

CONSENT TO MARRIAGE

In accordance with section 5 of the Marriage Act, Chapter 174 of the Substantive Laws of Belize.

We/I _____
of _____

the: **(tick whichever statement is applicable)*

- ___ 1. Parents **(where both parents are alive and living together, consent of both is required);*
- ___ 2. Mother/Father **(where parents are not living together, consent of parent with whom infant resides is required);*
- ___ 3. Parents/Mother **(where parents live apart and the child does not live with either parent: where parents have been married to each other, the consent of both parents is required, but a magistrate may dispense with the consent of one parent; where the parents have never been married, consent of the mother is required);*
- ___ 4. Surviving Parent/Legal Guardian **(where one of the parents is dead and the parents had been married to each other at some point in time, the consent of the surviving parent or of the legal guardian is required);*
- ___ 5. Legal Guardian **(where both parents are dead, and at any time were married, consent of the legal guardian is required); or*
- ___ 6. Mother/Legal Guardian **(where parents were never married to each other and one or both are dead, consent of the mother is required if she is alive; if mother is dead, consent of the legal guardian is required);*

hereby consent to the marriage of _____
to _____.

Dated at _____ the _____ day of _____ 20_____.

Witness to Signature

Signature of Male Party

Signature of Female Party

Sections 5 and 6 of the Marriage Act, Chapter 174 of the Law of Belize, Revised Edition 2011:

5.-(1) Subject to this section, consent to the marriage of an infant shall be obtained in accordance with the following provisions-

- (a) if both the infant's parents are alive and living together, consent shall be obtained from both parents;
- (b) if the infant's parents are living apart and the infant is living with one parent, consent shall be obtained;
- (c) if the parents are living apart and the infant is not living with either, consent shall be obtained;
 - (i) from both parents in any case where they are, or have been, married to each other, unless the consent of one parent is dispensed with by a magistrate;
 - (ii) from the mother, in any case where the parents have never been married;
- (d) if one of the parents is dead and the parents had at any time been married to each other, consent shall be obtained from the surviving parent or any other person who is the legal guardian of the infant;
- (e) if both parents are dead and they had at any time been married to each other, consent shall be obtained from any person who is the legal guardian of the infant;
- (f) if the infant's parents had never been married to each other and one or both of them is dead, consent shall be obtained from the mother if she is alive or from any person who is the legal guardian of the infant if the mother of the infant is dead.

(2) Where the marriage of an infant, not being a widower or widow, is intended to be solemnized after the publication of banns of matrimony, then, if any person whose consent to the marriage is required under this Act openly and publicly declares or causes to be declared, in the registered building in which the banns are published, at the time of the publication, his dissent from the intended marriage, the publication of banns shall be void.

(3) Persons who may have attained the age of eighteen years and widowers and widows may marry without the consent of other.

6.-(1) If-

- (a) the person whose consent is necessary to a marriage is *non compos mentis*, or absent from Belize, or otherwise incapable as aforesaid of consenting, or refuses his or her consent; or
- (b) there is no one capable of consenting,

the person wishing to marry may apply by petition to a Justice of the Supreme Court, who is hereby empowered to proceed upon the petition in a summary way.

(2) If upon examination, the marriage proposed appears to be proper, the judge shall judicially declare that the marriage is proper and order that it be solemnized forthwith.

(3) Every marriage duly solemnized in pursuant and under the authority of any such order shall be good, valid and effectual to all infants and purposed whatever, as if the consent had been given by the person whose consent is required.

(4) Rules of court may be made for enabling applications under this section, and shall provide that, where an application is made in consequence of a refusal to give consent, notice of the application shall be served on the person who has refused consent.