

Province of
SaskatchewanSaskatchewan
Justice

Consent to Marriage of a Minor

The Marriage Act, 1995 [Section 25]
Form E

PART "A"

This section must be completed by parent(s) or guardian in all cases where the Applicant or Co-Applicant is under 18 years of age. If both parties are under 18 years of age, two consent forms are required.

I/We give consent for my/our _____
Son, Daughter or Ward

named _____ to marry _____

and I/we certify that my/our _____ is _____ years of age.

Signature of Parent or Guardian

Signature of Other Parent or Guardian

Address of Parents or Guardian

Declared before me at _____, Saskatchewan,

this _____ day of _____, _____.

Issuer of Marriage Licences or any person authorized to take affidavits

The consent of both parents is required except as indicated in section 25 of *The Marriage Act, 1995* (see reverse side of this Form). If the consent of one parent only is entered, please indicate whether the other parent is deceased or whether subsection 25(2) or (3) applies.

(If both Living Parents' Signatures are NOT Possible, Part "B" must also be completed.)

Statutory Declaration by Parent

The Marriage Act, 1995 [Section 25]

PART "B"

This section must be completed **in addition to the section above** when the minor has been living with one parent for a period of at least one year immediately preceding the date of the proposed marriage, and if:

- (1) the parents of the minor are not divorced or legally separated but have been living apart during that period; and
- (2) the parent not having custody of the minor has not contributed to the support of the other parent or the minor during that period.

I, the parent of _____,
Minor's Name

do solemnly declare:

(1) That _____,
Other Parent's Name

and I are the parents of _____;

Minor's Name

(2) That, although we are not divorced or legally separated, we have been living apart since _____, _____;

date

(3) That, since the date mentioned above, _____ has been living with me

Minor's Name

and _____ has not contributed to our support.

Other Parent's Name

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

Declared before me at _____, Saskatchewan,

this _____ day of _____, _____.

Signature of Parent

Issuer of Marriage Licences or any person authorized to take affidavits
(aussi disponible en français)

Consent required

25(1) Subject to subsections (2) to (6), if either of the parties to an intended marriage is under the age of 18 years then, before the issue of a licence, there must be deposited with the issuer a consent to the marriage in the prescribed form:

- (a) by both parents of the minor if both are living; or
 - (b) by the surviving parent of the minor where one of the parents is dead.
- (2) The consent of only one parent is sufficient:
- (a) where that parent has legal custody of the minor and the marriage of the parents has been dissolved or the parents are living separate and apart from each other pursuant to a decree of judicial separation or under a separation agreement; or
 - (b) where the other parent is a patient in an in-patient facility within the meaning of *The Mental Health Services Act*.
- (3) The consent of only one parent is sufficient where the minor has been living with that parent for a period of at least one year immediately preceding the date of the intended marriage of the minor and where:
- (a) the marriage of the parents of the minor has not been dissolved but the parents have been living separate and apart from each other during that period other than pursuant to a decree of judicial separation or under a separation agreement;
 - (b) the parents have not cohabited as husband and wife at any time during that period;
 - (c) the parent not having custody of the minor has not contributed to the support of the other parent or the minor during that period; and
 - (d) the parent giving the consent files with the consent in the prescribed form a declaration in the prescribed form.
- (4) If one of the parties to the intended marriage is a minor and if both parents of the minor are dead or one of the parents is dead and the other parent is a patient in an in-patient facility within the meaning of *The Mental Health Services Act*, then before the issue of a licence there must be deposited with the issuer a consent of the kind mentioned in subsection (1), given by a lawfully appointed guardian of the minor or the acknowledged guardian who may have brought up or may, for three years immediately preceding the intended marriage, have supported the minor.
- (5) If one of the parties to the intended marriage is a minor and the minor has been committed to the Minister of Community Resources and Employment pursuant to *The Family Services Act*, being chapter F-7 of *The Revised Statutes of Saskatchewan, 1978*, or *The Child and Family Services Act*, then before the issue of the licence there must be deposited with the issuer a consent of the kind mentioned in subsection (1), given by a director within the meaning of that Act.
- (6) Subsections (1) to (5) do not apply to a person who is a widow or widower or who has been previously married but whose marriage has been dissolved.
- (7) Subject to section 26, the consent required by this section is a condition precedent to a valid marriage unless the marriage has been consummated or the parties have cohabited and lived together as husband and wife after the ceremony. 1995, c.M-4.1, s.25; 2004, c.66, s.6.