



THE MARRIAGE EMERGENCY REGULATIONS 1944

C. L. N. NEWALL, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 31st day
of May, 1944

Present :

THE HON. D. G. SULLIVAN PRESIDING IN COUNCIL

PURSUANT to the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Marriage Emergency Regulations 1944.

2. (1) In these regulations, unless the context otherwise requires,—
“ Member of the Forces ” means any person who is a member of
any of His Majesty’s Forces raised in New Zealand :

“ Service marriage ” means a marriage solemnized between
parties one or both of whom are members of the Forces.

(2) For the purposes of the general interpretation hereof, these regulations shall be deemed to be made under the Marriage Act, 1908 (hereinafter referred to as the Act), and, unless the context otherwise requires, expressions used in these regulations have the same meanings as in the Act.

3. (1) Subject to subclause (3) of this regulation, any member of the Forces who while out of New Zealand officiates at the solemnization of a service marriage shall keep a record of the particulars relating to the marriage in a form as nearly as possible according to the form in the Sixth Schedule to the Act.

(2) Subject to subclause (3) of this regulation, the member of the Forces who so officiates at the solemnization of a service marriage shall, as soon as practicable after the solemnization of the marriage, forward to the Registrar-General a duplicate record of the marriage bearing the actual signatures of the contracting parties, the witnesses, and the member of the Forces who so officiates at the solemnization of the marriage.

(3) Nothing in this regulation shall apply in any case where particulars of a service marriage are registered in any part of the British dominions in accordance with the law thereof.

4. The Registrar-General on receiving, pursuant to Regulation 3 hereof, a duplicate record of particulars of a service marriage solemnized out of New Zealand, and on being satisfied as to the authenticity thereof, may bind the same up in a special register to be kept by him for the purpose.

5. In any case where a service marriage has been solemnized out of New Zealand by a member of the Forces, whether before or after the commencement of these regulations, and a duplicate record of the particulars of the marriage has not been received by the Registrar-General under these regulations, the Registrar-General on receiving from either of the parties to the marriage or from any person on behalf of either of the parties or of any of their issue a record of the particulars of the marriage, or an original certificate of the solemnization thereof, purporting to be signed by the person who officiated at the solemnization of the marriage, and on being satisfied as to the authenticity of the record or certificate and that the production of a duplicate record in accordance with Regulation 3 hereof is impracticable, may accept the record or certificate and bind the same up in the special register aforesaid as if the record or certificate were a duplicate record as required by the said Regulation 3.

6. (1) The Registrar-General shall cause an index of the special register aforesaid to be compiled and kept in his office, and shall permit any person on payment of the appropriate fee to search the index and to have a copy, certified by the Registrar-General, of any record of the particulars of any marriage, or of any certificate of any marriage, which is in the special register aforesaid.

(2) For every such search there shall be paid a fee of 5s.; and for every such certified copy there shall be paid a fee of 2s. 6d. or, if it is under the seal of the Registrar-General, a fee of 5s.

7. A certified copy of the record of the particulars of any marriage, or of any certificate of any marriage, which is in the special register aforesaid shall, if it purports to be signed by the Registrar-General, be received as *prima facie* evidence in any Court of the fact of the marriage to which it relates having been solemnized.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 8th day of June, 1944.

These regulations are administered in the Department of Justice.