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LAWS OF KENYA

THE MARRIAGE (GENERAL) RULES, 2014

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Kenya

Marriage Act

The Marriage (General) Rules, 2014

Legal Notice 61 of 2014

Legislation as at 30 May 2014

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The Marriage (General) Rules, 2014 (Legal Notice 61 of 2014)

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MARRIAGE ACT

THE MARRIAGE (GENERAL) RULES, 2014 LEGAL NOTICE 61 OF 2014

Published in Kenya Gazette Vol. CXVI—No. 67 on 30 May 2014

Commenced on 30 May 2014

1. Citation

These Rules may be cited as the Marriage (General) Rules, 2014.

2. Marriage Certificate

- (1) The marriage certificate to be issued under section 21 of the Act shall be in Form MA1 set out in the First Schedule.
- (2) The certificate of marriage issued under section 35 shall be in Form MA1 set out in the First Schedule.

3. Notice and Registrar's certificate under section 25

- (1) A notice required to be given under section 25 of the Act shall be in Form MA2 set out in the First Schedule.
- (2) The Registrar, at any time after the expiration of twenty-one days and before the expiration of three months from the date of the notice referred to in section 25 of the Act, shall issue the applicant with a certificate in the manner set out in Form MA3 of the First Schedule, upon being satisfied by affidavit that there is no legal impediment to the intended marriage.
- (3) The affidavit specified under paragraph (2) may be sworn either before a Registrar or before a magistrate and shall be in Form MA4 set out in the First Schedule.

4. Certificate of no impediment

- (1) An application for a certificate of no impediment to marriage under section 32 of the Act shall be in Form MA5 set out in the First Schedule.
- (2) An application under paragraph 1 shall be accompanied by certified copies of the-
 - (a) applicant's identity card or passport;
 - (b) applicant's birth certificate; and
 - (c) intended spouse's passport.
- (3) The Registrar shall, upon satisfied that there is no legal impediment to the intended marriage, issue the applicant with a certificate of no impediment in Form MA6 set out in the First Schedule.

5. Special licence

- (1) A special licence under section 33 of the Act shall be issued in instances where-
 - (a) any of the parties to the marriage is a foreign national;
 - (b) both the parties to the marriage are foreign nationals;
 - (c) the marriage is to be solemnised outside a licensed place; or

- (d) the parties are unable to give the twenty-one day notice to the registrar of their intention to marry.
- (2) An application for a special license shall be in Form MA7 set out in the First Schedule.
- (3) A special license shall be in Form MA7 set out in the First Schedule.

6. When marriage can be celebrated

All marriages shall be celebrated between 8 O'clock in the morning and 6 O'clock in the afternoon.

7. Marriage Register

The Registrar shall enter the details of each marriage certificate into the Marriage Register in the manner set out in Form MA9 in the First Schedule.

8. Licensing ministers of faith

- (1) A minister of faith applying for a licence under section 52(1) shall-
 - (a) be literate and demonstrate an understanding of the marriage process;
 - (b) attach a letter of recommendation from the place of worship where the minister of faith ministers;
 - (c) attach a copy of the registration certificate of the place of worship;
 - (d) attach a copy of the applicant's identity card or passport.
- (2) A license granted under the provisions of section 52(3) of the Act shall be in Form MA10 set out in the First Schedule.

9. Certified copy of marriage certificate and marriage register

- (1) An application for a certified copy of a certificate of marriage and a register of marriage shall be in Form MA11 set out in the First Schedule.
- (2) A certified copy of a certificate of marriage shall be in Form MA12 set out in the First Schedule.
- (3) A certified copy of a register of marriage shall be in Form MA13 set out in the First Schedule.

10. Divorce Register

A divorce register to be established under section 60 and 61 of the Act shall be in Form MA14 set out in the First Schedule.

11. Fees

The fees specified in each item of the Second Schedule shall be payable in respect of the matter specified in that item.

FIRST SCHEDULE

FORM MA1

(r. 2)

MARRIAGE CERTIFICATE

<i>Serial No.</i>

Marriage solemnised atin.....
 sub-county,.....County.

Date of marriage.		Marriage Entry No:	
Bridegroom's Name	Age.	Marital status.	
Residence at time of marriage.	County.	Sub-county.	
Occupation.			
Bridegroom's Parents' Details.			
Father's name.		Mother's name.	
Occupation.		Occupation.	
Residence.		Residence.	
Bride's name.	Age.	Marital status.	
Residence at the time of marriage.	County.	Sub-county.	
Occupation.			
Bride's Parents' Details..			
Father's Name.		Mother's Name.	
Occupation.		Occupation.	
Residence.		Residence.	

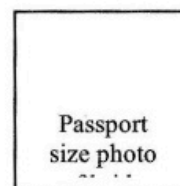
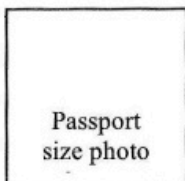
Married in the:.....By Registrar’s Certificate
 No.....

This marriage was solemnized between [] in the presence of []

FORM MA2

(r. 3(1))

NOTICE OF MARRIAGE



To the Registrar of Marriages for the County of Kenya.
 We hereby give notice that a marriage is intended to be entered into within three months from that date hereof between us the undersigned on the day of
 20.....at in Kenya.

PART 1: PARTIES’ DETAILS

<i>Name</i>	<i>Condition</i>	<i>Occupation</i>	<i>Age</i>	<i>Residence and Address</i>	<i>Contact Information</i>
Bridegroom					
Bride					

PART 2: PARENTS' DETAILS

Bridegroom's Parents		
Name	Occupation	Residence and Address
Father		
Mother		
Bride's Parents		
Name	Occupation	Residence & Address
Father		
Mother		

PART 3: PARTIES' DECLARATION

We solemnly declare that there is no impediment caused by relationship consanguinity or affinity and we know of no other legal impediment to our marriage.

Bridegroom's signature..... Bride's signature

Date..... Date.....

Notes—

1. Marital status can either be bachelor, spinster, widow, widower, divorced or married under customary law.
2. Any person who supplies false information to a Registrar or uses, gives or sends any certificate, document or declaration required for this marriage notice which is false or forged in any way is liable to prosecution

FORM MA3

(r. 3(2))

REGISTRAR'S CERTIFICATE

I,, Registrar of Marriages for

..... County do hereby certify that

on the day of 20..... notice was duly entered in the marriage notice of this sub-county of the marriage intended between the parties herein named and described at

..... in Kenya, such notice being delivered under
 the hand of and
 that is
 to say—

<i>Name</i>	<i>Condition</i>	<i>Occupation</i>	<i>Age</i>	<i>Residence and Address</i>
Bridegroom				
Bride				

Witnessed under my hand this day of 20.....

Registrar.

Note—This certificate will be void unless the marriage is solemnised on or before the
 day of, 20.....

FORM MA4

(r. 3(3))

AFFIDAVIT

I

of P. O. Box.....

make oath and state as follows—

1. That a marriage is to be solemnised between me and

.....

at

2. That I am aand the said
(Indicate marital condition)

.....

is a

(Indicate marital condition)

- 3. That I have, for fifteen days immediately preceding this date, been resident at
..... in the county of
- 4. That neither I nor the said
is under age of eighteen years.
- 5. That I solemnly declare that there is no impediment caused by relationship
consanguinity or affinity and we know of no other legal impediment to our
marriage.

Sworn at this day of, 20.....

Before me
Registrar/Magistrate
(Signature of deponent)

FORM MA5

(r. 4(3))

APPLICATION FOR CERTIFICATE OF NO IMPEDIMENT TO MARRIAGE

To:

THE REGISTRAR OF MARRIAGES for

WHEREAS I wish to marry
(Full name of other party)

at.....in.....
(Name of foreign country or place)

on the day of 20.....

NOW, I hereby apply for the certificate of the Registrar of Marriages that he is not aware of any legal impediment to the intended marriage.

AND I hereby declare that I am not already married to another person.

My particulars are as follows—

- 1. Name:
- 2. Country and place of birth:
- 3. Date of birth:

- 4. Sex: 5. Race:

- 6. Religion:
- 7. Last place of residence in Kenya:
- 8. Occupation: 9. Condition:
(e.g. bachelor, spinster, widow, widower, divorced.)

Witnessed by my hand this day of 20.....
(Signed)

FORM MA6 (r. 4(3))

CERTIFICATE OF NO IMPEDIMENT TO MARRIAGE

I,
the Registrar of Marriages having made full inquiry in regard to
.....
("the Applicant") formerly residing at
.....

HEREBY CERTIFY that I am not aware of any legal impediment to the intended marriage of the applicant to

.....
on the ground of an existing marriage, kindred, affinity or age.

Dated at Nairobi this day of 20.....

.....
Registrar of Marriages

FORM MA7 (r. 5(2))

APPLICATION FOR SPECIAL LICENCE

I
of

Hereby apply for the grant of a Special License and I hereby make oath and say as follows—

1. A marriage is proposed to be celebrated between

.....

and myself at

on or about the day of 20.....

2. I am not aware of any lawful impediment to the proposed marriage.

3. I am years of age and the said

.....

is years of age.

4. I am a and the said

.....

is a

5. Notice of the intended marriage has not been given under section 25 of the Act because—

.....

.....

.....

.....

.....

6. I now seek dispensation from the requirements of the Act relating to the giving of notice and the issue of the certificate of the Registrar because—

.....

.....

.....

.....

.....

Sworn at this day of 20.....

FORM MA8

(r. 5(3))

SPECIAL LICENCE

WHEREAS

of

being a and

.....

of

being a

desire to marry and sufficient cause has been shown to my why the preliminaries required by the Act should be dispensed with:

NOW, THEREFORE, in accordance with the Act, I do dispense with the giving of notice and issue the certificate thereby prescribed and do hereby authorise the Registrar of Marriages or recognised minister of faith to celebrate the marriage between the said—

..... and

.....

at

within ninety days from the date hereof.

Such marriage may be celebrated between the hours of 8 O'clock in the morning and 5 O'clock in the afternoon.

Given under my hand on this day of 20.....0

Registrar of Marriages

FORM MA10

(r. 8(2))

LICENCE

IN EXERCISE of the powers conferred on the Minister by section 5(3) of the Marriage Act, 2014, and delegated by him to me, I hereby license the ministers of faith of the

.....

named in the Schedule hereto to celebrate marriages under the provisions of the Act.

Dated the 20.....

Registrar of Marriages

SCHEDULE

FORM MA11

(r. 9(1))

APPLICATION FOR CERTIFIED COPY OF CERTIFICATE OF MARRIAGE OR REGISTER

General Search Form

(Please complete this Form in BLOCK LETTERS)

Application <i>(tick as appropriate)</i>	1. Certified copy of certificate of marriage		
	2. Certified copy of marriage register.		
Details of applicant.	Name		
	Phone No.		
	Address.		
Full name of husband			
Full name of bride			
Date of marriage			

Place of marriage	
Officiated by <i>(Registrar or minister of faith)</i>	
Name and address of Registry office/place of worship	
Entry number of Certificate or register	
Other particulars which would help to trace the entry.	
Comments	

FORM MA12

(r. 9(2))

CERTIFIED COPY OF CERTIFICATE OF MARRIAGE

<i>Serial No.</i>

Marriage solemnised at in sub-county,
..... county in the Republic of Kenya.

Date of marriage:	Entry no:	
Husband's name:	Age:	Marital status:
Residence at time of marriage:	County:	Sub-county:
Occupation:		
Husband's father's name:	Occupation:	Residence:
Husband's mother's name:	Occupation:	Residence:
Wife's name:	Age:	Marital status:

Occupation:			
Wife's father's name:	Occupation:	Residence:	
Wife's mother's name:	Occupation:	Residence:	
Married in the:.....By Registrar's Certificate			
No.....			
This marriage was solemnized between		in the presence of	

Certified to be a true copy of a certificate of marriage.

Given under the seal of the Registrar on theday of 20.....

Notes— Any person who (1) falsifies any of the particulars of the certificate, or (2) uses a falsified certificate as true copy knowing it to be false, is liable to prosecution.

Typed by:

Checked by:

FORM MA13

(r. 9(3))

CERTIFIED COPY OF REGISTER OF MARRIAGE

<i>Serial No.</i>

Marriage solemnised at in sub-county,
..... county in the Republic of Kenya.

Date of marriage:	Marriage Register Entry No:	
Husband's name:	Age:	Marital status:

Residence at time of marriage:	County:	Sub-county:
Occupation:		
Husband's father's name:	Occupation:	Residence:
Husband's mother's name:	Occupation:	Residence:
Wife's name:	Age:	Marital status:
Occupation:		
Wife's father's name:	Occupation:	Residence:
Wife's mother's name:	Occupation:	Residence:
Married in the:.....By Registrar's Certificate No.....		
This marriage was solemnized between { } in the presence of { }		

Certified to be a true copy of an entry of marriage in the Marriage Register.

Given under the seal of the Registrar on theday of 20.....

Notes— Any person who (1) falsifies any of the particulars of the certificate, or (2) uses a falsified certificate as true copy knowing it to be false, is liable to prosecution.

Typed by:

Checked by:

FORM MA14

(r. 10)

DIVORCE REGISTER

<i>Serial No.</i>

Marriage District:	Marriage Register Entry Number:	
Where married:	Date of marriage:	
Husband's Name:	Age at time of marriage:	Condition:
Residence at time of marriage:	County:	Sub-county:
Wife's Name:	Age at time of marriage:	Condition:
Residence at time of marriage	County:	Sub-county:
DIVORCE INFORMATION		
Name of petitioner:		
Name of respondent:		
Case citation:		
Date when divorce was issued:	Place of issue:	
	Country:	
	County:	
Entered thisday of20..... at the Registrar of Marriages office at.....		
<i>REGISTRAR.</i>		

SECOND SCHEDULE

(r. 11)

FEES

ITEM	Kshs.
1. Notice of marriage	600
2. Solemnisation of marriage	2,000
3. Issuance of marriage certificate	500
4. Issuance of a certified copy of marriage certificate	600
5. Commissioning of affidavit	200
6. Search of marriage certificate	500
7. Issuance of Registrar's certificate	600
8. Application for certificate of no impediment to marriage	10,000
9. Verification of certificate of no impediment to marriage	1,000
10. Amendment of marriage record	200
11. Registration of foreign marriage	1,000
12. Licensing of minister of faith	1,000
13. Renewal of license of minister of faith	1,000
14. Revocation of licence of minister of faith	1,000
15. Special license	7,000