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CHAPTER 45

CONTROL OF MARRIAGE

JR 12 of 1966
Act 35 of 1981

ARRANGEMENT OF SECTIONS

1. Determination of age
2. Age of marriage
3. Consent to marriage
4. Celebration of marriages
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CONTROL OF MARRIAGE

To provide for the regulation of marriages.

1. Determination of age
In any prosecution for an offence against this Act the court may, if it thinks fit, and in the absence of other positive evidence as to age, determine the age of any person by his physical appearance alone.

2. Age of marriage
No person of the male sex being under the age of 18 years and no person of the female sex being under the age of 16 years may lawfully marry.

3. Consent to marriage
No person being under the age of 21 years may lawfully marry without the consent of:

(a) his father and mother;

(b) in the event of either his father or mother being dead, the survivor;

(c) the two persons in whose effective charge he is;

(d) in the event of one or other of the persons referred to in paragraph (c) being dead, the survivor:

Provided that, if there is disagreement between the father and mother or between the persons referred to in paragraph (c) consent shall be deemed to have been given:

Provided further that, if consent is refused by the person or persons from whom it is required the magistrate's court in the territorial jurisdiction of which the person to whom such consent has been refused resides may, notwithstanding such refusal, authorise the marriage.

4. Celebration of marriages
The principal celebrant of any marriage shall satisfy himself prior to the celebration of the said marriage:

(a) that the party or parties thereto, as the case may be, have attained the ages prescribed in section 2;

(b) that, if one or both the parties thereto, as the case may be, are under the age of 21 years, in respect of that or those parties, as the case may be, the provisions of section 3 of this Act have been complied with;

(c) that the parties thereto have freely expressed their consent before at least two witnesses or before the District Commissioner of the District in which they reside.

5. Forced marriage
No person shall compel another person of any age to marry against his will.

6. Invalidity of marriage
No marriage shall be valid unless the parties thereto have expressed their consent in the manner prescribed in paragraph (c) of section 4.

7. Penalties
(1) If any person acts in contravention of the provisions of sections 2 and 3 he shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding VT 20,000.

(2) If any person acts in contravention of the provisions of section 4 he shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding VT 50,000.

(3) If any person acts in contravention of the provisions of section 5 he shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding VT 100,000, or to a term of imprisonment not exceeding 2 years, or to both such fine and imprisonment.