

AS TABLED IN THE HOUSE OF ASSEMBLY

A BILL

entitled

MARRIAGE AMENDMENT ACT 2022

WHEREAS it is expedient to amend the Marriage Act 1944 to provide for Deputy Registrars to perform certain functions of the Registrar; and to amend the Marriage Act 1944, and the Domestic Partnership Act 2018, to extend the hours within which marriages can be contracted and domestic partnerships can be formalised before the Registrar;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act, which amends the Marriage Act 1944 (the "principal Act"), may be cited as the Marriage Amendment Act 2022.

Amends section 6

2 The principal Act is amended in section 6 by numbering the existing provision as subsection (1) and thereafter inserting the following—

"(2) The Minister, after consultation with the Registrar, may appoint a public officer to be a Deputy Registrar for the purpose of contracting a marriage under section 24.

(3) A Deputy Registrar shall be appointed on such terms and conditions as the Minister may determine and shall act in accordance with the direction of the Registrar.

(4) Any reference to the Registrar under section 24 shall include a reference to a Deputy Registrar appointed under this section."

Amends section 24

3 The principal Act is amended in section 24(1) by repealing paragraph (a) and replacing it as follows—

"(a) the marriage shall be contracted in the presence of the Registrar and two or more credible witnesses—

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- (i) at the office of the Registrar; or
- (ii) at an alternative approved location;
- (ab) the Registrar shall only contract a marriage—
 - (i) between the hours of 6 a.m. and 6 p.m. on a day other than a public holiday; or
 - (ii) at a time approved by the Minister;”.

Related amendment to the Domestic Partnership Act 2018

4 The Domestic Partnership Act 2018 is amended in section 13 by repealing subsection (3) and replacing it as follows—

- “(3) A domestic partnership shall only be formalised by the Registrar—
- (a) between the hours of 6 a.m. and 6 p.m. on a day other than a public holiday; or
 - (b) at a time approved by the Minister.”.

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EXPLANATORY MEMORANDUM

This Bill seeks to provide for Deputy Registrars to perform certain functions of the Registrar under the Marriage Act 1944 (the “principal Act”); and to amend the principal Act and the Domestic Partnership Act 2018 to extend the hours within which marriages can be contracted and domestic partnerships can be formalised before the Registrar.

Clause 1 is the citation.

Clause 2 amends section 6 of the principal Act to provide the authority for the Minister to appoint, after consultation with the Registrar, a Deputy Registrar to contract marriages under section 24. A new subsection (3) provides that the Deputy Registrar is appointed on the terms and conditions determined by the Minister, and in accordance with the direction of the Registrar. A new subsection (4) provides that references to the Registrar under section 24 shall be read to include a reference to a Deputy Registrar appointed under section 6 of the principal Act.

Clause 3 amends section 24(1) of the principal Act to provide a new paragraph (ab) to ensure that the Registrar shall contract marriages between 6 a.m. and 6 p.m. from Monday to Saturday, or at a time approved by the Minister.

Clause 4 amends section 13 of the Domestic Partnership Act 2018 to provide for a similar amendment to the hours as provided for under the principal Act: to provide for the Registrar to formalise a domestic partnership between 6 a.m. and 6 p.m. from Monday to Saturday, or at a time approved by the Minister.