



Tuvalu

MARRIAGE AMENDMENT ACT 2015

Act No.10 of 2015

AN ACT TO AMEND THE MARRIAGE ACT TO INCREASE THE AGE OF MARRIAGE FROM 16 TO 18 TO ALLOW FOR THE CONSENT OF BOTH PARENTS FOR MARRIAGE OR PERSONS UNDER THE AGE OF 21

ENACTED BY THE PARLIAMENT OF TUVALU
18th December, 2015

Commencement [1st January, 2016]

1 Short Title and Commencement

- (1) This Act may be cited as the Marriage Act Amendment Act 2015.
- (2) This Act shall commence on the date of publication by exhibition.

2 Amendment to section 5

Section 5 of the Marriage Act is repealed in its entirety and replaced with the following text:-

"5. Marriage of persons under 18

The minimum marriageable age shall be 18. A marriage solemnised between persons either of whom is under the age of 18 shall be void."

3 Amendment to section 7

Section 7 is repealed in its entirety and replaced with the following texts:-

"7. Marriage of persons under 21

- (1) When either party to an intended marriage, not being a widower or a widow, is under 21 years of age, the written consent of both the father and mother shall be required, unless:-
 - (a) If one of the parent is dead, or of unsound mind, or absent from the district, the consent of the other parent shall be required; or
 - (b) If both parents be dead, or of unsound mind or absent from the district, the consent of the guardian of such party shall be required.
- (2) Subject to sub-section (1) of this section:-
 - (a) when a party has no father, mother or guardian, the Registrar-General may, if satisfied after due inquiry that the intended marriage is a proper one, dispense with such consent; or
 - (b) when the person whose consent is required refuses his consent, the Registrar-General may, if satisfied after due inquiry that the refusal is perverse and that it is in the best interests of the party requiring the consent that the intended marriage should take place, dispense with such consent.
- (3) If the person required to signify his consent is illiterate, he shall sign his consent by placing his mark thereto after it has been read over and explained to him by a magistrate or a marriage officer who shall attest the same.