



Province of Alberta

MARRIAGE ACT

MARRIAGE ACT REGULATION

Alberta Regulation 162/2000

With amendments up to and including Alberta Regulation 103/2018

Current as of June 7, 2018

Office Consolidation

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Alberta Queen's Printer
Suite 700, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

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(Consolidated up to 103/2018)

ALBERTA REGULATION 162/2000

Marriage Act

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Schedule

Definitions

1 In this Regulation,

- (a) repealed AR 79/2012 s2;
- (b) "issuer" means an issuer of marriage licences appointed under the Act;
- (c) "Registrar" means the Registrar of Vital Statistics.

AR 162/2000 s1;79/2012

Forms

2(1) An affidavit of particulars under section 14 of the Act must be in Form 1.

(2) A consent to marriage under section 19 of the Act must be in Form 2.

(2.1) A consent of a co-decision-maker appointed under section 13 of the *Adult Guardianship and Trusteeship Act*, in satisfaction of section 18 of that Act in respect of a marriage licence for an assisted adult as defined in that Act, must be in Form 2.1.

(2.2) An affidavit of proof of 30 days' notice prior to issuance of a marriage licence, required under section 27(2)(a) of the Act in

respect of a party to an intended marriage to whom section 27(1) of the Act applies, must be in Form 2.2.

(3) Repealed AR 103/2018 s2.

(4) Repealed AR 79/2012 s3.

(5) and (6) Repealed AR 103/2018 s2.

AR 162/2000 s2;251/2001;79/2012;103/2018

Issuer's certificate

3(1) When a person is appointed as an issuer, the Registrar shall provide that person with a certificate of appointment.

(2) An issuer shall keep the issuer's certificate of appointment on public display at the place where the issuer ordinarily issues marriage licences.

(3) Repealed AR 103/2018 s3.

AR 162/2000 s3;79/2012;103/2018

Duties of issuer

4(1) Repealed AR 103/2018 s4.

(2) An issuer shall ensure that the requirements of the Act have been complied with before issuing a marriage licence.

(3) An issuer shall, at least once a week and as required by the Registrar, send to the Registrar

- (a) all marriage licence affidavits and any affidavits or other documents executed specifically as part of issuing the marriage licence, and
- (b) all supporting documents required as part of issuing a marriage licence.

(4) An issuer shall file a special return if requested to do so by the Registrar.

(5) An issuer shall maintain records of all appointments and terminations of deputy issuers.

AR 162/2000 s4;251/2001;79/2012;103/2018;103/2018

Commissioner's certificate

5(1) When a person is appointed as a marriage commissioner, the Registrar shall provide that person with a certificate of appointment.

(2) Repealed AR 103/2018 s5.

AR 162/2000 s5;79/2012;103/2018

Marriage licence fees

5.1 The fee payable for a marriage licence is \$40.

AR 103/2018 s6

Duties respecting forms, evidence

5.2(1) An issuer shall keep the following forms or evidence in a secure place:

- (a) an adequate supply of all blank forms provided by the Registrar;
- (b) completed or partially completed forms;
- (c) any other forms or evidence necessary to carry out their duties under the Act or this Regulation.

(2) An issuer shall ensure that

- (a) only the current forms established by the Minister are used for the purposes of the Act and this Regulation, and
- (b) forms that are no longer current are destroyed by being shredded by the issuer or by a bonded company engaged by the issuer.

AR 103/2018 s6

Repeal

6 The *Marriage Act Regulation* (AR 111/85) is repealed.

7 Repealed AR 103/2018 s7.

Schedule**Form 1****Marriage Act**

(Section 14)

**Affidavit for Marriage
Licence Application****Form 1****Marriage Act**

(Section 14)

**Affidavit for Marriage
Licence Application**

I, _____ (Last Name and All Given Name(s))
 of _____ (Street Address)
 _____ (City/Town/Village/Hamlet) _____ (Postal Code) _____ (Province/Country)

make oath and say that:

1 My present marital status is: (Never married, Widowed, Divorced).

2 I am _____ years old.

3 I intend to marry

_____ (Last Name and All Given Name(s))
 of _____ (City/Town/Village/Hamlet) _____ (Province/Country)

4 According to the best of my knowledge and belief

- (a) there are no marriages nor any lawful causes to bar this marriage from taking place. I am not marrying my Grandparent, Parent, Grandchild, Child or Sibling who is related by whole blood, half blood or by adoption,
- (b) neither I nor my intended spouse is a party to an intended marriage to whom section 27(1) of the Act applies, or if either has been found to be a party to an intended marriage to whom section 27(1) of the Act applies, proof of 30 days' notice prior to the issuance of a marriage licence as required by law has been provided, and
- (c) neither I nor my intended spouse are presently under the influence of alcohol or drugs.

_____ (Signature)

SWORN before me at _____ (City/Town/Village) _____, Alberta,

Dated _____

(Signature of Marriage Licence Issuer (or Deputy) in and for the Province of Alberta)

(Name of Marriage Licence Issuer (or Deputy))

(Marriage Licence Issuer Number)

I agree that neither I nor my intended spouse is the property of the other. I am aware that the laws of Alberta and Canada affirm my right to live within a marriage free from violence and abuse.

(Signature)

(Name of Registry Agent) (Marriage Licence No.)

This information is collected in accordance with the *Marriage Act* and the *Marriage Act Regulation*. It is required by Vital Statistics to process your application and issue your marriage licence. Collection is authorized under section 33(a) and (c) of the *Freedom of Information and Protection of Privacy Act*. Vital Statistics may also use your contact information for survey purposes. Questions about the collection of this information can be directed to Vital Statistics at Box 2023, Edmonton, AB T5J 4W7 or (780) 427-7013 (toll free 310-0000 within Alberta).

Form 2

Marriage Act

(Section 19)

Affidavit of Guardian Consent

In the matter of an application for a marriage licence, by the minor,

(Full name of minor), who is 16 or 17 years old.

Print the full names of the parent(s) and all other guardians of this minor.
Guardians must provide proof of guardianship.

(Full name of parent/guardian)

(Relationship to minor (i.e., parent, guardian))

I/we make oath and say that:

- I am/we are the parent(s)/guardian(s) of the minor.
- I/we consent to the minor's marriage.
- All parents/guardians are named above and I/we understand all our consents are required.

(Signature (parent/guardian))

(Signature (parent/guardian))

(Signature (parent/guardian))

(Signature (parent/guardian))

Sworn/Affirmed before me at _____)

In the Province of _____)

Dated _____)

 (Signature of Notary Public or a Commissioner for Oaths in and for
 the Province of Alberta/Marriage Licence Issuer (or Deputy))

 (Name of Notary Public or Commissioner for Oaths/Marriage Licence
 Issuer (or Deputy))

 (Expiry Date of Commission)

This information is collected in accordance with the *Marriage Act* and the *Marriage Act Regulation*. It is required by Vital Statistics to process your application and issue your marriage licence. Collection is authorized under section 33(a) and (c) of the *Freedom of Information and Protection of Privacy Act*. Questions about the collection can be directed to Vital Statistics at Box 2023, Edmonton, AB T5J 4W7 or (780) 427-7013 (toll free 310-0000 within Alberta).

Form 2.1

Adult Guardianship and Trusteeship Act

(Section 18)

Consent of Co-decision-maker Marriage Licence for an Assisted Adult

**In the matter of an application for a marriage licence
 by an assisted adult who has a co-decision-maker**

Name of assisted adult _____ (Full name of assisted adult)

I, _____ (Full Name of co-decision-maker) of _____ (Address)

being a co-decision-maker with the assisted adult named above, consent to the issuance of a marriage licence to the assisted adult.

 (Signature of co-decision-maker) _____ (Date)

Witness (must be 18 years of age or older)

 (Signature of witness) _____ (Relationship of witness) _____ (Print full name of witness
 to co-decision-maker)

 (Address of witness) (City/Town) _____ (Province) (Postal/Code) (Phone Number)

* Date of signing must be within one year of the application.

** A witness cannot be involved in and does not stand to benefit or be impacted by the application or service being requested and is not otherwise in conflict of interest with respect to the application or service being required.

This information is collected in accordance with the *Marriage Act* and the *Marriage Act Regulation*. It is required by Vital Statistics to process your application and issue your marriage licence. Collection is authorized under section 33(a) and (c) of the *Freedom of Information and Protection of Privacy Act*. Questions about the collection can be directed to Vital Statistics at Box 2023, Edmonton, AB T5J 4W7 or (780) 427-7013 (toll free 310-0000 within Alberta).

Form 2.2**Marriage Act**

(Section 27(2)(a))

Affidavit of Proof of 30 Days' Notice Prior to Issuance of a Marriage Licence for a Represented Adult or Dependent Adult

In the matter of an application for a marriage licence for

_____ (Full name of represented adult or dependent adult) _____

a represented adult who has guardian(s)/trustee(s).

I, _____ (Full Name of guardian/trustee) _____ of _____ (Address) _____

Being a guardian or trustee of the represented adult or dependent adult named above,

Make oath and say that:

- I have been given 30 days' notice prior to the issuance of a marriage licence to the represented adult or dependent adult named above.
- I have not filed an Originating Notice or Notice of Motion concerning the issuance of this marriage licence.
- I am aware that all guardians/trustees named in the order must sign an Affidavit of Proof of 30 Days' Notice prior to Issuance of a Marriage Licence.

(Signature of Guardian or Trustee)**Sworn/Affirmed** before me at_____
In the Province of _____

dated _____

(Signature)

Notary Public/Commissioner for Oaths
in and for the Province of Alberta_____
Print name_____
Expiry Date of Commission

Date of signing must be within one year of the application.

This information is collected in accordance with the *Marriage Act* and the *Marriage Act Regulation*. It is required by Vital Statistics to process your application and issue your marriage licence. Collection is authorized under section 33(a) and (c) of the *Freedom of Information and Protection of Privacy Act*. Questions about the collection can be directed to Vital Statistics at Box 2023, Edmonton, AB T5J 4W7 or (780) 427-7013 (toll free 310-0000 within Alberta).

AR 162/2000 Sched.;8/2005;18/2006;79/2012;103/2018

Forms 3, 4 and 5 Repealed AR 103/2018 s8



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