

MARRIAGE ACT
(Cap. 29:01)

MARRIAGE (FORMS) REGULATIONS, 2004
(Published on 29th September, 2004)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Form of publication of banns
3. Form of special marriage licence
4. Certificate of protection of minors
5. Form of application to be a marriage officer
6. Form of register of civil marriages
7. Form of declaration of marriage status
8. Fees payable under the Act
9. Revocation of Cap. 29:01 (Sub.Leg.)

FIRST SCHEDULE

SECOND SCHEDULE

IN EXERCISE of the powers conferred on the Minister of Labour and Home Affairs by section 30 of the Marriage Act, the following Regulations are hereby made —

- | | |
|--|--|
| 1. These Regulations may be cited as the Marriage (Forms) Regulations, 2004. | Citation |
| 2. The publication of banns under section 4 of the Marriage Act (hereinafter referred to as “the Act”) shall be in Form 1 as set out in the First Schedule. | Form of publication of banns |
| 3. The special marriage licence to be issued under section 5 of the Act shall be in Form 2 as set out in the First Schedule. | Form of special marriage licence |
| 4. The certificates to be issued under section 6(1)(a) and (b) of the Act shall be in Forms 3 and 4 respectively as set out in the First Schedule. | Certificate of protection of minors |
| 5. The application to be a marriage officer required under section 7(3) of the Act shall be in Form 5 as set out in the First Schedule. | Form of application to be a marriage officer |
| 6. The marriage register required to be kept under section 11(1) of the Act shall be in Form 6 as set out in the First Schedule. | Form of register of marriages |
| 7. The declaration of marriage status required under section 13(4) of the Act shall be in Form 7 as set out in the First Schedule. | Form of declaration of marriage status |
| 8. The fees payable under the Act shall be as set out in the Second Schedule. | Fees payable under the Act |
| 9. The Marriage (Forms) Regulations are hereby revoked. | Revocation of Cap. 29:01 (Sub.Leg.) |

FIRST SCHEDULE
REPUBLIC OF BOTSWANA

Form 1

MARRIAGE ACT
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PUBLICATION OF BANNES
(section 4)

We give notice that a marriage is intended to be solemnized three weeks from the date hereof between us hereunder described.

Full names *Age*

1.....

2.....

Marital status.....

Occupation.....

Residence.....

(village/town)

Length of residence.....

Signatures of parties intending to marry: 1.....Witness 1.....

2..... 2.....

Received by me this.....day of.....20.....

.....
Administrative Officer
(full names, signature and official stamp)

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SPECIAL MARRIAGE LICENCE
(section 5)

There being no legal impediments to the proposed marriage between

.....bachelor/widower/divorcee
(full names)

of.....in the district of
(village/town)

.....and.....spinster/widow/divorcee
(full names)

of.....in the district
(village/town)

of

I.....hereby issue this special licence entitling the
(full names of marriage officer)

persons named above to marry.

Given under my hand at.....this.....day of.....20.....

.....
Administrative Officer.
(Signature and official stamp)

REPUBLIC OF BOTSWANA

MARRIAGE ACT
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CERTIFICATE OF PROTECTION OF CHILDREN OF FORMER MARRIAGE
(section 6(1)(a))

I.....hereby certify that I am satisfied that the inheritances or other
(full names)
properties, which have devolved upon the persons named below, being the children, whether
minor or otherwise, ofborn of a marriage or
(village/town)
marriages by customary law have been adequately secured.

<i>Name</i>	<i>Sex</i>	<i>Age</i>
.....
.....
.....

Dated this.....day of20.....

.....
Master of the High Court/Administrative Officer(other
than a cadet)/Magistrate.

REPUBLIC OF BOTSWANA

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CERTIFICATE OF PROTECTION OF CHILDREN OF FORMER MARRIAGE
(section 6(1)(b))

I.....hereby certify that I am satisfied that adequate provision has
(full names)

been made to safeguard the maintenance of the minor children named below, of

.....of.....
(village/town) (district)

born of a marriage or marriages by customary law.

Names	Sex	Age
1.....
2.....
3.....

Given aton the.....day of.....20.....

.....
Administrative Officer(other
than a cadet)/Magistrate.

REPUBLIC OF BOTSWANA

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APPLICATION FOR APPOINTMENT AS A MARRIAGE OFFICER
(section 7(3))

PART A

Applicant's full names:.....

Name of denomination:.....

Position held.....

(Note: Applicant must be a Minister of religion or a person holding a responsible position in a religious denomination or community)

Qualifications:

(a) Education.....

(b) Theological training (if any).....

(c) (i) Approximate number of members of the congregation in the country.....

(ii) Size of congregation covered by the applicant

Number.....

Locality.....

Does the applicant have a suitable building and storage for keeping safely and securely documents in terms of the Act?

.....

Declaration by applicant:

I.....do hereby declare that the above particulars given by me are

(full names of applicant)

true and correct. I further declare that I have read and understood the provisions of the Marriage Act fully. I do understand the consequences of my failure to comply with the Act as provided for under section 17, 18, 19 and 20.

Signeddate.....

PART B

(To be completed by the Head of the denomination in the country or an official representing the National Executive of the denomination)

I.....representing.....
(full names of head of the denomination) *(name of denomination)*

support this application by.....as Marriage Officer. I am
(full names of applicant)
satisfied that the applicant has read and understood the provisions of the Marriage Act and is capable of complying with the Act.

Dated this.....day of.....20.....

.....
Capacity(e.g Bishop)

(To be completed by District Commissioner/Officer who should transmit the completed form to the Registrar of Marriages)

I.....hereby certify that I have orally examined the applicant as to his knowledge of the provisions of the Marriage Act and in particular of the provisions of relating to issues that Marriage Officers have to fulfil before conducting a marriage. I am satisfied/not satisfied* from such examination, that the applicant has read and understood the provisions of the Marriage Act and is able/not able* to comply with the Act.*(*delete as applicable)*

Signed.....Date.....

For Official Use Only:

Application approved/not approved.....

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MARRIAGE REGISTER
(section 11(1))

Register of the District of the Republic of Botswana. Marriage solemnized at.....in the district of.....on theday of20.....

Registration No.	When Married	Full names	ID No.	Age	Marital status	Occupation	Residence at time of marriage	After banns or licence	Consent by whom given or by judge's order

This marriage was solemnized between us 1.
(full names and signature)

2.

in the presence of witnesses: 1.
(full names and signature)

2.

3.

I....., do hereby certify that the above marriage was contracted by (full names of Marriage Officer)

the parties thereto onday of.....20.....in my presence and in the presence of the parties who have signed their names thereto as witnesses.

I further certify that I have examined this register and the duplicate register and found it correct, and that the explanations required by the Act have been made to parties.

Dated this.....day of20.....

.....
Marriage Officer
(signature and official stamp)

REPUBLIC OF BOTSWANA

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DECLARATION OF MARRIAGE STATUS
(section 13(4))

1. I of
(full names of declarant) (village/town)
do solemnly and sincerely declare that I have never been married according to Customary law, Muslim, Hindu or other religious marriage.

Date.....
Signature of Declarant.

2 I of
(full names of declarant) (village/town)

do solemnly and sincerely declare that I have been married.....(once or twice or as the case may be) in accordance with Customary Law, Muslim, Hindu or other religious marriage (as the case may be) but every such marriage has been dissolved by death or annulled in accordance with the law whether customary or otherwise applicable in the circumstances of my case, and that I have the following children and no others by the marriage or marriages declared above:

Name	Sex	Age
1.....
2.....
3.....

Date.....
Signature of declarant.

Declared before me at.....on the.....day of.....20.....

.....
Marriage Officer
(full names, signature and official stamp)

In the presence of:
witness 1.....
2.....

SECOND SCHEDULE

Fees

- | | | |
|----|------------------------------|------|
| 1. | Special marriage licence | P150 |
| 2. | Registration of marriage | P40 |
| 3. | Certificate copy of register | P15 |

MADE this 9th day of September, 2004.

M. PHETO,
*Assistant Minister of Labour and
Home Affairs.*

L2/7/92 VI