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An information leaflet on the solemnisation (celebration) and registration of a valid Marriage in Ireland.

NOTE: This leaflet is designed to provide general information on the solemnisation and registration (in the civil records) of a valid marriage in Ireland. This leaflet does not purport to be a legal interpretation of the relevant legislation and should not be construed as such.

How to use this leaflet:

Please read section (1) carefully as it applies to ALL marriages which take place in Ireland.

Depending on the type of ceremony by which you intend to marry, you should then read the relevant paragraph in the section (2) which outlines the additional steps YOU MUST TAKE, to ensure that your marriage is valid in civil law.

Section (3) deals with marriages outside this State and persons who have been previously married who wish to marry again.

This leaflet outlines the requirements in civil law for the solemnisation (celebration) and registration of a valid marriage. It does not deal with the religious preliminaries which are required where a proposed marriage ceremony will take a religious form. The relevant religious preliminaries should be arranged with the appropriate celebrant of marriages.

SECTION 1: Preliminaries to a valid Marriage

(APPLIES TO ALL MARRIAGES):

To contract a valid marriage in this state the parties to the marriage must:

- have the capacity to marry each other;
- freely consent to the marriage; and,
- observe the necessary formalities as required by the laws of this State.

Marriage by civil ceremony is a civil contract. Marriage by certain religious ceremonies is also recognised by civil law as being a civil contract. Persons wishing to get married by religious ceremony should approach the authorities of the religious denomination concerned for advice on how to proceed. Those wishing to get married by civil ceremony should seek advice from the Registrar of civil marriages for the district in which they reside, or in which they wish to get married. A list of these (Civil) Registrars, with names and telephone numbers appears on the reverse to the notification of intention to marry form which is

enclosed. For persons who wish to marry outside this State or who have been previously married and wish to remarry please see section 3.

The Family Law Act, 1995 introduced the following two requirements for a valid marriage:

- a) the minimum age at which a person, ordinarily resident in the State, may contract a marriage valid in Irish law is eighteen years of age (see section 1.1 below); and,
- b) each person marrying on or after August 1, 1996 must give three months notification to the appropriate Registrar for the District in which the marriage is to take place (see section 1.2 below).

1.1 - Minimum Age of Marriage:

From August 1, 1996 the minimum age at which a person, ordinarily resident in the State, may contract a marriage valid in Irish law is eighteen years of age; whether the marriage takes place in Ireland or elsewhere. This provision also applies where one party to the proposed marriage is ordinarily resident in the State and is over eighteen years of age, and the other party is under eighteen years of age. You must provide evidence of age, if requested to do so, by a registrar, or any person to whom an application is made for a license, certificate or the publication of banns, or the person who is to solemnise the marriage. Failure to produce evidence of age on request will result in refusal to proceed with the marriage.

If the permission of the Circuit Family Court or High Court has not been obtained and either party to the marriage is under eighteen years of age, the Registrar or person solemnising the marriage must not proceed with the marriage ceremony. Any party to such marriage, or any Registrar or person solemnising a marriage, who is convicted of knowingly breaching the provisions regarding the minimum age for the marriage shall be liable to a fine of up to IR£500. The minimum age requirement applies unless a Court Exemption Order has been obtained by the parties to the marriage, see paragraph 1.3 below.

It is not necessary, per se, for persons giving written notification of their intention to marry to provide the registrar with any documentation (e.g. Birth Certificates etc.) concerning their age at the notification stage. Such documentation, if required, will be subsequently specifically requested of you by the Registrar concerned.

There is no requirement to obtain parental consent for a marriage.

1.2 - Requirement to give three months notification of intention to marry:

Each person marrying in the State must give at least three months written notification to the Registrar for the district in which the marriage is to take place; or have obtained an exemption under Section 33 of the Act (see paragraph 1.3). For example, any person marrying on or after August 1, 1999 must have given notification to the appropriate Registrar on or before May 1, 1999.

The requirement to give three months notification of an intended marriage is a substantive requirement for a valid marriage. A marriage will not be valid in civil law unless three months written notification has been given, or; unless permission to marry has been granted by the High Court or Circuit Family Court under Section 33, of the Family Law Act, 1995.

1.2(a) How notification may be given:

Notification of an intention to marry may be given in either of two ways:

i) Both parties may write separately to the Registrar for the district in which the marriage is to be solemnised giving the following information:

- name and address of the parties to the marriage;
- name of the church or the place where the marriage will take place;
- the dates of births of the parties or confirmation that the parties are over eighteen

ii) [A pre-printed form included](#) which may be completed and returned to the appropriate Registrar. (Additional copies are available from the Registrar.) If only one letter or form is sent to the Registrar it must be signed by both parties. The three months minimum notification period does not commence until a notification has been received from each of the parties to a proposed marriage.

Only original documents, including original signatures, may be accepted as notifications of intention to marry.

The Registrar will issue each party to the intended marriage with an acknowledgement confirming the date of the receipt of the notification. You must retain and produce it, when requested, to the person solemnising the marriage.

It should be noted that these acknowledgements are for record only and are not intended to be a license or certificate signifying the approval of the Registrar concerned to any proposed marriage. The other legally required marriage preliminaries, if any, appropriate to the form of marriage, must also be complied with.

1.2 (b) Locating the appropriate Registrar of Marriages (to whom notification of intention to marry must be given):

The appropriate Registrar for the district is determined by the form of the marriage.

i) Registrar of Births, Deaths and (Roman Catholic) Marriages:

For marriages according to the rites and ceremonies of the Roman Catholic Church the appropriate Registrar is the Registrar of Births, Deaths and (Roman Catholic) Marriages for the District in which the marriage will be solemnised. As there are several hundred districts and registrars nation-wide it is not possible to provide a comprehensive listing with this document. A listing of Superintendent Registrar's telephone numbers appears on the reverse of the notification of intention to marry form with whom contact may be made and from whom the relevant registrar's name and address may be obtained, if not already know.

ii) Registrar of (Civil) Marriage:

For Civil Marriages or marriages according to the rites and ceremonies of any denomination other than Roman Catholic, the Registrar is the Registrar of Civil Marriages for the District in which the marriage will be solemnised, and his/her name and telephone number may be found on the reverse of the notification of intention to marry form with whom contact may be made directly and from whom their respective address may be obtained.

If you have any difficulty in determining in determining the identity to a Registrar you should contact the local health board Births, Deaths and Marriage Registration Office. The onus is on the parties who propose to marry to ensure the notification is received by the appropriate Registrar of Marriages.

Notifications of intention to marry should not be returned to General Register Office but should be forwarded to the appropriate Registrar of Marriages for the district in which the marriage is due to take place.

1.3 - Exemption of some marriages to the above procedures:

If one or both of the parties to the proposed marriage is under eighteen years of age, or if the provision of three months notification poses a difficulty, you may make an application to the Courts for an exemption order and the Court will then decide if the marriage should be allowed to proceed or not. Such applications are made through either the Circuit Family Court or High Court Office in the area where either of the parties reside, with whom contact should be made directly for details as to how to proceed. This is an informal procedure and you may apply in person without employing the services of a solicitor. There is no (Court) charge for such an application.

It should be noted that the Court will require you, as an applicant, to show that your application is justified by demonstrating good reasons and also that the granting of such an application is in the interest of the parties to the intended marriage.

If the permission of the High Court or Circuit Family Court has not been obtained and either party to the marriage is under eighteen years of age, the Registrar or person solemnising the marriage must not proceed with the marriage ceremony. Any party to such a marriage or person solemnising a marriage, who is convicted of knowingly breaching the provisions regarding the minimum age for marriage shall be liable to a fine of up to IR£500.

There is no requirement to obtain parental consent for a marriage or for the making of an application to the Courts.

SECTION 2: PROCEDURES FOR MARRIAGE IN IRELAND:

The followings a broad summary of the procedure for marriages in this State. It applies to both Irish citizens and non-Irish-citizens. In all cases the preliminaries outlined at section 1 above must also be complied with.

2.1 - MARRIAGE BY CIVIL CEREMONY:

Marriages may be solemnised in the office of a Registrar of Civil Marriages, by Registrar's licence or by Registrar's Certificate. Persons wishing to be married in the Office of a Registrar either by Registrars Licence or Certificate must serve notice upon the Registrar of the district in which they reside. If the parties intending marriage reside in different districts, notice must be served on the Registrar of each district. (N.B. if the marriage is to take place in the Republic of Ireland, one of these districts may be in the United Kingdom). The service of notice requires personal attendance at the Registrars Office and it is distinct from the giving of at least three months written notification as set out at section 1 above.

Marriage by Registrars Licence requires that one of the parties to the marriage should have resided in the Registrar's district in which the marriage is to take place for at least fifteen days immediately preceding the service of notice. If the

other party to the marriage resides in the same Registrar district, a minimum of seven days by that party is necessary before the service of notice. If the parties reside in different districts a residence of fifteen days in their respective districts is required. The marriage may not take place until the eighth day, at the earliest, after entry of notice by the registrar. One of the parties must also have resided in the Registrars district in which the marriage is to take place for at least fifteen days before the marriage licence is granted.

Marriage by Registrars Certificate requires a prior residence of seven days by each of the parties before service of notice, whether they reside in the same Registrar's district or in different districts.

Marriage by certificate may not take place until the twenty-second day, at the earliest, after entry of notice of marriage.

Certain other requirements have to be fulfilled between the service of notice and the issue of the Registrar's Licence or Certificate.

Marriage by Registrars Licence or Certificate in a church or registered building requires that notice be served on the Registrar or Registrars of Civil Marriages, and that the same preliminary steps be taken as if the marriage were to be solemnised in the office of the Registrar. The Licence or Certificate ultimately issued by the registrar to the parties must be produced by them to the officiating Minister.

Marriages by Civil ceremony must take place in the Office of a Registrar of Marriages, except in very exceptional case of illness on the part of one of the parties, when the Registrar-General has power to grant a special licence for the marriage to be conducted elsewhere.

A written notification of intention to marry must be given by both parties, as set out in section 1 above, in respect of a marriage that is to take place by civil ceremony.

MARRIAGE BY RELIGIOUS CEREMONY

2.2 ROMAN CATHOLIC -

Marriages according to the rites and ceremonies of the Roman Catholic Church are governed mainly by ecclesiastical laws of that church. Consult your priest for details of church preliminaries etc (a written notification of intention to marry must be given both parties as set out in section 1 above).

Roman Catholic Marriage may also be celebrated on production of a certificate from a Registrar of Civil Marriages.

2.3 CHURCH OF IRELAND -

Marriages according to the rites and ceremonies of the Church of Ireland may be celebrated (a written notification of intention to marry must be given both parties as set out in section 1 above):

- by special licence (granted by the bishops of the Church of Ireland), or
- after publication of banns, or
- by ordinary ecclesiastical licence, or
- on production of a certificate from a Registrar of Civil Marriages

2.4 PRESBYTERIAN CHURCH -

Marriages according to the form and discipline of the Presbyterian Church may be celebrated (a written notification of intention to marry must be given both parties as set out in section 1 above):

- by special licence (granted by the Moderators of the Presbyterian Church), or
- after publication of banns, or
- by ordinary ecclesiastical licence.

2.5 OTHER RELIGIOUS BODIES -

Marriages according to the usages of certain other Religious Bodies may be celebrated (a written notification of intention to marry must be given both parties as set out in section 1 above):

- by special licence (granted, where applicable, by the head of the Religious Body), or
- on production of a certificate from a Registrar of Civil Marriages (in a building registered for the purpose, see below):

2.6 SOCIETY OF FRIENDS -

Marriages according to the usages of the society of Friends may be celebrated (a written notification of intention to marry must be given both parties as set out in section 1 above):

- by special licence (granted by the clerk to the yearly meeting), or
- on production of a certificate from a Registrar of civil Marriages.

2.7 JEWISH COMMUNITIES -

Marriages according to the usages of persons professing the Jewish religion may be celebrated (a written notification of intention to marry must be given by both parties as set out in section 1 above):

- by special licence (granted by the Chief Rabbi), or
- on production of a certificate from a Registrar of civil Marriages.

2.8 MUSLIM MARRIAGES:

There is at present no provision for the civil registration of Muslim Marriage Ceremonies solemnised in the State.

2.9 GENERAL INFORMATION APPLICABLE TO MARRIAGES BY RELIGIOUS CEREMONY:

Special Licences authorise marriage at any convenient time or place.

Marriage by Ordinary Ecclesiastical licence requires that notice be served by one of the contracting parties on the Licensor on Marriages from the district in which the marriage is to be solemnised, and is subject to the fulfillment of other statutory requirements, among them, residence by one or both parties in the Licensers District (Church of Ireland) or within the Presbytery (Presbyterian) within which the marriage is to be solemnised for a specified period before the granting of the licence.

Marriages celebrated according to the rites and ceremonies of the Church of Ireland after the publication of banns require that both parties must be Protestant

Episcopalians. Again, marriages celebrated according to the form and discipline of the Presbyterian Church after publication of banns require that both parties must be Presbyterians.

Registration and licensing of Churches and Buildings for Marriage Purposes:

Marriages by religious ceremony, other than by rites and ceremonies of the Roman Catholic Church, and those by special license, must be celebrated in a church or building licensed, certified or registered for the purpose of marriage. Churches of the Church of Ireland are licensed for marriages by the Bishops of the Church of Ireland with the approval of the Minister for Health and Children. Presbyterian Churches are certified by their Ministers and registered by the Registrar-General.

Buildings used by other bodies (not Roman Catholics) as places of public religious worship and certified as such are registered by the Registrar-General for the purposes of marriage. In some cases registration is effected for marriage in the presence of the Registrar of Civil Marriages only.

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SECTION 3: RE-MARRIAGE OF PREVIOUSLY MARRIED PERSONS AND MARRIAGE OUTSIDE IRELAND:

3.1 - Re-marriage of persons who have been previously married:

If either party has been married previously, it is necessary for that party to produce either a Divorce Decree (Absolute) or a Death Certificate, as appropriate. If either of the parties to a proposed marriage were previously married this fact should be brought to the attention of the Registrar of Marriages at the time that the written notification to marry is being given by the parties to the proposed marriage.

In the case of a divorce granted by a Court of another State the following procedure applies. If the Divorce Decree is in a foreign language, an English translation of the Divorce should be provided, duly certified by a relevant official body or recognised translation agency. In the case of a foreign divorce, consideration is given to the question of whether the divorce would be acceptable for (re)marriage in this State. In this regard certain information as to place of birth, countries of residence and other relevant facts must be supplied. The information is then forwarded to the Registrar -General, whose consent must be obtained before the ceremony can take place.

In the case of a divorce granted by the Irish Court the Court decree in relation to the divorce should be presented to the appropriate Registrar of marriages at the point in time when the written notification of intention to marry is being given by both parties.

It should be noted that a distinction exists between nullity, separation and divorce and the broad distinctions are outlined below:

- if no valid marriage existed in the first instance a decree of nullity may be sought from the Irish Courts - a civil decree of nullity means that the first marriage had no legal effect and the parties concerned are free, in civil law, to marry.
- If a valid marriage is in place and a couple separate (by judicial means or by agreement) re-marriage of the parties concerned is not permitted;

- If the parties to a valid marriage subsequently divorce (and this divorce is recognised by this State) the parties concerned may re-marry in civil law.

The procedures involved in seeking decrees of nullity, separations or divorces are a matter for the appropriate Courts and Registrars of Marriage do not have any function in regard to those procedures. Contact should be made directly with the appropriate Courts Offices.

It should be noted that an annulment granted by the authorities of the Roman Catholic Church does not have any effect in civil law and persons who have obtained a church annulment only are not free to remarry in civil law.

3.2 Marriage outside of Ireland:

Marriages which take place outside the State are normally registered in the country in which they occur and are NOT registered in Ireland by a Registrar or the General Register office, except in the very specific circumstances, prescribed by law. Persons marrying abroad should ensure that all the legal requirements of the country in question are met, and should enquire as to the procedure for obtaining a marriage certificate from that country - the relevant Embassy/or religious authorities may be able to advise.

In particular, the Italian Embassy, (63 Northumberland Road, Dublin 4, tel: (01) 660 17 44) can provide useful information on marriage in Rome. If a marriage certificate is in a foreign language, it should normally be accepted for official purposes in this State if accompanied by an official translation, or a translation from a recognised translation agency. Section 1.1 should be referred to in regard to the minimum age requirement for parties who marry outside of this State. Certificates of Freedom to marry (also known as "Certificates de Coutume" or "Certificates of Nulla Osta") which state that a person is not married, may be needed for marriage in some foreign countries, and are not issued by the General Register Office. Irish citizens living in Ireland wishing to obtain such a Certificate should apply to the Consular Section of the Department of Foreign Affairs, 72/76 St. Stephen's Green, Dublin 2, Tel.: (01) 478 08 22, extension 304. Irish Citizens living abroad should contact their nearest Irish Embassy.

The General Register Office has no function in advising on, or the registration of, marriages which take place outside the State.

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USEFUL ADDRESSES & TELEPHONE NUMBERS:

Registrar-General of Marriages, Joyce House, 8-11 Lombard Street East, Dublin 2;

Tel. 01-635 40 00

Department of Foreign Affairs, Consular Section, 72/76 St. Stephen's Green, Dublin 2,

Tel. (01) 478 08 22 extn 304.

United Kingdom Divorce Registry, Somerset House, Strand, London WC2R 1LP.

General Register Office (N.I), Oxford House, 49-55 Chister Street Belfast BT1 4HL;

Tel. (08)(01232) 252 000.

The Embassy of Italy, 63 Northumberland Road, Dublin 4; Tel: (01) 660 17 44

The Embassy of the United Kingdom, 31 Merrion Rd, Dublin 4; Tel. (01) 269 52 11

The addresses of the other embassies appear in the telephone directory under Diplomatic & Consular Missions, Embassies.

Locating the appropriate Registrar

The appropriate Registrar of Marriages is determined by the form of the marriage (type of ceremony) and also where it will take place, please refer to section 1.2(b) in this leaflet. If you have any difficulty in determining the identity of a Registrar you should contact the local superintendent Registrars Office or Civil Registrars Office, as appropriate, as detailed on the reverse of the notification of intention to marry form enclosed.

Locating the Circuit Family Court to whom an application for a Court Exemption Order may be made:

County Registrar and Circuit Court offices (with telephone numbers):

Circuit (County)	Venue	Telephone number
Carlow	Carlow Town	0509-91 3 16 64
Cavan	Cavan Town	049-4331530
Clare	Ennis	064-6821041
Cork	Washington Street, Cork City	021-270508/276558
Donegal	Letterkenny	074-91 87 11
Dublin	Family Law Office, Aras Ui Dhalaigh, Dublin 7	01-8725555 Ext.4806/4810
Galway	Galway City	091-56 23 40 & 56 55 00
Kerry	Tralee	066-2 19 98
Kildare	Naas	045-89 73 48
Laois	Portlaoise	0502-2 13 40
Leitrim	Carrick-on-Shannon	061-41 46 55
Longford	Longford Town	043-4 64 10
Louth	Dundalk	042-3 40 66
Mayo	Castlebar	094-90 2 15 22
Meath	Trim	046-94 3 12 09
Monaghan	Monaghan Town	047-8 23 88
Offaly	Tullamore	0506-2 12 05
Roscommon	Roscommon Town	090-66 2 61 32
Sligo	Sligo	071-91 4 22 28
Tipperary	Clonmel	052-2 11 95

Waterford	Catherine Street, Waterford City	051-87 41 44 & 87 63 26
Westmeath	Mullingar	044-4 83 15
Wexford	Wexford Town	053-2 23 29
Wicklow	Wicklow Town	0404-6 73 61

General Note: If you require further information please contact your local Health Board Registration office, Civil Registrar's Office or The General Register Office, Joyce House, 8-11 Lombard Street East, Dublin 2.
Tel: (01) 635 40 00 • Fax: (01) 635 4440.

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