

T A S M A N I A.



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ANALYSIS.

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AN ACT to amend the *Marriage Act* 1942.
 [30 October, 1945.]

A.D.
1945

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

- 1**—(1) This Act may be cited as the *Marriage Act* 1945. Short title and citation.
 (2) The *Marriage Act* 1942* is in this Act referred to as the Principal Act.

Marriage.

A.D. 1945.

2 Section six of the Principal Act is amended by omitting the word "body" in paragraph II. of subsection (2) and substituting therefor the word "denomination".

Registration of officiating ministers as authorised celebrants.

Power to Registrar-General to remove names from register.

3 Section ten of the Principal Act is amended by inserting after paragraph I. of subsection (1) the following paragraph:—

"1A. Resigned his office:".

Consent required to marriage of minors.

4 Section fifteen of the Principal Act is amended by inserting after the words "Registrar-General," in subsection (7) the words "after such inquiry as may be prescribed,".

By whom marriage to be celebrated.

5 Section twenty-two of the Principal Act is amended by omitting subsection (1) and substituting therefor the following subsection:—

"(1) A marriage shall be celebrated by or in the presence of the authorised celebrant to whom the marriage notice was given, or by or in the presence of the celebrant who is named in the marriage notice as the person by whom or in whose presence the marriage is to be celebrated, except where it is impracticable for the marriage to be celebrated by or in the presence of that person."

Marriage certificat .

6 Section twenty-six of the Principal Act is amended by inserting after the word "same" (first occurring) in paragraph IV. of subsection (3) the words ", in a register provided for that purpose,".

Quarterly returns to be made to Registrar-General.

7 Section twenty-eight of the Principal Act is amended by omitting the words "by him performed during the preceding three months" and substituting therefor the words "entered during the preceding three months in the register kept by him".

Correction of errors.

8 Section thirty-seven of the Principal Act is amended by inserting after subsection (1) the following subsections:—

"(1A) In any case where the register has been corrected in any particular by the Registrar-General in accordance with subsection (1), the Registrar-General may direct that the certificate in the register kept by the authorised celebrant shall also be corrected accordingly, and the authorised celebrant, or any authorised celebrant in whose custody the register is kept, shall comply with any direction so given.

(1B) The copy of the certificate handed to one of the parties to the marriage may be corrected by the Registrar-General or by the authorised celebrant in any case where the register has been corrected in accordance with subsection (1)."

Marriage.

9 After section thirty-nine of the Principal Act the following section is inserted:— A.D. 1945.

“39A The Registrar-General, when making any inquiry under this Act, shall have the same powers and authorities as if a commission in respect thereof had been issued to him by the Governor under Division II. of Part II. of the *Evidence Act* 1910*, but he shall not be bound by any rules of evidence and may inform himself on any matter in such manner as he thinks fit.”

Powers of Registrar-General in respect of inquiry.

10 Section forty-three of the Principal Act is amended by adding at the end thereof the following subsection:— Regulations.

“(3) Provision may be made in the regulations for regulating the conduct of inquiries by the Registrar-General under this Act, and for such incidental matters in relation thereto as may be necessary or convenient for carrying out or giving effect to the provisions of this Act.”

* 1 Geo. V. No. 20. For this Act, as amended to 31st January, 1936, see Reprint of Statutes, Vol. III., p. 751. Subsequently amended by 6 Geo VI. No. 64, and 7 Geo. VI. No. 40.

