



FOREIGN DIVORCE REQUIREMENTS

The Marriage Act requires that where a former marriage was dissolved or annulled in a jurisdiction other than Canada, authorization must be obtained from the Minister of Consumer and Commercial Relations before a marriage licence can be issued.

To obtain the authorization, the following documents must be forwarded to the Office of the Registrar General:

1. The enclosed Marriage Licence Application fully completed and signed by both applicants.
2. A copy of the decree of divorce or annulment certified by the proper court officer in the jurisdiction of the divorce/annulment was granted. If the decree is in a language other than English or French, a certified translation must be provided.
3. The enclosed Statement of Sole Responsibility for each foreign divorce and signed by both applicants.
4. A legal opinion of an Ontario lawyer, addressed to both applicants, giving reasons why the divorce or annulment should be recognized in the Province of Ontario. For more specific information regarding the contents of the opinion letter contact the Office of the Registrar General.

The above documents must be forwarded to:

Office of the Registrar General
P.O. Box 4600
189 Red River Road
Thunder Bay, Ontario
P7B 6L8
Att: M.A.M.

After receiving authorization from the province, submit the document to any civic center office along with the Marriage Licence Application form, licence fee and all other applicable documents.

Enquiries regarding the authorization process should be directed to the Office of the Registrar General at any of the following numbers:

Toll Free within Ontario	1-800-461-2156
Toll Free within Toronto	416-325-8305

Before you get married...

You need to check that the person performing your marriage ceremony is an authorized officiant. It is important to ensure that your marriage is performed properly and legally.



Who can perform a legal marriage in Ontario



- A religious officiant registered under the *Marriage Act* to perform religious marriages in Ontario;
- A person who belongs to a band, First Nation, Métis or Inuit organization or community or Indigenous entity, and is registered under the *Marriage Act* to perform marriages in Ontario; or
- A judge, associate judge, justice of the peace, or a municipal clerk and/or their delegate authorized to perform civil marriages in Ontario.

Only persons noted above are authorized to perform a marriage in Ontario.



Check before you get married

Find out if a person performing your marriage is an authorized officiant.

Registered Officiant:

- Check online at [ServiceOntario.ca/GettingMarried](https://www.serviceontario.ca/GettingMarried) to access the lists of registered officiants authorized to perform marriages in Ontario or call ServiceOntario at 1-800-461-2156 (outside of Toronto but within North America); 416-325-8305 (in Toronto or outside of North America); TTY: 416-325-3408.

Ontario Municipal Clerk/Delegate:

- Contact your local city hall, town hall or municipal office to determine whether they provide civil marriage services and if so, who can perform a marriage.

Judge, Associate Judge, Justice of the Peace:

- Judge appointed by the federal government or a provincial/territorial government to any court in Canada.
- Associate judge appointed under Ontario's *Courts of Justice Act*.
- Justice of the peace appointed under Ontario's *Justices of the Peace Act*.

Visit [ServiceOntario.ca/GettingMarried](https://www.serviceontario.ca/GettingMarried) for more information.



MARRIAGE LICENCE REQUIREMENTS

Couples wishing to be married in Ontario must complete an application form signed by both individuals getting married. The application with supporting documents listed below must be submitted in person by the applicant and/or joint applicant. **The Applicant and/or Joint Applicant is required to wait while the licence is being processed.**

Issued by: The City of Markham, 101 Town Centre Boulevard, Clerk's Office, 2nd level

Office Hours: Monday to Friday, 8:00 a.m. to 4:30 p.m.

Licence Fee: \$184.50 (Payable by Cash, Debit Card or Credit Card)

Identification: FOR BOTH THE APPLICANTS:

Two (2) pieces of identification are required from each party applying for a marriage licence (i.e. four pieces of identification are required for every application).

1st Piece of Identification

- a. Birth Certificate (*with any applicable Change of Name Certificate*)
- b. Current Passport
- c. Canadian Citizenship Card
- d. Record of Immigrant Landing

2nd Piece of Identification – Must Be Government Issued Photo ID

For Example: Photo Drivers License

All identification presented must be original (**photocopies are not acceptable**). Documents in a language other than English or French must be translated by a certified translator.

Canadian Divorce: If a previous marriage was dissolved or annulled within Canada: **The original or court certified copy of the Decree Absolute or Certificate of Divorce must be submitted. A divorce judgment is not acceptable.** Certified copies may be obtained from the Court which granted the divorce.

Foreign Divorce: If a divorce was granted outside of Canada, contact this office for additional requirements and forms (foreign divorce kit).

Interpreters: If you do not understand or read English, you must provide your own interpreter and he/she must provide identification.

Expiry Date: A marriage licence is valid for use anywhere in Ontario for a period of three (3) **months** from the date of issue.

Marriage Ceremony: It is your responsibility to arrange the marriage ceremony of your choice. Whether you want a simple civil ceremony, a large formal wedding or something in between, the City of Markham can help you plan the perfect day, from marriage licence to reception and photography.

ENQUIRY: 905-475-4744

Applicant		Joint Applicant	
		Current last name or single name	
		First and middle names	
<input type="checkbox"/> Never married <input type="checkbox"/> widowed <input type="checkbox"/> divorced		Marital status	<input type="checkbox"/> Never married <input type="checkbox"/> widowed <input type="checkbox"/> divorced
Country of divorce		If divorced	Country of divorce
City of divorce if in Canada			City of divorce if in Canada
Court file number			Court file number
		Religion/Spirituality (optional)	
Age	Date of birth (yyyy/mm/dd)	Age and date of birth	Age Date of birth (yyyy/mm/dd)
Province (if outside Canada, state the country)		Place of birth	Province (if outside Canada, state the country)
Last name or single name		Parent's name and place of birth	Last name or single name
First and middle names			First and middle names
Province (if outside Canada, state country)			Province (if outside Canada, state country)
Last name or single name		Parent's name and place of birth	Last name or single name
First and middle names			First and middle names
Province (if outside Canada, state country)			Province (if outside Canada, state country)
Last name or single name		Parent's name and place of birth	Last name or single name
First and middle names			First and middle names
Province (if outside Canada, state country)			Province (if outside Canada, state country)
Last name or single name		Parent's name and place of birth	Last name or single name
First and middle names			First and middle names
Province (if outside Canada, state country)			Province (if outside Canada, state country)
Last name or single name		Parent's name and place of birth	Last name or single name
First and middle names			First and middle names
Province (if outside Canada, state country)			Province (if outside Canada, state country)
Street name and number	Apt	Present address or postal address of applicants	Street name and number Apt
City, town or reserve	Province/Country		City, town or reserve Province/Country
Postal code	Telephone Number		Postal code Telephone Number
Street name and number	Apt	Permanent address of applicants if different from above	Street name and number Apt
City, town or reserve	Province/Country		City, town or reserve Province/Country
Postal code	Telephone Number		Postal code Telephone Number
Intended place of marriage (City, town, or reserve)		County or district	Intended date of marriage
I declare that the above information is correct. Signature of Applicant		I declare that the above information is correct. Signature of Joint Applicant	
Date (yyyy/mm/dd)		Date (yyyy/mm/dd)	

Personal information contained on this form is collected under the authority of the *Marriage Act*, R.S.O. 1990, c. M. 3 and will be used to determine whether to issue the marriage licence, to register and record the marriage, provide certified copies, extracts, certificates, search notices, photocopies and for statistical, research, medical, law enforcement, adoption and adoption disclosure purposes. It is an offence to knowingly make a false statement on this form. Questions about this collection should be directed to: the Deputy Registrar General, Office of the Registrar General, 189 Red River Road, PO Box 4600, Thunder Bay ON P7B 6L8. Telephone: 1-800-461-2156 (outside Toronto but within North America) or 416-325-8305 (in Toronto or outside North America), 416-325-3408 (TTY/Teletypewriter).



Ministry of
Government Services
Office of the
Registrar General me
PO Box 4600
189 Red River Road
Thunder Bay ON P7B 6L8

Statement of Sole Responsibility
Under the provisions of Section 8 of the
Marriage Act

In the matter of an application for a licence under the *Marriage Act*

We, _____, of _____
(Applicant) (Name of city, town or village)

and, _____, of _____
(Joint Applicant) (Name of city, town or village)

understand and acknowledge that the issuance of a marriage licence under the provisions of Section 8 of the *Marriage Act* does not necessarily imply that the divorce/annulment granted

in _____ on _____
(Name of city, town or village and province or country) (date)

dissolving/annulling the marriage of _____
(Name of party to the marriage)

and _____ would be recognized as valid by the Courts of
(Name of party to the marriage)

the Province of Ontario.

(Signature of Applicant)

(Signature of Witness)

(Signature of Joint Applicant)

Personal information contained on this form is collected under the authority of the *Marriage Act*, R.S.O. 1990, c. M. 3, and will be used to determine whether to issue the marriage licence, to register and record the marriage, provide certified copies, extracts, certificates, search notices, photocopies and for statistical, research, medical, law enforcement, adoption and adoption disclosure purposes.

Questions about this collection should be referred to:

Office of the Registrar General
PO Box 4600
189 Red River Road
Thunder Bay ON P7B 6L8
1 800 461-2156
416 325-8305

Who may marry

Any person who is at least 18 years of age may marry. No person under 16 years of age may marry. Any person who is 16 or 17 years of age may marry with the written consent of their parents or legal guardians (not required for a widowed or divorced person). A special consent form is available for this purpose from your local Municipal Office.

If any person whose consent is required is unavailable or refuses to consent, an application may be made to a judge to dispense with consent.

A person whose previous marriage has been dissolved or annulled will require:

- a) If the marriage was dissolved or annulled in Canada, the original or court-certified copy of the final decree, judgment or certificate of divorce dissolving or annulling the marriage; or
- b) If the marriage was dissolved or annulled outside of Canada, the authorization of the Minister of Government and Consumer Services. This requirement is explained in more detail below; or
- c) Where the earlier marriage of one of the parties was terminated by the presumed death of a spouse, a court order declaring the death of the spouse. An issuer of Marriage Licences can provide more information upon request.

If you have been divorced outside of Canada – authorization requirements

An applicant whose former marriage was dissolved or annulled outside Canada must obtain authorization from the Minister of Government and Consumer Services before a marriage licence may be issued. To obtain this authorization, the applicants or a lawyer representing them, must submit the following to the Office of the Registrar General, PO Box 3000, 189 Red River Road, Thunder Bay ON P7B 5W0:

1. A completed marriage licence application form signed by both applicants.
2. An original, court certified copy or photocopy of the divorce decree or annulment (certified by the proper court officer in the jurisdiction the divorce/annulment was granted). If the decree is in a language other than English or French, include a translated copy together with an affidavit sworn by the translator.
3. A Statement of Sole Responsibility for each divorce signed by both applicants and a witness. Blank statements are available from the local issuer of Marriage Licences or online at ServiceOntario.ca/GettingMarried.
4. A legal opinion of an Ontario lawyer, addressed to both applicants, stating that the divorce would be recognized as valid in the province of Ontario and giving reasons why it should be recognized in Ontario. Your lawyer may request copy of a sample legal opinion letter from the Office of the Registrar General by calling 807-343-7492 or toll free in Ontario at 1-800-461-2156.

How to marry legally in Ontario

1. A Marriage Licence

A licence to marry may be obtained from the issuer of marriage licences at your local municipal clerk's office by completing a marriage licence application. The application must be signed by both applicants. Applications are available at ServiceOntario.ca/GettingMarried.

The issuer may require proof of age of either party. All minors must submit proof of age.

There are no requirements for couples regarding residency, pre-marital blood tests or medical certificates.

A marriage licence is valid for use anywhere in Ontario and expires 3 months after the date of issue. There is a fee charged for a marriage licence.

Or

2. The publication of banns

A marriage may be solemnized under the authority of the publication of banns where both parties to the proposed marriage regularly attend the same place or their own place of worship in Canada. No one may be married under the authority of the publication of banns if there was a previous marriage (dissolved or annulled). Further information concerning marriage under the authority of the publication of banns may be obtained from a person who is registered under the *Marriage Act* to perform religious marriages in Ontario.

Who can legally perform a marriage in Ontario?

A marriage ceremony in Ontario may be performed by:

- a) A person who is registered under the *Marriage Act* to perform religious marriages in Ontario.
- b) A person who is registered under the *Marriage Act* to perform marriages in Ontario according to the customs and traditions of a band, First Nation, Métis or Inuit organization or community or Indigenous entity.
- c) A judge, Ontario associate judge, or Ontario justice of the peace.
- d) A municipal clerk and/or their delegate authorized to perform civil marriage ceremonies.

Finding an Officiant

- Visit ServiceOntario.ca/GettingMarried for a list of marriage officiants registered to perform marriages in Ontario.
- Names of judges, Ontario associate judges, and Ontario justices of the peace available to perform civil marriage services may be available from local court offices and municipal offices.
- Contact your local municipal clerk's office to find out if they offer civil marriage services.