

MUNICIPALITY OF KINCARDINE

Office of the Clerk

Marriage Licence Applications

General Inquiries

Municipal Administration Centre
Office of the Clerk
1475 – 5th Concession
R. R. 5
Kincardine, ON
N2Z 2X6

(519) 396-3468

Licence Fee

\$125.00 (cash or debit card)

Marriage Licence Application

A Marriage Licence Application form is available in hard copy from the Office of the Clerk or on the Internet at www.serviceontario.ca under Life events.

The Marriage Licence Application form must be completed and signed by both applicants. Faxed signatures are not acceptable. At least one of the applicants must be present in order to obtain the marriage licence. Although it is not required by law, both are encouraged to attend when obtaining a marriage licence. When completing the application, please note that information is required for the “Applicant” and the “Joint Applicant”. It is the Applicant who **must** attend to secure the licence. The following supporting documents are required for both parties even if the “Joint Applicant” is unavailable.

Two pieces of the following **original** identification must be provided for **both** parties to confirm name, birth date and signature:

First piece of identification must be one of the following:

- Birth certificate
- Current Passport
- Record of Immigrant Landing
- Canadian Citizenship card

Second piece of identification must be photo identification, which can be one of the following:

- Driver's License
- Current Passport (*providing it is not used as the first piece of identification*)

Applicants under the age of 21 must produce acceptable proof of age (birth certificate or passport).

Applicants aged 16 or 17 require consent from both parents. A specific consent form must be completed by the parents/guardians. Further information regarding underage applicants is available from the Office of the Clerk.

Divorced Applicants

If either applicant has been divorced within Canada, the original or court certified copy of the Decree Absolute or the Certificate of Divorce must be shown to the marriage issuer for inspection. Certification may be obtained through the Courts.

Applicants who have been divorced outside of Canada are required to follow a different process in order to ensure that their divorce is honoured in Canada. Please consult with the Office of the Clerk for further information.

Validity of Licence

The marriage licence is valid only in the Province of Ontario and for a period of three months from the date of issue.

Issuance of Licence

An appointment must be scheduled with the Clerk's Department. The marriage licence will be issued at the appointment provided all documentation is complete. You will be required to certify information under oath. If you do not understand or are not able to read English, please bring an interpreter to assist you.

For further information regarding the issuance of marriage licences, please do one of the following:

Call The Municipality of Kincardine Office at (519) 396-3468

Call the Office of the Registrar at 1-800-461-2156

Or visit the Service Ontario website at www.serviceontario.ca

Before you get married...

You need to check that the person performing your marriage ceremony is an authorized official. It is important to ensure that your marriage is performed properly and legally.



Who can perform a legal marriage in Ontario



- A **religious marriage ceremony** may be performed by a person who is registered under the Marriage Act to perform religious marriages in Ontario (religious official).
- A **civil marriage ceremony** may be performed by a judge, a justice of the peace, or a municipal clerk and/or their delegate.

Only persons noted above are authorized to perform a marriage in Ontario.



Check before you get married

Find out if a person performing your marriage is an authorized official.

Religious Official:

- Check online at ServiceOntario.ca/GettingMarried to access lists of religious officials who are registered to perform marriages. Call ServiceOntario at 1-800-461-2156 (areas outside Toronto) or 416-325-8305.

Ontario Municipal Clerk/Delegate:

- Contact your local city hall, town hall or municipal office to determine whether they provide civil marriage services and if so, who can perform a marriage.

Judge/Justice of the Peace:

- Judge: must be an Ontario provincial judge or a judge of the Ontario Superior Court of Justice.
- Justice of the Peace: must be a justice of the peace under Ontario's Justices of the Peace Act.

Visit ServiceOntario.ca/GettingMarried for more information.



Congratulations on your forthcoming Marriage. This notice contains important information about the Marriage Licence you have just purchased. This licence can only be used in the Province of Ontario.

Part 3, Statement of Marriage

- The Statement of Marriage must be completed accurately and clearly as it is the permanent legal record of your marriage.
- This document must be signed during the ceremony by you, your witnesses and the person solemnizing your marriage.
- It is the responsibility of the person solemnizing your marriage to send the completed and signed document to the Office of the Registrar General.

Record of Solemnization of Marriage

- The Record of Solemnization of Marriage will be completed, detached and given to you by the person solemnizing the marriage once the ceremony is completed.
- The Record of Solemnization of Marriage is **not** an official marriage certificate.

Proof of Marriage Registration

- To have proof that your marriage has been registered by the Province of Ontario, it is recommended that you order a marriage certificate.
- You may order an official marriage certificate approximately 12 weeks from the date of marriage.
- Current fees and application forms are available at your local municipal office.
- Complete and mail the application with the appropriate fees to the Office of the Registrar General, PO Box 4600, Thunder Bay ON P7B 6L8.

Félicitations à l'occasion de votre mariage prochain. Le présent avis contient d'importants renseignements sur la Licence de mariage que vous venez d'acheter. Cette licence n'est valide qu'en Ontario.

3^e partie, Déclaration de mariage

- Il faut s'assurer que la Déclaration de mariage est remplie avec clarté et précision, car elle constitue le document juridique permanent de votre mariage.
- Au cours de la cérémonie, la personne qui célébrera votre mariage, vos témoins et vous-mêmes devrez signer ce document.
- Il incombe à la personne qui célèbre le mariage de faire parvenir le document dûment rempli et signé au Bureau du registraire général de l'état civil.

Attestation de célébration de mariage

- Après la cérémonie, la personne qui aura célébré votre mariage remplira, détachera et vous remettra une attestation de célébration de mariage.
- L'attestation de célébration de mariage **ne constitue pas** votre certificat officiel.

Preuve de l'enregistrement du mariage

- Pour obtenir la preuve que la province de l'Ontario a enregistré votre mariage, nous vous invitons à commander un certificat de mariage.
- Vous pouvez commander ce certificat approximativement 12 semaines après la date du mariage.
- Vous pouvez obtenir le barème des droits actuels et les formules de demande auprès du bureau local de votre municipalité.
- Veuillez remplir et envoyer la demande, en y joignant les droits prévus, au Bureau du registraire général de l'état civil, CP 4600, Thunder Bay ON P7B 6L8.

Who may marry

Any person who is at least 18 years of age may marry. No person under 16 years of age may marry. Any person who is 16 or 17 years of age (other than a widowed or divorced person) may marry with the written consent of his/her parents or legal guardians. A special consent form is available for this purpose from your local Municipal Office.

If any person whose consent is required is unavailable or refuses to consent, an application may be made to a judge to dispense with consent.

A person whose previous marriage has been dissolved or annulled will require:

- a) If the marriage was dissolved or annulled in Canada, the original or court-certified copy of the final decree, judgment or certificate of divorce dissolving or annulling the marriage; or
- b) If the marriage was dissolved or annulled outside of Canada, the authorization of the Minister of Government Services. This requirement is explained in more detail below; or
- c) Where the earlier marriage of one of the parties was terminated by the **presumed** death of a spouse, a court order declaring the death of the spouse must be obtained. An issuer of Marriage Licences can provide more information upon request.

How one marries

A marriage may be solemnized under the authority of a licence or the publication of banns.

1) Marriage Licence

A licence to marry may be obtained from the issuer of Marriage Licences at your local Municipal Clerk's Office. At least one party to the proposed marriage must apply in person. However, the application must be signed by both applicants.

The issuer may require proof of age of either party (if only one party is applying, he/she must bring proof of age of the other party). All minors must submit proof of age.

There are **no** requirements respecting residency, pre-marital blood tests or medical certificates.

A marriage licence is valid for use anywhere in Ontario. The licence expires 3 months after the date of issue.

There is a fee charged for a marriage licence.

2) Publication of banns

A marriage may be solemnized under the authority of the publication of banns where both parties to the proposed marriage worship regularly at their own church in Canada.

No one may marry under the authority of the publication of banns if there was a previous marriage (dissolved or annulled). Further information concerning marriage under the authority of the publication of banns may be obtained from a minister or a member of the clergy.

Who may perform a marriage ceremony

A marriage ceremony in Ontario may be performed by:

- a) a minister or member of the clergy registered under the *Marriage Act*
- b) a judge or justice of the peace.

Local court offices and municipal offices may provide the names of judges or justices of the peace who perform civil marriage ceremonies.

Civil Ceremony

A civil ceremony by a judge or justice of the peace may only be conducted under the authority of a marriage licence. The date and time of the ceremony must be arranged by the applicant. The applicants must also arrange for 2 witnesses to be present at the ceremony. There is an additional fee for civil ceremonies.

Authorization

An applicant whose former marriage was dissolved or annulled in a jurisdiction other than Canada must obtain authorization from the Minister of Government of Services before a marriage licence may be issued. To obtain this authorization, the applicants or a lawyer representing them, must submit the following to:

Office of the Registrar General
189 Red River Road
PO Box 3000
Thunder Bay ON P7B 5W0

- 1) A completed marriage licence application signed by both applicants.
- 2) An original or court certified copy of the divorce decree or annulment (certified by the proper court officer in the jurisdiction the divorce/annulment was granted). If the decree is in a language other than English or French, include a translated copy together with an affidavit sworn by the translator.
- 3) A Statement of Sole Responsibility for each divorce signed by both applicants. Blank statements are available from the local issuer of Marriage Licences.
- 4) A legal opinion of an Ontario lawyer, addressed to both applicants, giving reasons why the divorce or annulment should be recognized in the Province of Ontario. A sample legal opinion letter can be obtained from the Office of the Registrar General by calling 1 807 343-7492 or toll free in Ontario at 1 800 461-2156. A sample letter will be faxed to your lawyer upon the lawyers request.