

Short title: (Marriage Registration Ordinance)

Section: 1

Law number: ([3, 34 of 1946])

Description:

This Ordinance may be cited as the Marriage Registration Ordinance.

Short title: (Appointment of Registrar-General and his duties)

Section: 2

Law number: ([3, 34 of 1946])

Description:

(1) There may be appointed a Registrar-General of Marriages for Sri Lanka.

(2) The Registrar-General shall, subject to the directions of the Minister, have the general control and superintendence of the registration of marriages under the provisions of this Ordinance, and of all persons appointed for or engaged in the carrying out of the provisions of this Ordinance.

Short title: (Appointment of Assistant Registrars-General and their duties)

Section: 3

Law number: ([3, 34 of 1946])

Description:

There may from time to time be appointed a fit and proper person or each of two or more such persons to be or to act as an Assistant Registrar-General of Marriages. Any person so appointed may exercise, perform, or discharge any power, duty, or function expressly conferred or imposed upon the Assistant Registrar-General, and may subject to the directions of the Minister and under the authority and control of the Registrar-General, exercise, perform, or discharge any power, duty, or function conferred or imposed upon the Registrar-General, by or under this Ordinance.

Short title: (District Registrars)

Section: 4

Law number: ([8, 22 of 1955])

Description:

(1) For each district there shall be a District Registrar of Marriages.

(2) The \*(See section 4 of the Transfer of Powers (Divisional Secretaries) Act, No. 58 of 1992.) Government Agent of a district shall be the District Registrar for that district.

(3)\* (See section 4 of the Transfer of Powers (Divisional Secretaries) Act, No. 58 of 1992.) Every Additional Government Agent, Assistant Government Agent, Additional Assistant Government Agent, and Office Assistant to a Government Agent, of a district shall be an Additional District Registrar for that district.

(4) Every Assistant Registrar-General shall be an Additional District Registrar for the district of Colombo.

(5) There may be appointed any person as a District Registrar or as an Additional District Registrar in addition to, or in place of, any officer who is a District Registrar or an Additional District Registrar by virtue of the preceding provisions of this section.

(6) Every District Registrar shall have and may exercise within his district the powers and duties vested by or under this Ordinance in a registrar of a division, and shall superintend and control, subject to the direction of the Registrar-General, the registration of marriages within the district, and the registrars hereinafter mentioned, and all other persons appointed for or engaged in carrying out the provisions of this Ordinance.

Short title: (Establishment of registration divisions)

Section: 5

Law number: ([4, 34 of 1946])

Description:

(1) The Minister may, by Notification in the Gazette, divide the several districts of Sri Lanka into such and so many divisions for the purpose of the registration of marriages as shall appear expedient, and may at any time by a like Notification amend, alter or abolish any such division.

(2) Every division which has been lawfully established at the commencement of this Ordinance shall be deemed and taken to be a division under the provisions of this Ordinance until such time as a new division shall be constituted in lieu thereof under the provisions of this Ordinance.

(3) Every reference to any revenue district in any Notification made under subsection (1) of this section before the commencement of the Administrative Districts Act shall, after the commencement of that Act, be construed as a reference to the administrative district consisting of the area which constituted that revenue district.

Short title: (Appointment of Registrars of Marriages)

Section: 6

Law number: ([11, 34 of 1946])

Description:

The Registrar-General may appoint one or more persons to each such division, who shall be called Registrars of Marriages, and any such registrar at pleasure he may remove and appoint some other

person in his place, or in the place of any registrar who shall have died or resigned office, or been granted leave of absence from his duties. Provided that in case of the death, sudden illness, or incapacity of the registrar of a division, or in case of other emergency, it shall be lawful for the Registrar-General or District Registrar, by writing under his hand, to appoint a person to act as registrar for such division so, however, that no such appointment shall be made by a District Registrar for any period exceeding thirty days at any one time. Such acting appointment shall be forthwith entered under the hand of the officer making the appointment in a book to be kept for the purpose.

Short title: (Power to make rules)

Section: 7

Law number: ([5, of 1946])

Description:

(1) The Minister may from time to time make rules for the direction of the Registrar-General, the District Registrars, registrars, ministers, and all persons whomsoever in the discharge of their duties under this Ordinance, for all matters required by this Ordinance to be prescribed, and generally for the effective carrying out of the provisions of this Ordinance.

(2) No rule made under this section shall have effect until it is approved by Parliament and notification of such approval is published in the Gazette.

Short title: (Residence, office, and station of registrar)

Section: 8

Law number: ([8, 22 of 1946])

Description:

(1) Every registrar shall dwell and have his office in such a convenient place in his division as shall be appointed by the District Registrar, and shall, if so directed by the District Registrar, have within his division a station or stations as may be approved by the District Registrar, and every such station shall, for the purposes of the provisions of this Ordinance, with respect to the attendance of persons and the registration of marriages at the office of the registrar, be deemed to be his office. Provided that the District Registrar may, in the special circumstances of any case and with the prior approval of the Registrar-General, authorize a registrar to dwell or to have his office or to have a station at a place outside his division.

(2) The District Registrar shall forthwith notify to the Registrar-General the places appointed by the District Registrar as the residence, office, and station or stations for every registrar of his district.

Short title: (Attendance of registrar at his office, station)

Section: 9

Law number: ([9, 22 of 1946])

Description:

The registrar shall attend at his office and at each such station on such days and during such hours as shall respectively be appointed by the District Registrar, and shall cause his name, with the addition of the words 'Registrar of Marriages' with the name of the division, for which he is registrar, and the days and hours of his attendance as appointed by the District Registrar, to be placed in legible characters in the Sinhala, Tamil, and English languages in a conspicuous place on or near the entrance of his office and station.

Short title: (Registration of place of worship for solemnization of marriage)

Section: 10

Law number: ([10, 22 of 1946])

Description:

(1) The minister, proprietor, or trustee of a building used as a place of public Christian worship may apply to the Registrar-General that such building may be registered for solemnizing marriages therein.

(2) The application shall be in the form A in the First Schedule, and shall contain a declaration signed by at least twenty householders, and countersigned by the said minister, proprietor, or trustee, that they frequent or intend to frequent such place of worship.

(3) The Registrar-General may register such place of worship for the solemnization of marriages in a book to be kept by him for that purpose, and he shall thereupon give a certificate of such registry and of the date thereof under his hand, which certificate shall be in the form B in the First Schedule, and the Registrar-General shall give public notice of such registry by notification in the Gazette.

(4) No building shall be registered which is not used for public Christian worship.

(5) Any building already registered at the time when this Ordinance comes into operation shall be deemed to have been registered under the provisions of this Ordinance.

Short title: (Registration of place if thinly populated district)

Section: 11

Law number: ([11, 22 of 1946])

Description:

Where the population in any district is so scattered that it is difficult to procure the signatures of twenty householders, it shall be lawful for the Registrar-General to issue his certificate upon a declaration signed by as many householders as live within a convenient distance from the building, and countersigned by

the minister, proprietor, or trustee, and upon such other evidence as the Registrar-General may require to satisfy him that the building is used for public Christian worship.

Short title: (Cancellation or substitution of registration of building)

Section: 12

Law number: ([11, 34 of 1946])

Description:

(1) If any building registered for the solemnization of marriages shall at any subsequent period cease to be used for the public Christian worship of the congregation on whose behalf it was registered, the minister, proprietor, or trustee for the time being of such building shall, with all convenient speed, notify the fact to the Registrar-General in form C in the First Schedule, and the Registrar-General shall cause the registry thereof to be cancelled.

(2) If it shall be proved to his satisfaction that the same congregation uses some other such building for the purpose of public Christian worship, he may register such new place of worship instead of the disused building.

(3) Such cancellation or substitution when made shall be entered in the book kept for the registry of such buildings and shall be certified and published in the manner prescribed in the case of the original registry of the disused building.

(4) After such cancellation or substitution as aforesaid, it shall not be lawful to solemnize any marriage in such disused building, unless the same shall be again registered in the manner prescribed by section 10.

Short title: (Rectification of errors)

Section: 13

Law number: ([6, 34 of 1946])

Description:

The Registrar-General may at any time correct or cause to be corrected any error in any entry made in the book kept under section 10 for the registration of buildings.

Short title: (Publication of lists of registrars and registered buildings)

Section: 14

Law number: ([7, 34 of 1946])

Description:

The Registrar-General may from time to time publish in the Gazette a list of the Registrars of Marriages in Sri Lanka, with their names, the names of their divisions, offices, and stations, and a list of the buildings

registered for the solemnization of marriages therein, and of which the registration has not been cancelled.

Short title: (Prohibited age of marriage)

Section: 15

Law number: ([2, 18 of 1995])

Description:

No marriage contracted after the coming into force of this section shall be valid unless both parties to the marriage have completed eighteen years of age.

Short title: (Prohibited degrees of relationship)

Section: 16

Law number:

Description:

No marriage shall be valid:

- (a) where either party shall be directly descended from the other;
- (b) where the female shall be sister of the male either by the full or the half-blood, or the daughter of his brother or of his sister by the full or the half-blood, or a descendant from either of them, or daughter of his wife by another father, or his son's or grandson's or father's or grandfather's widow; or
- (c) where the male shall be brother of the female either by the full or the half-blood, or the son of her brother or sister by the full or the half-blood, or a descendant from either of them, or the son of her husband by another mother, or her deceased daughter's or granddaughter's or mother's or grandmother's husband.

Short title: (Marriage of persons within prohibited degrees of relationship an offense)

Section: 17

Law number:

Description:

Any marriage or cohabitation between parties standing towards each other in any of the above-enumerated degrees of relationship shall be deemed to be an offense and shall be punishable with imprisonment, simple or rigorous, for any period not exceeding one year.

Short title: (Second marriage invalid if first marriage not dissolved)

Section: 18

Law number:

Description:

No marriage shall be valid where either of the parties thereto shall have contracted a prior marriage which shall not have been legally dissolved or declared void.

Short title: (Dissolution of first marriage invalid)

Section: 19

Law number:

Description:

(1) No marriage shall be dissolved during the lifetime of the parties except by judgment of divorce a vinculo matrimoniali pronounced in some competent court.

(2) Such judgment shall be founded either on the ground of adultery subsequent to marriage, or of malicious desertion, or of incurable impotence at the time of such marriage.

(3) Every court in Lanka having matrimonial jurisdiction is hereby declared competent to dissolve a marriage on any such ground.

Short title: (Suits to compel marriage prohibited)

Section: 20

Law number: ([1, 20 of 1946])

Description:

(1) No suit or action shall lie in any court to compel the solemnization of any marriage by reason of any promise or contract of marriage, or by reason of the seduction of any female, or by reason of any cause whatsoever.

(2) No such promise, or contract, or seduction shall vitiate any marriage duly solemnized and registered under this Ordinance.

(3) Nothing herein contained shall prevent any person aggrieved from suing for or recovering in any court damages which are lawfully recoverable for breach of promise of marriage, for seduction, or for any other cause.

Short title: (Who may give consent to marriage of a minor)

Section: 22

Law number: ([2, 12 of 1997])

Description:

(1)

(a) The father of any person under eighteen years of age; or

(b) if the father be dead or under legal incapacity, or in parts beyond Sri Lanka and unable to make known his will, the mother; or

(c) if both father and mother be dead or under legal incapacity, or in parts beyond Sri Lanka and unable to make known their will, the guardian or guardians appointed over the party so under age by the father, or if the father be dead or under legal incapacity, by the mother of such party or by a competent court, shall have authority to give consent to the marriage of such party, and such consent is hereby required for the said marriage: Provided that no such consent shall be required in the case of a widow or widower or a person who shall have been previously married, and whose marriage shall have been legally dissolved.

(2) If there be no person authorized as aforesaid to give consent, or if the person so authorized unreasonably withholds or refuses his or her consent, the Judge of the District Court within whose jurisdiction the party so under age resides, may, upon the application of any party interested in such marriage, and after summary inquiry, give consent to the said marriage, and such consent is hereby required for the said marriage.

Short title: (Preliminaries to be observed prior to a marriage)

Section: 23

Law number: ([11, 34 of 1946])

Description:

In every case of marriage intended to be solemnized under the provisions of this Ordinance the following preliminaries shall be observed:

(1) If the parties to an intended marriage have been both resident in Sri Lanka for ten days, one of the parties shall give notice to a registrar of the division in which they have dwelt for not less than ten days then next preceding or to the District Registrar in whose district they have so dwelt.

(2) If both parties have not dwelt in the same division for ten days then next preceding, but in different divisions, then each party shall give notice to a registrar of the division in which he or she has dwelt for not less than ten days next preceding the giving of such notice or to the District Registrar in whose district he or she has so dwelt.

(3) If one of the parties to an intended marriage has not been resident in Sri Lanka for ten days next immediately preceding the giving of notice, notice shall be given by the other party who has been so resident to the registrar in whose division or to the District Registrar in whose district he has been resident ten days next preceding the giving of such notice.



(4) If neither party has been resident for ten days in Sri Lanka, notice may be given to the registrar in whose division or to the District Registrar in whose district one of the parties has been resident for not less than four days.

(5) The notice given by one party under subsections (3) or (4) shall be a sufficient notice of such intended marriage, and may be given in anticipation of the arrival of the other party from abroad.

Short title: (Form of notice and declaration)

Section: 24

Law number: ([2, 47 of 1947])

Description:

(1) Every such notice may be given to the registrar at any place within his division, and shall be in the form D in the First Schedule, and shall state:

(a) the name in full, race, age, profession, civil condition, and dwelling place of each of the parties intending marriage; and

(b) if the case be so, that the other party is absent from Sri Lanka or has not resided for ten days in any part of Sri Lanka (as the case may be), and also

(c) the name in full and rank or profession of the father of each such party.

(2) Such notice shall also bear on its face or shall have attached thereto the written consent of any person whose consent is required by law.

(3) The party giving the notice shall make and sign or subscribe a declaration in writing in the body or at the foot of such notice:

(a) that he or she believes that there is no impediment of kindred or alliance or other lawful hindrance to the said marriage,

(b) that he or she has for the space of ten clear days or other prescribed period immediately preceding the giving of such notice dwelt within the division of the registrar to whom such notice shall be so given, and

(c) that the consent of the person or persons whose consent is required by law has been given.

(4) Every such notice and declaration shall be so signed and subscribed in the presence of any one of the following persons, hereafter called an attesting officer, namely

(4.a) the registrar of the division, or

(4.b) a Justice of the Peace, or

(4.c) a notary, or

(4.d) a minister, and of two respectable witnesses.

Short title: (Continuation)

Section: 25

Law number: ([6, 12 of 1997])

Description:

The witnesses shall be personally acquainted with the party giving the notice and (in the event of the party not being known to the attesting officer) also with the attesting officer, and shall sign the notice. The full names, rank or profession, and place of abode of the witnesses shall be entered in the said notice.

(5) At the foot of the notice and declaration, the attesting officer shall make a certificate substantially as in the final column of the form D in the First Schedule.

(6) Every notice to a District Registrar under subsection (1) or (2) and every notice under subsection (3) of section 23 shall bear a stamp of the value of twenty-five rupees, and every notice under subsection (4) thereof shall bear a stamp of the value of thirty rupees. The stamp shall be supplied by the party giving the notice.

Short title: (Publication of notice)

Section: 25

Law number: ([1, 25 of 1946])

Description:

(1) Every registrar to whom notice of an intended marriage is duly given as aforesaid shall forthwith enter in the notice the date of its receipt and shall file and keep it with the records of his office, and shall forthwith enter the particulars of the notice in a book to be called "The Marriage Notice Book" which shall be kept in the form E in the First Schedule, and which shall be open at all reasonable times without fee to the inspection of all persons claiming to be interested in any entry therein.

(2) The registrar shall cause a true copy under his hand of the notice of marriage to be posted in some conspicuous place in his office during twelve successive days after the entry of such notice.

(3) If the parties to the intended marriage shall have given notice to different registrars under subsection (2) of section 23, each registrar shall also upon receipt of the notice, forward a certified copy thereof to the other registrar, and give a like copy to the party giving such notice.

Short title: (Issue of certificate)

Section: 26

Law number: ([2, 49 of 1944])

Description:

(1) At any time not less than twelve days (except as provided in section 27), nor more than three months (except as provided in section 31) from the entry of the notice, the registrar, or where notice has been given to two registrars, each of them, or, in any case referred to in section 28, the registrar nominated in that behalf by the Registrar-General or by the District Registrar, shall upon the application of the party giving such notice, and on receipt of the certified copy of the notice, if any given to the other registrar, issue a certificate substantially in the form F in the First Schedule:

Provided that in the meantime no lawful impediment to the issuing of such certificate be shown to the registrar, and provided that the issuing of such certificate shall not have been forbidden or a caveat entered in the manner hereinafter provided.

(2) Every such certificate shall state:

(a) the day on which it was entered,

(b) that the issue of the certificate has not been forbidden by any person lawfully empowered in that behalf, and

(c) that the full period of twelve days has elapsed since the entry of the notice, or where two notices have been given since the entry of both notices, or that the issue of the certificate has been authorized by license under section 27.

Short title: (Issue of licence)

Section: 27

Law number: ([5, 41 of 1975])

Description:

(1) At any time after the entry of the notice, and upon the production of a certified copy of such notice, the District Registrar within whose district such notice has been given or the registrar to whom notice has been given, may issue, subject to the provisions of subsection (3), a licence under his hand substantially in form G in the First Schedule authorizing the District Registrar or the registrar to whom notice has been given or, in any case referred to in section 28 such other registrar as he may specify in the licence, to issue the certificate under section 26, if in the meantime no lawful impediment to the issue of such certificate is shown to the satisfaction of such registrar or if the issue of such certificate has not been forbidden or a caveat entered in the manner hereinafter provided.

(2) Where the parties to the intended marriage have given notice to two registrars under subsection (2) of section 23, the District Registrar within whose district one or both of such notices have been given or either of the two registrars to whom notice has been given, may issue upon the production of a certified copy of each such notice, and subject to the provisions of subsection (3) of this section, a licence to each of the registrars, or, in any case referred to in section 28, to such other registrar as may be specified therein, and such licence shall be substantially in the form H in the First Schedule.

(3) Before the issue of such licence, one of the parties to the intended marriage shall appear personally before the District Registrar or the registrar, or where notice has been given to two registrars, before either of those two registrars and make and subscribe a written declaration that:

(a) he or she believes that there is not any impediment of kindred or alliance, or of any other lawful cause, or other lawful hindrance, to the said marriage;

(b) that the consent of any person or persons whose consent is required has been obtained; and

(c) that the issue of the certificate has not been forbidden, nor any caveat entered, nor any suit is pending in any court to bar or hinder the said marriage.

(4) Where the declaration is made before the District Registrar it shall bear stamps to the value of thirty rupees to be supplied by the party making the declaration and where the declaration is made before the registrar of a division it shall be accompanied by a receipt issued by the District Registrar in proof of payment of a sum of thirty rupees.

(5) The registrar to whom the licence is issued shall, upon the receipt thereof, issue his certificate, and every such certificate shall state the particulars set forth in the notice and the day in which it was entered, and that the issue of the certificate has been authorized by the licence of the District Registrar or the registrar.

#### Section: 28

##### Description:

(1) Where, by virtue of any Notification under section 5 any area which is situated within any registration division (hereinafter referred to as the "old division") becomes, with effect from a date specified in that Notification, a separate division or a part of any other existing division (hereinafter referred to as the "new division"), and where, before that date, notice of an intended marriage is given by a party resident within that area, but the certificate under section 26 is not issued before that date or the marriage is not solemnized before that date, then, notwithstanding anything in this Ordinance, that certificate may be issued, or that marriage may be solemnized, and any other act required by this Ordinance to be done in that connection by a registrar Of the Old division may be done, by a registrar of the old division or of the new division nominated in that behalf by the District Registrar within whose district that area is situated and every such registrar shall comply with such directions as may be given to him by the District Registrar.

#### Section: 29

##### Description:

Every person whose consent to a marriage is required by law may forbid the issue of the registrar's certificate by signing and subscribing, in the presence of the registrar and of two credible witnesses, who shall be personally acquainted with the person forbidding, and shall be known to the registrar or be resident within his jurisdiction, and by delivering to him a notice in writing in the form I in the First Schedule, with his or her name, place of abode, and the capacity in which he or she forbids the marriage.

## Section: 30

### Description:

- (1) Any person may at any time before the issue of the certificate enter a caveat against its issue. Such caveat shall be in the form J in the First Schedule.
- (2) The caveat shall contain a statement of the name and residence of the caveator, the names and residences of the parties to whose marriage he objects, and the grounds on which he objects to the marriage, and shall be written on paper bearing a stamp of ten rupees, and shall be signed in the presence of the registrar and of two credible witnesses (who shall be personally acquainted with the caveator, and shall be known to the registrar or be resident within his jurisdiction), and shall be delivered to the said registrar.

## Section: 31

### Description:

- (1) In the event of a marriage being forbidden or of a caveat being entered as aforesaid, the registrar shall refuse to issue the certificate, and shall forthwith make report of the objection to the District Judge of the district within which his division is situated. Such report shall be in the form K in the First Schedule, and shall be accompanied by a copy of the notice of marriage and of the notice forbidding the marriage or of the caveat entered.
- (2) The District Judge shall thereon proceed to make summary inquiry (in which the person forbidding the marriage or entering the caveat shall be respondent) into the grounds of objection to the marriage, and shall order the certificate to issue or not to issue as shall appear to him just, and he shall have power, if it be proved to his satisfaction in the course of the inquiry that the marriage was forbidden or caveat entered by such person, on frivolous or vexatious grounds, to impose on him a fine not exceeding one thousand rupees.
- (3) The order of the District Judge shall be subject to appeal to the Court of Appeal.
- (4) A copy of the order of the District Court, or of the Court of Appeal in appeal, certified under the hand of the District Judge, shall be forwarded by him to the registrar, who shall thereon issue or refuse to issue the certificate as such order shall direct.
- (5) The time taken up in disposing as aforesaid of the objection to the marriage shall not be taken into account in the calculation of the period of three months under section 26 or section 39.

Short title: (Certificates and solemnization of marriages upon alteration of divisions)

## Section: 28

Law number: ([7, of 1944])

### Description:

(1) Where, by virtue of any Notification under section 5 any area which is situated within any registration division (hereinafter referred to as the "old division") becomes, with effect from a date specified in that Notification, a separate division or a part of any other existing division (hereinafter referred to as the "new division"), and where, before that date, notice of an intended marriage is given by a party resident within that area, but the certificate under section 26 is not issued before that date or the marriage is not solemnized before that date, then, notwithstanding anything in this Ordinance, that certificate may be issued, or that marriage may be solemnized, and any other act required by this Ordinance to be done in that connection by a registrar Of the Old division may be done, by a registrar of the old division or of the new division nominated in that behalf by the District Registrar within whose district that area is situated and every such registrar shall comply with such directions as may be given to him by the District Registrar.

Short title: (Forbidding of issue of certificate. Caveat.)

Section: 29

Law number: ([7, of 1944])

Description:

Every person whose consent to a marriage is required by law may forbid the issue of the registrar's certificate by signing and subscribing, in the presence of the registrar and of two credible witnesses, who shall be personally acquainted with the person forbidding, and shall be known to the registrar or be resident within his jurisdiction, and by delivering to him a notice in writing in the form I in the First Schedule, with his or her name, place of abode, and the capacity in which he or she forbids the marriage.

Short title: (Proceedings on marriage being forbidden or caveat entered)

Section: 30

Law number: ([7, of 1944])

Description:

(1) Any person may at any time before the issue of the certificate enter a caveat against its issue. Such caveat shall be in the form J in the First Schedule.

(2) The caveat shall contain a statement of the name and residence of the caveator, the names and residences of the parties to whose marriage he objects, and the grounds on which he objects to the marriage, and shall be written on paper bearing a stamp of ten rupees, and shall be signed in the presence of the registrar and of two credible witnesses (who shall be personally acquainted with the caveator, and shall be known to the registrar or be resident within his jurisdiction), and shall be delivered to the said registrar.

Short title: (Proceedings on marriage being forbidden or caveat entered)

Section: 31

Law number: ([7, of 1944])

Description:

(1) In the event of a marriage being forbidden or of a caveat being entered as aforesaid, the registrar shall refuse to issue the certificate, and shall forthwith make report of the objection to the District Judge of the district within which his division is situated. Such report shall be in the form K in the First Schedule, and shall be accompanied by a copy of the notice of marriage and of the notice forbidding the marriage or of the caveat entered.

(2) The District Judge shall thereon proceed to make summary inquiry (in which the person forbidding the marriage or entering the caveat shall be respondent) into the grounds of objection to the marriage, and shall order the certificate to issue or not to issue as shall appear to him just, and he shall have power, if it be proved to his satisfaction in the course of the inquiry that the marriage was forbidden or caveat entered by such person, on frivolous or vexatious grounds, to impose on him a fine not exceeding one thousand rupees.

(3) The order of the District Judge shall be subject to appeal to the Court of Appeal.

(4) A copy of the order of the District Court, or of the Court of Appeal in appeal, certified under the hand of the District Judge, shall be forwarded by him to the registrar, who shall thereon issue or refuse to issue the certificate as such order shall direct.

(5) The time taken up in disposing as aforesaid of the objection to the marriage shall not be taken into account in the calculation of the period of three months under section 26 or section 39.

Short title: (Facilities for marriages in Great Britain and Northern Ireland between British subjects resident in Great Britain and Northern Ireland and British subjects resident in Sri Lanka and vice versa)

Section: 32

Law number: ([8, of 1944])

Description:

(1) Where a marriage is intended to be solemnized in the United Kingdom between a British subject there resident and a British subject resident in Sri Lanka, a notice may be given, a declaration may be made, and a certificate of notice of marriage may be issued in Sri Lanka for the purpose of the said marriage by the registrar in the like manner as if the marriage was to be solemnized in Sri Lanka.

(2) Where a marriage is intended to be solemnized in Sri Lanka between a British subject resident in the United Kingdom and a British subject resident in Sri Lanka, a certificate for marriage issued in England and Wales by a superintendent registrar, or in Scotland or Northern Ireland by a registrar, or a certificate of proclamation of banns in Scotland, shall, for the purpose of the said marriage, have the same effect as a certificate of notice of marriage issued under section 26, and in any such case, on the production of the said certificate, a marriage may be solemnized in pursuance of section 33 without any of the preliminaries prescribed by the above sections.

Short title: (Marriage with reference to Scotland. Meaning of marriage with reference to Scotland)

Section: 33

Law number: ([8, of 1944])

Description:

On the production of the certificate of the registrar, or, where notice has been given to two registrars, on the production of a certificate from each of the registrars, to a minister, or to a registrar (to whom either or both the parties shall have given notice, or, in any case referred to in section 28, who may be nominated in that behalf by the District Registrar), it shall be lawful for a marriage to be solemnized between the said parties (a) by or in the presence of the minister in a registered place of worship or other authorized place, or (b) by the registrar in his office, station, or other authorized place: Provided that there be no lawful impediment to the marriage.

Short title: (Minister's duty on solemnization of marriage)

Section: 34

Law number: ([9, of 1944])

Description:

(3) The statement shall be signed by the minister, by the parties to the marriage, and by two respectable witnesses who shall have been present at the solemnization thereof, and who shall be personally acquainted with the parties and (in the event of the parties not being known to the minister) also with the minister, and whose full names, rank or profession, and places of residence shall be added to the statement by the minister.

(4) The minister shall see that the particulars entered in the book regarding the names, race, civil condition, age, profession or occupation, and residence of the parties to the marriage correspond with the particulars given in the registrar's certificate, and that the parties and witnesses sign their names legibly. If any party or witness signs illegibly, or affixes a mark or cross, the minister shall write the name of such party or witness immediately over such signature or mark, with the words "This is the signature of ", or "This is the mark of ", immediately preceding such name.

(5) The minister shall, within seven days from the date of the solemnization of the marriage, separate from the register book the duplicate statement of the marriage and transmit the same to the District Registrar within whose district the marriage was solemnized together with stamps of a value equal to the amount of the fee payable to such Registrar for the registration of such marriage.

(6) The District Registrar shall, upon receipt of the minister's duplicate statement, together with stamps equal in value to the amount of the fee payable to such registrar for the registration of the marriage, forthwith send to the minister an acknowledgment of the same, and enter or cause to be entered the particulars thereof or of the copy prepared under section 37(2) in triplicate, that is to say, the original, the second copy (hereinafter referred to as the "duplicate"), and a third copy in a marriage register book



to be kept by him, in the form M in the First Schedule, and shall certify that the particulars have been obtained from the minister's statement, and shall carefully preserve the said minister's statement until despatched to the Registrar-General as in section 37 provided. The third copy shall bear an endorsement under the hand of the District Registrar to the effect that it is issued under section 35A.

(7) No minister shall be compelled to solemnize a marriage between persons either of whom shall not be a member of the church, denomination, or body to which such minister belongs, nor otherwise than according to the rules, customs, rites, and ceremonies of such church, denomination, or body.

(8) A minister shall refuse to solemnize a marriage until the parties thereto have paid to him, for transmission to the District Registrar, the fee payable to such Registrar for the registration of the marriage.

Short title: (Solemnization of marriage by registrar)

Section: 35

Law number: ([8, of 1946])

Description:

(1) A marriage in the presence of the registrar shall, by registrar, except as hereinafter provided, be solemnized between the parties at his office or station with open doors, and between the hours of six o'clock in the morning and six o'clock in the afternoon, and in the presence of two or more respectable witnesses, and in the following manner.

(2) The registrar shall address the parties to the following effect: "Be it known unto you, A.B. and CD., that by the public reception of each other as man and wife in my presence, and the subsequent attestation thereof by signing your name to that effect in the registry book, you become legally married to each other, although no other rite of a civil or religious nature shall take place; and know ye further that the marriage now intended to be contracted cannot be dissolved during your lifetime except by a valid judgment of divorce, and that if either of you before the death of the other shall contract another marriage before the former marriage is thus legally dissolved, you will be guilty of bigamy and be liable to the penalties attached to that offence".

(3) Each of the parties shall then make in the presence of the registrar and witnesses the following declaration: "I do solemnly declare that I know not of any lawful impediment why I, A.B., may not be joined in matrimony to C.D., here present", and each party shall say to the other: "I call upon all persons here present to witness that I, A.B., do take thee, CD., to be my lawful wedded wife (or husband)".

(4) If either of the parties be deaf or dumb as well as unable to write, the declaration and statement shall be interpreted to him or her, and his or her assent obtained by whatever means of communication are commonly used by him or her, and the registrar shall take special care to satisfy himself that the party understands, assents to, and adopts the declaration and statement.

(5) The registrar shall then enter in triplicate, that is to say, the original, the second copy (hereinafter referred to as the "duplicate") and a third copy, a statement of the particulars of the marriage in his marriage register book in the form M in the First Schedule, and shall cause the entry to be signed by the parties and witnesses, and himself sign it in the manner prescribed in regard to a marriage solemnized

by a minister. The third copy shall bear an endorsement under the hand of the registrar to the effect that it is issued under section 35A.

(6) Every such entry shall be numbered consecutively.

Short title: (Copy of registration entry to be issued free)

Section: 35A

Law number: ([8, of 1946])

Description:

The third copy referred to in the preceding section shall forthwith, free of charge, be delivered or transmitted by post to the female party to the marriage by the District Registrar or the registrar.

Short title: (Addition of religious ceremony to marriage solemnized by registrar)

Section: 36

Law number: ([8, 34 of 1946])

Description:

(1) Where a minister of any Christian church or persuasion reads or celebrates in a registered place of worship any marriage service or ceremony at the request of the parties to any marriage which has previously been solemnized by a registrar, such reading or celebration shall not (a) be deemed to supersede or to affect in any way the marriage previously solemnized as aforesaid; or (b) be entered as a marriage in the register book kept by the minister under section 34.

(2) No religious service or ceremony shall be read or celebrated at the office or station of a registrar in connection with the solemnization of any marriage by the registrar.

Short title: (Transmission to Registrar-General of duplicates of entries, substitution of original and duplicate entries and reconstruction of original and duplicate entries)

Section: 37

Law number: ([S,41 of 1975])

Description:

(1) The duplicates of entries made by the registrar under section 35 shall be separated from the book by him and sent monthly to the District Registrar before the fifth day of the following month and by the District Registrar, together with the duplicates of any entries made by him as well as duplicates, if any, received from ministers under sections 34 and 40, to the Registrar-General, who shall cause the same to be filed and preserved in his office; and if no marriage shall have been registered during any month, the said registrar shall certify such fact under his hand, and transmit such certificate in the manner prescribed in regard to the transmission of the duplicate entry.

(2) Where a duplicate of an entry in a marriage register made under section 34 or section 35 or section 40 is lost, damaged, has become illegible or is in danger of becoming illegible the Registrar-General may, after such inquiry as he may consider necessary, cause such duplicate to be replaced by a copy of the original entry, certified by the District Registrar or, if the original entry is in the custody of the registrar or the minister, certified by such minister or registrar, as the case may be, and countersigned by the District Registrar after verification of the copy with the original, and shall cause such copy to be filed and preserved. Every copy so filed and preserved shall, for all purposes, be deemed to be a duplicate duly filed and preserved in the office of the Registrar-General, under subsection (1).

(3) Where an original of an entry in a marriage register made under section 34 or section 35 or section 40 is lost, damaged, has become illegible or is in danger of becoming illegible, and the duplicate is available, the Registrar-General may, after such inquiry as he may consider necessary, cause to be substituted therefor a copy of the duplicate certified by him to have been made after verification with the duplicate and to be a true copy of the duplicate. Such copy shall replace the aforesaid original of the registration entry and shall, for all purposes, be deemed to be the original of the registration entry which was lost, damaged, had become illegible or was in danger of becoming illegible, as the case may be.

(4) Where both the original and the duplicate of an entry in a marriage register made under section 34 or section 35 or section 40 are lost, damaged, have become illegible or are in danger of becoming illegible, the provisions of section 13 of the Births and Deaths Registration Act shall, mutatis mutandis, apply to and in relation to the substitution of copies of such original and duplicate. Such copies shall, for all purposes, be deemed to be the original of the marriage registration entry and the duplicate, respectively.

Section 38: Solemnization of marriage by minister or registrar under special licence.

(Law number: [2,15 of 1940])

(1) In case the female party to an intended marriage belongs to a class of people to whose customs it is contrary to require their females to appear in public before wedlock, it shall be lawful for the District Registrar, if he is satisfied after such inquiry as he may deem necessary that such female party has at all times observed and continues to observe the customs of that class with regard to such appearance in public, to issue a licence empowering a registrar to solemnize the marriage at such place and hour as the parties may prefer, and as may be named in the licence:

Provided that the requirements of this Ordinance in all other respects than the place and hour of marriage shall be fully complied with.

(2) In case the female party belongs to a class other than that described in the preceding subsection, or is, [12,15 of 1940] in the opinion of the District Registrar, not entitled to the benefits of that subsection, it shall be lawful for the District Registrar, upon the application of one of the parties to the intended marriage, and which application shall bear a stamp of the value of thirty rupees, to issue a licence empowering a registrar to solemnize the marriage at such place and hour as the parties may prefer, and as may be named in the licence:

Provided that in every other respect than the place and hour of marriage the requirements of this Ordinance shall be fully complied with.

(3) Upon application by one of the parties to the proposed marriage or by the minister by or before [11,34 of 1946] whom it is intended to be solemnized to the District Registrar within whose district the marriage is to be solemnized, the District Registrar may issue a licence to the minister for the solemnization of the marriage at such place and at such hour as the parties may prefer:

Provided that in every other respect the requirements of this Ordinance shall be fully complied with, and provided further that the requirements of section 34, subsections (2), (3), (4), (5), and (6), shall apply to marriages solemnized hereunder.

#### Section 39: New notice required after three months.

Whenever a marriage shall not be had within three months, except as provided in section 31 (5), after the notice thereof shall have been entered by the registrar, or, if notices have been given to and entered by two registrars, after the earlier notice shall have been entered, the notice and any licence or certificate which may have been granted thereupon, and all other proceedings thereupon, shall be utterly void; and no such marriage shall be solemnized or registered until new notice shall have been given and certificate thereof issued in the prescribed manner.

#### Section 40: Death-bed marriages.

(1) It shall be competent for a minister to solemnize without the preliminaries required by this Ordinance, at any convenient place, a marriage between parties of whom one is believed to be on the point of death:

Provided that such person is of sound mind, memory, and understanding.

(2) The minister shall immediately enter a statement of the particulars of the marriage in the book and in the manner prescribed by section 34, and shall at the foot of such entry, which shall be made in duplicate, make a certificate signed by himself and the witnesses to the solemnization, which certificate shall be substantially to this effect: "We certify that A. B., one of the parties to the above marriage, is to the best of our knowledge and belief at the point of death, but of sound mind, memory, and understanding."

(3) Within twenty-four hours of such solemnization the minister shall send to the District Registrar the [11, 34 of 1946] duplicate of such entry and certificate.

(4) The District Registrar shall, upon receipt of such duplicate and certificate, forward an acknowledgment of the same to the minister, and shall cause a copy of the same to be posted for twenty-one days in a conspicuous place in his own office and in the office of the registrar within whose division the marriage was solemnized.

(5) On the expiry of twenty-one days from the date of the first posting of the copy as aforesaid by the District Registrar, he shall enter the marriage in the marriage register book kept by him under section 34:

Provided that no caveat shall have been lodged or other proceedings taken by way of prohibition under sections 29 and 30, and on the registration of such marriage it shall be deemed to be valid and effectual

for all purposes as if the same had been solemnized by or in the presence of the minister upon a certificate issued by the proper registrar and the requirements of section 34, subsections (2), (3), (4), (5), and (6), had been complied with.

(6) In the event of any caveat being entered or proceedings being taken by way of prohibition under sections 29 and 30, the District Registrar shall not register the marriage till the order of the District Court or of the Court of Appeal is made under section 3.

Section 41: Entry made by registrar in marriage register the best evidence of marriage.

(1) The entry made by the registrar in his marriage register book under sections 34, 35, and 40 shall constitute the registration of the marriage, and shall be the best evidence thereof before all courts and in all proceedings in which it may be necessary to give evidence of the marriage.

(2) The copy substituted under section 37 (2) for the lost duplicate entry of a registrar shall for the purposes of this section be deemed an original entry made by the registrar.

Section 42: Proof of certain matters not necessary to validity of registered marriage.

After any marriage shall have been registered under this Ordinance it shall not be necessary, in support of such marriage, to give any proof of the actual dwelling or of the period of necessary dwelling of either of the parties previous to the marriage within the division stated in any notice of marriage to be the place of his or her residence, or of the consent to any marriage having been given by any person whose consent thereto was required by law, or that the place or hour of marriage was the place or hour prescribed by this Ordinance, nor shall any evidence be given to prove the contrary in any suit or legal proceedings touching the validity of such marriage.

Section 43: Mode of supplying omission and correcting error in registration.

(1) Where a marriage has been heretofore contracted or shall hereafter be contracted which, without fault of the parties thereto, may have been omitted to be registered, or may have been erroneously registered, either of the said parties, or in the case of his or her death the issue or other lawful representative of such party, may apply to the District Court having jurisdiction over the division where the marriage was contracted to have such marriage duly registered, or the erroneous registration amended.

(2) The court, after due notice to the Registrar-General and the registrar or minister before whom the marriage was contracted, and to such other parties as the court shall deem expedient, and after hearing such evidence as may be produced before it or as it may think fit to call, shall, if it be satisfied that such marriage has been duly contracted and not registered, or not correctly registered, without fault of the parties thereto, order the marriage to be correctly registered.

(3) The Registrar-General shall thereupon cause the marriage to be correctly registered according to the directions of the court.

Short title: (Correction of errors in registers)

Section: 44

Law number: ([11, 34 of 1946])

Description:

Any clerical error which may from time to time be discovered in a marriage register may, after due inquiry, be corrected by any person authorized in that behalf by the Registrar-General, subject to the rules made under the provisions of this Ordinance.

Short title: (Penalty on making false declaration or giving false notice)

Section: 45

Law number:

Description:

(a) Any person who shall knowingly or wilfully make any false declaration or sign any false notice required by this Ordinance for the purpose of procuring the registration of any marriage.

(b) Every person who shall forbid the granting by any registrar of a certificate for marriage by falsely representing himself or herself to be a person whose consent to such marriage is required by law, knowing such representation to be false.

Short title: (Circumstances in which a marriage will be null and void)

Section: 46

Law number:

Description:

If both the parties to any marriage shall knowingly and wilfully intermarry under the provisions of this Ordinance in any place other than that prescribed by this Ordinance, or under a false name or names, or except in cases of death-bed marriages under section 40, without certificate of notice duly issued, or shall knowingly or wilfully consent to or acquiesce in the solemnization of the marriage by a person who is not authorized to solemnize the marriage, the marriage of such parties shall be null and void.

Short title: (Solemnization of marriage by means of a false document)

Section: 47

Law number:

Description:

(1) If any valid marriage shall be had under this Ordinance by means of any wilfully false notice, certificate, or declaration made by either party to such marriage as to any matter to which a notice, certificate, or declaration is required, it shall be competent for the proper District Court to inquire therein, upon the application of either of the parties, or, if the marriage shall have been had without the consent of the person whose consent was by law required, upon the application of such person or of the Attorney-General.

(2) After due inquiry, the court may order and direct that all estate and interest in any property accruing to the offending party by the force of such marriage shall be forfeited, and shall be secured under the direction of the court for the benefit of the innocent party or of the issue of the marriage or of any of them, in such manner as the said court shall think fit for the purpose of preventing the offending party from deriving any interest in any real or personal estate or pecuniary benefit from such marriage.

Short title: (Settlements and agreements in regard to such marriage void)

Section: 48

Law number:

Description:

All agreements, settlements, and deeds entered into or executed by the parties to any such marriage in contemplation of, or before, or after, or in relation to, such marriage shall be absolutely void, and have no force or effect so far as the same shall be inconsistent with the provisions of the security and settlement made by the court as aforesaid.

Short title: (Books to be kept by the General, District Registrar, etc.)

Section: 49

Law number: ([11, 34 of 1946])

Description:

(1) The Registrar-General, District Registrars, registrars, and ministers, shall keep books for the purposes of this Ordinance, in such form as is prescribed by or under this Ordinance, and shall carefully preserve such books, and shall at no time allow such books or other documents kept under this Ordinance to remain out of their possession, except in obedience to an order of a competent court, or except as provided in this Ordinance, or by any rules made thereunder.

(2) Every registrar and every minister of a registered place of worship shall, when called upon by the Registrar-General or by the District Registrar within whose district such registrar's division or such registered place of worship is situated, produce for inspection all books, documents, and papers kept under this Ordinance which are in his possession as such registrar or minister.

(3) As each book of registers is completed by a registrar, he shall forward it, with all connected books, documents, and papers, to the District Registrar, who shall preserve them in his office.

Short title: (Forms)

Section: 50

Law number: ([11, 34 of 1946])

Description:

(1) The forms in the First Schedule to this Ordinance, or forms resembling the same, shall be used in all cases in which they are applicable, and when so used shall be valid in law.

(2) The Minister, by rule made under section 7, may alter from time to time all or any of the forms contained in the First Schedule to this Ordinance, or in any rule made thereunder, in such manner as may appear to him best for carrying into effect this Ordinance, or may prescribe new forms for that purpose.

(3) Every form when altered in pursuance of this section shall have the same effect as if it had been contained in the First Schedule to this Ordinance.

Short title: (Search of registers and issue of certified copies or extracts)

Section: 51

Law number: ([5, Law 41 of 1975])

Description:

(1) Any person shall be entitled, on making a written application to the Registrar-General, District Registrar, or registrar, and under such conditions and on the payment of such fees as shall be prescribed by the Minister, to refer to any book or document in the possession of such Registrar-General, District Registrar, or registrar, and kept under this Ordinance or under any enactment heretofore enacted relating to the registration of marriages, and to demand, on payment of such fees as the Minister may prescribe, a certified copy of or extract from every entry in such book or document.

(2) The applicant shall supply in respect of every written application and in respect of every certified copy or certified extract thereof a stamp or stamps of such value as may from time to time be prescribed.

Short title: (Third copy certified copy or extract to be evidence)

Section: 52

Law number: ([5, Law 41 of 1975])

Description:

Such copy or extract if purporting to be made under the hand of the Registrar-General or the District Registrar or an Additional District Registrar or under the hand of the registrar or the third extract to be



copy issued under section 35A shall be received as prima facie evidence of the matter to which it relates, without any further or other proof of such entry.

Short title: (Surrender of registrar ceasing to hold office)

Section: 53

Law number: ([11, 34 of 1946])

Description:

In every case in which a registrar shall cease to hold office, all the books, documents, papers, and other articles in his possession as such registrar shall be delivered by him or by his legal representative as soon as conveniently may be, with a list thereof to the District Registrar who shall carefully arrange and preserve them in his office, save and except the incomplete books which were in actual use by the registrar at the time he ceased to hold office, and which shall be delivered by the District Registrar to the successor in office of the registrar.

Short title: (Destruction of documents)

Section: 54

Law number:

Description:

Notwithstanding anything to the contrary in this Ordinance, any District Registrar may cause any of the following documents, that is to say—

- (1) any notice referred to in section 23,
  - (2) any marriage notice book referred to in section 25,
  - (3) any certificate referred to in section 26,
  - (4) any licence or declaration, referred to in section 27,
  - (5) any application or licence referred to in section 38, Penalty for no delivery.
- to be destroyed.

Short title: (Penalty for losing or injuring a document)

Section: 55

Law number: ([11, 34 of 1946])

Description:

If any person being, by virtue of his office as registrar or otherwise, in possession of books, documents, papers, and other articles specified in section 53, shall fail, neglect, or refuse to deliver them to the District Registrar, he shall be guilty of an offence punishable with simple or rigorous imprisonment for any term not exceeding two years, or with a fine not exceeding one thousand rupees, or with both.

Short title: (Penalty for destruction of documents and for giving false certificates)

Section: 56

Law number: ([11, 34 of 1946])

Description:

Every person having the custody of any book or document made under this Ordinance, or certified copy of such book or document or of any part thereof, who shall carelessly lose or injure the same, or carelessly allow the same to be injured while in his keeping, shall be guilty of an offence punishable with a fine not exceeding one hundred rupees, or with simple or rigorous imprisonment for a term not exceeding three months or with both such fine and such imprisonment.

Short title: (Penalty for destruction of documents and for giving false certificates)

Section: 57

Law number: ([4, 15 of 1940])

Description:

Every person who:

(a) shall, save as provided in section 54, knowingly and wilfully tear, deface, destroy, or injure any notice, certificate, declaration, book, or any document whatsoever kept under this Ordinance, or under any enactment previously in force, or any part of such document or of certified copy thereof or of part thereof ;

(b) shall knowingly and wilfully insert therein any false entry of any matter relating to any marriage or intended marriage ;

(c) shall sign or issue any false certificate relating thereto ;

(d) shall certify any writing to be a copy or extract of any such book or document, knowing such book or document to be false in any particular, shall be guilty of an offence punishable with imprisonment, simple or rigorous, for a term not exceeding seven years, and with a fine not exceeding one thousand rupees.

Short title: (Penalty for omission to register)

Section: 58

Law number: ([11, 34 of 1946])

Description:

Every registrar who without reasonable cause refuses or omits to register a marriage, or to accept or enter a notice of marriage, or any particulars concerning which information has been tendered to him, and which he ought to accept and enter, shall be liable to a fine not exceeding one hundred rupees.

Offences by minister

Section: 59

Description:

(a) Any minister:

- who solemnizes a marriage before the delivery of the required certificate(s) by this Ordinance, except in the case of a death-bed marriage under section 40.
- fails to duly enter the statement of a marriage in the marriage register on the day it was solemnized or transmit the duplicate statement to the District Registrar within seven days.
- enters any marriage in the marriage register not solemnized in accordance with this Ordinance.
- fails to perform any act required by this Ordinance or performs any act forbidden by this Ordinance.

Undue solemnization of marriage and issue of certificate

Section: 60

Description:

(a) Any person who:

- knowingly and wilfully solemnizes a marriage not legally competent or between parties not legally competent to contract.
- knowingly and wilfully solemnizes a marriage before the issuance of the required certificate(s) by this Ordinance or at an unauthorized place or time.
- solemnizes a marriage declared null and void by this Ordinance.

(b) Any registrar who knowingly and wilfully issues a certificate before or after the prescribed period or before the disposal of objections by a competent court.

(c) Any registrar or minister who knowingly disobeys lawful directions intending to cause or knowing it might cause injury to any person or the Government.

Notices, informations, declarations, certificates, etc., how transmitted

Section: 61

#### Description:

All documents required by this Ordinance to be delivered, sent, or given to/by the Registrar-General, District Registrar, registrar, or minister may be sent by post according to prescribed rules. The date sent in the ordinary course of post is deemed the date received. Proof of receipt includes proper addressing and posting of a prepaid or State service letter.

#### Fees payable

##### Section: 62

Law number: ([49, 11 of 1963])

#### Description:

(1) Fees specified in the Second Schedule are payable by persons mentioned therein for the specified duties. Failure to pay may lead to refusal to perform the duty (subject to prescribed rules).

(2) In addition to fees under (1), when a registrar enters a notice of marriage or solemnizes a marriage outside his office, the person requiring such services shall pay for the registrar's travel expenses. The amount equals the fare payable for a motor cab journey of similar length and duration under applicable laws or as prescribed.

#### Proceedings in courts to be exempt from stamp duty

##### Section: 63

#### Description:

All proceedings in a Court of Justice under this Ordinance are exempt from stamp duty unless otherwise specified.

#### Interpretation

##### Section: 64

In this Ordinance, unless the context otherwise requires:

- 'district' means administrative district; [8.22 of...]

- 'District Registrar' in any section (other than section 8 or section 9) where any power, duty, or function of that officer is mentioned, includes an Additional District Registrar.

- 'marriage' means any marriage, excluding marriages contracted under and by virtue of the Kandyan Marriage Ordinance, 1870 (\*Repealed by Act No. 44 of 1952\*), or the Kandyan Marriage and Divorce Act, and except marriages between persons professing Islam.

- 'minister' means any person ordained or set apart for the ministry of the Christian religion following the customs, rules, ceremonies, or rites of the church, denomination, or body to which such person belongs.

- 'prescribed' refers to the regulations set forth by rules made under section 7. [10,34 of 1946]

Question 1: {Question No 1: A couple recently discovered an error in their marriage register that occurred during the registration process. What legal provision allows for the correction of such errors?}

Answer: {Answer: Any clerical error discovered in a marriage register can be corrected by a person authorized by the Registrar-General, subject to the rules made under Marriage Registration Ordinance (Section 44, 34 of 1946).}

Question 2: {Question No 2: What actions can lead to a marriage being deemed null and void according to the Marriage Registration Ordinance?}

Answer: {Answer: Knowingly and wilfully intermarrying in a place or time not prescribed, or under false names, or solemnizing a marriage without proper certification can render a marriage null and void (Section 46, Marriage Registration Ordinance).}

Question 3: {Question No 3: How can someone forbid the issuance of a marriage certificate by the registrar?}

Answer: {Answer: Any person whose consent to a marriage is required by law can forbid the issue of a registrar's certificate by signing a notice in writing in the presence of the registrar and two credible witnesses, delivering the notice in the form specified by the First Schedule of the Marriage Registration Ordinance (Section 29, Marriage Registration Ordinance).}

Question 4: {Question No 4: Under what circumstances can a marriage be considered null and void according to the Marriage Registration Ordinance?}

Answer: {Answer: If parties knowingly and wilfully intermarry under false pretenses, under a false name, or without the proper certificate of notice, or if they consent to the marriage solemnized by an unauthorized person, the marriage can be declared null and void (Section 46, Marriage Registration Ordinance).}

Question 5: {Question No 5: What are the consequences of falsely giving information for marriage registration purposes according to the Marriage Registration Ordinance?}

Answer: {Answer: Knowingly providing false information or making false declarations to obtain marriage registration, or forbidding a marriage by falsely representing oneself, is punishable by law with imprisonment and/or a fine (Section 57, Marriage Registration Ordinance).}

Question 6: {Question No 6: What happens if a registrar omits or refuses to register a marriage without reasonable cause?}

Answer: {Answer: A registrar who without reasonable cause refuses or omits to register a marriage is liable to a fine not exceeding one hundred rupees according to the Marriage Registration Ordinance (Section 58, Marriage Registration Ordinance).}

Question 7: {Question No 7: In the case of discovering an error in a marriage register, who is authorized to correct such errors and under what conditions?}

Answer: {Answer: Any person authorized by the Registrar-General, subject to the rules made under the provisions of the Marriage Registration Ordinance, is allowed to correct clerical errors found in a marriage register (Section 44, 34 of 1946).}

Question 8: {Question No 8: What provision of the law determines the actions that may render a marriage null and void under the Marriage Registration Ordinance?}

Answer: {Answer: The conditions that may render a marriage null and void are determined by Section 46 of the Marriage Registration Ordinance, including intermarrying under false pretenses or without proper certification, among other stipulations.}

Question 9: {Question No 9: What are the consequences of deliberately and knowingly providing false information to obtain marriage registration?}

Answer: {Answer: Knowingly making false declarations or providing false information for marriage registration purposes is punishable by imprisonment and/or a fine as specified under Section 57 of the Marriage Registration Ordinance.}

Question 10: {Question No 10: What actions can result in the nullification of a marriage according to the Marriage Registration Ordinance?}

Answer: {Answer: Marriages solemnized under false pretenses, between parties not legally competent, or in a place or manner not authorized by the law can be declared null and void under the provisions of Section 46 of the Marriage Registration Ordinance.}

Question 11: {Question No 11: What constitutes an offense committed by a minister according to the Marriage Registration Ordinance?}

Answer: {Answer: Offenses committed by a minister include solemnizing a marriage without the required certificate or not entering the marriage statement properly in the register, among other actions stipulated in the Marriage Registration Ordinance.}

Question 12: {Question No 12: How can a marriage be rendered null and void by a registrar according to the Marriage Registration Ordinance?}

Answer: {Answer: A registrar can render a marriage null and void by issuing a certificate before or after the prescribed period or before the disposal of objections raised under the ordinance, as specified in the provisions (Section 60, Marriage Registration Ordinance).}

Question 13: {Question No 13: Under what circumstances can a marriage be solemnized unlawfully as per the Marriage Registration Ordinance?}

Answer: {Answer: Unlawful solemnization of marriage includes wilfully conducting a marriage without legal competence, or before the issuance of required certificates, among other stipulations under Section 60 of the Marriage Registration Ordinance.}

Question 14: {Question No 14: What is the legal interpretation of the term 'minister' as per the Marriage Registration Ordinance?}

Answer: {Answer: In the context of the ordinance, a 'minister' refers to any person ordained or set apart for the ministry of the Christian religion according to the customs, rules, ceremonies, or rites of their respective church, denomination, or body (Section 64, Marriage Registration Ordinance).}

Question 15: {Question No 15: What actions can lead to penalties under the Marriage Registration Ordinance in case of losing or damaging documents?}

Answer: {Answer: Carelessly losing or injuring any document or allowing it to be injured while in custody can lead to penalties including fines or imprisonment as per the provisions specified in Section 56 of the Marriage Registration Ordinance.}

Question 16: {Question No 16: How can a registrar be penalized according to the Marriage Registration Ordinance for not performing duties without reasonable cause?}

Answer: {Answer: Failure or refusal of a registrar to perform duties without reasonable cause can lead to a fine not exceeding one hundred rupees as specified in Section 58 of the Marriage Registration Ordinance.}

Question 17: {Question No 17: What are the implications for a minister who fails to duly enter a marriage in the marriage register or submit the duplicate statement to the District Registrar within the stipulated time?}



Answer: {Answer: Failing to enter a marriage in the register or submit the duplicate statement within the specified time can be considered an offense under the Marriage Registration Ordinance and might lead to legal repercussions for the minister involved.}

Question 18: {Question No 18: What constitutes an offense for a person who knowingly and willfully interferes with the proper solemnization of a marriage according to the Marriage Registration Ordinance?}

Answer: {Answer: Knowingly and willfully interfering with the proper solemnization of a marriage, such as conducting a marriage between parties not legally competent or before the issuance of required certificates, is considered an offense under the ordinance (Section 60, Marriage Registration Ordinance).}

Question 19: {Question No 19: Under what conditions can a marriage be declared null and void as per the Marriage Registration Ordinance?}

Answer: {Answer: A marriage can be declared null and void under certain circumstances like marrying in a place or time not authorized, using a false name, or without the necessary certificate of notice, among other stipulations detailed in the ordinance (Section 46, Marriage Registration Ordinance).}

Question 20: {Question No 20: What is the significance of the term 'district' in the Marriage Registration Ordinance?}

Answer: {Answer: In the context of the ordinance, 'district' refers to the administrative district, and it holds relevance in various provisions concerning the duties and responsibilities of District Registrars and registrars (Section 64, Marriage Registration Ordinance).}

Question 21: {Question No 21: Can a marriage registrar refuse to perform duties without reasonable cause as per the Marriage Registration Ordinance?}

Answer: {Answer: No, under the Marriage Registration Ordinance, a registrar cannot refuse to perform duties without reasonable cause; doing so may result in penalties stipulated within the ordinance (Section 58, Marriage Registration Ordinance).}

Question 22: {Question No 22: What actions may lead to penalties for the destruction of certain documents according to the Marriage Registration Ordinance?}

Answer: {Answer: Knowingly and willfully destroying or injuring certain specified documents, such as notices, certificates, or any document kept under the ordinance, can lead to legal penalties as per Section 57 of the Marriage Registration Ordinance.}

Question 23: {Question No 23: What are the implications for a minister who fails to follow the stipulated guidelines for solemnizing marriages in the Marriage Registration Ordinance?}

Answer: {Answer: Failure by a minister to comply with the guidelines for solemnizing marriages as per the Marriage Registration Ordinance might result in legal consequences, as it constitutes an offense under the ordinance.}

Question 24: {Question No 24: How can an offense be committed by a minister during the solemnization of a marriage according to the Marriage Registration Ordinance?}

Answer: {Answer: Offenses by a minister can include solemnizing a marriage without the necessary certificate or not entering the marriage statement correctly in the register, among other actions detailed within the ordinance.}

Question 25: {Question No 25: What documents are required for the proper solemnization of a marriage as per the Marriage Registration Ordinance?}

Answer: {Answer: Proper solemnization of a marriage requires the necessary certificates, notices, and other documents specified in the ordinance to be acquired before conducting the marriage.}

Question 26: {Question No 26: How can a marriage be declared null and void according to the provisions of the Marriage Registration Ordinance?}

Answer: {Answer: A marriage may be declared null and void if parties knowingly and willfully intermarry under certain specified circumstances, including marrying in an unauthorized place or time, using a false name, or without the required certificates (Section 46, Marriage Registration Ordinance).}

Question 27: {Question No 27: What are the consequences for a person found guilty of knowingly and willfully inserting false entries in documents kept under the Marriage Registration Ordinance?}

Answer: {Answer: Knowingly and willfully inserting false entries in documents under the ordinance is an offense and can result in imprisonment for a term not exceeding seven years and a fine not exceeding one thousand rupees (Section 57, Marriage Registration Ordinance).}

Question 28: {Question No 28: How can a person be penalized for damaging or losing documents kept under the Marriage Registration Ordinance?}

Answer: {Answer: Any person having custody of documents under the ordinance and causing damage, loss, or injury to the same might face penalties including fines or imprisonment as stipulated in Section 56 of the Marriage Registration Ordinance.}

Question 29: {Question No 29: What actions can lead to penalties for a registrar or minister under the Marriage Registration Ordinance?}

Answer: {Answer: Actions such as knowingly disobeying the law's directions or refusing to perform duties can result in penalties for a registrar or minister as specified in the ordinance.}

Question 30: {Question No 30: Can a marriage registrar refuse to register a marriage without reasonable cause according to the Marriage Registration Ordinance?}

Answer: {Answer: No, a registrar cannot refuse to register a marriage without reasonable cause as per the Marriage Registration Ordinance; such refusal may lead to legal consequences (Section 58, Marriage Registration Ordinance).}

Question 31: {Question No 31: Under what circumstances can a marriage be declared null and void according to the Marriage Registration Ordinance?}

Answer: {Answer: A marriage can be declared null and void if both parties knowingly and willfully intermarry under circumstances not in accordance with the ordinance, such as marrying in an unauthorized place or time or using a false name, unless it's a deathbed marriage under specific provisions (Section 46, Marriage Registration Ordinance).}

Question 32: {Question No 32: What actions can result in penalties for a person in possession of specific documents under the Marriage Registration Ordinance?}

Answer: {Answer: Knowingly failing to deliver required documents to the District Registrar or carelessly allowing documents to be lost or injured while in possession can lead to penalties including fines or imprisonment (Section 55 and 56, Marriage Registration Ordinance).}

Question 33: {Question No 33: Can agreements or deeds related to marriages under the Marriage Registration Ordinance be enforced if they conflict with the court's directives?}

Answer: {Answer: No, agreements, settlements, or deeds made in connection with marriages, if conflicting with the court's directives regarding property settlements, are considered void and have no legal effect as per the ordinance (Section 48, Marriage Registration Ordinance).}

Question 34: {Question No 34: How can an individual be penalized for refusing to deliver required documents under the Marriage Registration Ordinance?}

Answer: {Answer: Refusing or neglecting to deliver documents as required by the ordinance can result in penalties such as imprisonment for a term not exceeding two years or a fine not exceeding one thousand rupees (Section 55, Marriage Registration Ordinance).}

Question 35: {Question No 35: What constitutes an offense for a minister in terms of solemnizing marriages under the Marriage Registration Ordinance?}

Answer: {Answer: Offenses by a minister include solemnizing a marriage without the necessary certificates or failing to enter the marriage statement duly in the register within the stipulated time frame, among other actions described in the ordinance.}

Question 36: {Question No 36: Can a person who knowingly inserts false entries in documents under the Marriage Registration Ordinance be penalized?}

Answer: {Answer: Yes, inserting false entries into documents under the ordinance is an offense punishable by imprisonment for a term not exceeding seven years and a fine not exceeding one thousand rupees (Section 57, Marriage Registration Ordinance).}

Question 37: {Question No 37: What is the role of the District Registrar in handling documents related to the Marriage Registration Ordinance?}

Answer: {Answer: The District Registrar is responsible for receiving and preserving documents, papers, and articles related to marriage registration from registrars who cease to hold office (Section 53, Marriage Registration Ordinance).}

Question 38: {Question No 38: Can a marriage registrar refuse to register a marriage without valid reasons as per the Marriage Registration Ordinance?}

Answer: {Answer: No, a registrar cannot refuse to register a marriage without valid reasons. Such refusal without reasonable cause might lead to legal consequences (Section 58, Marriage Registration Ordinance).}

Question 39: {Question No 39: What actions by a minister can lead to legal consequences under the Marriage Registration Ordinance?}

Answer: {Answer: Failure by a minister to solemnize a marriage as prescribed by the ordinance or not complying with the legal provisions for solemnizing marriages can result in legal consequences (Section 59, Marriage Registration Ordinance).}

Question 40: {Question No 40: Can a person be penalized for damaging or losing documents related to the Marriage Registration Ordinance?}

Answer: {Answer: Yes, any individual in custody of such documents, causing damage, loss, or injury to the documents, might face penalties such as fines or imprisonment as stipulated in the ordinance (Section 56, Marriage Registration Ordinance).}

Question 41: {Question No 41: Can a marriage be solemnized by a minister before receiving the necessary certificates as per the Marriage Registration Ordinance?}

Answer: {Answer: No, a marriage cannot be solemnized by a minister before receiving the required certificate or certificates according to the ordinance (Section 59, Marriage Registration Ordinance).}

Question 42: {Question No 42: What happens if a registrar refuses to register a marriage without a valid reason under the Marriage Registration Ordinance?}

Answer: {Answer: Refusal to register a marriage without a valid reason by a registrar might lead to legal consequences, including possible fines (Section 58, Marriage Registration Ordinance).}

Question 43: {Question No 43: Under what circumstances can a marriage be declared null and void according to the Marriage Registration Ordinance?}

Answer: {Answer: A marriage can be declared null and void if both parties knowingly and willfully intermarry under circumstances not in accordance with the ordinance, such as marrying in an unauthorized place or time or using a false name, unless it's a deathbed marriage under specific provisions (Section 46, Marriage Registration Ordinance).}

Question 44: {Question No 44: Can an individual be penalized for damaging or losing documents related to the Marriage Registration Ordinance?}

Answer: {Answer: Yes, any individual in custody of such documents, causing damage, loss, or injury to the documents, might face penalties such as fines or imprisonment as stipulated in the ordinance (Section 56, Marriage Registration Ordinance).}

Question 45: {Question No 45: Can agreements or deeds related to marriages under the Marriage Registration Ordinance be enforced if they conflict with the court's directives?}

Answer: {Answer: No, agreements, settlements, or deeds made in connection with marriages, if conflicting with the court's directives regarding property settlements, are considered void and have no legal effect as per the ordinance (Section 48, Marriage Registration Ordinance).}

Question 46: {Question No 46: What constitutes an offense for a minister in terms of solemnizing marriages under the Marriage Registration Ordinance?}

Answer: {Answer: Offenses by a minister include solemnizing a marriage without the necessary certificates or failing to enter the marriage statement duly in the register within the stipulated time frame, among other actions described in the ordinance.}

Question 47: {Question No 47: Can a person who knowingly inserts false entries in documents under the Marriage Registration Ordinance be penalized?}

Answer: {Answer: Yes, inserting false entries into documents under the ordinance is an offense punishable by imprisonment for a term not exceeding seven years and a fine not exceeding one thousand rupees (Section 57, Marriage Registration Ordinance).}

Question 48: {Question No 48: What is the role of the District Registrar in handling documents related to the Marriage Registration Ordinance?}

Answer: {Answer: The District Registrar is responsible for receiving and preserving documents, papers, and articles related to marriage registration from registrars who cease to hold office (Section 53, Marriage Registration Ordinance).}

Question 49: {Question No 49: Can a marriage registrar refuse to register a marriage without valid reasons as per the Marriage Registration Ordinance?}

Answer: {Answer: No, a registrar cannot refuse to register a marriage without valid reasons. Such refusal without reasonable cause might lead to legal consequences (Section 58, Marriage Registration Ordinance).}

Question 50: {Question No 50: What actions by a minister can lead to legal consequences under the Marriage Registration Ordinance?}

Answer: {Answer: Failure by a minister to solemnize a marriage as prescribed by the ordinance or not complying with the legal provisions for solemnizing marriages can result in legal consequences (Section 59, Marriage Registration Ordinance).}

Question 1: {Question 1: What legal consequences might arise if a marriage occurs with willfully false information provided in the notice, certificate, or declaration as required by the law?}

Answer 1: {Answer: If a valid marriage happens under false pretenses, such as providing false information in the required documentation (Law: Section 47), the District Court can conduct an inquiry (Law: Section 47) upon the application of either party or the Attorney-General. Upon finding willful false information, the court may order the forfeiture of any property rights arising from the marriage for the

offending party (Law: Section 47(2)). The court can secure these assets for the benefit of the innocent party or the children of the marriage (Law: Section 47(2)). In severe cases where both parties are found guilty, the court can decide to settle the property for the benefit of the children or innocent party (Law: Section 47(3)).}

Question 2: {Question 2: Under what circumstances could a marriage be deemed null and void according to the law?}

Answer 2: {Answer: A marriage can be considered null and void if both parties knowingly and willfully intermarry in a location not specified by the law, use false names during the marriage, or solemnize the marriage without a valid certificate of notice, unless in specific cases such as death-bed marriages (Law: Section 46). Additionally, if parties knowingly allow the marriage to be conducted by an unauthorized person, the marriage could be considered null and void (Law: Section 46).}

Question 3: {Question 3: What actions can be taken if someone provides false information or prevents the granting of a marriage certificate by falsely representing their identity?}

Answer 3: {Answer: If an individual knowingly and willfully provides false information or falsely represents themselves to prevent the issuance of a marriage certificate (Law: Section 45), they may face legal penalties. This includes knowingly making false declarations or signing false notices for marriage registration (Law: Section 45).}

Question 4: {Question 4: How can a marriage registration be corrected if errors are discovered in the marriage register?}

Answer 4: {Answer: In case of any clerical errors found in the marriage register, authorized personnel designated by the Registrar-General, subject to the rules of the Ordinance, can make necessary corrections after conducting due inquiry (Law: Section 44).}

Question 5: {Question 5: What happens if a marriage is conducted without following the proper legal procedures as outlined in the Ordinance?}

Answer 5: {Answer: If a marriage occurs without adhering to the legal requirements prescribed by the Ordinance, such as incorrect location or absence of valid notice or certificate, the marriage could be deemed null and void (Law: Section 46). Additionally, if a marriage is solemnized by someone unauthorized, it could also render the marriage null and void (Law: Section 46).}

Question 1: {Question 1: What legal consequences might arise if a marriage occurs with willfully false information provided in the notice, certificate, or declaration as required by the law?}

Answer 1: {Answer: If a valid marriage happens under false pretenses, such as providing false information in the required documentation (Law: Section 47), the District Court can conduct an inquiry (Law: Section 47) upon the application of either party or the Attorney-General. Upon finding willful false information, the court may order the forfeiture of any property rights arising from the marriage for the offending party (Law: Section 47(2)). The court can secure these assets for the benefit of the innocent party or the children of the marriage (Law: Section 47(2)). In severe cases where both parties are found guilty, the court can decide to settle the property for the benefit of the children or innocent party (Law: Section 47(3)).}

Question 2: {Question 2: Under what circumstances could a marriage be deemed null and void according to the law?}

Answer 2: {Answer: A marriage can be considered null and void if both parties knowingly and willfully intermarry in a location not specified by the law, use false names during the marriage, or solemnize the marriage without a valid certificate of notice, unless in specific cases such as death-bed marriages (Law: Section 46). Additionally, if parties knowingly allow the marriage to be conducted by an unauthorized person, the marriage could be considered null and void (Law: Section 46).}

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Answer 5: {Answer: If a marriage occurs without adhering to the legal requirements prescribed by the Ordinance, such as incorrect location or absence of valid notice or certificate, the marriage could be deemed null and void (Law: Section 46). Additionally, if a marriage is solemnized by someone unauthorized, it could also render the marriage null and void (Law: Section 46).}



Question 6: {Question 6: Can a marriage be registered after being omitted or erroneously registered without fault of the parties involved?}

Answer 6: {Answer: Yes, if a marriage has been omitted from registration or erroneously registered without the parties' fault, either party or their lawful representative can apply to the District Court to have the marriage correctly registered or the erroneous registration amended (Law: Section 43). After due inquiry, the court may order the correction of the registration (Law: Section 43(2)).}

Question 7: {Question 7: What happens if parties enter into settlements or agreements related to a marriage that are inconsistent with the legal provisions governing marriage as per the Ordinance?}

Answer 7: {Answer: Any agreements, settlements, or deeds made by the parties to a marriage that conflict with the legal provisions outlined in the Ordinance will be rendered null and void (Law: Section 48).}

Question 8: {Question 8: What legal implications arise if an individual intentionally prevents the registration of a marriage or provides false information for registration purposes?}

Answer 8: {Answer: Deliberately hindering the registration of a marriage or providing false information for registration purposes can lead to penalties under the law (Law: Section 45). This includes making false declarations or signing false notices for marriage registration (Law: Section 45).}

Question 9: {Question 9: How is proof of a valid marriage provided in legal proceedings according to the law?}

Answer 9: {Answer: The entry made by the registrar in the marriage register book under the sections 34, 35, and 40 constitutes the registration of the marriage and serves as the best evidence of the marriage before courts and in any legal proceedings (Law: Section 41(1)).}

Question 10: {Question 10: Under what conditions can a marriage be declared null and void according to the Ordinance?}

Answer 10: {Answer: A marriage can be declared null and void if parties willfully intermarry in places not prescribed by the law, under false names, or without the required certificate, except in specific cases such as death-bed marriages (Law: Section 46). Additionally, solemnizing a marriage by someone unauthorized can also render the marriage null and void (Law: Section 46).}

Question 11: {Question 11: What are the legal implications if both parties knowingly enter into a marriage under false information or with false documentation?}

Answer 11: {Answer: Knowingly entering into a marriage using false notices, certificates, or declarations can lead to legal consequences such as nullifying the marriage and potential forfeiture of property, as determined by a competent District Court (Law: Section 47).}

Question 12: {Question 12: Can a marriage that has not been solemnized within a specific timeframe after the notice of marriage was entered remain valid?}

Answer 12: {Answer: No, unless specific exceptions apply (as in Section 31(5)), if a marriage is not solemnized within three months from the date the notice of marriage was entered, it becomes void. All proceedings related to such marriage, including the notice, license, or certificate, are considered null and void (Law: Section 39).}

Question 13: {Question 13: Can clerical errors in marriage registers be corrected, and who is authorized to make these corrections?}

Answer 13: {Answer: Yes, clerical errors discovered in marriage registers may be corrected by a person authorized by the Registrar-General, subject to rules established under the Ordinance (Law: Section 44).}

Question 14: {Question 14: In what circumstances can a marriage be considered null and void according to the ordinance?}

Answer 14: {Answer: A marriage can be null and void if parties knowingly and willfully intermarry under false information, false names, or without the proper certification, except in cases of death-bed marriages under specific provisions (Law: Section 46).}

Question 15: {Question 15: Can settlements or agreements made by parties regarding a marriage override the legal provisions of the ordinance?}

Answer 15: {Answer: No, agreements, settlements, or deeds made in relation to a marriage that contradict the legal provisions set forth in the ordinance are considered void and do not hold any legal force (Law: Section 48).}

Question 16: {Question 16: What is the consequence if a marriage is solemnized with a willfully false notice, certificate, or declaration?}

Answer 16: {Answer: Solemnizing a marriage with willfully false information or documentation can lead to inquiries by a District Court, and if found valid, forfeiture of property or assets accruing to the offending party (Law: Section 47).}

Question 17: {Question 17: How is proof of marriage typically established in legal proceedings as per the ordinance?}

Answer 17: {Answer: The entry made by the registrar in the marriage register book constitutes the registration of the marriage and serves as the most substantial evidence in legal proceedings regarding the marriage (Law: Section 41(1)).}

Question 18: {Question 18: Under what circumstances can a marriage be declared null and void according to the ordinance?}

Answer 18: {Answer: A marriage can be declared null and void if parties knowingly intermarry under false information, false names, or without proper certification, except in cases of death-bed marriages, as specified (Law: Section 46).}

Question 19: {Question 19: Can parties rectify errors in marriage registers if these errors were not due to their fault?}

Answer 19: {Answer: Yes, parties or their lawful representatives can apply to the District Court to rectify errors in marriage registers that were not due to their fault (Law: Section 43). The court may order the correction of the registration after due inquiry (Law: Section 43(2)).}

Question 20: {Question 20: Can marriage settlements or agreements made by parties supersede the legal provisions set forth in the ordinance?}

Answer 20: {Answer: No, any agreements, settlements, or deeds related to a marriage that conflict with the legal provisions outlined in the ordinance are considered void and without legal effect (Law: Section 48).}

Question 1:

{Question: What legal steps can a British subject residing in Sri Lanka take if their intended marriage in the UK faces an issue with the notice of marriage?}

{Answer: The British subject can seek assistance from the registrar in Sri Lanka as per Section 32(1) of Law [7, of 1944] to resolve notice-related issues for marriages intended to be solemnized in the UK.}

Question 2:

{Question: In a scenario where a British subject residing in the United Kingdom intends to marry a resident of Sri Lanka, what legal provisions allow for a smooth marriage process in Sri Lanka without fulfilling the local preliminary requirements?}

{Answer: As per Law [7, of 1944] Section 32(2), a certificate for marriage issued in the UK can substitute the notice of marriage requirement in Sri Lanka, facilitating the marriage without the local preliminary steps.}

Question 3:

{Question: What recourse does a person have if they forbid the issuance of a registrar's certificate for a marriage and suspect frivolous or vexatious grounds for the objection?}

{Answer: According to Law [7, of 1944] Section 31(2), the District Judge can conduct a summary inquiry into the grounds of objection and has the authority to impose a fine not exceeding one thousand rupees if the objection is proven to be on frivolous or vexatious grounds.}

Question 4:

{Question: Can a British subject residing in Sri Lanka marry another British subject also residing in Sri Lanka without fulfilling the usual notice-related requirements?}

{Answer: Yes, according to Law [7, of 1944] Section 32(1), they can complete the notice and issuance of a certificate of notice of marriage in Sri Lanka for a marriage intended to take place in Sri Lanka.}

Question 5:

{Question: What legal measures are in place to validate marriages between British subjects residing in different countries within the UK and Sri Lanka?}

{Answer: Law [7, of 1944] Section 32(2) allows certificates issued in the UK to hold the same effect as certificates of notice of marriage in Sri Lanka, enabling marriages without fulfilling the local preliminary requirements.}

Question 1:

{Question: What legal provisions allow for the alteration of divisions concerning the solemnization of marriages, and how do they impact the issuance of certificates for marriage?}

{Answer: Law [7, of 1944] Section 28 outlines the procedure when an area transitions from an old division to a new one, allowing registrars from either division to perform necessary actions for marriage certificates.}

Question 2:

{Question: What legal rights do individuals possess to prevent the issuance of a registrar's certificate for marriage, and what are the consequences of raising objections to a marriage?}

{Answer: As per Law [7, of 1944] Section 29, individuals with consent required for marriage can forbid the issuance of a certificate by signing a notice in writing. Section 31 specifies that frivolous objections may result in fines imposed by the District Judge.}

Question 3:

{Question: How do the provisions in Law [7, of 1944] Sections 32 and 33 facilitate marriages between British subjects in the UK and Sri Lanka, respectively?}

{Answer: Section 32 allows for alternative procedures for marriages in the UK or Sri Lanka, while Section 33 specifies the process for marriage solemnization in Sri Lanka based on the produced registrar's certificate.}

Question 4:

{Question: What measures does the law provide to resolve objections or caveats raised against the issuance of a marriage certificate, and who has the authority to adjudicate these matters?}

{Answer: Law [7, of 1944] Section 31 outlines the procedure where the District Judge conducts an inquiry into objections raised and has the authority to order the issuance or refusal of a certificate.}

Question 5:

{Question: Under what circumstances can certificates issued in the UK substitute the requirements for notice of marriage in Sri Lanka, as per the law?}

{Answer: Law [7, of 1944] Section 32(2) specifies that certificates for marriage from the UK can replace notice of marriage requirements in Sri Lanka for specific cases, facilitating marriages without fulfilling local preliminary steps.}

Question 6:

{Question: What steps can a British subject in Sri Lanka take if they intend to marry another British subject in the UK without going through the standard local preliminary requirements?}

{Answer: According to Law [7, of 1944] Section 32(1), the Sri Lankan registrar can issue a notice of marriage for a UK-based marriage, bypassing local preliminary steps.}

Question 7:

{Question: In what instances can a British subject in the UK intending to marry a Sri Lankan resident do so in Sri Lanka without adhering to local preliminary procedures?}

{Answer: Law [7, of 1944] Section 32(2) allows certificates issued in the UK to suffice for Sri Lankan marriages, exempting parties from local preliminary requirements.}

Question 8:

{Question: What are the responsibilities of a registrar or minister regarding the validation of a marriage in Sri Lanka as per Law [7, of 1944] Section 33?}

{Answer: Section 33 requires the minister or registrar to verify and match the particulars in the registrar's certificate with the book entries, ensuring compliance with the law during the marriage solemnization process.}

Question 9:

{Question: Under what circumstances can a District Judge intervene in the issuance of a registrar's certificate, and what powers does the judge hold in this regard?}

{Answer: Law [7, of 1944] Section 31 permits the District Judge to adjudicate objections raised against marriage and can either allow or refuse the issuance of the certificate, exercising discretionary powers.}

Question 10:

{Question: How does Law [7, of 1944] Section 28 provide legal solutions for marriages impacted by alterations in divisional structures, and who has the authority to oversee these solutions?}

{Answer: Section 28 enables registrars from either the old or new divisions, nominated by the District Registrar, to take necessary actions for marriage certificates, overseen by the District Registrar.}

Question 11:

{Question: Under what conditions can a marriage certificate be issued by a registrar from the old or new division when an area undergoes a transition as outlined in Law [7, of 1944] Section 28?}

{Answer: The certificate issuance by a registrar from either division is permitted when notice of an intended marriage was given before the area transition, yet the certificate wasn't issued or the marriage solemnized before the transition date.}

Question 12:

{Question: What legal recourse is available if an objection is raised against the issuance of a marriage certificate, and what steps must the District Judge follow in such cases?}

{Answer: Law [7, of 1944] Section 31 mandates the District Judge to conduct a summary inquiry into the grounds of objection, deciding whether the certificate should be issued or not.}

Question 13:

{Question: How does Law [7, of 1944] Section 29 empower individuals to prevent the issuance of a registrar's certificate for marriage, and what formalities must they fulfill to raise such objections?}

{Answer: Section 29 allows individuals whose consent is required for marriage to forbid the issuance of a certificate by signing and delivering a notice in writing to the registrar, along with credible witnesses.}

Question 14:

{Question: What are the implications and legal consequences of entering a caveat against the issuance of a marriage certificate, as per Law [7, of 1944] Section 30?}

{Answer: Section 30 permits any person to enter a caveat before the issuance of the certificate, leading to a District Judge's inquiry into the grounds of objection, and potential fines if objections are deemed frivolous.}

Question 15:

{Question: How does Law [7, of 1944] Section 33 provide alternatives for the solemnization of marriages between British subjects in Sri Lanka, specifying the roles of ministers and registrars?}

{Answer: Section 33 allows for marriage solemnization by a minister in a registered place of worship or by a registrar in his authorized place, contingent upon no lawful impediment.}

Question 16:

{Question: What procedures are in place for the transmission of duplicate statements of marriage to the District Registrar, as mandated by Law [7, of 1944] Section 33?}

{Answer: The minister is required to separate the duplicate statement within seven days of marriage solemnization and transmit it to the District Registrar, accompanied by appropriate stamps.}

Question 17:

{Question: What authority does the District Judge have regarding objections raised against marriage, and what actions can the judge take based on the findings?}

{Answer: The District Judge, as per Law [7, of 1944] Section 31, conducts inquiries into objections and can either allow the certificate issuance or refuse it, imposing fines for frivolous objections.}

Question 18:

{Question: How does Law [7, of 1944] Section 32 accommodate marriages between British subjects in Sri Lanka and the UK, bypassing local preliminary requirements in specific scenarios?}

{Answer: Section 32 outlines alternative procedures allowing for certificate issuance in Sri Lanka for UK-based marriages and vice versa, exempting parties from fulfilling local preliminary steps.}

Question 19:

{Question: What role does the District Registrar play in overseeing the procedures related to marriages in the altered divisions, as stipulated in Law [7, of 1944] Section 28?}

{Answer: The District Registrar nominates registrars from either division to perform necessary actions for marriage certificates when an area undergoes a divisional transition.}

Question 20:

{Question: Under what circumstances can a certificate issued in the UK hold the same effect as a certificate of notice of marriage in Sri Lanka, as per Law [7, of 1944] Section 32(2)?}

{Answer: Section 32(2) enables certificates issued in the UK to substitute notice of marriage requirements in Sri Lanka, facilitating marriages without fulfilling local preliminary steps.}