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**MARRIAGE (AMENDMENT) ORDINANCE 2014**

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An Ordinance to amend the Marriage Ordinance

**R.J. Cripwell**  
**ADMINISTRATOR**

*30 June 2014*

Be it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

**Short title**

1. This Ordinance may be cited as the Marriage (Amendment) Ordinance 2014.

**Commencement**

2. This Ordinance comes into force on 7 July 2014.

**Amendment of Marriage Ordinance**

3. The Marriage Ordinance(a) is amended in accordance with sections 4 to 6.

**Repeal and substitution of sections 12 to 15B (marriage of persons under 18 years of age)**

4. Sections 12 to 15B(b) are repealed and the following section is substituted—

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(a) Cap. 279, Laws of Cyprus, 1959 ed. Legislation of the former colony of Cyprus has effect in the Areas by virtue of article 5 of the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (P.I. 1960/1369). Schedule 2 to the Interpretation Ordinance 2012 (Ordinance 8/2012) provides for the interpretation of such legislation.  
(b) Sections 15A and 15B were inserted by Ordinance 1/1964.

**“Marriage of persons under 18 years of age**

12.—(1) Subject to the provisions of this section, if a person (“P”) under 18 years of age wishes to marry, the written consent of each parent or guardian of P must be obtained.

(2) Where an order of a court, in any competent jurisdiction, is in force in respect of P, instead of the persons mentioned in subsection (1), the written consent of the person or persons with whom, in accordance with the order, P lives or is to live must be obtained.

(3) On the application of P, the Senior Judges’ Court may—

- (a) authorise a marriage to take place in accordance with this Ordinance, if there is no person mentioned in subsection (1) or (2) who is available or capable of giving consent;
- (b) dispense with the requirement for consent from any person, where that person is one of the persons from whom consent is required under this section, if that person cannot be found or lacks the capacity to consent; and
- (b) override a refusal of consent, if it considers that, in all the circumstances of the case, consent is unreasonably withheld.

(4) A person under the age of 16 may not marry.

(5) Subject to the court’s powers under subsections (3), any celebration or solemnisation of a marriage in contravention of this section is void.

(6) An application to the court under this section may be disposed of in chambers.”.

**Repeal and substitution of section 17 (ceremony of marriage officer)**

5. Section 17 is repealed and the following section is substituted—

**“Celebration or solemnisation of marriage**

17.—(1) Where a marriage is celebrated or solemnised by a Marriage Officer, each of the persons contracting the marriage must, in some part of the ceremony and in the presence of the witnesses and the Marriage Officer,—

(a) make the following declaration—

“I declare that I know of no legal reason why I [*name of person making the declaration*] may not be joined in marriage to [*name of other person getting married*]”; and

(b) say to each other—

“I, [*name of person making statement*], take you [*name of other person getting married*] to be my wedded wife [*or husband*]”.”.

**Repeal of Schedule 2 (fees)**

6. Schedule 2 is repealed and substituted with the following—

**“ SCHEDULE 2**

Section 29

**Fees**

- (a) Fee for filing and publishing a notice of marriage.....€25
- (b) Fee for certificate of notice of marriage.....€25
- (c) Fee for each certified copy of a certificate of marriage.....€13
- (d) Fee for marriage by a Marriage Officer.....€25
- (e) Fee for a special licence.....€128”.

## **Repeals**

7. The following Ordinances are repealed—
- (a) the Marriage (Amendment) Ordinance 1963**(a)**;
  - (b) the Marriage (Amendment) Ordinance 1970**(b)**;
  - (c) the Marriage (Amendment) Ordinance 1980**(c)**;
  - (d) the Marriage (Amendment) Ordinance 1986**(d)**
  - (e) the Marriage (Amendment) Ordinance 1990**(e)**;
  - (f) the Marriage (Amendment) Ordinance 1996**(f)**; and
  - (g) the Marriage (Amendment) Ordinance 1999**(g)**.

## **Revocations**

8. The following public instruments are revoked—
- (a) the Infant Parties (Application for Consent to Marry) (Procedure) Rules 1964**(h)**; and
  - (b) Public instrument no. 59 of 2000**(i)**.

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- (a) Ordinance 1/1964 (published in the Gazette in 1964 but made in 1963).
  - (b) Ordinance 1/1970.
  - (c) Ordinance 2/1980.
  - (d) Ordinance 7/1986.
  - (e) Ordinance 12/1990.
  - (f) Ordinance 6/1996.
  - (g) Ordinance 14/1999.
  - (h) P.I. 30/1964.
  - (i) Marriage Officers may be appointed and removed by the Administrator under section 3 of the Marriage Ordinance (Cap. 276).

## EXPLANATORY NOTE

*(This note is not part of the Ordinance)*

1. This explanatory note relates to the Marriage (Amendment) Ordinance 2014 (the “Ordinance”) and has been prepared by the Office of the Attorney-General and Legal Adviser in order to assist the reader of the Ordinance. The note should be read in conjunction with the Ordinance. It is not, and is not meant to be, a comprehensive description of the Ordinance.
2. The Ordinance amends the Marriage Ordinance (Cap. 279 – the “principal Ordinance”).
3. Section 4 of the Ordinance replaces provisions in the principal Ordinance relating to the marriage of young persons aged 16 or 17 years of age. The written consent of parents or guardians is required before a person under 18 can marry. The exception to this is where the young person lives with some other person by virtue of a court order; in such cases, the consents of the person with whom the young person lives must be obtained.
4. Section 4 also provides for the court to dispense with consents in specified circumstances and allow under 18 year olds to marry where, for whatever reason, the consents required are not forthcoming or are unreasonably withheld.
5. Section 5 of the Ordinance updates the declarations made at marriage ceremonies by repealing section 17 of the principal Ordinance and replacing it with a new section 17. The new section 17 requires that, in some part of the ceremony and before the witnesses and the Marriage Officer, the parties must make a statutory declaration as to there being no legal reason why they cannot marry and then make a statement asking those present to witness the marriage. The wording reflects the modern form of wording that may currently be used in civil ceremonies in England and Wales under UK legislation.
6. Section 6 updates the fees chargeable for various matters under the principal Ordinance.

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