



# HOW THE MARRIAGE ACT HAS CHANGED



# **HOW THE MARRIAGE ACT HAS CHANGED**

**AND HOW IT NOW AFFECTS  
MINISTERS OF RELIGION**





(a) to allow civil celebrants to solemnise marriage, understood as the union of 2 people to the exclusion of all others, voluntarily entered into for life; and

(b) to allow ministers of religion to solemnise marriage, respecting the doctrines, tenets and beliefs of their religion, the views of their religious community or their own religious beliefs; and

(c) to allow equal access to marriage while protecting religious freedom in relation to marriage





## **Section 47 Ministers of religion may refuse to solemnise marriages**

*Refusing to solemnise a marriage despite this Part*

(a) the refusal conforms to the doctrines, tenets or beliefs of the religion of the minister's religious body or religious organisation;





## **Section 47 Ministers of religion may refuse to solemnise marriages**

*Refusing to solemnise a marriage despite this Part*

(b) the refusal is necessary to avoid injury to the religious susceptibilities of adherents of that religion;





## **Section 47 Ministers of religion may refuse to solemnise marriages**

*Refusing to solemnise a marriage despite this Part*

(c) the minister's religious beliefs do not allow the minister to solemnise the marriage.





## **47B Bodies established for religious purposes may refuse to make facilities available or provide goods or services**

(1) A body established for religious purposes may refuse to make a facility available, or to provide goods or services, for the purposes of the solemnisation of a marriage, or for purposes reasonably incidental to the solemnisation of a marriage, if the refusal:





## **47B Bodies established for religious purposes may refuse to make facilities available or provide goods or services**

(5) For the purposes of subsection (1), a purpose is reasonably incidental to the solemnisation of marriage if it is intrinsic to, or 10 directly associated with, the solemnisation of the marriage.





# HOW MARRIAGE FORMS ARE TO BE COMPLETED





# SAME:

COMMONWEALTH OF AUSTRALIA

Marriage Act 1961

## OFFICIAL CERTIFICATE OF MARRIAGE

paragraph 50(1)(b) Marriage Act 1961 (Cth)

Marriage was solemnised between the parties, details of whom are given below, on the Eighteenth  
day of June, 2018,

at St. Andrew's Christian Church, Legana, Tasmania  
(location of marriage ceremony)

\*(according to the rites of The Acts Two Alliance In Australia (A2A)).





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## Ornamental Certificate and Register





# DIFFERENT:

## Official Certificate

COMMONWEALTH OF AUSTRALIA

Marriage Act 1961

**OFFICIAL CERTIFICATE OF MARRIAGE**  
paragraph 50(1)(b) Marriage Act 1961 (Cth)

Marriage was solemnised between the parties, details of whom are given below, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,  
at \_\_\_\_\_  
(location of marriage ceremony)

\*(according to the rites of \_\_\_\_\_).

Detail	Party 1	Party 2
Description of party	Groom <input type="checkbox"/> Bride <input type="checkbox"/> Partner <input type="checkbox"/>	Groom <input type="checkbox"/> Bride <input type="checkbox"/> Partner <input type="checkbox"/>
Surname		
Other names		
Usual occupation		
Usual place of residence		
Conjugal status		
Birthplace		
Date of Birth		
Father's name in full		
Mother's maiden name in full		

Signatures of Parties to the Marriage } \_\_\_\_\_

Witnesses to the Marriage

Full names \_\_\_\_\_

Signatures \_\_\_\_\_

I, \_\_\_\_\_  
(full name)

certify that, on the date and at the place specified above, I duly solemnised marriage in accordance with the provisions of the *Marriage Act 1961* between the parties specified above.

Dated this \_\_\_\_\_ day of \_\_\_\_\_  
(day) (month) (year)

\_\_\_\_\_  
(Signature of Celebrant)

\_\_\_\_\_  
(Authorisation number)

\*The words in brackets may be omitted





# DIFFERENT:

## Official Certificate

## Notice of Indended Marriage

<b>FOR CELEBRANT'S USE</b> Marriage arranged: for.....am/pm (time) on..... (day of week) ..... (date) at..... .....	Commonwealth of Australia <i>Marriage Act 1961</i> <b>NOTICE OF INTENDED MARRIAGE</b> To: ..... ..... ..... [insert name and address of proposed celebrant]	<b>FOR OFFICIAL USE ONLY</b>  Registered No. ....
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The following parties give notice of their intended marriage:

	PARTY 1	PARTY 2
1 Description of party	Groom <input type="checkbox"/> Bride <input type="checkbox"/> Partner <input type="checkbox"/>	Groom <input type="checkbox"/> Bride <input type="checkbox"/> Partner <input type="checkbox"/>
2 Surname		
3 Given names		
4 Sex (‘X’ refers to indeterminate/intersex/unspecified)	Male <input type="checkbox"/> Female <input type="checkbox"/> X <input type="checkbox"/>	Male <input type="checkbox"/> Female <input type="checkbox"/> X <input type="checkbox"/>
5 Usual occupation		
6 Usual place of residence (full address)		
7 Conjugal status (for example, never validly married, widowed, divorced)		
8 Birthplace— (if born in Australia— insert city or town, and State or Territory; if born outside Australia—insert city or town and country)		
9 Date of birth	Day Month Year	Day Month Year
10 If party born outside Australia, total period of residence in Australia	Years Months	Years Months
11 Father's name in full (If not known, write "unknown". If deceased, add "deceased")		
12 Mother's maiden name in full (If not known, write "unknown". If deceased, add "deceased")		
13 Father's country of birth (If not known, write "unknown")		
14 Mother's country of birth (If not known, write "unknown")		

If a party has been previously married, that party must give the following particulars:

15 Number of previous marriages	
16 Year of each previous marriage ceremony (If known, give date)	
17 Number of children of the previous marriage or marriages born alive (whether now living or deceased)	
18 Year of birth of each of those children	
19 How LAST marriage terminated (Insert "death", "divorce" or "nullity")	
20 Date on which last spouse died, or date on which dissolution of last marriage became final, or nullity order made	Day Month Year





# DIFFERENT:

## Official Certificate Notice of Indended Marriage No Impediment To Marriage

COMMONWEALTH OF AUSTRALIA	
<i>Marriage Act 1961</i>	
DECLARATION OF NO LEGAL IMPEDIMENT TO MARRIAGE	
(regulations 38A and 46 Marriage Regulations 1963 (Cth))	
I, .....	I, .....
..... <small>(full name, address and occupation of person making the declaration)</small>	..... <small>(full name, address and occupation of person making the declaration)</small>
declare that:	declare that:
1 I am a.....  <small>(state details of conjugal status for example, 'person who has never been validly married', 'widower', 'widow', or 'divorced person')</small>	1 I am a.....  <small>(state details of conjugal status for example, 'person who has never been validly married', 'widower', 'widow', or 'divorced person')</small>
2 I believe that there is no legal impediment to my marriage with  .....  .....  <small>(name, address and occupation of the other party to the proposed marriage)</small>	2 I believe that there is no legal impediment to my marriage with  .....  .....  <small>(name, address and occupation of the other party to the proposed marriage)</small>
in particular: (a) neither of us is married to another person; and (b) neither of us is in a prohibited relationship; and (c) both of us are of marriageable age; and (d) there is no other circumstance that would be a legal impediment to the marriage.	in particular: (a) neither of us is married to another person; and (b) neither of us is in a prohibited relationship; and (c) both of us are of marriageable age; and (d) there is no other circumstance that would be a legal impediment to the marriage.
3 I am of marriageable age because (*Strike out if inapplicable): *(a) I am 18 years or older; or *(b) I have not yet turned 18 years, being born on ..... <small>(date of birth of person making the declaration)</small>	3 I am of marriageable age because (*Strike out if inapplicable): *(a) I am 18 years or older; or *(b) I have not yet turned 18 years, being born on ..... <small>(date of birth of person making the declaration)</small>
However, I applied for an order under section 12 of the Act, and the  .....at <small>(name of court)</small>  ..... <small>(location of court)</small>	However, I applied for an order under section 12 of the Act, and the  .....at <small>(name of court)</small>  ..... <small>(location of court)</small>
made that order on ..... <small>date of order</small>	made that order on ..... <small>date of order</small>
I make this declaration under the <i>Marriage Act 1961</i> . I believe the statements in this declaration are true in every detail. I am aware that it is an offence under the <i>Marriage Act 1961</i> to give a notice to an authorised celebrant knowing that it contains a false statement or an error or is defective. I am also aware that the Act creates offences in relation to bigamy, and in relation to marriage of a person who is not of marriageable age.	I make this declaration under the <i>Marriage Act 1961</i> . I believe the statements in this declaration are true in every detail. I am aware that it is an offence under the <i>Marriage Act 1961</i> to give a notice to an authorised celebrant knowing that it contains a false statement or an error or is defective. I am also aware that the Act creates offences in relation to bigamy, and in relation to marriage of a person who is not of marriageable age.
..... <small>(Signature of person making the declaration)</small>	..... <small>(Signature of person making the declaration)</small>
Declared at..... <small>(place where declaration made)</small>	Declared at..... <small>(place where declaration made)</small>
on..... <small>(date of declaration)</small>	on..... <small>(date of declaration)</small>
Before me..... <small>(Signature of authorised celebrant before whom declaration is made)</small>	Before me..... <small>(Signature of authorised celebrant before whom declaration is made)</small>
..... <small>(Name of authorised celebrant)</small>	..... <small>(Name of authorised celebrant)</small>
<small>[Title of authorised celebrant (for example, 'Registered Minister of Religion' or 'Registrar of Marriages', or other description of qualification to solemnise marriages)]</small>	<small>[Title of authorised celebrant (for example, 'Registered Minister of Religion' or 'Registrar of Marriages', or other description of qualification to solemnise marriages)]</small>