

2015 Section B Q5

(a) (i) Define marriage as it exists in Irish law. (ii) Set out the legal requirements for marriage in Ireland.

- (i) Marriage is the socially and legally binding union between two persons with the exclusion of all others. Marriage is made official by either religious or civil ceremony.
- (ii) Over 18: both partners must be over 18 years of age to legally get married in Ireland.

Notification: 3 months notification must be given to a registrar for a civil marriage ceremony or the local priest for a religious ceremony.

Registered Venue: the marriage must take place in a registered venue e.g. registry office or in a church.

Free To Marry: both partners must be free to marry e.g. single, widowed or divorced.

(b) Discuss the rights and responsibilities of partners within a marriage relationship.

To show commitment to the marriage and remain loyal and faithful in a monogamous relationship.

To provide financial support for dependent spouses and children as set out in the Family Law Act 1976.

To share joint guardianship of children born into the marriage and to provide for the child's needs.

To inherit from each other e.g. if a spouse dies and there is no will and no children, the surviving spouse is entitled to all the estate.

To cohabit together and to keep each other company.

(c) Outline the conditions required for granting a divorce under the Family Law (Divorce) Act, 1996.

Spouses must have been living apart for the last 2 out of 3 years. There must be no possibility of reconciliation between the spouses after attempts to reconcile have been made. Adequate provisions have been made for the spouse and dependent members of the family.