

Getting Married in Ontario

Marriage is an important event in a couple's life and is also a form of a legal contract.

In Ontario, the *Marriage Act* is the law that sets out the requirements for how marriages must take place.

When you are planning the wedding, keep in mind the following important information.

How old do I have to be to get married in Ontario?

You must be at least 18 years old to be married in Ontario by licence. If you are 16 or 17 years old, you may marry if you have the consent in writing of both parents. Other restrictions may apply.

Can my family or anyone else make me get married?

You cannot be forced or coerced into marriage. Because marriage is a form of legal contract, you must be willing to participate and it must be voluntary.

Do I need to get marriage licence?

In most cases, if you are being married in a religious or civil ceremony, you must obtain a marriage licence through your local municipality.

However, if you are being married in a religious ceremony, you may be eligible to be married by a publication of banns (making an announcement of the details of your intent to marry in your church, mosque or synagogue). Speak to your religious official for more information.

How do I get a marriage licence?

Contact your local municipal office to get a marriage licence application form. Once you have filled out the application, apply for the marriage licence in person. Make sure you and your partner bring identification, such as a birth certificate (along with any change of name certificates), current passport, Record of Immigrant Landing or Canadian citizenship card, along with photo identification. There is a fee for purchasing a marriage licence. Contact your municipal office for the current fee. The marriage licence is valid anywhere in Ontario for three months from the date of purchase.

Who is allowed to perform marriages?

A religious marriage is performed by a member of a recognized religious organization authorized to perform marriages in Ontario under the *Marriage Act*. The person must be registered with the Office of the Registrar General to perform marriages. A list of religious officials registered to perform marriages in Ontario is available at www.ServiceOntario.ca. A judge, justice of the peace or municipal clerk may perform a civil marriage under the authority of a marriage licence.

Can I get married over the Internet or the telephone? Can someone else stand in for me or act as a proxy?

No, both partners stand before the person solemnizing the marriage and the two witnesses. Immediately after the marriage ceremony, the spouses, the solemnizer and the witnesses must sign the marriage register.

Can I get married in Ontario if I don't live there?

Yes. If you are living outside Canada or are from another province, contact the municipality in which you intend to get married for more information.

How do I get married again if I am divorced?

If you were divorced in Canada, you must bring the original or court-certified copy of the final decree, final judgment or certificate of divorce to your local municipal office when you are purchasing the marriage licence. Contact your local municipal office for further information.

If you were divorced outside of Canada, you must obtain authorization from the Minister of Government and Consumer Services before you can be issued a marriage licence. For authorization, send the following documents to the Office of the Registrar General, Marriage Office, P.O. Box 4600, 189 Red River Road, Thunder Bay, ON P7B 6L8:

- A completed marriage licence application.
- A Statement of Sole Responsibility for each divorce signed by both parties of this marriage.
- An original or court-certified copy (certified by the proper court officer in the jurisdiction the divorce or annulment was granted) of the divorce degree or annulment. If the decree is in a language other than English or French, include a translated copy together with an affidavit sworn by the translator.
- A legal opinion from an Ontario lawyer, addressed to both applicants, giving reasons why the divorce or annulment should be recognized in the Province of Ontario. The Office of the Registrar General will fax a sample legal opinion letter to your lawyer if you call 1-807-343-7568 or toll-free in Ontario at 1-800-461-2156.

A marriage licence application form, a Statement of Sole Responsibility form and a suggested format for a lawyer's opinion letter are also available from most municipal offices.

How do I register the marriage?

The person who performed the marriage must forward the signed marriage licence to the Office of the Registrar General for registration.

How do I get a marriage certificate?

After the marriage, you may receive a Record of Solemnization of Marriage from the person who performed the wedding. This document includes the couple's names, the date of the marriage, the names of the witnesses and whether the marriage was performed under the authority of a licence or the publication of banns. This is not a legal record. A marriage certificate proves that a marriage has taken place. You can get a marriage certificate application form online at www.ServiceOntario.ca.

Do I have to change my name after I get married?

You have several options. If you would like information regarding your name, please check the website at www.ServiceOntario.ca.

Is my marriage legal if I have an Ontario marriage certificate?

Only a court can determine if your marriage is valid. The Office of the Registrar General registers marriages that occur in Ontario according to the *Marriage Act*. The marriage certificate is an official record of the registration of the event but does not confer validity. If you have questions about validity, you need to speak with a lawyer.

If I was married in another country, how do I get a marriage certificate?

You need to contact the jurisdiction where you were married to request a marriage certificate.

What if I have other questions? Where can I get more information?

You can get more information on the Internet at www.ServiceOntario.ca. You can also call the Office of the Registrar General in Toronto at 416-325-8305 or outside Toronto (toll-free) at 1-800-461-2156.