

PROJET DE LOI

ENTITLED

The Marriage (Enabling) (Guernsey) Law, 1961 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Ordres en Conseil Vol. XVIII, p. 312. See also the Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Guernsey) Ordinance, 2017 (No. XIII of 2017); the Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Alderney) Ordinance, 2018 (Alderney Ordinance No. VIII of 2018); the Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Sark) Ordinance, 2020 (Sark Ordinance No. II of 2020). This Law has been repealed by the Marriage (Bailiwick of Guernsey) Law, 2020 (No. XVI of 2020).

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ARRANGEMENT OF SECTIONS

1. Certain marriages not to be void.
2. Citation.

REPEALED

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THE STATES, in pursuance of their Resolution of the twelfth day of October, nineteen hundred and sixty, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Certain marriages not to be void.

1. (1) Notwithstanding anything contained in the Law entitled "Loi sur les Empêchements au Mariage à cause de Parenté et sur l'Établissement de la Juridiction Civile dans les Causes Matrimoniales" registered on the twenty-first day of March, nineteen hundred and thirty-six, no marriage hereafter contracted (whether in or out of the Bailiwick) between a man and a woman who is the sister, aunt or niece of a former wife of his (whether living or not), or was formerly the wife of his brother, uncle or nephew (whether living or not), shall by reason of that relationship be void or voidable under any enactment or rule of law applying in the Bailiwick as a marriage between persons within the prohibited degrees of affinity.

(2) This section does not validate a marriage if either party to it is at the time of the marriage domiciled in a country outside the Bailiwick and under the law of that country there cannot be a valid marriage between the parties.

(3) In this section words of kinship apply equally to kin of the whole and of the half blood and the expression "**the Bailiwick**" means the Bailiwick of Guernsey.

NOTE

In accordance with the provisions of, first (in relation to Guernsey), the Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Guernsey) Ordinance, 2017, section 2, Schedule 2, with effect from 2nd May, 2017, second (in relation to Alderney), the Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Alderney) Ordinance, 2018, section 2, Schedule 2, with effect from 14th June, 2018 and, third (in relation to Sark), the Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Sark) Ordinance, 2020, section 2, Schedule 2, with effect from 23rd April, 2020, section 1(2) and section 2 of, respectively, the Same-Sex Marriage (Guernsey) Law, 2016, the Same-Sex Marriage (Alderney) Law, 2017 and the Same-Sex Marriage (Sark) Law, 2020 do not apply in respect of this Law.

Citation.

2. This Law may be cited as the Marriage (Enabling) (Guernsey) Law, 1961.

NOTE

The Law received Royal Sanction on 27th April, 1961 and was registered on the Records of the Island of Guernsey and came into force on 16th May, 1961.
