

# *The Marriage Regulations, 1997*

*being*

[Chapter M-4.1 Reg 1](#) (effective February 21, 1997) as amended by Saskatchewan Regulations [111/2005](#) and [126/2010](#).

**NOTE:**

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

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## CHAPTER M-4.1 REG 1

### *The Marriage Act, 1995*

#### **Title**

**1** These regulations may be cited as *The Marriage Regulations, 1997*.

#### **Interpretation**

**2** In these regulations, “**Act**” means *The Marriage Act, 1995*.

28 Feb 97 cM-4.1 Reg 1 s2.

#### **Fees to director**

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

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

28 Feb 97 cM-4.1 Reg 1 s3.

#### **Fees to issuer**

**4** Every issuer is entitled to receive \$60 from each person requiring a licence.

28 Feb 97 cM-4.1 Reg 1 s4; 24 Dec 2010 SR 126/2010 s3.

#### **Fees to marriage commissioner**

**5(1)** Subject to subsection (2), a marriage commissioner is entitled to be paid a fee of \$75 for each marriage he or she conducts.

**(2)** If the parties to the marriage request a marriage commissioner to attend a rehearsal or other meeting with the parties before the marriage ceremony, the marriage commissioner is entitled to be paid a fee of \$100 for conducting the marriage.

**(3)** A marriage commissioner is entitled to be paid a fee for travelling expenses in accordance with the tariff of travel expenses approved pursuant to *The Public Service Act, 1998* for employees of the public service if:

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

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

24 Dec 2010 SR 126/2010 s4.

**Forms**

- 6(1)** The forms set out in the Appendix are prescribed for the purposes of the Act.
- (2) Form A is the prescribed form for the certified list pursuant to section 6 of the Act.
- (3) Form B (front and back) is the prescribed form of marriage licence and statutory declaration pursuant to subsection 10(2) and clause 17(1)(b) of the Act.
- (4) Form C is the prescribed form for the weekly return to be forwarded by an issuer pursuant to section 11 of the Act.
- (5) Form D is the prescribed form of declaration pursuant to section 18 of the Act.
- (6) Form E is the prescribed form of consent pursuant to subsection 25(1) of the Act.

28 Feb 97 cM-4.1 Reg 1 s6.

**Repeal and transitional**

- 7(1)** *The Marriage Regulations* are repealed.
- (2) Where a licence or declaration in the prescribed form pursuant to *The Marriage Regulations* was issued or declared before the coming into force of these regulations, the licence or declaration is deemed to be in the prescribed form for the purposes of the Act and these regulations.

28 Feb 97 cM-4.1 Reg 1 s7.

Appendix



Province of Saskatchewan

Saskatchewan Justice

List of Clergy Authorized to Solemnize Marriage in Saskatchewan

Form A

The \_\_\_\_\_ (Name of Religious Body/Group)

being a religious body/group within the meaning of The Marriage Act, 1995 of the Province of Saskatchewan, and having well recognized rites and ceremonies respecting the solemnization of marriage, makes application by its governing authority for the registration of the persons whose names are set forth below. Each of the persons is duly ordained or appointed according to the rites and ceremonies of the religious body/group making the application and deemed to be a member of the clergy within the definition of section 3 of The Marriage Act, 1995.

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

Dated the \_\_\_\_\_ day of \_\_\_\_\_

Signature \_\_\_\_\_ Address \_\_\_\_\_

Name	Address	Pastoral Charge

Use Typewriter or Print Names Very Clearly

(aussi disponible en français)



Province of  
Saskatchewan

Saskatchewan  
Justice

## Marriage Licence Form B

TO BE COMPLETED BY THE OFFICIATING CLERGY OR MARRIAGE COMMISSIONER.

I certify that:

\_\_\_\_\_ of \_\_\_\_\_  
*Full Name of Applicant* *Resident Address After Marriage*

and

\_\_\_\_\_ of \_\_\_\_\_  
*Full Name of Co-Applicant* *Resident Address After Marriage*

were married by me at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day

of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
*Signature of Officiating Clergy or Marriage Commissioner*

\_\_\_\_\_  
*Address in Full*

\_\_\_\_\_  
*City, Province and Postal Code*

\_\_\_\_\_  
*Officiating Clergy's Religious Denomination*

\_\_\_\_\_  
*Registration Number of Officiating Clergy or Marriage Commissioner*

Within 48 hours after solemnization of the marriage, the officiating clergy or marriage commissioner shall forward, by mail, to the Director of Vital Statistics, this licence and any other documents pertaining to this marriage. These forms must be attached to the registration form and then be submitted by the officiating clergy or marriage commissioner in accordance with the provisions of *The Marriage Act, 1995*.

(All Marriage Licence Issuers Please Ensure the Couple Reads the Following)

DEGREES OF CONSANGUINITY THAT BAR THE LEGAL SOLEMIZATION OF MARRIAGE		
A PERSON may not marry that person's		
Grandmother	Sister	Granddaughter
Grandfather	Brother	Grandson
Mother	Daughter	
Father	Son	
The relationships set forth in this table include all such relationships, whether by the whole or half blood or by order of adoption.		

Statutory Declaration on Reverse Side  
(aussi disponible en français)

STATUTORY DECLARATION

Form B (REVERSE)
(PLEASE PRINT CLEARLY IN BLACK INK)

As \_\_\_\_\_ of \_\_\_\_\_
Full Name of Applicant City and Province

And \_\_\_\_\_ of \_\_\_\_\_
Full Name of Co-Applicant City and Province

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

TO BE COMPLETED BY APPLICANT

1. Statement of Age
I am \_\_\_\_\_ years of age.
2. Statement of Marital Status
I have never been married.
I am widowed. My former spouse died on \_\_\_\_\_ date
at \_\_\_\_\_ place
I am divorced. I presented to the Issuer of Marriage Licences a Decree Absolute of Divorce/Certificate of Divorce.
dated \_\_\_\_\_
at \_\_\_\_\_ place
as proof of dissolution of my marriage.
My previous marriage was annulled. I presented to the Issuer of Marriage Licences a Decree of Nullity of Marriage.
dated \_\_\_\_\_
at \_\_\_\_\_ place
as proof of annulment of my marriage.
Signature of Applicant

Declared before me at \_\_\_\_\_,
Saskatchewan, this \_\_\_\_\_ day
of \_\_\_\_\_, \_\_\_\_\_.

Signature of Issuer of Marriage Licences

TO BE COMPLETED BY CO-APPLICANT

1. Statement of Age
I am \_\_\_\_\_ years of age.
2. Statement of Marital Status
I have never been married.
I am widowed. My former spouse died on \_\_\_\_\_ date
at \_\_\_\_\_ place
I am divorced. I presented to the Issuer of Marriage Licences a Decree Absolute of Divorce/Certificate of Divorce.
dated \_\_\_\_\_
at \_\_\_\_\_ place
as proof of dissolution of my marriage.
My previous marriage was annulled. I presented to the Issuer of Marriage Licences a Decree of Nullity of Marriage.
dated \_\_\_\_\_
at \_\_\_\_\_ place
as proof of annulment of my marriage.
Signature of Co-Applicant

Declared before me at \_\_\_\_\_,
Saskatchewan, this \_\_\_\_\_ day
of \_\_\_\_\_, \_\_\_\_\_.

Signature of Issuer of Marriage Licences

The above named couple have decided to marry each other and wish to have their marriage solemnized pursuant to The Marriage Act, 1995 of Saskatchewan. I grant this licence to them by virtue of which any person authorized to solemnize marriages within the Province of Saskatchewan is entitled to solemnize their marriage at any time within three months from the effective date shown below.

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

Issued at \_\_\_\_\_, Saskatchewan.

Dated and becoming effective on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

THIS LICENCE IS VALID FOR ONLY 3 MONTHS

Signature of Issuer

(In accordance with subsection 17(5) of The Marriage Act, 1995, this licence becomes effective one day after the date on which the Statutory Declaration was filed with the issuer.)



Province of  
Saskatchewan

Saskatchewan  
Justice

**Report of Marriage  
Licences Issued**  
Form C

I, \_\_\_\_\_ of \_\_\_\_\_,  
Issuer of Marriage Licences, report that during the week ending \_\_\_\_\_,  
I issued \_\_\_\_\_ marriage licences, as follows:

Issued to		
Marriage Licence No.	Name and Address of Applicant	Name and Address of Co-Applicant

and that at the end of that week I had in my custody \_\_\_\_\_ unissued licences  
numbered \_\_\_\_\_

\_\_\_\_\_, \_\_\_\_\_  
(Date signed)

My file no. is \_\_\_\_\_  
\_\_\_\_\_  
*Signature of Issuer of Marriage Licences*

According to section 11 of *The Marriage Act, 1995*, subject to section 12 of that Act, on Monday in each week, every issuer shall forward to the director a return, in the prescribed form (Form C), respecting the licences that he or she issued during the

(aussi disponible en français)





Province of  
Saskatchewan

Saskatchewan  
Justice

## Statutory Declaration

Form D

### NON-ATTENDANCE BEFORE ISSUER OF MARRIAGE LICENCES

As \_\_\_\_\_ and \_\_\_\_\_  
*Full Name of Applicant* *Full Name of Co-Applicant*

wish to marry each other and wish to have their marriage solemnized under *The Marriage Act, 1995* of Saskatchewan,

I, \_\_\_\_\_ of \_\_\_\_\_  
*Name* *City and Province*

one of the contracting parties, do solemnly declare that:

1. I reside at \_\_\_\_\_  
*Address*

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

\_\_\_\_\_

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

<p>DEGREES OF CONSANGUINITY THAT BAR THE LEGAL SOLEMNIZATION OF MARRIAGE</p> <p>A PERSON may not marry that person's</p> <table> <tr> <td>Grandmother</td> <td>Sister</td> <td>Granddaughter</td> </tr> <tr> <td>Grandfather</td> <td>Brother</td> <td>Grandson</td> </tr> <tr> <td>Mother</td> <td>Daughter</td> <td></td> </tr> <tr> <td>Father</td> <td>Son</td> <td></td> </tr> </table> <p>The relationships set forth in this table include all such relationships, whether by the whole or half blood or by order of adoption.</p>			Grandmother	Sister	Granddaughter	Grandfather	Brother	Grandson	Mother	Daughter		Father	Son	
Grandmother	Sister	Granddaughter												
Grandfather	Brother	Grandson												
Mother	Daughter													
Father	Son													

4. I am \_\_\_\_\_ years of age.

5. I am:  single  widowed  divorced

(Give date and place of death of former spouse)

(Give date of divorce)

**(If divorced present DECREE ABSOLUTE OF DIVORCE/CERTIFICATE OF DIVORCE to the marriage licence issuer.)**

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

\_\_\_\_\_  
*Signature of Applicant or Co-Applicant*

Declared before me at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

Pursuant to section 23 of *The Marriage Act, 1995*, this document is to be mailed to The Director, Vital Statistics, Department of Health, Regina, Saskatchewan, within 48 hours after the solemnization of marriage.

**(aussi disponible en français)**

**Instructions**  
**Statutory Declaration— Non-Attendance Before Issuer**

Please complete this form in the presence of a Justice of the Peace, a Commissioner for Oaths or a Notary Public.

Once the form is completed, give this form to your fiancé(e) and he/she should take it with him/her and present it to the marriage licence issuer when purchasing the marriage licence. The issuer will then staple it to the marriage licence.

The marriage licence and the non-attendance form will be given back to your fiancé(e), as these documents must be presented to the person who is performing your marriage ceremony.

If you have any questions, please do not hesitate to contact:

Saskatchewan Justice  
Marriage Inquiry Unit  
Telephone: (306) 787-3869

Room 323, 3085 Albert Street  
Regina, Saskatchewan S4P 3V7

Province of  
SaskatchewanSaskatchewan  
Justice

## Consent to Marriage of a Minor

*The Marriage Act, 1995* [Section 25]  
Form E

### PART "A"

This section must be completed by parent(s) or guardian in all cases where the Applicant or Co-Applicant is under 18 years of age. If both parties are under 18 years of age, two consent forms are required.

I/We give consent for my/our \_\_\_\_\_  
*Son, Daughter or Ward*

named \_\_\_\_\_ to marry \_\_\_\_\_

and I/we certify that my/our \_\_\_\_\_ is \_\_\_\_\_ years of age.

\_\_\_\_\_  
*Signature of Parent or Guardian*

\_\_\_\_\_  
*Signature of Other Parent or Guardian*

\_\_\_\_\_  
*Address of Parents or Guardian*

Declared before me at \_\_\_\_\_, Saskatchewan,

this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
*Issuer of Marriage Licences or any person authorized to take affidavits*

The consent of both parents is required except as indicated in section 25 of *The Marriage Act, 1995* (see reverse side of this Form). If the consent of one parent only is entered, please indicate whether the other parent is deceased or whether subsection 25(2) or (3) applies.

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

## Statutory Declaration by Parent

*The Marriage Act, 1995* [Section 25]

### PART "B"

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

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

I, the parent of \_\_\_\_\_,  
*Minor's Name*

do solemnly declare:

- (1) That \_\_\_\_\_,  
*Other Parent's Name*

and I are the parents of \_\_\_\_\_;  
*Minor's Name*

- (2) That, although we are not divorced or legally separated, we have been living apart since \_\_\_\_\_,  
*date*

- (3) That, since the date mentioned above, \_\_\_\_\_  
*Minor's Name*

and \_\_\_\_\_ has not contributed to our support.  
*Other Parent's Name*

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

Declared before me at \_\_\_\_\_, Saskatchewan,

this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
*Signature of Parent*

\_\_\_\_\_  
*Issuer of Marriage Licences or any person authorized to take affidavits*  
(aussi disponible en français)

**Consent required**

25(1) Subject to subsections (2) to (6), if either of the parties to an intended marriage is under the age of 18 years then, before the issue of a licence, there must be deposited with the issuer a consent to the marriage in the prescribed form:

- (a) by both parents of the minor if both are living; or
  - (b) by the surviving parent of the minor where one of the parents is dead.
- (2) The consent of only one parent is sufficient:
- (a) where that parent has legal custody of the minor and the marriage of the parents has been dissolved or the parents are living separate and apart from each other pursuant to a decree of judicial separation or under a separation agreement; or
  - (b) where the other parent is a patient in an in-patient facility within the meaning of *The Mental Health Services Act*.
- (3) The consent of only one parent is sufficient where the minor has been living with that parent for a period of at least one year immediately preceding the date of the intended marriage of the minor and where:
- (a) the marriage of the parents of the minor has not been dissolved but the parents have been living separate and apart from each other during that period other than pursuant to a decree of judicial separation or under a separation agreement;
  - (b) the parents have not cohabited as husband and wife at any time during that period;
  - (c) the parent not having custody of the minor has not contributed to the support of the other parent or the minor during that period; and
  - (d) the parent giving the consent files with the consent in the prescribed form a declaration in the prescribed form.
- (4) If one of the parties to the intended marriage is a minor and if both parents of the minor are dead or one of the parents is dead and the other parent is a patient in an in-patient facility within the meaning of *The Mental Health Services Act*, then before the issue of a licence there must be deposited with the issuer a consent of the kind mentioned in subsection (1), given by a lawfully appointed guardian of the minor or the acknowledged guardian who may have brought up or may, for three years immediately preceding the intended marriage, have supported the minor.
- (5) If one of the parties to the intended marriage is a minor and the minor has been committed to the Minister of Community Resources and Employment pursuant to *The Family Services Act*, being chapter F-7 of *The Revised Statutes of Saskatchewan, 1978*, or *The Child and Family Services Act*, then before the issue of the licence there must be deposited with the issuer a consent of the kind mentioned in subsection (1), given by a director within the meaning of that Act.
- (6) Subsections (1) to (5) do not apply to a person who is a widow or widower or who has been previously married but whose marriage has been dissolved.
- (7) Subject to section 26, the consent required by this section is a condition precedent to a valid marriage unless the marriage has been consummated or the parties have cohabited and lived together as husband and wife after the ceremony. 1995, c.M-4.1, s.25; 2004, c.66, s.6.

14 Oct 2005 SR 111/2004 s2.