



PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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CHAPTER M-3
MARRIAGE ACT
REGULATIONS

Pursuant to section 25 of the *Marriage Act* R.S.P.E.I. 1988, Cap. M-3, Council made the following regulations:

1. (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. Religious body seeking recognition

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

2. 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) Application to register clergy

3. (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. Annual list of clergy

(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) *Idem*

3.1 (1) In addition to the requirements set out in section 8.1 of the Act, an applicant for a marriage commissioner's license must satisfy the Director that the applicant Qualifications

- (a) is a Canadian citizen or landed immigrant;
- (b) is proficient in the English language; and
- (c) has successfully completed a training program offered 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 offer a training program to applicants who have met the marriage commissioner's license requirements under subsection (1) for the purposes of training applicants in relevant legislation and other related topics identified by the Director.
Determination by Director	(4) Where the Director has made a determination in respect of an applicant's application for a marriage commissioner's license, <ul style="list-style-type: none"> (a) the Director shall inform the applicant as to whether or not a marriage commissioner's license will be issued; and (b) if the Director decides against issuing a marriage commissioner's license, the Director shall provide reasons to the applicant.
Duty to report	(5) Where a person who has been issued a marriage commissioner's license leaves the province for a continuous period of six months or more, the person shall report to the Director <ul style="list-style-type: none"> (a) prior to the person's departure from the province; and (b) upon the person's return to the province. (EC284/06)
Fees	3.2 (1) The fees payable by an applicant are as follows: <ul style="list-style-type: none"> (a) for a marriage commissioner's license \$500 (b) to renew a marriage commissioner's license \$200
<i>Idem</i>	(2) The fees referred to in subsection (1) <ul style="list-style-type: none"> (a) are payable at the time an application for a marriage commissioner's license or renewal of a license is submitted to the Director; (b) are payable whether or not a marriage commissioner's license or renewal of a license is issued to an applicant; and (c) are non-refundable. (EC284/06)
Fee for marriage license	4. The fee for issuance of a marriage license is \$100, payable to the Director. (EC554/92; 234/94)
Notice of issuance of a license	5. A person who issues a marriage license shall complete a Notice of Issuance of a Marriage License, in the manner of Form 5 of the Schedule, and forward it to the Director within seven days of issuing the license. (EC554/92)
Report on issuance of licenses	6. Every issuer or deputy issuer shall at least monthly, as required by the Director, submit to the Director all applications for a marriage license which have been received together with a report, in Form 5 of the Schedule, on the issuance of marriage licenses during the reporting period and the unissued licenses in stock. (EC554/92)

7. The following forms are prescribed:

- Form 1 - Affidavit of Particulars in support of Application for a Marriage License
- Form 2 - Marriage License
- Form 3 - Certificate of Solemnization of Marriage
- Form 4 - Consent to Marriage of a Minor
- Form 5 - Notice of Issuance of a Marriage License
- Form 6 - Monthly Report on Issuance of Marriage Licenses
- Form 7 - Notice of Registration (or cancellation) of Clergy (EC554/92)

Forms

SCHEDULE

Prince Edward Island

Marriage Act

FORM 1

Subsection 14(1) of the Act

**AFFIDAVIT OF PARTICULARS
In Support Of
APPLICATION FOR A MARRIAGE LICENSE**

(Each applicant must complete a separate affidavit)

I,(Full name)
of
.....(Full address)

formally declare that

- 1. My marital status is never married
 widowed
 divorced
- 2. My age is:; Date of Birth
(years) (Day) (Month) (Year)
- 3. I intend to marry
.....(Full name)
of
.....(Full address)
- 4. According to the best of my knowledge and belief, there is no affinity or consanguinity (family relationship) or other legal reason that would prevent the marriage.

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

Signature of Applicant:
Sworn/Affirmed before me at
(Place - Province)
thisday of,

Issuer of Marriage Licenses

(Alternate: Notary Public - if so, use the foot of this page to give the reason it was not possible to see the Issuer)

Office Reference: License #Date Issued.....

{Reverse side of Form 1}

PROHIBITED DEGREES

Canada's *Marriage (Prohibited Degrees) Act* (38-39 Elizabeth II 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.

Thus

no man or woman may marry his or her

Grandmother	Grandfather
Mother	Father
Granddaughter	Grandson
Daughter	Son
Sister	Brother
Half-brother	Half-sister

whether the relationship is by whole blood or half blood or by adoption.

(EC457/05)

Prince Edward Island

Marriage Act

FORM 2

{Section 13 of the Act}

MARRIAGE LICENSE

..... and
.....
..... (surnames).....
(Full name of Applicant 1) (Full name of Applicant 2)

of(Place) of(Place)
.....(Province)(Province)

have applied for a license to marry one another, and complied with the requirements of the *Marriage Act* and regulations.

Therefore this Marriage License is issued to them. It gives authority for the intended marriage to be solemnized, within three months following the date of issue, by

.....
(Officiant expected to solemnize the marriage)

or by another person (who must also be qualified according to the *Marriage Act* to solemnize marriages) who may, if it proves necessary, be designated here:

.....
(Name of alternate designated to solemnize the marriage)

ISSUED on the day of, at
..... by
(Place) Issuer of Marriage Licenses

By authority of

License Number: Director of Vital Statistics

..... {Stub retained by Issuer} License #
APPLICANT 1: Name:
Address:
Birthplace:
Status: never married widowed divorced

APPLICANT 2: Name:
Address:
Birthplace:
Status: never married widowed divorced

Expected Officiant:
(EC457/05)

Prince Edward Island

Marriage Act

FORM 3

{Subsection 11(2) of the Act}

CERTIFICATE OF SOLEMNIZATION OF MARRIAGE

I certify that on this day I have solemnized the marriage of

..... and

.....
(Full Name of Spouse 1) (Full Name of Spouse 2)

of(Place) of(Place)
.....(Province)(Province)

The marriage was solemnized

this of
(day) (month) (year)

atin Prince Edward Island.
(place)

.....
(Name) Officiant who solemnized the marriage (Signature)

This certificate is issued at the conclusion of the ceremony by the officiant who has solemnized the marriage.
A Certificate of the Province's Registration of the Marriage under the Vital Statistics Act may later be obtained (for a fee) from the Director of Vital Statistics, P.O. Box 3000, Montague, P.E.I. COA 1RO.
(EC457/05)

Prince Edward Island

Marriage Act

FORM 4

{Section 19 of the Act}

CONSENT TO THE MARRIAGE OF A MINOR

We/I
(Name/s of Consenter/s)

parents parent guardian judge
give consent to the marriage of

.....
(Full name of minor)

aged years, date of birth
(day) (month) (year)

to
(Full name of intended spouse)

of ,
(Place of residence) (Province)

Given at ,
(Place) (Province)

on the of
(day) (month) (year)

.....
(Signature of witness) (Signature of consenter)

.....
(Signature of witness) (Signature of consenter)

CONSENTS REQUIRED:

The standard requirement is that both parents give consent. 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 Welfare has permanent guardianship; or where there is no parent or guardian to give consent.

Prince Edward Island

Marriage Act

FORM 5

{Section 5 of the Regulations}

NOTICE OF ISSUANCE OF A MARRIAGE LICENSE

APPLICANT 1

BIRTHDATE AGE.....

PLACE OF BIRTH.....

SEX.....

(BIRTH (or Alternative) IDENTITY NUMBER

MARITAL STATUS never married widowed divorced

PRESENT ADDRESS

PHONE Home Work.....Other

APPLICANT 2

BIRTHDATE AGE.....

PLACE OF BIRTH.....

SEX.....

(BIRTH (or Alternative) IDENTITY NUMBER

MARITAL STATUS never married widowed divorced

PRESENT ADDRESS

PHONE Home Work.....Other

Checklist		Notes
Applicant 1		Applicant 2
<input type="checkbox"/>	Birth Certificate	<input type="checkbox"/>
<input type="checkbox"/>	Applic-Signature	<input type="checkbox"/>
<input type="checkbox"/>	Death Cert (Wid)	<input type="checkbox"/>
<input type="checkbox"/>	Proof of Divorce	<input type="checkbox"/>
<input type="checkbox"/>	Consents (Under 18)	<input type="checkbox"/>

PLANNED MARRIAGE:
Date Place

OFFICIANT
EXPECTED

Name	Reg #	Reg Date

LICENSE #DATE ISSUED

(EC457/05)

Prince Edward Island

Marriage Act

FORM 7

{Subsection 8(1) of the Act}

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

(EC554/92)