SCHEDULE

(section 38(1))

FEES

- | | |
|--|-------|
| (a) For receiving and publishing a notice of an intended marriage under sections 15 and 16 | \$100 |
| (b) For entering a protest under section 19 | \$100 |
| (c) For issuing the certificate referred to in section 11 or 18 | \$50 |
| (d) For granting a special licence under section 21 | \$500 |
| (e) For solemnising and registering a marriage under sections 22 and 23 including a certified copy of the marriage certificate | \$100 |
| (f) For registering each religious marriage under section 14(3) | \$100 |
| (g) For searching registers or records for entries of marriage including one certificated copy of any one entry | \$50 |
| (h) For each subsequent copy | \$50 |

[S 42/2005]