

No. 1 of 1896.



VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India.

QUEEN'S REGULATION

(Made by Her Britannic Majesty's Assistant High Commissioner for the Western Pacific, under the provisions of the Pacific Order in Council, 1893.)

TO PROVIDE FOR THE REGISTRATION OF THE BIRTHS, DEATHS, AND MARRIAGES OF FOREIGNERS IN BRITISH SETTLEMENTS AND PROTECTORATES, AND FOR THE REGISTRATION OF MARRIAGES OF BRITISH SUBJECTS IN SUCH PROTECTORATES AND SETTLEMENTS WHEN CELEBRATED BY A MINISTER OF RELIGION WHO IS NOT A BRITISH SUBJECT.

[L.S.] H. S. BERKELEY.

1. THIS Regulation shall apply only to British Protectorates and Settlements, and shall not apply to islands comprised in the Cook Group Federation. Local application of Regulation.

Celebration of Marriages.

2. Any minister of religion ordinarily officiating as such, or the head of the denomination to which he belongs, on his behalf, may Registration of ministers for marriages. forward

No. 7, 20TH MARCH, 1896.—2.

forward to the High Commissioner a requisition for registration as a minister for celebrating marriages in British Protectorates and Settlements in the Western Pacific. Such requisition shall give the following information :—

Name of minister ;
Nationality ;
Date and place of birth ;
Denomination ;
When and where ordained ;
Usual place of residence ;
Place where he officiates.

On the receipt of such requisition by the High Commissioner, the name of such minister with the foregoing particulars will be entered in a register book to be kept for that purpose.

Certificates.

3. The High Commissioner will from time to time furnish every minister so registered with a sufficient number of forms of the marriage certificate hereinafter mentioned.

Persons pretending to be Ministers.

4. If any person shall cause his name to be registered as a minister of religion ordinarily officiating as such, he being at the time not such a minister, he shall be deemed guilty of an offence against this Regulation.

Marriages may be celebrated by certain ministers of religion if registered.

5. Within the limits of this Regulation marriages between persons who would if in England be legally competent to contract marriages, may be celebrated by a minister of religion ordinarily officiating as such if his name, designation, and usual place of residence, together with the place where he officiates is at the time of the celebration of the marriage registered in the office of the High Commissioner.

Removal of minister's name from register.

6. If any minister so registered die or depart permanently from the limits of this Regulation, or cease to officiate within the said limits, or be by competent authority deprived of his office of minister, the High Commissioner upon being satisfied of the facts shall remove the name of such minister from the register.

Notice of registration or removal.

7. The High Commissioner shall notify in the Fiji Government Gazette, or in some other public manner, the registration of every minister, and the removal of the name of any minister from the register

Declaration precedent to marriage.

8. No marriage shall be celebrated until each of the parties to the marriage shall have made the following declaration before the minister celebrating the marriage :—

"I, *A.B.*, of _____, do solemnly and sincerely declare that I believe there is no impediment or lawful objection by reason of any kindred or relationship, any former marriage, or want of consent of parents or guardians, or any other lawful cause, to my being married to *C.D.*, of _____ daughter of *E.F.*, of _____"

(Signature of *A.B.*)

"And I, the said *C.D.*, do solemnly and sincerely declare that I believe there is no impediment or lawful objection by any such reason or other lawful cause as aforesaid to my being married to the said *A.B.*"

(Signature of *C.D.*)

Declared by both the parties above named }
at this day of }
18 before me, }

(Signature and designation of minister.)

9. Any person who shall wilfully make any false statement in any such declaration shall be deemed guilty of an offence against this Regulation. False declaration.

10. No marriage, in fact, shall be avoided by reason only of the same having been celebrated by a person not being a duly registered minister, if either of the parties to the marriage *bona fide* believes at the time that he was a duly registered minister. Provision for special cases.

11. The presence of two witnesses at the least is requisite for the due celebration of a marriage, and the minister, the parties to the marriage, and the witnesses shall sign in duplicate a certificate in the following form:— Witnesses and certificate.

I [minister] being [designation] certify that I have this day at [place] duly celebrated marriage between [name, designation, and residence of husband] and [name, designation, and residence of wife] after declaration duly made as required [by the Pacific Order in Council, 1893, or if neither party is a British Subject, or if the marriage is celebrated by a minister who is not a British Subject, by the Registration Regulation, 1896.]

Dated this _____ day of _____, 18 _____
A.B., [minister officiating at _____].

Signature of parties.

C.D.
E.F.

Signature of witnesses.

G.H.
L.M.

The minister shall immediately after the marriage deliver one certificate to one of the parties to the marriage, and within one month thereafter, or by the first opportunity, shall transmit the other certificate to the High Commissioner.

Any such certificate purporting to be signed by the minister who solemnised the marriage shall be received as *prima facie* evidence of such marriage at the date set forth in the certificate.

12. If any minister (except as hereinafter provided)—

- (a) celebrates a marriage knowing that he is not duly registered ;
- (b) fails to transmit to the High Commissioner the certificate of any marriage celebrated by him, Offences by ministers.

he shall be deemed guilty of an offence against this Regulation.

Registration of Births, Marriages, and Deaths.

13. The High Commissioner will keep books for the registry therein of births, marriages, and deaths of foreigners occurring within the limits of this Regulation, and will, as soon as possible after being informed of any such birth, marriage, or death, enter the same respectively in the books in such manner as, subject to any direction of a Secretary of State, he may think convenient. High Commissioner to keep registers of births, marriages, and deaths.

In the case of a death the High Commissioner will, if possible, also enter the date and place of burial.

14. A copy of the entry of any birth, marriage, or death signed by the High Commissioner shall be received as *prima facie* evidence of the fact of such birth, marriage, or death. But no registry of any death shall be received as evidence of the fact of such death unless the burial of the person named be also registered. Copies of entries to be prima facie evidence.

15.

Search and copies.

15. Every person, on payment of the fees hereunder mentioned and on stating in writing the particular entry which he desires to find, shall be entitled, at reasonable hours to be fixed by the High Commissioner, to search the books for such entry, and to have a copy of any such entry certified by the High Commissioner.

Fees.

16. Every search (to be paid beforehand) Five shilings.

Every certified copy of any entry, Two shillings and sixpence.

Notice of births and deaths.

17. In every case of the birth of any child of a British subject or foreigner within the limits of this Regulation, one of the parents shall within sixty days thereafter, and in every case of the death of any British subject or foreigner within the said limits the occupier of the house or place where the death occurred shall within thirty days thereafter, transmit to the High Commissioner a statement of the fact and date of such birth or death; giving also in the case of a birth the names, and, as far as possible, particulars of the name, age, and birthplace, and nationality of each parent, the name of the child; and in the case of a death the name, age, and parentage (if known) and nationality of the deceased, stating also, as far as known, whether the deceased was married, and to whom, and at what place, together with the names and ages of any children left by the deceased.

The statement of a death must also include the date and place of burial of the deceased, verified if possible by the signatures of two witnesses present at the burial.

Correction of accidental errors.

18. Upon the discovery of any error in the form or substance of any such entry, the High Commissioner will correct the error by making and signing a new entry in the margin without altering the original entry, adding the date of the correction, and every certified copy of such entry shall show the original entry and the correction.

Offences.

19. If any person—

- (a) refuses or neglects to give any notice or information required by this part of this Regulation;
- (b) wilfully makes or causes to be made for the purpose of being inserted in any register under this part of this Regulation any false statement touching any of the particulars hereby required to be registered;

he shall be deemed guilty of an offence against this Regulation.

20. The provisions of this Regulation regarding the celebration and registration of marriages shall not be compulsory when both parties to any marriage are aboriginal natives of any island or islands in the Pacific.

21. Nothing in this Regulation shall invalidate any marriage which but for this Regulation would have been valid.

Published and exhibited in the public office of the High Commissioner this sixteenth day of March, 1896.

By Command,

WILFRED COLLET,
Secretary to High Commissioner.