

The Marriage Regulations

Repealed

by Chapter M-4.1 Reg 1 (effective February 13, 1997).

Formerly

Chapter M-4 Reg 1 as amended by Saskatchewan
Regulations 9/84, 138/84, 76/85, 10/87, 50/88, 18/92, 97/92
and 20/96.

Table of Contents

- 1 Title
- 2 Interpretation
- 3 Fees to director
- 4 Fees to issuer
- 5 Fees to commissioner
- 6 Repealed
- 7 Repealed
- 8 Repealed
- 9 Forms

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

CHAPTER M-4 REG 1

The Marriage Act

Title

1 These regulations may be cited as *The Marriage Regulations*.

Interpretation

2 In these regulations, “**Act**” means *The Marriage Act*.

26 Jne 81 cM-4 Reg 1 s2.

Fees to director

3(1) Every issuer shall pay the amount of \$35 to the director for each form of licence he receives from the director.

(2) Every issuer shall pay the amount mentioned in subsection (1) before he receives the form of licence.

26 Jne 81 cM-4 Reg 1 s3; 24 Jne 88 SR 50/88 s3; 3 Apr 92 SR 18/92 s3.

Fees to issuer

4 Every issuer is entitled to receive the amount of \$50 from each person requiring a licence.

26 Jne 81 cM-4 Reg 1 s4; 24 Jne 88 SR 50/88 s4; 3 Apr 92 SR 18/92 s3.

Fees to commissioner

5(1) A commissioner is entitled to be paid a fee of \$50 for each marriage performed.

(2) A commissioner is entitled to be paid a fee for travelling expenses in accordance with the tariff of travel expenses approved pursuant to *The Public Service Act* for employees of the public service where:

(a) the commissioner and the parties to the marriage agree to the payment prior to the marriage ceremony; and

(b) the marriage ceremony is outside the urban municipality where the commissioner resides

3 May 96 SR 20/96 s2..

6 Repealed. 16 Aug 85 SR 76/85 s3.

7 Repealed. 16 Aug 85 SR 76/85 s3.

8 Repealed. 16 Aug 85 SR 76/85 s3.

Forms

9 The forms set out in the Appendix are prescribed for the purposes of the Act.

26 Jne 81 cM-4 Reg 1 s9.

MARRIAGE

M-4 REG 1



Province of Saskatchewan

Department of Justice

Marriage Licence
Form M-3

TO BE COMPLETED BY THE OFFICIATING CLERGY OR MARRIAGE COMMISSIONER.

I hereby certify that:

_____ of _____
Full Name of Bridegroom Resident Address After Marriage

and

_____ of _____
Full Name of Bride Resident Address After Marriage

were married by me at _____ in the Province of Saskatchewan,
 this _____ day of _____, 19 _____.

Signature of Officiating Clergy or Marriage Commissioner

Address in Full

City, Province and Postal Code

Officiating Clergy's Religious Denomination

Registration Number of Officiating Clergy or Marriage Commissioner

Within forty-eight hours after solemnization of the marriage, the officiating clergy or marriage commissioner shall forward, by mail, to the **Director of Vital Statistics**, this licence and any other documents pertaining to this marriage. These forms must be attached to the registration form and then be submitted by the officiating clergy or marriage commissioner in accordance with the provisions of **The Marriage Act**.

(All Marriage Licence Issuers Please Ensure Couple Reads)

DEGREES OF CONSANGUINITY THAT BAR THE LEGAL SOLEMNIZATION OF MARRIAGE			
A MAN may not marry his		A WOMAN may not marry her	
Grandmother	Granddaughter	Grandfather	Grandson
Mother	Sister	Father	Brother
Daughter		Son	

The relationships set forth in this table include all such relationships, whether by the whole or half blood or by order of adoption.

STATUTORY DECLARATION

Form M-4
(PLEASE PRINT CLEARLY IN BLACK INK)

As _____ of _____
Full Name of Bridegroom City and Province

And _____ of _____
Full Name of Bride City and Province

wish to marry each other, we each solemnly declare that according to the best of our knowledge and belief there is no relationship, known as degrees of consanguinity, or any other legal impediment to bar the solemnization of our marriage. And we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, and by virtue of the *CANADA EVIDENCE ACT*.

TO BE COMPLETED BY BRIDEGROOM

1. Statement of Age

I am _____ years of age.

2. Statement of Marital Status

I have never been married.

I am widowed. My former spouse died on

_____ at _____
(date) (place)

I am divorced. I presented to the Issuer of Marriage Licences a **Decree Absolute of Divorce/Certificate of Divorce**.

dated _____
(date)

at _____
(place)

as proof of dissolution of my marriage.

My previous marriage was annulled. I presented to the Issuer of Marriage Licences a **Decree of Nullity of Marriage**.

dated _____
(date)

at _____
(place)

as proof of annulment of my marriage.

Signature of Bridegroom

TO BE COMPLETED BY BRIDE

1. Statement of Age

I am _____ years of age.

2. Statement of Marital Status

I have never been married.

I am widowed. My former spouse died on

_____ at _____
(date) (place)

I am divorced. I presented to the Issuer of Marriage Licences a **Decree Absolute of Divorce/Certificate of Divorce**.

dated _____
(date)

at _____
(place)

as proof of dissolution of my marriage.

My previous marriage was annulled. I presented to the Issuer of Marriage Licences a **Decree of Nullity of Marriage**.

dated _____
(date)

at _____
(place)

as proof of annulment of my marriage.

Signature of Bride

Declared before me at _____

in the Province of Saskatchewan, this _____

day of _____, 19 _____.

Signature of Issuer of Marriage Licences

Declared before me at _____

in the Province of Saskatchewan, this _____

day of _____, 19 _____.

Signature of Issuer of Marriage Licences

The above named couple have decided to marry each other and wish to have their marriage solemnized under **The Marriage Act** of Saskatchewan, I do hereby grant this licence to them by virtue of which any person authorized to solemnize marriages within the Province of Saskatchewan is entitled to solemnize their marriage at any time within three months from the **effective date shown below**.

But their marriage shall not be solemnized if the clergy or marriage commissioner or either party to the marriage has knowledge that any deception was used in obtaining this licence or that there is any legal impediment to the marriage.

Issued at _____ in the Province of Saskatchewan.

Dated and becoming **effective** on the _____ day of _____, 19 _____.

**THIS LICENCE IS VALID FOR ONLY
3 MONTHS**

Signature of Issuer

(In accordance with subsection 29(4) of **The Marriage Act**, this licence becomes **effective one day after** the date on which the Statutory Declaration was filed with the issuer.)



Province of Saskatchewan

Department of Justice

Statutory Declaration Non-Attendance Before Issuer of Marriage Licences Form M-6

As Full Name of Bridegroom and Full Name of Bride

wish to marry each other and wish to have their marriage solemnized under The Marriage Act of Saskatchewan,

I, Name of City and Province

one of the contracting parties, do solemnly declare that:

1. I reside at Complete Address

2. I am unable to appear before the issuer of Marriage Licences for the following reason:

3. To the best of my knowledge and belief there is no relationship, known as degrees of consanguinity, or any other legal impediment to bar the solemnization of our marriage.

Table with 2 columns: A MAN may not marry his: (Grandmother, Mother, Daughter, Granddaughter, Sister) and A WOMAN may not marry her: (Grandfather, Father, Son, Grandson, Brother). Includes a note: The relationships set forth in this table include all such relationships, whether by the whole or half blood or by order of adoption.

4. I am years of age.

5. I am: single widowed divorced (If widowed, give date and place of death of former spouse.)

(If divorced present Decree Absolute of Divorce/Certificate of Divorce to the marriage licence issuer.)

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

Signature of Bridegroom or Bride

Declared before me at

this day of , 19

Signature of a Justice of the Peace, Commissioner for Oaths or Notary Public

Pursuant to section 35 of The Marriage Act, this document is to be mailed to The Director, Vital Statistics, Saskatchewan Health, Regina, within 48 hours after the solemnization of marriage.

MARRIAGE

M-4 REG 1



Province of Saskatchewan

Department of Justice

Consent to Marriage of a Minor
The Marriage Act [section 37]
Form M-7

PART "A"

This section must be completed by parent(s) or guardian in all cases where the bride or bridegroom is under eighteen years of age. If both parties are under eighteen years of age, two consent forms are required.

I/We hereby give consent for my/our Son, Daughter or Ward

named to marry

and I/we certify that my/our Son, Daughter or Ward is years of age.

Signature of Father or Guardian Signature of Mother

Address of Parents or Guardian

Declared before me at in Saskatchewan, this day of, 19. Issuer of Marriage Licences or any person authorized to take affidavits

The consent of both parents is required except as indicated in section 37 of The Marriage Act (see reverse side of this sheet). If the consent of one parent only is entered, please indicate whether the other parent is deceased or whether subsection (2) or (3) applies.

(If both Living Parent's Signatures are NOT Possible, Part "B" must also be completed.)

Statutory Declaration by Parent
The Marriage Act [subsection 37(3)]

PART "B"

This section must be completed in addition to the section above when the minor has been living with one parent for a period of at least one year immediately preceding the date of the proposed marriage, and where:

- (1) the parents of the minor are not divorced or legally separated but have been living apart during that period; and
(2) the parent not having custody of the minor has not contributed to the support of the other parent or the minor during that period.

I, the Mother or Father of Minor's Name

do solemnly declare:

(1) That Other Parent's Name

and I are the parents of Minor's Name

(2) That, although we are not divorced or legally separated, we have been living apart since Date, 19.

(3) That, since the date mentioned above, Minor's Name has been living with me and Other Parent's Name has not contributed to our support.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

Declared before me at in Saskatchewan, this day of, 19. Signature of Parent

Issuer of Marriage Licences or any person authorized to take affidavits

NOTES: section 37 of *The Marriage Act* regarding the consents required reads as follows:

37(1) Subject to subsections (2) to (6), if either of the parties to an intended marriage is under the age of eighteen years then, before the issue of a licence, there shall be deposited with the issuer a consent to the marriage in the prescribed form:

- (a) by both parents of the minor if both are living; or
 - (b) by the surviving parent of the minor where one of the parents is dead.
- (2) The consent of only one parent shall suffice:
- (a) where that parent has legal custody of the minor and the marriage of the parents has been dissolved or the parents are living separate and apart from each other pursuant to a decree of judicial separation or under a separation agreement; or
 - (b) where the other parent is a patient in an in-patient facility within the meaning of *The Mental Health Services Act*.
- (3) The consent of only one parent shall also suffice where the minor has been living with that parent for a period of at least one year immediately preceding the date of the intended marriage of the minor and where:
- (a) the marriage of the parents of the minor has not been dissolved but the parents have been living separate and apart from each other during that period other than pursuant to a decree of judicial separation or under a separation agreement;
 - (b) the parents have not cohabited as man and wife at any time during that period; and
 - (c) the parent not having custody of the minor has not contributed to the support of the other parent or the minor during that period;

and that parent shall file with the consent in the prescribed form a declaration in the prescribed form.

(4) If one of the parties to the intended marriage is a minor and if both parents of the minor are dead or one of the parents is dead and the other parent is a patient in an in-patient facility within the meaning of *The Mental Health Services Act*, then before the issue of a licence there shall be deposited as stated in subsection (1) a consent of the kind mentioned in that subsection given by a lawfully appointed guardian of the minor or the acknowledged guardian who may have brought up or may for three years immediately preceding the intended marriage have supported the minor.

(5) Where one of the parties to the intended marriage is a minor and the minor has been committed to the Minister of Social Services pursuant to *The Family Services Act*, being chapter F-7 of *The Revised Statutes of Saskatchewan, 1978* or *The Child and Family Services Act*, then before the issue of licence, there shall be deposited as stated in subsection (1) a consent of the kind mentioned in that subsection given by a director within the meaning of that Act.

(6) Subsections (1) to (5) do not apply to a person who is a widow or widower or who has been previously married but whose marriage has been dissolved.

(7) Subject to section 38, the consent required by this section shall be deemed to be a condition precedent to a valid marriage unless the marriage has been consummated or the parties have after the ceremony cohabited and lived together as husband and wife. 1972, c.1, s.42; 1976-77, c.46, s.17; 1990-91, c.11, s.7.

MARRIAGE

M-4 REG 1



Province of Saskatchewan

Department of Justice

List of Clergy Authorized to Solemnize Marriage in Saskatchewan

Form M-9

The _____ (Name of Religious Body/Group)

being a religious body/group within the meaning of The Marriage Act of the Province of Saskatchewan, and having well recognized rites and ceremonies respecting the solemnization of marriage, hereby makes application by its governing authority for the registration of the persons whose names are hereinafter set forth. Each of the said persons is duly ordained or appointed according to the rites and ceremonies of the religious body/group making the application and deemed to be a member of the clergy within the definition of section 2 of The Marriage Act.

The undersigned, being the governing authority duly authorized to act in the premises on behalf of the said religious body/group, hereby certifies to the statements hereinafter set forth.

Dated the _____ day of _____ 19 _____

Signature _____ Address _____

Name	Address	Pastoral Charge

Use Typewriter or Print Names Very Clearly

Editorial Appendix

The following forms are repealed. This table references the number of the form, the number of the regulation and the date of the Gazette in which it can be found.

Form	Gazette Information
Form M-1	Repealed. 2 Oct 92 SR 97/92 s2.
Form M-2	Repealed. 2 Oct 92 SR 97/92 s2.
Form M-8	Repealed. 16 Aug 85 SR 76/85 s4.