

CYPRUS

MARRIAGE

CHAPTER 279 OF THE LAWS

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1959

CHAPTER 279.

MARRIAGE.

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TO AMEND AND CONSOLIDATE THE LAW RELATING TO
MARRIAGE.

[16th June, 1923.]

Short title.

1. This Law may be cited as the Marriage Law.

2. In this Law—

Interpre-
tation.

“ Marriage Officer ” means a person appointed to be a Marriage Officer for the purposes of this Law;

“ Registered Minister ” means a minister of religion who is registered under the provisions of this Law:

Provided that any minister of the Greek-Orthodox Church shall, when celebrating any marriage the parties to which are not both members of the Greek-Orthodox Church, be deemed to be a Registered Minister for the purposes of this Law. 5 of 3/37.

3. The Governor may, for the purposes of this Law, from time to time appoint for each district of the Colony such number of Marriage Officers as he thinks fit, and may remove any such Marriage Officer. Until the Governor shall otherwise provide, every Commissioner shall be a Marriage Officer for his district.

Marriage
Officers.

4. The Administrative Secretary upon receiving a requisition in writing in the name of any accredited or recognized minister of any Christian or Jewish Church, denomination or body, ordinarily officiating as such, under the hand of such minister, and of the recognized head of the denomination to which he belongs (such writing specifying his religious denomination and designation, and his residence, and desiring that his name may be registered as a minister for celebrating marriages), shall forthwith, without fee, register the name of such minister with the foregoing particulars in a register book to be kept by him for that purpose:

Registration
of ministers.

Provided always that if for any serious or notorious cause the Governor desires to exclude any minister so applying from being registered as a minister for celebrating marriages or to remove the name of any minister from the register after he has been so registered he shall refer the matter in the first place to the recognized head of the denomination to which such minister belongs and if the recognized head of such denomination as aforesaid does not agree to such exclusion or removal the matter shall be referred to the Administrative Secretary for final decision, and pending his decision no step shall be taken to remove any such minister and a minister for whose inclusion in the register a requisition as aforesaid has been made shall be provisionally registered. 2 of 19/25.

Names of registered ministers to be published.

5. The Administrative Secretary shall publish in the Gazette, within one month after receiving the same, the name of every minister which shall have been sent to him, in the manner and containing the particulars in that behalf aforesaid, and which shall have been by him registered accordingly; and he shall further, in the month of January in every year, publish in the Gazette the names of all ministers then duly registered with their designations, denominations and residences.

Notice of intended marriage.

6. Whenever any person desires to contract a marriage in the Colony, each of the parties to the intended marriage shall, under his or her hand, give notice thereof to a Marriage Officer of the district wherein such party has his or her abode; such notice shall be as near as may be in the form A in the First Schedule hereto, and shall be signed by the person by whom it is given.

First Schedule.

Notice to be filed and published.

7. The Marriage Officer to whom such notice is addressed shall file the same in his office, and shall enter a copy thereof, with the date of entry, in a book to be kept by him for that purpose (which book shall be open to inspection by any person during office hours), and shall cause a copy or copies of such notice to be posted in some public place or places in the town or village in which either or both of the parties to the intended marriage reside, and to remain so posted until he shall issue a certificate in respect of such intended marriage as hereinafter provided, or until the expiration of three months from the date of the notice; and if either of the parties to the intended marriage is a subject of a foreign government having a Consul in Cyprus, the Marriage Officer shall forward to the Cyprus Consulate of such Government a certified copy of the notice of marriage.

Certificate to be issued by Marriage Officer.

8. At any time not more than three months nor less than fifteen days after the giving of such notice, the Marriage Officer receiving the same, or some other Marriage Officer of the same district, shall, on the request of the party to the intended marriage, giving the notice, give to him or her a certificate, as near as may be in the form B in the First Schedule, unless the issue of such certificate has been forbidden in the manner hereinafter provided by some person hereby authorized to forbid it.

First Schedule.

When notice void.

9. If the marriage does not take place within three months after giving the above notices the notices given, and all proceedings consequent thereupon, shall be void.

10. The Governor may, in case of an intended marriage, when he sees fit, grant a special licence as near as may be in the form C in the First Schedule, dispensing with notices or certificates, or both, and authorizing the celebration of marriage between the parties named in the special licence at any time or place therein specified.

Special
licences.
First
Schedule.

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

Declaration
of parties
that no
impediment.

12. If either party to the intended marriage, not being a widower or a widow, is under twenty-one years of age, the written consent of the father, or, if he be dead or incapable of consenting, of the mother, or, if both be dead or incapable of consenting, of the lawful guardian of such party, must be produced to the Marriage Officer before he issues a certificate or to the Governor before he grants a licence.

Consent of
parents or
guardians.

13. If there be no parent or guardian of such party residing in the Colony and capable of consenting, the Chief Justice may, on the application of the person applying for the certificate, give his consent in writing to the marriage if, upon inquiry the marriage appears to him to be proper. Such consent shall be as effectual for the purposes of this Law as if it had been the consent of the father, mother or guardian.

If no parent
or guardian
then of Chief
Justice.

14. Any person whose consent is required as aforesaid may forbid the issue of the Marriage Officer's certificate by serving on the Marriage Officer notice in writing setting forth his or her name, occupation and address, and the character in which he or she forbids the issue of the certificate.

Forbidding
issue of
certificate.

Question as to right to forbid referred to Chief Justice.

15. If the person applying for the certificate alleges that the person forbidding the issue of the certificate is not authorized so to do, the Marriage Officer concerned shall refer the matter to the Chief Justice, who shall decide thereupon in a summary way, and his decision shall be final, and if he shall decide that the person forbidding the issue of the certificate was not authorized so to do, the period which shall have elapsed between the date of the notice forbidding the issue of the certificate and the date of such decision shall not be reckoned as part of the three months within which the certificate may be issued.

Marriages to be celebrated by Registered Minister or Marriage Officer.

16. The marriage of any person may be celebrated in the Colony by any Registered Minister according to the rites and ceremonies of marriage observed by the church, denomination or body to which such minister belongs, or by any Marriage Officer at his office, provided that in either case the marriage be celebrated in the presence of two or more witnesses with open doors, but no Marriage Officer or Registered Minister shall celebrate any such marriage before the certificates of a Marriage Officer or the special licence of the Governor by this Law provided for, have or has first been obtained and produced to him.

Ceremony by Marriage Officer.

17. The form of celebration of marriage by a Marriage Officer shall be as follows:—The Marriage Officer shall address the parties in the following words:—“Know ye, A.B. and C.D., that by the public taking of each other as man and wife in my presence, and in the presence of the persons now here, and by the subsequent attestation thereof by signing your names to that effect, you become legally married to each other for all purposes of the Civil Law, and know ye further, that this marriage cannot be dissolved during your life-time except by a valid judgment of divorce, and that if either of you (before the death of the other) shall contract another marriage while this remains undissolved, you will thereby be guilty of bigamy, and be liable to the punishment inflicted for that offence;” and each of the parties shall then say to the other—“I call upon all persons here present to witness that I, A.B., do take thee, C.D., to be my lawful wife (or husband).”

Certificate of marriage.

First Schedule.

18. Immediately upon the celebration of a marriage under this Law, a certificate in duplicate, as near as may be according to the form D in the First Schedule, shall be signed by the Registered Minister or Marriage Officer who

celebrates the marriage, and by the parties to the marriage, and by two or more witnesses to the same, one of which certificates shall be delivered to the parties to the marriage, and the other shall, within seven days thereafter, be transmitted by the Registered Minister or Marriage Officer to the Administrative Secretary, who shall file and record the same in his office.

19. The Administrative Secretary shall register all certificates of marriage filed in his office in such order and manner as he thinks most convenient for easy reference thereto.

Marriage certificates to be registered.

20. Any certificate of a marriage under this Law filed in the office of the Administrative Secretary or a copy thereof purporting to be signed and certified as a true copy by the Administrative Secretary, shall be admissible as evidence of the marriage to which it relates in any Court of Justice or before any person authorized by law or by consent of parties to hear, receive and examine evidence.

Certified copies to be evidence.

21. No marriage celebrated in Cyprus after this Law takes effect shall be valid if both parties knowingly and wilfully acquiesce in its celebration under a false name or names, or without either certificates or licence duly issued under this Law, or by a person not being a Registered Minister or Marriage Officer; but, save as aforesaid, no marriage shall be deemed invalid by reason that any provision of this Law has not been complied with, but no marriage celebrated in Cyprus under this Law shall be valid which if celebrated in the country to which either of the parties to the marriage belongs, would be null and void on the ground of kindred or affinity:

What marriages invalid.

Provided that a minister of religion may celebrate a marriage in *articulo mortis*, or in any other circumstances in which it is desirable or necessary according to the Canon Law of the Church to which he belongs that a marriage should be celebrated and it does not appear reasonably possible to comply with the requirements of this Law according to the Canon Law of his Church, but that immediately after such marriage he shall send a certificate of such marriage in the form provided in the First Schedule hereto, (form D), to the Administrative Secretary, together with a declaration that no impediment to the marriage exists and that it was duly performed with all the formalities of the Canon Law and such marriage shall have no civil effect, until such certificate and declaration have been received by the Administrative Secretary.

Marriage in *articulo mortis*.
5 of 3/37.

First Schedule.

False
statements.

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

Officiating
in contra-
vention of
Law.

23. Any Registered Minister or Marriage Officer who wilfully celebrates a marriage contrary to any of the provisions of this Law, or knowing that any provision of this Law has not been complied with, shall be liable to imprisonment for any term not exceeding two years:

Provided that a Registered Minister celebrating a marriage in accordance with the Canon Law of his Church under and in accordance with the provisions of the proviso to section 21 of this Law shall not be liable to a penalty under this section.

5 of 3/37.

Failing to
transmit
certificate.

24. (1) Any Registered Minister or Marriage Officer who, after celebrating a marriage under this Law, fails, without reasonable cause, to transmit within seven days thereafter the certificate thereof to the Administrative Secretary shall be liable to a penalty not exceeding ten pounds.

5 of 3/37.

(2) Any minister of religion who after celebrating a marriage in accordance with the provisions of the proviso to section 21 of this Law, fails, without reasonable excuse, to send a certificate thereof together with a declaration to the Administrative Secretary as by such proviso required shall be liable to a penalty not exceeding ten pounds.

Defacing
notices.

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

Forging
certificates.

26. Any person who forges any Marriage Officer's certificate or knowingly utters any such forged certificate shall be liable to imprisonment for any term not exceeding three years with or without hard labour.

Officiating
without
being
qualified.

27. Any person who knowingly and wilfully celebrates or pretends to celebrate a marriage under this Law, not being thereby legally competent to do so, shall be liable to imprisonment for any term not exceeding two years.

Jurisdiction.

28. Every offence against this Law shall be triable on information before the Assize Court of the District within which the offence was committed.

29. The fees specified in the Second Schedule to this Law shall be charged and paid in respect of the several matters specified therein.

Fees.
Second
Schedule.
2 of 9/52.

30. The Governor may reduce in amount any fees payable under this Law, or wholly remit them.

Remitment
of fees.

31. The Administrative Secretary shall cause to be supplied to every Marriage Officer printed forms of notices of marriages and of certificates, to be issued under this Law, and also printed forms of certificates of marriage in the form D in the First Schedule.

Forms to be
provided by
Adminis-
trative
Secretary.
First
Schedule.

32. Every Marriage Officer shall supply forms of notice of marriage gratuitously to any person applying for them.

Marriage
Officers to
supply
forms.

33. (1) Where a marriage is intended to be contracted in Cyprus between a British subject resident in Cyprus and a British subject resident in the United Kingdom of Great Britain and Northern Ireland, a certificate for marriage issued in England by a superintendent registrar, or in Scotland or Northern Ireland by a registrar, shall in Cyprus have the same effect as a certificate issued by a Marriage Officer.

British
subjects in
Cyprus and
in the
United
Kingdom.

(2) Where a marriage is intended to be solemnized or contracted in the United Kingdom of Great Britain and Northern Ireland between a British subject resident in England, Scotland or Northern Ireland and a British subject resident in Cyprus, a Marriage Officer's certificate may be issued in Cyprus by a Marriage Officer in like manner as if the marriage was to be contracted under circumstances requiring the issue of such a certificate, and as if both of such British subjects were resident in Cyprus.

(3) For the purpose of this section "certificate for marriage" in reference to certificates issued in Scotland shall mean a certificate of due proclamation of notice of intention to marry.

Law not to
apply to
Turks
professing
the
Moslem
faith.
2 of 37/54.

34. The provisions of this Law shall not apply to any marriage in which either of the parties is a Turk professing the Moslem faith.

35. Where a marriage has been or shall be solemnized outside Cyprus (whether before or after the commencement of this Law) by a minister of the Greek-Orthodox Church

Solemniza-
tion of
Greek-
Orthodox
marriages

outside
Cyprus.
5 of 3/37.

in accordance with the rites and ceremonies of that Church between persons both of whom are members of the Greek-Orthodox Church such marriage shall be valid in Cyprus for all intents and purposes and no decree of any ecclesiastical authority or tribunal shall affect the validity of such marriage except a decree of the competent ecclesiastical authority or tribunal of the place or country in which such marriage has been solemnized.

Application
of Law to
Greek-
Orthodox
Church.
5 of 3/37.

36. Subject to the provisions of section 35, the provisions of this Law shall not apply to any marriage the parties to which are both members of the Greek-Orthodox Church.

Repeal.

37. The British Subjects' Marriage Laws, 1889 and 1921, are hereby repealed:

Provided that:—

- (a) the said Laws shall continue to apply to every marriage contracted thereunder or validated thereby as if this Law had not been made;
- (b) every notice given, certificate issued, or caveat entered under the said Laws shall be deemed to have been given, issued, granted and entered under this Law.

FIRST SCHEDULE.

FORM A.

(Section 6.)

NOTICE OF MARRIAGE TO BE GIVEN BY EACH PARTY TO THE MARRIAGE.

To the Marriage Officer for the District of

I hereby give you notice that a marriage is intended to be had within three months from the date hereof between me and the other person herein named and described; that is to say:—

Name.	Condition.	Rank or Profession.	Age.	Dwelling place.	Consent, if any, by whom given.
John H.	Bachelor.	Carpenter.	Full age.	Nicosia.	Henry G., Father of Mary G., (or) the Chief Justice (as the case may be).
Mary G.	Spinster.	—	Minor.	Larnaca.	

Witnesses:

James W.
Thomas T.

Witness my hand this
day of 19

John H.
or Mary G.
(as the case may be).

FORM B.
(Section 8.)

MARRIAGE OFFICER'S CERTIFICATE TO BE GIVEN TO EACH PARTY TO THE
MARRIAGE.

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

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

Date of notice entered _____ 19____ } The issue of this certificate has not
Date of certificate given _____ 19____ } been forbidden by any person
authorized to forbid the same.

Witness my hand this _____ day of _____ 19____ (Signed) *A. B.*,
Marriage Officer.

This certificate will be void unless the marriage is solemnized on or before the _____ day of _____ 19____.

FORM C.
(Section 10.)

SPECIAL LICENCE BY THE GOVERNOR.

Whereas *John H.* and *Mary G.* desire to marry, and sufficient cause has been shown to me why such marriage should be allowed without the formalities prescribed by the Marriage Law.

Now, therefore, in pursuance of the said Law, I do dispense with the giving of notices and the issuing of the certificate thereby prescribed, and do hereby authorize any competent person to celebrate marriage between the said *John H.* and *Mary G.* at _____ upon the _____ day of

19____.

(Signed)

GOVERNOR.

FORM D.
(Sections 18 and 21.)

CERTIFICATE OF MARRIAGE.

Marriage Solemnized at _____ in the District of _____ Cyprus.

No.	When Married.	Name and Surname of Parties.	Age.	Condition.	Rank or Profession.	Residence at the time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.
		<i>John H.</i>	<i>Full age.</i>	<i>Bachelor.</i>	<i>Carpenter.</i>	<i>Nicosia.</i>	<i>Richard H.</i>	<i>Grocer.</i>
		<i>Mary H.</i>	<i>Minor.</i>	<i>Spinster.</i>	—	<i>Larnaca.</i>	<i>Edward H.</i>	<i>Boot-maker.</i>

Married in the _____ according to the Rites and Ceremonies of the _____ By me [A.B. Marriage Officer (as the case may be)].

This marriage was solemnized between us, { *John H.* } In the presence of { *P.Q.*, Clerk, Nicosia. }
{ *Mary H.* } { *Henry S.*, Merchant, }
of us, { *Larnaca.* }

The above is a true Copy of the Marriage Register, the said Register being legally in my custody.

Extracted this _____ day of _____ in the year of Our Lord One thousand nine hundred and _____

By me,

[STAMP.]

[N.B.—The parts of the above forms which are printed in italics are to be filled up as the case may require.]

SECOND SCHEDULE.

(Section 29.)

FEES.

	£	mils.
For filing and publishing notice of marriage	—	250
For certificate of notice	—	250
For each certified copy of a certificate of marriage	—	100
For marriage by Marriage Officer	—	500
For a special licence	10	0 0