

## I REQUIREMENTS FOR A MARRIAGE IN THE OFFICE OF REGISTRAR OF MARRIAGES

1. Bring original and copies of the Identity Cards or Passports of both parties. Complete Notice of Intention to Marry form and pay Kshs.200. The Notice runs for 21 days.
  - a. In the event that either one or both parties are **widowed**, the **Death Certificate** of the departed spouse and a copy must be produced.
  - b. In the event that either one or both parties are **divorced**, a **Divorce Decree Absolute** must be produced.
  - c. Should the documents be in any language other than English, an official English translation must be attached.
2. After 21 days, the couple completes the affidavit under S 11 of the Marriage Act, gets it commissioned by the Registrar and completes a Marriage Certificate Form.
3. They pay Kshs.1, 500 and then book a date for the marriage. The marriage must take place **within three months** from the date of giving the 21-day notice.

## II. SPECIAL LICENSE

In the event that parties, for a very good reason cannot give the 21-day notice, the Registrar of Marriages has the discretion to waive the Notice. This is **not a right** and can be denied.

### **Requirements**

1. Valid **Identity Cards** or **Passports** will be the only accepted forms of identification. If a person has any other form of identification, he/she **MUST** give the 21-day notice.
2. **Death Certificate** of spouse if widowed and **Divorce Decree Absolute** if divorced.
3. Documentary evidence of reason why notice cannot be given e.g. invitation letter from an Embassy inviting the applicant for an interview on a specific date.
4. Completed Application form.
5. If application is approved, a fee of Kshs.6, 250 is paid.
6. A marriage date is then booked.
7. A Special License is also required if the wedding is to take place in a place other than the Registrar's Office. It is applied for after. Notice has been given. A fee of Kshs.10, 250 is payable.
8. All couples must bring two witnesses on their marriage day.

### **III. REGISTRAR CERTIFICATES AND SPECIAL LICENSES FOR PERSONS GETTING MARRIED IN CHURCH UNDER CAP 150, THE MARRIAGE ACT**

1. Where couples get married in church under Cap 150, Notice is given both in church and in the Office of the Registrar of Marriages. After the Notice period of 21 days, a Registrar's Certificate is issued by the Office of the Registrar of Marriages and taken to the Church Minister who shall officiate the ceremony. The notice is given at a fee of Ksh.200 and the Registrar's Certificate at Ksh.300.
2. A Special License is issued if the couple cannot give the required three weeks notice and the fee is Kshs.5, 050 if a church minister shall preside.
3. Where the ceremony shall take place in a place other than a church or Registrar's Office e.g. a garden, hotel etc, a Special License is also needed to license the venue for a wedding even if Notice is properly given at a fee of Kshs.5, 050.
4. A church minister must have either a Registrar's Certificate or a Special License from the Registrar of Marriages to perform a wedding under Cap 150.

**NOTE:** *All non-Africans must get married under Cap 150, The Marriage Act because the African Christian Marriage & Divorce Act, Cap 151 which most churches use, does not apply to non-Africans. The marriages of non-Africans married under this Act are null and void.*

### **IV. CERTIFICATES OF NO IMPEDIMENT UNDER CAP 150, THE MARRIAGE ACT**

1. These are issued to Kenya citizens wishing to have their marriages, either to Kenya citizens or foreigners performed abroad. The certificate confirms that the applicant is single and has capacity to enter into a marriage.
2. The applicant completes the application form and attaches a copy of their identity documents. A fee of Ksh. 5,000 is payable.
3. Applicants living abroad may channel their applications through Kenya's missions in their countries of residence. The fee is paid there and the form completed. The mission then forwards to the Registrar of Marriages in Nairobi, the receipt confirming payment, a duly completed form and an authenticated copy of the applicant's passport.
4. Where the applicant's home district is Nairobi, notice of the application is displayed for 10 days, giving anyone with an objection to the intended marriage opportunity to raise his or her objection.
5. After 10 days, the certificate is prepared and collected by the applicant or forwarded to the mission through whom the certificate was applied.
6. Where the applicant's home district is not Nairobi, a letter is sent to the District Commissioner (DC) of the applicant's home district, requesting them to display the notice of the intended marriage on their notice board or do investigations through the Chief of the applicant's location on the marital status of the applicant.

The DC then writes to the registrar and if no legal objection has been raised, the certificate is prepared in the usual way and dispatched through the usual channels.

### **CHURCH MINISTERS LICENSING, ISSUANCE OF MARRIAGE BOOKS AND FILING OF RETURNS UNDER CAP 151**

1. The Office of the Registrar of Marriages licenses church ministers to perform marriage ceremonies and issue marriage certificates.
2. Any duly registered church can apply for the licensing of its minister(s). The application letter has to be on the official letterhead of the church and signed by an official of the church i.e. registered office bearer. The church must ensure that its annual returns are up-to-date before making the application.
3. A license for the minister is then prepared, signed and sent by post to the church or collected by applicant's agent. A gazette notice is also prepared alongside the license and the licensing of the minister sent to the Government Printer for gazetting in the Kenya Gazette.
4. Marriage certificate books are sold at Ksh. 20,000 for a book containing 100 certificates. These are only sold to duly registered churches that have a licensed minister and after conforming that returns from the previously bought book have been returned to the Office of the Registrar of Marriages.
5. Within seven days of conducting a marriage ceremony, a minister is required by law to file the duplicate marriage certificate with the Registrar of Marriages. It is the duty of the Registrar to maintain all records on statutory marriages in the country.

**NOTE:** *All changes are subject to change upon gazettelement in the Kenya Gazette.*

For further information please contact  
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See also: [www.attorney-general.go.ke](http://www.attorney-general.go.ke)