MARRIAGE ACT REGULATIONS
PLEASE NOTE

This document, prepared by the Legislative Counsel Office, is an office consolidation of this regulation, current to June 11, 2016. It is intended for information and reference purposes only.

This document is not the official version of these regulations. The regulations and the amendments printed in the Royal Gazette should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the Table of Regulations on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4292
Email: legislation@gov.pe.ca
Pursuant to section 25 of the Marriage Act R.S.P.E.I. 1988, Cap. M-3, Council made the following regulations:

1. **Religious body seeking recognition**
   (1) The governing authority of a religious body wishing to have its clergy registered to solemnize marriage shall, in order to be recognized by the Director under subsection 4(2) of the Act, submit such information in such form and manner as the Director may require.

   **Recognition criteria**
   (2) Revoked by EC457/05. (EC554/92; 457/05)

2. **Application to register clergy**
   When, pursuant to subsection 4(1) of the Act, it seeks registration of a member of its clergy who is not currently registered, the governing authority of a religious body recognized by the Director under subsection 4(2) of the Act shall submit a request to the Director, providing the clergy’s name, contact address and telephone number, and such other information as the Director may require. (EC554/92)

3. **Annual list of clergy**
   (1) The governing authority of a religious body recognized by the Director under subsection 4(2) of the Act shall, pursuant to clause 7(b) of the Act, at such time and in such manner as the Director may require, annually submit to the Director a list of all members of the clergy, with contact addresses, telephone numbers and such other information as may be required, whom it wishes to be registered for solemnizing marriage in the ensuing year.

   **Idem**
   (2) When there is a subsequent change in the names or other information of the annual list submitted pursuant to subsection (1), the governing authority of the religious body shall so notify the Director. (EC554/92)

3.1 **Additional qualifications**
   (1) In addition to the requirements set out in section 8.1 of the Act, an applicant for a marriage commissioner’s license shall
(a) be a Canadian citizen or landed immigrant;
(b) be proficient in the English language; and
(c) have successfully completed the training program provided by the Director under subsection (3).

Prohibition

(2) An applicant for a marriage commissioner’s license shall not be an issuer or a deputy issuer of marriage licenses.

Training required

(3) The Director shall provide a training program to applicants who meet the requirements under clauses (1)(a) and (b) for the purposes of training applicants in relevant legislation and other related topics identified by the Director.

Issuance

(4) Where, in respect of an application for a marriage commissioner’s license, the Director
(a) is satisfied that the applicant has met the requirements of section 8.1 of the Act and subsection (1) and paid the license or renewal fee set out in subsection 3.2(1), the Director shall issue a marriage commissioner’s license to the applicant; or
(b) is not satisfied that the applicant has met the requirements of section 8.1 of the Act or subsection (1), the Director may refuse to issue a marriage commissioner’s license to the applicant and shall provide to the applicant the Director’s reasons for the refusal.

Duty to report

(5) Revoked by EC359/16. (EC284/06; 359/16)

3.2 Fees

(1) The fees payable in respect of a marriage commissioner’s license are as follows:
(a) for an application ................................................................. $50
(b) for the required training program ................................................................. 50
(c) for the issuance of a license ........................................................................... 100
(d) for the renewal of a license ........................................................................... 100

Idem

(2) The fees set out in subsection (1) are payable at the time an application for a marriage commissioner’s license or the renewal of a marriage commissioner’s license is submitted to the Director.

Refund

(3) The application fee set out in clause (1)(a) is non-refundable. (EC284/06; 359/16)

4. Fee for marriage license

The fee for issuance of a marriage license is $100, payable to the Director. (EC554/92; 234/94)

5. Notice of issuance of a license

Revoked by 359/16. (EC554/92; 359/16)
6. **Submission of applications**

(1) Every issuer shall submit all applications for a marriage license in Form 1 which have been received by the issuer to the Director at the times required by the Director.

**Report**

(2) Every issuer shall submit a report as required by the Director during the reporting period specified by the Director respecting

(a) the issuance of marriage licenses; and

(b) the unissued marriage licenses remaining in stock. *(EC554/92; 359/16)*

7. **Forms**

The following forms are prescribed:

(a) Form 1 – Application for a Marriage License;

(b) Form 2 – Marriage License;

(c) Form 3 – Consent to the Marriage of a Minor;

(d) Form 4 – Notice of Registration (or Cancellation) of Clergy;

(e) Form 5 – Statement of Marriage. *(EC554/92; 359/16)*
SCHEDULE

MA - FORM 1
APPLICATION FOR A MARRIAGE LICENSE

PRIVACY STATEMENT: Personal information contained on this form is collected under the authority of the Marriage Act R.S.P.E.I. 1988, Cap. MA, subsection 14(1), as applicable, to fulfill the requirements for applications and issuance of a Prince Edward Island marriage license. If you have any questions about the collection or use of this information, please contact the Vital Statistics Office toll free at 1-877-320-1253.

Each party to the intended marriage must complete this form (separately) and provide required documentation.

Applicant Information

[Table with fields for Applicant Name (First, Middle, Last), Address, City, Province, Country, Postal Code, andPhone Number (Home and Mobile)]

I, ___________________________________________ FORMALY DECLARE THAT

(Full name, given, middle and surname)

1. My marital status is: □ never married □ widowed □ divorced

2. My age is: __________ Date of Birth: __________ Sex: __________
   (Years) (Day) (Month) (Year)

3. My Birthplace is: ____________________________________________
   Province/State Country

4. I intend to marry: __________________________________________
   (Full Name)
   of: ____________________________________________ (Province/State & Country)

5. on: __________________________ In: __________________________
   Planned Marriage Date Place

6. Officiated by: ____________________________________________
   (Full Name)
   __________________________ Place

7. According to the best of my knowledge and belief, there is no affinity or consanguinity (family relationship) or other legal reason that would prevent this marriage. □ (please check)

   Note: The degrees of relationship where marriage is prohibited by Canadian law are listed on the reverse.

Notice of Intermarriage - Office Use Only

[Table with fields for Signature of Applicant, Sworn/Affirmed before me, Date of Day, Issuer of Marriage License, License #, Date Issued]
PROHIBITED DEGREES

Canada’s Marriage (Prohibited Degrees) Act 38-39 Elizabeth 11, c 46, states in subsection 2(2):
No person shall marry another person if they are related lineally, or as brother or sister or half-brother or half-sister, including by adoption.

No man or woman may marry his or her:

<table>
<thead>
<tr>
<th>Grandmother</th>
<th>Grandfather</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mother</td>
<td>Father</td>
</tr>
<tr>
<td>Granddaughter</td>
<td>Grandson</td>
</tr>
<tr>
<td>Daughter</td>
<td>Son</td>
</tr>
<tr>
<td>Sister</td>
<td>Brother</td>
</tr>
<tr>
<td>Half-brother</td>
<td>Half-sister</td>
</tr>
</tbody>
</table>

whether the relationship is by whole blood or half blood or by adoption.
Marriage Act Regulations

SCHEDULE

Marriage licence

By authority of

Registrar of Vital Statistics

Issued on the 20th day of [month] 20[16]

Name of authority designated to solemnize the marriage:

I, [name], do solemnize the marriage of

(Provincial) [name] of [province] on
[day][month], 20[16]

and

Married at

Marriage licence

Office of Vital Statistics
Province of Prince Edward Island

[Stamps and seals]
MA - FORM 3
CONSENT TO THE MARRIAGE OF A MINOR

(Section 19 of the Act)

PRIVACY STATEMENT: Personal information contained on this form is collected under the authority of the Marriage Act R.S.P.E.I. 1988, Cap. M-3, subsection 19(1), as applicable, to fulfill the requirements for application and issuance of a Prince Edward Island marriage license. If you have any questions about the collection or use of this information please contact the Vital Statistics Office toll free at 1-877-520-1253.

Parent/Guardian 1:
I am the ☐ Parent / ☐ Legal Guardian of: ____________________________

(Name of Child)

Parent/Guardian 2:
I am the ☐ Parent / ☐ Legal Guardian of: ____________________________

(Name of Child)

Other:
☐ Director of Child Protection
☐ Court Order

I / WE ____________________________

(Diagnosis of Parent(s) / Guardian(s) / Director of Child Protection)

give consent to the marriage of ____________________________

(Full name of minor seeking marriage license)

age _______ years, date of birth ____________________________

(day) (month, i.e. January) (year)

to ____________________________

(Full name of intended spouse)

of ____________________________, ____________________________

(Place of Birth – City/Town) (Province/State)

Given at ____________________________, ____________________________

(Place) (Province)

on the ____________________________, ____________________________

(day) (month, i.e. January) (year)

______________________________

(Commissioner of Oaths / Notary Public)

 ____________________________

(Signature of Parent / Guardian / Other)

 ____________________________

(Commissioner of Oaths / Notary Public)

 ____________________________

(Signature of Parent / Guardian / Other)

Note: Subsection 19(2) of the Act lists the alternatives where there is divorce or separation: where one or both parents may be dead or not competent to give consent; where the Director of Child Protection has permanent guardianship; or where there is no parent or guardian to give consent.
MA - FORM 4
Subsection 8(1) of the Act:

REGISTRATION OF NEW OR TEMPORARY CLERGY
AND
CANCELLATION OF REGISTERED CLERGY

NOTICE

Notice is hereby published that,
under authority of the Marriage Act,
the following clergy (has/have)
{been registered}
{had registration cancelled}
{been temporarily registered from ______ to ______}
for the purpose of solemnizing marriage
in the province of Prince Edward Island:

{Name(s) and Address(es)}

Director of Vital Statistics
**SCHEDULE**

**Marriage Act Regulations**

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### Form 5

#### Statement of Marriage

*Subscribed on 19(1) of the Vital Statistics Act*

**This is a Permanent Legal Record.**

**Registration No.** (Office use only)

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<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Place of Marriage</strong></td>
<td></td>
</tr>
<tr>
<td>City, Town, Village, Street (Post Office)</td>
<td></td>
</tr>
<tr>
<td><strong>Date of Marriage</strong></td>
<td></td>
</tr>
<tr>
<td>1. Month, day, year</td>
<td></td>
</tr>
<tr>
<td>2. Location, city, town, district, county</td>
<td></td>
</tr>
<tr>
<td><strong>SPouse 1</strong></td>
<td></td>
</tr>
<tr>
<td>First given name</td>
<td></td>
</tr>
<tr>
<td>Second given name</td>
<td></td>
</tr>
<tr>
<td>Other given names</td>
<td></td>
</tr>
<tr>
<td><strong>SPouse 2</strong></td>
<td></td>
</tr>
<tr>
<td>First given name</td>
<td></td>
</tr>
<tr>
<td>Second given name</td>
<td></td>
</tr>
<tr>
<td>Other given names</td>
<td></td>
</tr>
<tr>
<td><strong>Marital Status</strong></td>
<td></td>
</tr>
<tr>
<td>Single</td>
<td></td>
</tr>
<tr>
<td>Married</td>
<td></td>
</tr>
<tr>
<td>Widowed</td>
<td></td>
</tr>
<tr>
<td>Divorced</td>
<td></td>
</tr>
<tr>
<td><strong>Religious Affiliation</strong></td>
<td></td>
</tr>
<tr>
<td>16. Catholic</td>
<td></td>
</tr>
<tr>
<td>17. Protestant</td>
<td></td>
</tr>
<tr>
<td>18. Religious Affiliation Other</td>
<td></td>
</tr>
<tr>
<td><strong>Birth Date</strong></td>
<td></td>
</tr>
<tr>
<td>19. Month, day, year</td>
<td></td>
</tr>
<tr>
<td>20. Location, city, town, district, county</td>
<td></td>
</tr>
<tr>
<td><strong>Birth Place</strong></td>
<td></td>
</tr>
<tr>
<td>21. City, Town, Village, Street (Post Office)</td>
<td></td>
</tr>
<tr>
<td><strong>Residence Before Marriage</strong></td>
<td></td>
</tr>
<tr>
<td>City, Town, Village, Street (Post Office)</td>
<td></td>
</tr>
<tr>
<td><strong>Residence After Marriage</strong></td>
<td></td>
</tr>
<tr>
<td>City, Town, Village, Street (Post Office)</td>
<td></td>
</tr>
<tr>
<td><strong>Parent 1</strong></td>
<td></td>
</tr>
<tr>
<td>Father, Maiden Name</td>
<td></td>
</tr>
<tr>
<td>Date of birth, place, county</td>
<td></td>
</tr>
<tr>
<td><strong>Parent 2</strong></td>
<td></td>
</tr>
<tr>
<td>Mother, Maiden Name</td>
<td></td>
</tr>
<tr>
<td>Date of birth, place, county</td>
<td></td>
</tr>
<tr>
<td><strong>Signature 1</strong></td>
<td></td>
</tr>
<tr>
<td>25. Signature of SPouse 1</td>
<td></td>
</tr>
<tr>
<td><strong>Signature 2</strong></td>
<td></td>
</tr>
<tr>
<td>26. Signature of SPouse 2</td>
<td></td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td></td>
</tr>
</tbody>
</table>

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**Please see reverse side for instructions.**

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**Updated June 11, 2016**
EXTRACTS FROM THE LAW

Every clergyman, minister or other person authorized by the law of the province to solemnize marriages shall, at the time of each marriage, make a written record thereof in the form prescribed and every record shall be signed by each of the parties to the marriage and by the minister, clergyman or other person authorized as aforesaid officiating and by at least two credible adult witnesses.

Every clergyman, minister or other person authorized as aforesaid shall, within seven days from and after the solemnization by him or her of a marriage, deliver or forward by letter to the Registrar General a complete record thereof according to the prescribed form.

PRIVACY STATEMENT: Personal information contained on this form is collected under the authority of the Marriage Act R.S.P.E.I. 1988, Cap. M-3, section 11, to fulfil the requirements for registration of marriage. If you have any questions about the collection or use of this information, please contact the Vital Statistics Office toll free at 1-877-320-1253.

(EC554/92; 359/16)