#### REPUBLIC OF SOUTH AFRICA REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 9007

Regulasiekoerant

Vol. 523

Pretoria, 2 January 2009

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#### IMPORTANT ANNOUNCEMENT

### Closing times PRIOR TO PUBLIC HOLIDAYS for

### **GOVERNMENT NOTICES, GENERAL NOTICES, REGULATION NOTICES** AND PROCLAMATIONS

The closing time is 15:00 sharp on the following days:

- 19 March, Thursday, for the issue of Friday 27 March 2009
- 2 April, Thursday, for the issue of Thursday 9 April 2009
- 8 April, Wednesday, for the issue of Friday 17 April 2009
- 22 April, Wednesday, for the issue of Thursday 30 April 2009
- 30 April, Thursday, for the issue of Friday 8 May 2009
- 11 June, Thursday, for the issue of Friday 19 June 2009
- 6 August, Thursday, for the issue of Friday 14 August 2009
- 17 September, Thursday, for the issue of Friday 25 September 2009
- 10 December, Thursday, for the issue of Friday 18 December 2009
- 15 December, Tuesday, for the issue of Thursday 24 December 2009
- 21 December, Monday, for the issue of Thursday 31 December 2009
- 30 December, Wednesday, for the issue of Friday 8 January 2010

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is accepted, a double tariff will be charged

The copy for a SEPARATE Government Gazette must be handed in not later than three calendar weeks before date of publication

#### BELANGRIKE AANKONDIGING

## Sluitingstye VOOR VAKANSIEDAE

### **GOEWERMENTS-, ALGEMENE- &** REGULASIEKENNISGEWINGS ASOOK PROKLAMASIES

Die sluitingstyd is stiptelik 15:00 op die volgende dae:

- 19 Maart, Donderdag, vir die uitgawe van Vrydag 27 Maart 2009
- 2 April, Donderdag, vir die uitgawe van Donderdag 9 April 2009
- 8 April, Woensdag, vir die uitgawe van Vrydag 17 April 2009
- 22 April, Woensdag, vir die uitgawe van Donderdag 30 April 2009
- 30 April, Donderdag, vir die uitgawe van Vrydag 8 Mei 2009
- 11 Junie, Donderdag, vir die uitgawe van Vrydag 19 Junie 2009
- 6 Augustus, Donderdag, vir die uitgawe van Vrydag 14 Augustus 2009
- 17 September, Donderdag, vir die uitgawe van Vrydag 25 September 2009
- 10 Desember, Donderdag, vir die uitgawe van Vrydag 18 Desember 2009
- 15 Desember, Dinsdag, vir die uitgawe van Donderdag 24 Desember 2009
- 21 Desember, Maandag, vir die uitgawe van Donderdag 31 Desember 2009
- 30 Desember, Woensdag, vir die uitgawe van Vrydag 8 Januarie 2010

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word. sal 'n dubbeltarief gehef word

Wanneer 'n APARTE Staatskoerant verlang word moet die kopie drie kalenderweke voor publikasie ingedien word

# GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

# DEPARTMENT OF HOME AFFAIRS DEPARTEMENT VAN BINNELANDSE SAKE

No. R. 1

2 January 2009

CIVIL UNION ACT, 2006 (ACT NO. 17 OF 2006)

#### FIRST AMENDMENT OF CIVIL UNION REGULATIONS, 2006

The Minister of Home Affairs has, in terms of section 15 of the Civil Union Act, 2006 (Act No. 17 of 2006), made the regulations in the Schedule.

#### **SCHEDULE**

1. In these Regulations "the Regulations" means the Civil Union Regulations, 2006, published under Government Notice No. R. 1206 of 29 November 2006.

#### Substitution of regulation 3 of the Regulations

- 2. The following regulation is hereby substituted for regulation 3 of the Regulations:
  - "Affidavit of identity
  - 3. The affidavit contemplated in section 7(b) of the Act must be in a form similar to DHA-1763 in the Armexure."

#### Amendment of regulation 5 of the Regulations

- 3. Regulation 5 of the Regulations is hereby amended by—
  - (a) the substitution for subregulation (1) of the following subregulation:

- "(1) The documents in which the prospective civil union partners must declare their willingness to enter into a civil union with one another and which must also be signed by the marriage officer and two witnesses, contemplated in section 12(1) and (2) of the Act, must be in a form similar to DHA-1764 in the Annexure."; and
- (b) the substitution for subregulation (3) of the following subregulation:
  - "(3) The civil union register contemplated in section 12(6) of the Act must be in a form similar to DHA-1766 in the Annexure.".

#### Amendment of regulation 8 of the Regulations

- 4. Regulation 8 of the Regulations is hereby amended by—
  - (a) the substitution for the words preceding paragraphs (a) to (c) of subregulation (1) of the following words:
    - "(1) The Director-General may, upon application on a form similar to DHA-1744 in the Annexure, issue—"; and
  - (b) the substitution for subregulation (2) of the following subregulation:
    - "(2) The Director-General may also, upon application on a form similar to DHA-1744 in the Annexure, issue a reproduction of the civil union register contemplated in regulation 5(3) of any supporting document attached to the register or a verification of the information contained in the register, on payment of the amount of R50-00."

#### Amendment of Annexure to Regulations

- 5. The Annexure to the Regulations is hereby amended by
  - (a) the deletion from the Annexure of the following:
    - (i) "Form A Affidavit in absence of identity document";
    - (ii) "Form B Declaration document to register civil union"; and
    - (iii) "Form D Civil union register"; and

- (b) the addition to the Annexure of the following:
  - (i) "DHA-1763 Affidavit in absence of identity document";
  - (ii) "DHA-1764 Declaration document to register civil union";
  - (iii) "DHA-1766 Civil union register"; and
  - (iv) "DHA-1744 Application for civil union certificate".

#### Short title and commencement

**6.** These Regulations are called the First Amendment of the Civil Union Regulations, 2006 and comes into operation on 2 February 2009.

DHA-139



#### REPUBLIC OF SOUTH AFRICA DEPARTMENT OF HOME AFFAIRS

#### APPLICATION FOR MARRIAGE CERTIFICATE

MARRIAGE ACT, 1961 (ACT NO. 25 OF 1961)
Regulation 6B(2)(a),(b) and (c)

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DHA-1763

#### AFFIDAVIT IN ABSENCE OF IDENTITY DOCUMENT

Civil Union Act, 2006 (Act No 17 of 2006)

Regulation 3

To be completed in full and submitted at the Department of Home Affairs' office. The form to be completed in black ink with BLOCK LETTERS. Please mark with I the CORRECT box, where required. Applications that are incomplete or not legible shall not be accepted

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DHA-1764

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#### REPUBLIC OF SOUTH AFRICA DEPARTMENT OF HOME AFFAIRS

**DECLARATION FOR REGISTRATION OF CIVIL UNION** 

Civil Union Act, 2006 (Act No 17 of 2006)

Regulation 5 (1)  To be completed in full and submitted at the Department of Home Affairs' office. The form to be completed in black ink with BLOCK LETTERS. Please mark with   the CORRECT box, where required. Applications that are incomplete or not legible shall not be accepted.  A. PARTICULARS OF SPOUSE / PARTNER A  ID number (Passport No. if foreigner)  Date of birth Y Y Y Y M M D D  Sumame																															
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. CERTIFICATE BY MARRIAGE OFFICER AND TWO WITNESSES the undersigned marriage officer, hereby certify that the two civil union partners whose particulars are mentioned above, declared in my presence are resence of the two witnesses whose particulars are mentioned below, that they are willing to enter into the civil union with one another.															nd	ini	ha														
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No. R. 2

2 January 2009

#### **MARRIAGE ACT, 1961**

# THIRTEENTH AMENDMENT OF THE REGULATIONS MADE UNDER THE MARRIAGE ACT, 1961

The Minister of Home Affairs has, under section 38 of the Marriage Act, 1961 (Act No. 25 of 1961), made the regulations in the Schedule.

#### **SCHEDULE**

#### **Definition**

1. In this Schedule "the Regulations" means the Regulations made under the Marriage Act, 1961 (Act No. 25 of 1961) published under Government Notice No. R.2207 of 24 October 1986 as amended by Government Notice Nos. R.883 of 21 May 1993, R.1577 of 27 August 1993, R.726 of 19 May 1995, R.488 of 9 April 1998, R.249 of 14 March 2000, of 28 March 2002, of 31 March 2003, R.431 of 31 March 2004, R.320 of 1 April 2005, R.476 of 19 May 2006 and R.66 of 28 January 2008.

#### Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended by—

- (a) the substitution for paragraph (b) of subregulation (1) of the following paragraph:
  - "(b) "Director-General" means the Director-General of Home Affairs;"; and
- (b) the repeal of paragraph (d) of subregulation (1).

#### Substitution of regulation 3 of the Regulations

- 3. The following regulation is hereby substituted for regulation 3 of the Regulations:
  - "3. The Director-General may direct that any marriage officer, or any person in respect of whom an application is made in terms of regulation 2, be subjected to an oral or written test, or both, for the purpose of ascertaining whether such marriage officer or person has an adequate knowledge of the Act and these regulations."

#### Substitution of regulation 5A of the Regulations

**4.** The following regulation is hereby substituted for regulation 5A of the Regulations:

#### "Marriage register

**5A.** The marriage register referred to in section 29A shall contain substantially the information prescribed on form DHA-30.".

#### Amendment of regulation 5B of the Regulations

- 5. Regulation 5B of the Regulations is hereby amended by—
  - (a) the substitution for subregulation (1) of the following subregulation:
    - "(1) The marriage officer who solemnises a marriage shall, after the register referred to in section 29A(1) has been signed, issue to the parties, free of charge, a marriage certificate containing substantially the information prescribed on form DHA-27, in respect of the marriage.";

- (b) the substitution for the words preceding paragraph (a) of subregulation (2) of the following words:
  - "(2) The Director-General may upon application in writing on a form containing substantially the information prescribed on form DHA-130, issue—";
- (c) the substitution for paragraph (a) of subregulation (2) of the following paragraph:
  - "(a) an abridged marriage certificate, containing substantially the information prescribed on form DHA-41."; and
- (d) the substitution for paragraph (b) of subregulation (2) of the following paragraph:
  - "(b) an unabridged marriage certificate; or".

#### Amendment of regulation 6 of the Regulations

6. Regulation 6 of the Regulations is hereby amended by the repeal of paragraph (d) of subregulation (2).

#### Substitution of regulation 8 of the Regulations

- 7. The following regulation is hereby substituted for regulation 8 of the Regulations:
  - "8. An affidavit referred to in section 12 shall be made on form DHA-31.".

#### Substitution of regulation 9 of the Regulations

- **8.** The following regulation is hereby substituted for regulation 9 of the Regulations:
  - "9. The consent by a parent or guardian to the marriage of a minor referred to in section 24 shall be furnished on form DHA-32.".

#### Substitution of regulation 11 of the Regulations

- **9.** The following subregulation is hereby substituted for subregulation (1) of the Regulations:
  - "(1) Any minor who requires the consent of a Commissioner of Welfare referred to in section 25, shall apply therefor on form DHA-34.".

#### Amendment of regulation 12 of the Regulations

- **10.** The following regulation is hereby substituted for regulation 12 of the Regulations:
  - "12. The certificate referred to in section 6(5) which is to be printed or written at the foot of the marriage register as prescribed by the Director-General in terms of the regulations made under the Act, shall be signed by the marriage officer.".

#### Repeal of regulation 13 of the Regulations

11. Regulation 13 of the Regulations is hereby repealed.

#### Short title and commencement

**12.** These Regulations are called the Thirteenth Amendment of the Regulations made under the Marriage Act, 1961 and shall come into operation on 2 February 2009.



Bar-Code DHA-30

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### REPUBLIC OF SOUTH AFRICA DEPARTMENT OF HOME AFFAIRS

DHA-31

### AFFIDAVIT FOR THE PURPOSE OF MARRIAGE BY A PERSON WITHOUT SOUTH AFRICAN IDENTITY DOCUMENT

Marriage Act, 1961 (Act No 25 of 1961)

											Re	gulati	lon 8																	
	be completed in full and submitted at the Department of Home Affairs' office. The form to be completed in black ink with BLOCK LETTERS. Pletrk with In the CORRECT box, where required. Applications that are not legible shall not be accepted  te: No marriage officer shall solemnise any marriage unless;  (a) each of the parties in question produces to the marriage officer his or her identity document issued under the provisions of the Identifica Act, 1997 (Act No. 68 of 1997); or  (b) each of the parties furnishes to the marriage officer the prescribed affidavit; or  c) one of such parties produces his or her identity document to the marriage officer and the other furnishes to the marriage officer the prescribed.															leas	e													
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I am not a South African citizen	not a South African citizen My birth is not registered from the National Population Register upon providing a proof of such application be lodged.  If birth was never registered, the applicant must apply for the registration of birth immediately. The marita shall only be registered on the National Population Register upon providing a proof of such application be lodged.																													
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DHA-32



### REPUBLIC OF SOUTH AFRICA DEPARTMENT OF HOME AFFAIRS

#### **CONSENT TO MARRIAGE OF A MINOR**

Marriage Act, 1961 (Act No 25 of 1961)

Regulation 9

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DHA-34

## APPLICATION FOR THE CONSENT OF A COMMISSIONER OF CHILD WELFARE FOR THE PURPOSE OF MARRIAGE OF A MINOR

Marriage Act, 1961 (Act No 25 of 1961)

Regulation 11

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Telephone no.						_	_	<u> </u>	<u> </u>	_	<u> </u>			Ce	el) ph	ODB.	<u></u>	_	$\vdash$						$\vdash$		Ħ		ĺ		
Father's ID number	一		H		一	T		_		<del></del>		1		T	J. P.		,	_	_			_	_			_			J		
Father's surname	$\dashv$		Н		一			<u> </u>	-	-		-	-	+		_			l												
Father's first name	一		$\overline{}$	$\overline{}$	一	7	_					F		T					$\vdash$	П		_		$\overline{}$	_	$\equiv$	一		一		一
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Mother's surname	_			-		_					$\vdash$		一	t																	
Mother's first name	一	$\overline{}$	$\overline{}$	$\exists$	$\dashv$				-	-			<del>                                     </del>				Н			H						П	Ħ	Ħ	Ħ	_	퓜
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C. REASON WHY THE CONS	=NI	OF	IHE	E PA	KEI	V I (3	s) O	K G	UAI	₹DI#	N C	,00	נט	NOI	BE	ОВ	IAIN	1ED													
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I hereby declare that the particul	ars g	giver	n albi	ove a	are I	rue	and	COL	rect	and	app	ly fo	or co	onser	nt to	mar	Ty th	10 pe	erso	n me	entic	ned	in s	ectio	on B	abo	ve.				
					_																										
Date Y Y Y Y	М	M		D	D		Sigi	natu	re of	f per	son	con	cer	ned									********		<u>.</u>						
D. CONSENT BY THE COMM	SSI	ONE	RC	FC	HIL	) W	ELF	AR	E																						
Resolution:																															
Consent granted Rea	son:	:				_																									
Consent refused Rea	son	:																													
PARTICULARS OF THE COMMISSION	ER O	FCH	IILD I	WELF	ARE	:												000	UME	NTS	SUB	MITT	ED:								
Persal no.			$\Box$	$\Box$													[		Birth	cert	ifica	le of	the p	erso	n co	ncen	ned				
Surname		]	Ī		Ī												[		Dea	ith C	ertif	icate	e of	Fath	er						
First names in full																	[		Dea	th C	ertif	icate	of I	Moth	ner						
Office name	$\Box$				$\Box$												[		Pov	vero	f att	ome	y (if	арр	lical	ole)					
Business Street	$\Box$		$\Box$	$\Box$	$\Box$	$\Box$																(	Offic	e st	amp	1					
Address Town	$\Box$				Ι	$\Box$				С	ode																				
Province	_	Tele		ne n	0.	_[																									
Date signed Y Y Y	Υ	[	М	М	[	D	D																								
Signature of the Commissioner of	f Ch	ild V	Velfa	are								*****					L	_							_						



### REPUBLIC OF SOUTH AFRICA

DHA-41

#### **DEPARTMENT OF HOME AFFAIRS**

### ABRIDGED MARRIAGE CERTIFICATE

Marriage Act, 1961 (Act No 25 of 1961)

Regulation 5B(2)(a)

Certified a true extract from the marriage register of:

HUSBAND																				
Identity number												(Ра	ssp	ort N	lo. i	f fore	eigne	er)		
Date of birth	Υ	Υ	Υ	Υ	]	М	М	D	D											
Surname																				
First names in full																				
WIFE																				
Identity number												(Pa	ssp	ort N	lo. i	f fore	igne	er)		
Date of birth	Υ	Υ	Υ	Υ		М	М	D	D											
Maiden name																				
Present Surname																				
First names in full																				
MARRIAGE																				
Date of marriage	Υ	Y	Υ	Υ		М	М	D	D	Seri regi	al no ster	. of 1	пагг	iage						
Place of City/Town marriage														-		] F	Prov	ince		
mamago																				
																			1	
									Offi	cial	Date	Sta	mp							
Signature: Director-Gen	eral													_						



DHA-130

#### APPLICATION FOR CIVIL UNION CERTIFICATE

MARRIAGE ACT, 1961 (ACT NO. 25 OF 1961)

The state of the s						•	101						(a),(b)			20	٠.	150	٠,												
To be filled in full and submitted at to LETTERS. Please mark with ☑ the																					m to	be fil	lled i	n bla	ck in	k wit	h BL	OCH	C		
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Unabridged Certificate	Г	]	Cer	tifie	d c	ору	of N	Marr	iage	Re	gist	er (\	/ault	t co	ру)		Г	1	Let	ter c	of co	onfirr	natio	on of	f Ap	ptica	ınt's	stat	us		
Abridged Certificate	一	i	Har	ndw	ritte	n al	brid	ged	cer	tific	ate						匸	ĺ							-						
Please provide reasons for app	ying	for					_	_					_	_			_	_	_				_				_				
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1. PARTICULARS OF HUSBA	NID	_							_		_							_												_	
Identity number		_	T			_	1			_	Τ	1		_		1		Rir	th e	ntrv	nun	nber	$\overline{}$	_	Т	$\overline{}$	_	_	$\overline{}$		$\overline{}$
Date of birth	Y	Α	Y	Υ	L	м	М	м	м	М	м	м	м	м		٥	D	1		-		full)			_		_	_	_	_	_
Surname	<u> </u>	Ė	_		<u> </u>	<u> </u>	<u> </u>	<del>                                     </del>		T	<u> </u>	<u> </u>	<u> </u>	<u> </u>	1	Ë	1	1,00	10 11	T	Τ ""	Tu.,,	т-	Т	Т	$\overline{}$	Τ	Γ	Т	Т	$\Box$
Previous/Maiden surname	<del> </del>							<del>-</del>	-	t		$\vdash$	+-		<del> </del>		┢	<del>                                     </del>	<u> </u>		<del> -</del>		+	_	T	╈	╆	一	T	H	Ħ
Forenames	┢		<del>                                     </del>					┼		Ħ					_		T			$\overline{}$		t		Ħ	T	一	H	一	一	<del> </del>	Ħ
2. PARTICULARS OF WIFE		_				_			_	_	_	_	_	_	_	_	_	_	_	_	_	<del>-</del>	<u> </u>	_	_	_	_	_	_	-	_
Identity number	$\Box$	Г	Γ-			Г	1			Т	П	1		Г	Γ-	1		Bir	th e	ntry	nun	nber			1	$\overline{}$	Τ-	$\overline{}$	Т	Т	$\Box$
Date of birth	Y	¥	Υ	Υ		м	м	м	м	М	м	м	М	м	T	Б	В	٦.				full)		_			_	_		_	
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Forenames	一		<del>                                     </del>	_				╆		Ħ	Ħ		i				T	П		<del>                                     </del>	T	T	T	T	Ī	一		_	一	T	〒
3. PARTICULARS OF MARRI	AGE					_		-	_	_			_	_			_	_		_	_	<u>'                                    </u>			_	_	_	=	_	_	
Type of marriage	Ма	rriag	je			]		Civ	il Pa	artne	rshi	р		]	(tic	k⊠	the	com	ect	box)	1										
Date of marriage	Υ	Υ	Υ	Υ		М	М	М	М	М	М	М	М	М	]	٥	D	(wri	ite n	nont	h in	full)									
Marriage officer: Surname										"	L.															$\Box$					
Forenames										$\Gamma$											l				·				$\Gamma$		
Designation number	_								Г				Churc airs of				П						Г	-	Π	$\Box$		Γ-	П	Π	
Place of marriage: Town																							Ι				П		$\Box$		$\Box$
Province			I										Cou	untry	of r	пап	nage	,							Ι						
4. PARTICULARS OF APPLIC	CAN	Т																										_			
Identity number										T		]																			
Surname													$\Box$										L		Ϊ.						
Forenames in full															L																
Residential address: Street													$L_{-}$																		
Town/Village																					L										
Province																			Pos	tal c	ode					]					
Telephone No., incl. area.code											L			Ce	ell ph	one	no.						L								
Relationship to the married coup	ole:			Hu	sbaı	nd					Wif	e					Ĺ	Leg	al R	өрге	sen	tativ	e (pl	ease	pro	ovide	Pov	ver c	of Att	orne	∌y)
				Oth	er, p	oleas	se s	peci	fy																						
Signature of Applicant:													Date	:	Υ	Υ	Υ	Υ		М	М	]	D	D	]						
5. FOR OFFICIAL USE ONLY																															
APPLICATION RECEIVED BY:																	DO	CUM	ENT	s sı	JBM	ITTE	D: P	LEA	SE 1	пск	$\checkmark$	ł			
Surname													Ī.,					Orig	ginal	ID	docı	ıme	nt of	арр	lica	nt wa	as pi	rese	ntec	i	
Forenames in full																		Pov	ver c	of At	torn	еу									
Persal No.						]												Pay	mer	nt re	ceiv	ed, i	if ap	plica	ble						
Date Y Y Y	Υ		М	М		D	D												Offic	ce s	tam	p - (	ÖFFI	CE	OF	ORIO	GIN	**********			
Signature																															
									_				-																		



DHA-27

### **MARRIAGE CERTIFICATE**

Marriage Act, 1961 (Act No. 25 of 1961)

Regulation 5B(1)

CARRA II																						
HUSBAND	HUSBAND																					
Identity number													(Passport No. if foreigner)									
Date of birth	Υ	Υ	Υ	Υ		М	М		D	D												
Surname																·						
First names in full																						
WIFE																						
Identity number													(Passport No. if foreigner)									
Date of birth	Y	Υ	Υ	Υ		М	М	]	۵	D			•									
Surname																						
Previous/Maiden name										_		·										
First names in full																						
MARRIAGE									-													
Date of marriage	Y	Y	Υ	Υ	]	М	М		D	D	Seri regi		o. of	marr	iage							Γ
Place of City/Town marriage											L						F	rov	ince			
Marriage Surname								<u> </u>													· ·	Τ
officer: First names																						T
Denomination																						
Signature Designation/Persal No.																						