



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

MARRIAGE ACT REGULATIONS

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this regulation, current to July 3, 2021. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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**MARRIAGE ACT****CHAPTER M-3****MARRIAGE ACT REGULATIONS**

Pursuant to section 25 of the *Marriage Act* R.S.P.E.I. 1988, Cap. M-3, Council made the following regulations:

1. Religious body seeding recognition

The governing authority of a religious body seeking to have members of its clergy registered to solemnize marriage shall, in order to be recognized by the Director under subsection 4(2) of the Act, submit information in the form and manner required by the Director. (EC502/21)

2. Application to register clergy

Where, pursuant to subsection 4(1) of the Act, the governing authority of a religious body seeks registration of a member of its clergy who is not currently registered, the governing authority of the religious body shall submit a request to the Director, in writing, and provide the clergy's name, contact address and telephone number, and any other information required by the Director. (EC502/21)

3. Annual list of clergy

- (1) The governing authority of a religious body recognized by the Director under subsection 4(2) of the Act shall, pursuant to clause 7(1)(b) of the Act, at the time and in the form and manner required by the Director, submit to the Director, on an annual basis, a list of the names of all members of the clergy, with contact addresses, telephone numbers and any other information that may be required, for registration to solemnize marriage in the ensuing year.

Idem

- (2) Where there is a subsequent change in the names or other contact information in respect of the annual list of clergy submitted by the governing authority of a religious body pursuant to subsection (1), the governing authority of the religious body shall notify the Director. (EC502/21)

4. Additional qualifications

- (1) For the purposes of subclause 8.1(1)(c)(ii) of the Act, an applicant for a marriage commissioner's license shall
- (a) be a Canadian citizen or permanent resident; and



- (b) complete a training program required by the Director respecting legislation and other topics relevant to the duties of a marriage commissioner under the Act.

Issuance

- (2) Where, in respect of an application for a marriage commissioner's license, the Director
 - (a) is satisfied that the applicant has met the requirements of section 8.1 of the Act and subsection (1) and paid the license or renewal fee set out in subsection 5(1), the Director shall issue a marriage commissioner's license to the applicant; or
 - (b) is not satisfied that the applicant has met the requirements of section 8.1 of the Act or subsection (1), the Director may refuse to issue a marriage commissioner's license to the applicant and shall provide to the applicant the Director's reasons for the refusal.

(EC502/21)

5. Fees

- (1) The fees payable in respect of a marriage commissioner's license are as follows:
 - (a) for an application under clause 8.1(1)(b) of the Act \$50;
 - (b) for the training program referred to in clause 4(1)(b) 50;
 - (c) for the issuance of a marriage commissioner's license 100;
 - (d) for the renewal of a marriage commissioner's license 100.

Idem

- (2) The fees set out in subsection (1) are payable at the time an application for a marriage commissioner's license or the renewal of a marriage commissioner's license is submitted to the Director.

Refund

- (3) The application fee set out in clause (1)(a) is non-refundable. (EC502/21)

6. Fee for marriage license

The fee for the issuance of a marriage license is \$100, payable to the Director. (EC502/21)

7. Discretion to adjust fee

- (1) Despite sections 5 and 6, the Director may waive all or part of a fee or may modify a fee where, in the opinion of the Director, it would be appropriate to do so.

Additional charges

- (2) The Director may charge an additional fee to comply with a person's request for rush service or to provide a special service involving extra costs. (EC502/21)

8. Submission of applications

- (1) An issuer shall submit all applications for a marriage license received by the issuer to the Director in accordance with the direction of the Director.

Provide information

- (2) An issuer shall, on request by the Director, provide information respecting:
 - (a) the issuance of marriage licenses in the period specified by the Director;



- (b) any administrative matters related to the functions of the issuer under the Act.
(EC502/21)

9. Revocation

The *Marriage Act* Regulations (EC554/92) are revoked. (EC502/21)