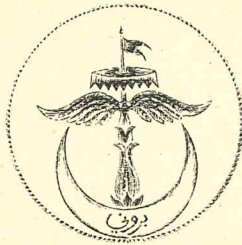


Brunei, laws, statutes, etc. Revised statutes.



**THE LAWS  
OF  
BRUNEI**

**REVISED EDITION**

PREPARED UNDER THE AUTHORITY OF  
THE REVISED EDITION OF THE  
LAWS ENACTMENT, 1951

BY

**ROBERT YORKE HEDGES, LL.D.,**

*Puisne Judge, Nigeria; formerly Judge of Appeal,  
Brunei*

**VOLUME II**

CONTAINING CHAPTERS 32 TO 91 OF THE ENACTMENTS

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## CHAPTER 76.

## MARRIAGE.

No. 8 of 1948.  
No. 6 of 1951.

TO PROVIDE FOR THE SOLEMNIZATION AND REGISTRATION OF  
CHURCH AND CIVIL MARRIAGES.

[3rd August, 1948.]

Short title  
and  
application.

1. (1) This Enactment may be cited as the Marriage Enactment.

(2) This Enactment shall not apply to marriages contracted according to the usages of Mohammedans, Hindus, Buddhists, Dayaks and other persons governed by their own laws or customs of marriage which are recognised by Brunei law to be valid and effective if one of the parties to such marriage is a member of the race or religion according to whose usages the marriage is contracted.

Interpre-  
tation.

2. In this Enactment, unless there is something repugnant in the context or subject—

“Anglican” means and applies to the Church in Brunei in communion with the Church of England as established by the law of England;

“Christian” means a person professing the Christian religion;

“Church of Scotland” means the Church of Scotland as established by law;

“Church of Rome” and “Roman Catholic” mean and apply to the Church under the spiritual jurisdiction of the Pope of Rome;

“civil marriage” means a marriage solemnized in the office of a Marriage Registrar in accordance with the provisions in that behalf hereinafter contained;

“marriage” means a marriage as understood by English law, that is to say, the voluntary union for life or until the marriage is dissolved by a Court of competent jurisdiction of one man with one woman to the exclusion of all others;

“Marriage Registrar” means a person appointed under the provisions of this Enactment for the purpose of conducting civil marriages;

“minor” means a person who not being a widow or widower is under the age of twenty-one years in the case of a European and under eighteen years in any other case;

“minister of religion” means any priest of the Anglican Church, any minister of the Church of Scotland or Presbyterian Church of England, any priest of the Church of Rome and or any other minister or ecclesiastical or religious official of any other denomination or sect who is authorized under this Enactment to solemnize marriages;

“religious marriage” means a marriage solemnized in any church, chapel or any other authorized building in accordance with the rites and ceremonies of any religious denomination;

“Senior Marriage Registrar” means the Marriage Registrar for the State.

3. (1) No two persons shall be capable of contracting a valid marriage unless the following conditions are fulfilled, namely—

Capacity to  
marry.

(a) that both parties to the intended marriage have reached the age of fourteen years;

(b) that the parties to the intended marriage are not related to each other within the degrees of kindred set out in the First Schedule to this Enactment;

(c) that if domiciled elsewhere than in the State the parties to the intended marriage are not related to each other within a degree of kindred prohibited by the law of the country of their domicile;

(d) that neither party to the intended marriage is bound by a valid subsisting marriage to a third person;

(e) that at the time of the marriage neither party is a lunatic, an idiot or a person whose mental condition makes him or her incapable of understanding the nature of the marriage contract;

(f) that the parties to the intended marriage freely consent to marry each other: Provided that absence of consent shall not be inferred merely from the fact that one party was induced by fraud to marry the other.

(2) A marriage shall be void unless all the conditions set out in subsection (1) of this section are fulfilled.

Modes of solemnizing marriages.

4. (1) Every marriage under this Enactment shall be solemnized either by a minister of religion or in accordance with section 22 of this Enactment.

(2) Subject to the provisions of section 35, every marriage, not being a marriage to which by section 1 (2) this Enactment does not apply, either or both of the parties to which is monogamous by religion or by the law of his domicile, if solemnized otherwise than in accordance with subsection (1) of this section shall be void.

(3) Subject to the provision of sections 34 and 35 every marriage solemnized before the coming into operation of this Enactment, not being a marriage to which by section 1 (2) this Enactment does not apply, either or both of the parties to which is monogamous by religion or by the law of his domicile, shall be and shall be deemed always to have been void, unless it was solemnized by a minister of religion or civil authority under the laws in that behalf then in force.

Religious and civil marriages.

5. (1) A marriage by a minister of religion shall be solemnized according to the rules, rites and ceremonies of the Anglican Church, the Church of Rome, the Church of Scotland, or the Presbyterian Church of England by a duly authorized priest or minister of one of those Churches or according to the rules, rites and ceremonies of the denomination of any minister of religion licensed under section 6 of this Enactment.

(2) A marriage before a Registrar shall be solemnized in accordance with section 22 of this Enactment.

6. The Resident may grant licences to ministers of religion of denominations other than those herein mentioned in section 5 (1) to solemnize marriages according to the rules, rites and ceremonies of their respective denominations and may revoke or cancel such licences.

Power to licence ministers of religion.

7. (1) If any party to an intended marriage is a minor as defined by this Enactment the marriage shall not be solemnized unless such minor first obtains—

Consent requisite in the case of a minor.

(a) the consent of the father of such minor, or, if the father be dead, or if his consent is not reasonably obtainable,

(b) the consent of the guardian of such minor, or, failing such guardian,

(c) the consent of the mother (if living) of such minor.

(2) If the person whose consent is required is of unsound mind, or withholds the requisite consent, the High Court, if satisfied that the consent is unreasonably withheld, may issue an order of consent, in lieu of the consent required by subsection (1).

(3) Where there is no one living who is capable of giving a valid consent, the marriage may in the discretion of the minister or registrar proceed without such consent.

(4) No marriage solemnized without the consent or order of the Court as required by subsections (1) or (2) shall be void by reason only of the absence of such consent or order, but the minister or registrar solemnizing the marriage shall be liable to the penalties prescribed in section 30.

8. (1) The Resident shall be the Senior Marriage Registrar for the purposes of this Enactment.

Marriage Registrars.

(2) The Assistant Resident and the secretary to Resident shall, until otherwise ordered by notification, be the Marriage Registrars for the Districts of Belait and Tutong and the Districts of Brunei and Temburong respectively.

(3) The Resident may appoint a Marriage Registrar for any place, area or District in addition to those appointed under this section.

## RELIGIOUS MARRIAGES.

Notice of  
marriage to  
be given.

9. One of the parties to every intended religious marriage shall give notice thereof to the minister of religion before whom it is intended that the marriage shall be solemnized or to some person acting on his behalf. Such notice shall be in the form prescribed in the Second Schedule and shall contain—

- (a) the full name and nationality of each of the parties to the intended marriage;
- (b) the profession and status or condition of each party;
- (c) the dwelling place of each party;
- (d) the time during which each party has dwelt there;
- (e) the age of each party to the intended marriage;
- (f) the church, chapel or building in which the marriage is to be solemnized;
- (g) the date on which notice is given.

Publication  
of banns or  
exhibition  
of notice.

No. 6 f 1951.

10. (1) The marriage of which notice is given under section 9 shall not be solemnized until either—

- (a) the banns of the marriage have been published on at least three occasions separated by intervals of not less than seven days; or
- (b) the notice has been exhibited for at least fourteen days in some conspicuous part of the church, chapel or building in which it is intended to solemnize the marriage, or in the office of the Marriage Registrar of the District.

(2) If neither of the parties to the intended marriage has resided in the District in which the notice under section 9 is given for at least fourteen days next before the giving of the notice, the minister of religion shall not solemnize the marriage until the banns have been duly published or the notice duly exhibited in the District in which one of the parties resides.

(3) Where a marriage is solemnized by a priest of the Anglican Church under a specific licence for that marriage from the Bishop of Borneo or his Commissary or Surrogate

or by a priest of the Church of Rome under licence from his ecclesiastical superior who is duly authorized by the rules of that Church to grant such licences or by any minister of religion under licence granted by the Senior Marriage Registrar, it shall not be necessary to publish the banns or exhibit the notice as required by subsection (1) of this section: Provided that a licence granted under this subsection shall apply only in respect of the particular marriage for which it is granted.

11. (1) No minister of religion shall solemnize any marriage until— Declaration  
before  
marriage.

(a) one of the parties has made either verbally or in writing a solemn declaration before him that he or she believes that there is no impediment of kindred or affinity or other legal hindrance to the said marriage, and further, if either party to the intended marriage is a minor, that the consent required under section 7 has been duly obtained; and

(b) he is satisfied that the provisions of section 10 have been complied with.

(2) A minister of religion may solemnize any marriage on the certificate of another minister of religion of the same denomination, or of a Marriage Registrar, that the respective provisions of section 10 (1) have been complied with. Such certificate shall be in the form prescribed in the Third Schedule or to the like effect.

12. Any person whose consent is required under section 7 to a marriage or any person who is aware of any just impediment to the marriage may, before the solemnization of the marriage, give notice of his objection verbally or in writing and thereupon the marriage shall not be solemnized until the minister of religion has inquired into the matter and is satisfied that the marriage may lawfully proceed. Protesting  
a marriage.

13. (1) A marriage shall be solemnized within three calendar months after the date of the due publication of the banns or the due exhibition of the notice as required by section 10 (1). Marriage to  
be  
solemnized  
within three  
months.

(2) A marriage solemnized after the expiration of the three months required by this section shall not for that reason only be invalid.

Registration  
of religious  
marriages.

14. All religious marriages under this Enactment shall be registered in the manner following:—

(i) Every minister of religion shall enter in a register the particulars of every marriage solemnized by him in accordance with the form prescribed in the Fourth Schedule. Such entry shall be made immediately after the solemnization of the marriage and shall be signed and certified by the officiating minister and also by both the parties to the marriage and by at least two witnesses to the marriage ceremony.

(ii) A copy of each entry in the register duly signed and certified by the officiating minister of religion shall within one month from the date of solemnization of the marriage be forwarded to the marriage Registrar for the District in which the marriage was solemnized.

(3) The Marriage Registrar shall cause such certified copy to be filed, and shall make an entry recording the registration in a Marriage Register Book to be kept by him for the purpose and shall sign and date such entry.

(4) Entries made in the Marriage Registers under subsections (1) and (2) of this section shall be made in order from the beginning to the end of the Register and shall be numbered consecutively.

#### CIVIL MARRIAGES.

Notice of  
marriage to  
be given.

15. One of the parties to every intended civil marriage shall give notice to the Marriage Registrar before whom it is intended that the marriage shall be solemnized or to some person acting on his behalf. Such notice shall be in the form prescribed in the Second Schedule and shall contain—

(a) the full name and nationality of each of the parties to the intended marriage;

(b) the profession and status or condition of each party;

(c) the dwelling place of each party;

(d) the time during which each party has dwelt there;

(e) the age of each party to the intended marriage;

(f) the place at which the marriage is intended to be solemnized;

(g) the date on which notice is given.

16. (1) The Marriage Registrar receiving the notice under section 15 shall cause a copy thereof to be exhibited in some conspicuous position in his office for at least fourteen days. Copy to be exhibited in Registrar's office.

(2) If neither of the parties to the intended marriage has resided in the District in which the notice under section 15 is given for at least fourteen days next before the giving of the notice, the Marriage Registrar shall not solemnize the marriage until the notice has been duly exhibited in the office of the Marriage Registrar of the District in which one of the parties resides.

17. The Marriage Registrar shall file all such notices in a book, to be called the Marriage Notice Book, which shall be open to inspection by all persons without fee during the usual office hours of the Registrar. Marriage Notice Book.

18. (1) No Marriage Registrar shall solemnize any marriage until— Declaration before marriage.

(a) one of the parties has made a solemn declaration before him in the form prescribed by section 11 (1); and

(b) until he is satisfied that the provisions of section 16 have been complied with.

(2) The Marriage Registrar solemnizing a marriage may accept the certificate of another Marriage Registrar that the provisions of section 16 (2) have been complied with. Such certificate shall be in the form prescribed in the Third Schedule or to the like effect.

19. Any person whose consent is required under section 7 to a marriage or any person who is aware of any impediment Protesting a marriage.

to the marriage may, before the solemnization of the marriage, give notice of his objection verbally or in writing and thereupon the marriage shall not be solemnized nor shall a certificate be given under section 18 (2) until the Marriage Registrar has inquired into the matter and is satisfied that the marriage may lawfully proceed.

Marriage to be solemnized within three months.

20. (1) A marriage shall be solemnized within three calendar months after the date of the due exhibition of the notice as required by section 16.

(2) A marriage solemnized after the expiration of the three months required by this section shall not for that reason only be invalid.

Special licence by Registrar.

21. On payment of the prescribed fee the Senior Marriage Registrar on receiving the notice under section 15 and the declaration under section 18 may by special licence under his hand in the form prescribed in the Sixth Schedule himself solemnize or may authorize a minister of religion or any Marriage Registrar to solemnize a marriage, notwithstanding that the notice has not been exhibited as required by section 16.

Ceremony before Registrar.

22. (1) The parties to the intended marriage shall attend before the Marriage Registrar and in the presence of two credible witnesses besides the Marriage Registrar the following ceremony shall take place in a language understood by the parties:—

(a) Each party shall declare as follows:—

“I solemnly and sincerely declare that I do not know of any impediment why I, A. B., may not marry C. D.”

(b) Each of the parties shall then say to the other:—

“I call upon these persons here present to witness that I, A. B., take you, C. D. to be my lawful wedded wife (or husband).”

(c) The Registrar shall then say to the parties:—

“I declare that you, A. B., and you, C. D., are man and wife together.”

(2) The forms prescribed in the Seventh Schedule may be used for the purposes of this section.

23. (1) On payment of the prescribed fee the Marriage Registrar shall register the marriage in the presence of the parties and the witnesses by entering the same in the Marriage Register Book in the form prescribed in the Fifth Schedule.

Registration of marriage.

(2) The entry shall then be signed by the Marriage Registrar and also by the parties to the marriage and by the two witnesses thereto.

24. Entries made in the Marriage Register under section 23 shall be made in order from the beginning to the end of the Register and shall be numbered consecutively.

Entries in Register.

25. (1) If it appears to a Marriage Registrar that the parties to an intended marriage, not being Christians, are, though of sane mind, incapable by reason of their antecedents, mentality, or education of fully understanding and fulfilling the duties and obligations of a marriage as defined by this Enactment, he may in his discretion refuse to accept the notice of marriage required by section 15 or may refuse to solemnize the marriage until he is satisfied that it is expedient in the interests of the parties to accept the notice or to solemnize the marriage.

Registrar may refuse to marry in certain circumstances.

(2) In exercising his discretion under this section the Registrar shall consider whether the parties are able to marry each other under a custom more suited to their mentality and understanding.

(3) Any party aggrieved by the refusal of a Marriage Registrar to accept a notice or to solemnize a marriage under this section may appeal to the Senior Marriage Registrar without fee.

#### OFFENCES AND PENALTIES.

26. Whoever for the purpose of procuring any marriage intentionally makes any false oath, declaration or affirmation or who intentionally signs any false notice or certificate required by this Enactment shall be punished with imprisonment for a term which may extend to five years or with fine or with both.

False declaration.

False impersonation of person whose consent is required.

27. Whoever objects under section 12 to a marriage by a minister of religion or under section 19 to a marriage by a Marriage Registrar by falsely and knowingly representing himself to be a person whose consent to the marriage is required by this Enactment shall be punished with imprisonment for a term which may extend to three years or with fine or with both.

Unqualified person solemnizing marriage.

28. Whoever not being authorized under this Enactment to solemnize a marriage knowingly solemnizes a marriage or purports to do so shall be punished with imprisonment for a term which may extend to ten years or with fine or with both.

Solemnizing marriage without witnesses.

29. Whoever knowingly and wilfully solemnizes a marriage without the presence of two credible witnesses besides the person so solemnizing shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

Solemnizing marriage without notice.

30. Any person duly authorized to solemnize a marriage who knowingly and wilfully solemnizes a marriage when one of the parties thereto is a minor and the consent required by section 7 has not been obtained or knowingly and wilfully solemnizes a marriage except under a valid licence when the banns have not been duly published or the notice required under sections 10 or 16 has not been duly exhibited or after the expiration of three months after the date of the due publication of the banns or due exhibition of the notice, shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

Tampering with documents.

31. Any person who—

(a) wilfully destroys or tampers with or injures any Register Book or any entry or certificate therein or any extract or certified copy of such entry; or

(b) wilfully and falsely makes or counterfeits any certificate or part of such Register; or

(c) wilfully inserts any false entry in such register book, certified copy, counterfoil copy, or extract;

shall be punishable with imprisonment for a term which may extend to seven years or with fine or with both.

32. Whoever being required under this Enactment to keep a register of marriages—

(a) fails to keep a proper register as herein prescribed; or

(b) neglects or refuses to give a certified copy of any entry in such register to any person legally requiring the same on tender of the prescribed fee; or

(c) does any act or thing which he is prohibited from doing or omits to do any act or thing required of him hereunder for which no penalty is hereinbefore expressly prescribed;

shall be guilty of an offence and be liable on conviction for a first offence to a fine not exceeding one hundred dollars and for every subsequent offence to a fine not exceeding two hundred dollars.

#### MISCELLANEOUS.

33. A marriage solemnized under this Enactment shall not be void merely on account of any irregularity in respect of any of the following matters—

(a) any statement made in regard to the dwelling place of the persons married or to the consent of any person whose consent to such marriage is required by law;

(b) the notice of the marriage;

(c) the certificate or translation thereof;

(d) the time and place at which the marriage was solemnized;

(e) the registration of the marriage.

34. A marriage solemnized prior to the coming into force of this Enactment shall not be void merely on account of any of the following matters—

(a) that it was not registered by the civil authority;

(b) that there was any irregularity in form or procedure;

Failure to keep register or to issue copies.

Marriage not void on account of irregularity in certain matters.

Retrospective effect.

(c) that the parties thereto or either of them were not native Christians or were not of different or of no religion.

Petition to  
the High  
Court.

**35.** Where it appears that there has been any irregularity in form or procedure or otherwise in any marriage, whether celebrated under this Enactment or not, a Judge on the application of any person interested may declare that such marriage is valid if satisfied—

(a) that the parties thereto intended to contract a marriage as defined by this Enactment or were debarred by the law of their religion or their domicile from contracting a marriage otherwise than in accordance with this Enactment; and

(b) that there is no factor which under the provisions of section 3 would render the marriage void.

Correction  
of errors in  
register.

**36.** (1) If any person whose duty it is to register any marriage discovers any error in the form or substance of any certificate or entry in the Register kept by him he shall forthwith proceed to correct such certificate or entry in the presence of the parties to the marriage or in their absence in the presence of two independent witnesses.

(2) The person making such correction shall sign his name in the margin opposite such correction and his signature shall be attested by the parties to the marriage or by two independent witnesses in the absence of the parties.

(3) A certified copy of such corrected certificate or entry under the hand of the person making it shall be sent to the person, if any, to whom the original certificate was sent.

Searches in  
register.

**37.** (1) Every Marriage Register and every certificate or copy of any entry in a Marriage Register shall be open to the inspection of the public on payment of the prescribed fees, and the person authorized to solemnize marriages and having the custody of such Registers or certificates shall, if required, give copies certified under his hand of any certificate or entry in any Register relating to any marriage.

(2) On payment of the prescribed fees a minister of religion or a Marriage Registrar shall give, when required, a certificate that the provisions of sections 10 and 18 respectively have been complied with.

**38.** (1) The fees chargeable by Marriage Registrars under this Enactment shall be as prescribed in the Eighth Schedule. Fees.

(2) The Resident may from time to time cancel, vary or add to the fees prescribed in the said Schedule or he may in any particular case vary or remit them in writing under his hand.

**39.** A certified copy purporting to be signed by any person authorized to solemnize marriages of any entry in a Marriage Register or of any certificate or other document kept under his charge shall be admissible in evidence. Certified copies of entries to be admissible in evidence.

**40.** Licences or Special Licences given under this Enactment may be in accordance with the forms contained in the Sixth Schedule. Forms.

**41.** The Resident may by notification make rules from time to time for the purpose of carrying out any of the provisions of this Enactment and may add to, amend, vary or cancel any of the Schedules hereto. Resident may make rules.



**FIRST SCHEDULE.**

**Prohibited Degrees of Kindred.**

<p>A man may not marry his—</p> <p>grandmother grandfather's wife wife's grandmother</p> <p>father's sister mother's sister father's brother's wife</p> <p>mother's brother's wife wife's father's sister wife's mother's sister</p> <p>mother step-mother wife's mother</p> <p>daughter wife's daughter son's wife</p> <p>sister brother's wife</p> <p>son's daughter daughter's daughter son's son's wife</p> <p>daughter's son's wife wife's son's daughter wife's daughter's daughter</p> <p>brother's daughter sister's daughter brother's son's wife</p> <p>sister's son's wife wife's brother's daughter wife's sister's daughter</p>	<p>A woman may not marry her—</p> <p>grandfather grandmother's husband husband's grandfather</p> <p>father's brother mother's brother father's sister's husband</p> <p>mother's sister's husband husband's father's brother husband's mother's brother</p> <p>father step-father husband's father</p> <p>son husband's son daughter's husband</p> <p>brother sister's husband</p> <p>son's son daughter's son son's daughter's husband</p> <p>daughter's daughter's husband husband's son's son husband's daughter's son</p> <p>brother's son sister's son brother's daughter's husband</p> <p>sister's daughter's husband husband's brother's son husband's sister's son</p>
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**SECOND SCHEDULE.**

(Sections 9 and 15).

**Notice of Marriage.**

To \_\_\_\_\_, a Minister (or Registrar) of \_\_\_\_\_,  
I hereby give notice that a marriage is intended between me and the other person named below:—

Names.	Condition (bachelor, spinster, widow or widower).	Rank, profession or employment.	Age.	Dwelling place.	Length of Residence.	Nationality.	Church, Chapel or place in which the marriage is to be solemnized.

I do hereby solemnly declare that to the best of my knowledge and belief there exists no lawful impediment to this intended marriage\* and that I have obtained the necessary consent thereto.

(The Minister or Registrar should explain what is a lawful impediment. See notes on back).  
\*Delete if not applicable.

Witness my hand, this \_\_\_\_\_

day of \_\_\_\_\_

\_\_\_\_\_ 19 \_\_\_\_\_  
(Signed)

[REVERSE SIDE OF FORM PRESCRIBED IN THE SECOND SCHEDULE.]

Notes.

1. Before signing the declaration, the person giving the notice should be examined by the Minister or Registrar as to the possible existence of any impediment to the marriage.
2. The following constitute "lawful impediment":—
  - (a) Relationship between the parties as set out in the First Schedule to the Marriage Enactment.
  - (b) Previous subsisting marriage of either party.
  - (c) Insufficient age of either party.
  - (d) Insanity of either party.
3. In addition to the causes set out in paragraph 2 a marriage may be invalid if there is a lack of real consent between the parties, e.g. if the marriage is procured by duress or if there is an erroneous belief as to the ceremony.
4. In the case of a minor, the consent of a parent or guardian or of the Court may be necessary. (See section 7 of the Marriage Enactment (*Chapter 76*)).
5. When marriage by civil ceremony between non-Christian Asians is contemplated, the attention of the Registrar is drawn to section 25 of the Enactment, and in such cases he should make inquiries regarding the personal law of the parties.

B.—II.

THIRD SCHEDULE.

(Sections 11 and 18.)

Certificate of due Publication of Banns or Due Exhibition of Notice.

I, \_\_\_\_\_, do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, notice of an intended marriage between the parties following was duly given to me by \_\_\_\_\_ and that it was duly entered in my Marriage Notice Book.

Names.	Condition.	Rank, profession or employment.	Age.	Dwelling place.	Length of Residence.	Church, Chapel or place in which the marriage is to be solemnized.

I further certify that the declaration, required by section 11 (or 18) of the Marriage Enactment (*Chapter 76*) has been duly made by the said \_\_\_\_\_,

\*that the banns have been duly published; (or a notice has been duly exhibited); that no objection to the marriage has been made by any person;

\*that the consent of \_\_\_\_\_ as required by section 7 has been duly given;

\*that there is no one living who is capable of giving a valid consent;

Dated and place of notice entered \_\_\_\_\_

Date of \_\_\_\_\_

banns published \_\_\_\_\_

Where published or exhibited \_\_\_\_\_

(Signed)

Minister (or Registrar).

\*Delete clauses not applicable.

**FOURTH SCHEDULE.**

(Section 14.)

**Marriage Register Book of Church Marriages.**

Marriage solemnized at \_\_\_\_\_ in the State of Brunei.

No.	When married, Day, month, year.	Names of parties Christian name, surname.	Age.	Condition.	Rank, profession or employment.	Residence at time of marriage.	Father's name and surname.	Rank, profession or employment of father.

This marriage was \_\_\_\_\_ in the presence of us \_\_\_\_\_ } Addresses and descriptions of both  
solemnized between us \_\_\_\_\_ } witnesses.  
Married at \_\_\_\_\_ according to the Rites and Ceremonies of the Church of \_\_\_\_\_ }  
by me. \_\_\_\_\_ }  
(Signed) \_\_\_\_\_  
*Officiating Priest or Minister.*

The certified copy sent to the Marriage Registrar under section 14 (2) shall in addition bear the following certificate:—  
I, \_\_\_\_\_, hereby certify that the above is a true copy of the entry No. \_\_\_\_\_ in the Register of Marriages kept at  
Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

When the certified copy of this certificate is entered in the Marriage Register Book of the Marriage Registrar of the District the date  
on which it is received and the date on which it is entered and the amount of the fee paid shall be added and the entry signed by the  
Marriage Registrar, or the following certificate may be used:—

This certificate was received on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and was entered by me in the Marriage Register Book for the  
of \_\_\_\_\_ paid \_\_\_\_\_  
Fee \$ \_\_\_\_\_  
(Date) \_\_\_\_\_  
(Signed) \_\_\_\_\_  
*Marriage Registrar.*

**FIFTH SCHEDULE.**

(Sections 23 and 24.)

**Marriage Register Book of Civil Marriages**

Page \_\_\_\_\_

No.	When married, Day, month, year.	Names of parties Christian name, surname.	Age.	Condition.	Rank, profession or employment.	Residence at time of marriage.	Father's name and surname.	Rank, profession or employment of father.

This marriage was \_\_\_\_\_ in the presence of us \_\_\_\_\_ } Addresses and descriptions of both  
solemnized between us \_\_\_\_\_ } witnesses.  
Married in the \_\_\_\_\_ by Civil Ceremony by me. \_\_\_\_\_ }  
(Signed) \_\_\_\_\_  
*Marriage Registrar for the District of \_\_\_\_\_*

This form may also be used as a Certificate of Marriage when the following certificate should be added:—  
I hereby certify that the above is a True copy of the entry No. \_\_\_\_\_ in the Register of Marriages kept at  
(Signed) \_\_\_\_\_  
*Marriage Registrar for the District of \_\_\_\_\_*

## SIXTH SCHEDULE.

(Section 6.)

FIRST FORM.

## Licence to Solemnize Marriages.

Whereas the Reverend \_\_\_\_\_, residing at \_\_\_\_\_, a Priest/Minister of Religion of the \_\_\_\_\_ [here specify the religious denomination], is desirous of being authorized to celebrate marriages within the

Now therefore in pursuance of the Marriage Enactment (Chapter 76), I do hereby authorize the said \_\_\_\_\_, so long as this licence remains unrevoked to solemnize marriages in the

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

British Resident, Brunei.

(Section 21.)

SECOND FORM.

## Special Licence.

Whereas \_\_\_\_\_ and \_\_\_\_\_ desire to marry and sufficient cause has been shown to me why such marriage should be allowed without the formalities prescribed by the Marriage Enactment.

Now therefore in pursuance of the said Enactment I do dispense with the publication of banns [or as the case may be] and I do hereby authorize \_\_\_\_\_ to the exhibition of notice \_\_\_\_\_ and I do hereby authorize \_\_\_\_\_ to solemnize the marriage between the said \_\_\_\_\_ and \_\_\_\_\_ at \_\_\_\_\_ [place of solemnization] upon the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, between the hours of \_\_\_\_\_ and \_\_\_\_\_.

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Senior Marriage Registrar.

## SEVENTH SCHEDULE.

(Section 22.)

## Declaration at Marriage Ceremony before Registrar.

(a) Declaration by each party that there is no impediment:—

Bahwa saya dengan bersungguh-sungguh hati menyata-kan ya'itu saya tidak tahu apa-apa sekatan sebab-sebab yang saya A.B. tidak boleh berkahwin dengan C.D.

بهوا ساي دغن برسگوه ۲ هاتي ميتاكن يآيت ساي تيدق  
تاھو اف ۲ سكاتن سبب ۲ يڭ ساي A.B. تيدق بوليہ بر كهوين  
دغن C.D.

(A) 我照良心。虔敬發誓。我並不知有阻礙我某某之所不應與  
某某結婚之原因

(b) Declaration by each party that he or she takes the other as wife or husband:—

Saya panggil kapada orang-orang yang ada hadir kerana menyaksi-kan ya'itu saya A.B. mengambil engkau C.D. menjadi isteri saya (atau suami).

ساي فڭكل كند. اورڭ يڭ اد خضير كران مقسيسكن يآيت  
ساي A.B. مغميل اڭكو C.D. منجادي استري ساي (اتو)  
سوامي)

(B) 我請求在場諸人作證。我某某與某某依法結合為結髮夫婦

(c) Declaration by Registrar that the parties are man and wife:—

Saya sebut-kan ya'itu engkau A.B. dan C.D. menjadi laki dan isteri bersama-sama.

ساي سبوتكن يآيت اڭكو A.B. دان C.D. منجادي لاكي  
دان استري برسام ۲

(C) 我當衆宣佈你某某同你某某現今成為夫婦矣

## EIGHTH SCHEDULE.

(Section 38.)

## Scale of fees.

(a) For receiving and publishing a notice of an intended marriage under section 15 and 16 ... ..	\$
(b) For entering a protest under section 19 ... ..	2.00
(c) For issuing the certificate referred to in section 11 or section 18 ...	1.00
(d) For granting a special Licence under section 21 ... ..	25.00
(e) For solemnizing and registering a marriage under sections 22 and 23 including a certified copy of the marriage certificate ... ..	2.00
(f) For registering each religious marriage under section 14 (3) ... ..	2.00
(g) For searching registers or records for entries of marriage including one certified copy of any one entry ... ..	1.00
(h) For each subsequent copy ... ..	1.00

## CHAPTER 77.

## MOHAMMEDAN MARRIAGE AND DIVORCE.

No. 3 of 1913.

## TO PROVIDE FOR THE REGISTRATION OF MARRIAGES AND DIVORCES OF MOHAMMEDANS.

[1st August, 1913.]

1. This Enactment may be cited as the Mohammedan Marriage and Divorce Enactment. Short title.

2. The provisions of this Enactment shall apply only to persons professing the Mohammedan religion. Application.

3. (1) Within seven days from the celebration of any marriage the husband or *wali* of the wife shall personally report such marriage to the Kathi or Naib-al-Kathi of the district in which the ceremony took place. Registration of marriages.

(2) The Kathi or Naib-al-Kathi shall register the particulars in a register kept for that purpose in the form contained in the First Schedule to this Enactment and shall issue certificates, one for the husband and one for the wife, in the form contained in the Second Schedule to this Enactment, on payment of a fee of one dollar for each certificate.

4. (1) Within seven days of divorce the husband or wife shall report such divorce to the Kathi or Naib-al-Kathi of the district in which such divorce takes place. Registration of divorces.

(2) The Kathi or Naib-al-Kathi shall register the particulars and nature of such divorce in a register kept for that purpose in the form contained in the Third Schedule to this Enactment.