

CYPRUS

FOREIGN MARRIAGE

CHAPTER 276 OF THE LAWS

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1959

CHAPTER 276.

FOREIGN MARRIAGE.

ARRANGEMENT OF SECTIONS.

Section	Page
1 Short title	2
2 Interpretation	2
3 Appointment of marriage Officers	2
4 Notice of marriage under 55 & 56 Vict. c. 23	3
5 Notice of intended marriage	3
6 Copy of notice to be filed and posted	3
7 Certificate of notice	3
8 Declaration of parties that no impediment exists	4
9 Consent required for issue of certificate in case of minor	4
10 If the father of minor be <i>non compos mentis</i> , etc., person applying for certificate may apply to Chief Justice	4
11 Caveat against issue of certificate	5
12 Penalty: false statements	5
13 Penalty: removing notices, etc.	5
14 Penalty: forged certificate	5
15 Fees	5
FIRST SCHEDULE.	
<i>Notice of Marriage</i>	6
SECOND SCHEDULE.	
<i>Marriage Officers Certificate</i>	6
THIRD SCHEDULE.	
<i>Fees</i>	6

TO MAKE PROVISION FOR THE GIVING OF NOTICE OF MARRIAGE AND THE ISSUING OF CERTIFICATES THEREOF FOR THE PURPOSES OF MARRIAGE OUTSIDE CYPRUS UNDER THE PROVISIONS OF THE ACT OF THE IMPERIAL PARLIAMENT, THE FOREIGN MARRIAGE ACT, 1892.

1949 Cap. 90.

[11th November, 1922.]

- Short title. 1. This Law may be cited as the Foreign Marriage Law.
- Interpretation. 2. In this Law—
“Marriage Officer” means a person appointed to be a Marriage Officer for the purposes of this Law.
- Appointment of Marriage Officers. 3. The Governor may, for the purposes of this Law, from time to time appoint for each district of the Colony such number of Marriage Officers as he thinks fit and may

remove any such Marriage Officer. Until the Governor shall otherwise provide, every Commissioner shall be a Marriage Officer for his district.

4. A notice of a marriage intended to be solemnized outside Cyprus under the Act of the Imperial Parliament, the Foreign Marriage Act, 1892, or of any Act amending or in substitution for the same may in Cyprus be given and a certificate by a Marriage Officer of the giving of such notice may be obtained in accordance with the provisions of this Law and not otherwise.

Notice of marriage under 55 & 56 Vict. c. 23.

5. A notice of marriage intended to be solemnized under the Foreign Marriage Act, 1892, may be given by one of the parties intending such marriage who has had his usual place of abode for a period of not less than one week immediately preceding in Cyprus to the Marriage Officer of the district in which he has had his place of abode. Such notice shall be as near as may be in the form set forth in the First Schedule and shall be signed by the person by whom it is given.

Notice of intended marriage.

First Schedule.

6. The Marriage Officer to whom the notice is addressed shall file it in his office and shall enter a copy thereof, with the date of entry, in a book to be kept by him for that purpose (which book shall be open to inspection by any person during office hours), and shall cause a copy or copies of the notice to be posted in some public place or places within his district and to remain so posted until he shall issue a certificate in respect of the intended marriage as hereinafter provided, or until the expiration of three months from the date of the notice.

Copy of notice to be filed and posted.

If the person applying for the certificate is a subject of a foreign Government having a Consul in Cyprus, the Marriage Officer shall forward to the Cyprus Consulate of such Government a certified copy of the notice of marriage; and if the person applying for the certificate is a person who, being an Ottoman subject became or shall become, or who, being the child of such person, shall become, a British subject under or by virtue of the Cyprus (Annexation) Orders in Council, 1914 and 1917, the Marriage Officer shall forward a copy to the competent ecclesiastical chief of such person.

7. At any time not more than three months nor less than fifteen days after the giving of the notice, the Marriage Officer receiving it or some other Marriage Officer of the

Certificate of notice.

Second
Schedule.

same district shall, on the request of the person giving the notice, give to him a certificate as near as may be in the form in the Second Schedule, unless the issue of such certificate has been forbidden in the manner hereinafter provided.

If an appeal has been made to the Governor as provided in section 11 (2), the period which shall have elapsed between the date of the entering of the caveat and the date when the decision of the Governor is communicated to the person applying for the certificate shall not be reckoned as part of the three months within which the certificate may be issued.

Declaration
of parties
that no
impediment
exists.

8. Before a Marriage Officer issues any certificate the person applying for the certificate shall appear personally before him, and make a declaration on oath or solemn affirmation (which the Marriage Officer and every person appointed by the Governor to take such declaration is hereby empowered to administer or receive) that he knows of no impediment or lawful hindrance to the marriage, and either that the consent of the parties required by this Law to consent to the marriage has been obtained, or that no such consent is required. Every such declaration shall be reduced to writing and be signed by the person making it.

Consent
required for
issue of cer-
tificate in
case of
minor.

9. If the person applying for a certificate, not being a widower or widow, is under the age of twenty-one years, then the father, if living, or if the father shall be dead, the guardian or guardians of the person of the party so under age, lawfully appointed, or one of them; and in case there shall be no such guardian or guardians, then the mother of such party, if unmarried, shall have authority to give consent to the marriage of such party.

Such consent is hereby required to be produced to the Marriage Officer before he issues his certificate, unless there shall be no person authorised to give such consent.

If the father
of minor be
*non compos
mentis*, etc.,
person
applying for
certificate
may apply
to Chief
Justice.

10. In case the father of the person so under age as aforesaid applying for a certificate of a Marriage Officer, shall be *non compos mentis*, or the guardian or guardians, or mother whose consent is made necessary to the issue of the certificate to such person shall be *non compos mentis*, or in parts beyond the seas, or shall unreasonably or from undue motives refuse or withhold his, her or their consent to a proper marriage, then such person may apply by petition to the Chief Justice, who may proceed upon such a petition in a summary way; and in case the marriage proposed shall

upon examination appear proper, the Chief Justice shall judicially declare the same to be so; and such judicial declaration shall be deemed to be as good and effectual as if the father, guardian or guardians, or mother of the person so petitioning had consented to such marriage.

11. (1) Any person may on payment of the proper fee enter with the Marriage Officer a caveat, signed by him or on his behalf, and stating his residence and the ground of his objection against the issue of the certificate of the Marriage Officer in respect of the person named therein, and thereupon the Marriage Officer shall not issue his certificate until either the Marriage Officer has examined into the matter of the caveat and is satisfied that it ought not to obstruct the issue of the certificate or the caveat is withdrawn by the person entering it.

Caveat
against issue
of certificate.

(2) If the Marriage Officer refuses to issue his certificate to the person applying for it, that person may appeal to the Governor, who shall give the Marriage Officer his decision thereon.

(3) The Marriage Officer shall forthwith inform the person applying for the certificate of and shall conform to any decision given by the Governor.

12. Any person who wilfully makes or inserts any false statement in any declaration, certificate or other document required by this Law to be made or issued shall be liable to imprisonment for any term not exceeding two years.

Penalty:
false
statements.

13. Any person who wilfully removes, defaces, alters, or destroys any copy of a notice of intended marriage issued under the provisions of this Law shall be liable to a fine not exceeding five pounds.

Penalty:
removing
notices, etc.

14. Any person who forges any Marriage Officers certificate or knowingly utters any such forged certificate shall be liable to imprisonment for any term not exceeding three years.

Penalty:
forged
certificate.

15. The fees in the Third Schedule shall be paid to Marriage Officers in respect of the several matters to which they are applicable.

Fees,
Third
Schedule.

FIRST SCHEDULE.

(Section 5.)

NOTICE OF MARRIAGE.

To the Marriage Officer for the District of _____
I hereby give you notice that a marriage is intended to be had between me and the other person herein named and described; that is to say—

Name.	Condition.	Rank or Profession.	Age.	Dwelling place.	Consent, if any, by whom given.
<i>John H.</i>	<i>Bachelor.</i>	<i>Carpenter.</i>	<i>Full age.</i>	<i>Paris, France.</i>	
<i>Mary G.</i>	<i>Spinster.</i>	—	<i>Minor.</i>	<i>Nicosia, Cyprus.</i>	<i>Henry G., Father of Mary G.</i>

Witnesses:

James W.
Thomas T.

Witness my hand this

day of _____ 19
Mary G.

SECOND SCHEDULE.

(Section 7.)

MARRIAGE OFFICER'S CERTIFICATE.

I, *A.B.*, Marriage Officer in the District of _____, Cyprus, do hereby certify that on the _____ day of _____ 19____, notice was duly entered in the Marriage Notice Book of the said District of the marriage intended between the persons therein named and described, delivered under the hand of *Mary G.*, one of the parties: that is to say—

Name.	Condition.	Rank or Profession.	Age.	Dwelling place.
<i>John H.</i>	<i>Bachelor.</i>	<i>Carpenter.</i>	<i>Of full age.</i>	<i>Paris, France.</i>
<i>Mary, G.</i>	<i>Spinster.</i>	—	<i>Minor.</i>	<i>Nicosia, Cyprus.</i>

Date of notice entered _____ 19____
Date of certificate given _____ 19____

Witness my hand this
day of _____ 19____

{ The issue of this certificate has not
been forbidden by any person
authorised to forbid the same.

(Signed) *A. B.*,

Marriage Officer.

THIRD SCHEDULE.

(Section 15.)

FEES.

For filing and publishing Notice of Marriage	...	...	...	250 mils
For Certificate of Notice	...	...	...	250 mils
For lodging a Caveat	...	...	...	500 mils