



COMMONWEALTH OF AUSTRALIA

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*Marriage Act 1961*

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# NOTICE OF INTENDED MARRIAGE

Note: See regulation 38 *Marriage Regulations 1963* (Cth).

Please read all NOTES (including PRIVACY NOTES) included in this form, and  
complete this form in TYPE or by using BLOCK LETTERS.

# PRIVACY NOTES

- Section 42 of the *Marriage Act 1961* (the Act) requires that a marriage shall not be solemnised unless a notice in writing of the intended marriage, in the prescribed form, is given to the authorised celebrant solemnising the marriage. This Notice is the prescribed form for this purpose.
- The authorised celebrant to whom the Notice is given sends the Notice to the Registrar of Births, Deaths and Marriages of the State or Territory in which the marriage takes place, after the marriage ceremony. The Registrar uses the information in the Notice to register the marriage.
- The Registrar of Births, Deaths and Marriages then sends the Notice to the Australian Bureau of Statistics (the ABS), which requests information about these matters under the *Census and Statistics Act 1905*. The ABS records non-identifying information from the Notice, and uses the information to generate national statistics on marriage and the family in Australia. Personal identifying information is not retained.

## NOTES

### **MARRIAGE OF ANY PERSON UNDER 18 YEARS WITHOUT AN ORDER OF A JUDGE OR MAGISTRATE IS INVALID.**

### **UNDER NO CIRCUMSTANCES CAN 2 PERSONS UNDER 18 YEARS MARRY EACH OTHER.**

- 1 If a party to an intended marriage is unable, after reasonable inquiry, to state any information required in the Notice, he or she should write “*unknown*” in the relevant space on the form. To make the Notice effective, he or she must also give the authorised celebrant a statutory declaration stating that he or she is unable to state the information required in the Notice, and the reason for that inability. However, a statutory declaration is not necessary in relation to the information required under item 9, 10, 11 or 12 of the Notice, or the *date* of a previous marriage ceremony under item 14 of the Notice.
- 2 The marriage cannot be solemnised until after one calendar month from the date the authorised celebrant receives the Notice unless, under subsection 42(5) of the Act, a prescribed authority has authorised the marriage to be solemnised before that time has elapsed. Also, the marriage cannot be solemnised:
  - (a) if the authorised celebrant receives the Notice more than 18 months before the proposed marriage (see paragraph 42(1)(a) of the Act); and
  - (b) unless the authorised celebrant has satisfied himself or herself that the parties to the proposed marriage are the parties referred to in the notice given under section 42 of the Act in relation to the marriage (see paragraph 42(8)(a) of the Act).
- 3 Section 104 of the Act makes it an offence for a person to give the Notice to an authorised celebrant or to sign it if, to that person’s knowledge, the Notice contains a false statement or an error or is defective.
- 4 If a party to an intended marriage cannot conveniently sign the Notice at the time it is intended to give notice of the intended marriage, the other party may sign the Notice and give it to the proposed authorised celebrant. However, in that case, the party who has not signed the Notice must sign it in the presence of that celebrant or another authorised celebrant before the marriage is solemnised.
- 5 Section 42 of the Act requires certain documents to be produced to the authorised celebrant before the marriage is solemnised, in particular:
  - (a) evidence of the date and place of birth of each party; and
  - (b) if a party is a divorced person or a widow or widower—evidence of that party’s divorce, or of the death of that party’s spouse.If a party has been divorced in Australia, the authorised celebrant should sight court evidence of the decree upon dissolution of marriage.
- 6 If a party to an intended marriage has not turned 18 (unless he or she has previously been married), he or she must obtain the necessary consents or dispensations required under the Act, and the authorised celebrant must sight those consents or dispensations before proceeding with the marriage. Also, a person under 18 years is not of marriageable age, and cannot be a party to a marriage, unless he or she obtains an order from the court under section 12 of the Act.

**FOR CELEBRANT'S USE**

Marriage arranged:

for .....am/pm  
(time)

on.....  
(day of week)

.....  
(date)

at .....

.....  
(location of solemnisation of marriage)

Commonwealth of Australia  
*Marriage Act 1961*

**NOTICE OF INTENDED MARRIAGE**

To: .....

.....

.....

[insert name and address of proposed celebrant]

**FOR OFFICIAL USE ONLY**

Registered No:

.....

.....

**The following parties give notice of their intended marriage:**

	BRIDEGROOM			BRIDE		
1 Surname						
2 Given names						
3 Usual occupation						
4 Usual place of residence (full address)						
5 Conjugal status (for example, never validly married, widower, widow, divorced)						
6 Birthplace— (if born in Australia— insert city or town, and State or Territory; if born outside Australia—insert city or town and country)						
7 Date of birth	Day	Month	Year	Day	Month	Year
8 If party born outside Australia, total period of residence in Australia	Years		Months	Years		Months
9 Father's name in full (If not known, write "unknown". If deceased, add "deceased")						
10 Mother's maiden name in full (If not known, write "unknown". If deceased, add "deceased")						
11 Father's country of birth (If not known, write "unknown")						
12 Mother's country of birth (If not known, write "unknown")						

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

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

Are the parties related to each other? Yes  No

If yes, state relationship

Signature of bridegroom

Signature of bride

Signature of witness\*

Signature of witness\*

Qualification

Qualification

Date...../...../.....

Date...../...../.....

\* This Notice must be signed in the presence of any of the following:

- (a) if a party signs the Notice in Australia—an authorised celebrant, a Commissioner for Declarations under the *Statutory Declarations Act 1959*, a justice of the peace, a barrister or solicitor, a legally qualified medical practitioner, or a member of the Australian Federal Police or the police force of a State or Territory;
- (b) if a party signs the Notice outside Australia—an Australian Consular Officer, an Australian Diplomatic Officer, a notary public, an employee of the Commonwealth authorised under paragraph 3(c) of the *Consular Fees Act 1955*, or an employee of the Australian Trade Commission authorised under paragraph 3(d) of the *Consular Fees Act 1955*.

Note: For the definitions of *Australian Consular Officer* and *Australian Diplomatic Officer*, see section 2 of the *Consular Fees Act 1955*.

### PARTICULARS TO BE COMPLETED BY AUTHORISED CELEBRANT

Date notice received by celebrant <input type="text"/>	Place marriage solemnised <input type="text"/>
Rites used <input type="text"/>	
Date marriage solemnised <input type="text"/>	
* <i>Strike out words not required</i> † <i>Strike out if inapplicable</i>	BRIDEGROOM                      BRIDE                      BRIDEGROOM                      BRIDE
Birth certificate(s) produced	
Registration number of birth certificate	<input type="text"/> <input type="text"/>
* Statutory declaration(s) regarding birth produced	† Evidence of * death, * nullity or * dissolution
Australian† or foreign† passport produced	If dissolution or nullity, insert Court location
Passport number	† For marriage of a party under 18 years: - consents received - court approval
# Current drivers licence produced	
Drivers licence number	
# Current proof of age card or evidence of age card produced	Authority for marriage despite late notice - not applicable
Proof of age card number or evidence of age card number	# Note: For use if photographic evidence of identity is sighted by the authorised celebrant to satisfy the requirements under paragraph 42(8)(a) of the Act.
# Current identification card displaying the cardholder's photograph produced	
Type of identification card	
Number of identification card	

Have you given the document referred to in subsection 42(5A) of the Act to the parties? BRIDEGROOM BRIDE

Celebrant's number	Celebrant's signature
<input type="text"/>	<input type="text"/>

Official use only

Marriage Act 1961

DECLARATION OF NO LEGAL IMPEDIMENT TO MARRIAGE

(regulations 38A and 46 Marriage Regulations 1963 (Cth))

I, .....
(full name, address and occupation of person making the declaration)

I, .....
(full name, address and occupation of person making the declaration)

declare that:

declare that:

1 I am a.....
(state details of conjugal status for example, 'person who has never been validly married', 'widower', 'widow', or 'divorced person')

1 I am a.....
(state details of conjugal status for example, 'person who has never been validly married', 'widower', 'widow', or 'divorced person')

2 I believe that there is no legal impediment to my marriage with
(name, address and occupation of the other party to the proposed marriage)

2 I believe that there is no legal impediment to my marriage with
(name, address and occupation of the other party to the proposed marriage)

in particular:

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.

- (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 .....
(date of birth of person making the declaration)

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 .....
(date of birth of person making the declaration)

However, I applied for an order under section 12 of the Act, and the .....at
(name of court)

However, I applied for an order under section 12 of the Act, and the .....at
(name of court)

(location of court)

(location of court)

made that order on .....
date of order

made that order on .....
date of order

I make this declaration under the Marriage Act 1961. I believe the statements in this declaration are true in every detail. I am aware that it is an offence under the Marriage Act 1961 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 Marriage Act 1961. I believe the statements in this declaration are true in every detail. I am aware that it is an offence under the Marriage Act 1961 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.

(Signature of person making the declaration)

(Signature of person making the declaration)

Declared at.....
(place where declaration made)

Declared at.....
(place where declaration made)

on.....
(date of declaration)

on.....
(date of declaration)

Before me.....
(Signature of authorised celebrant before whom declaration is made)

Before me.....
(Signature of authorised celebrant before whom declaration is made)

(Name of authorised celebrant)

(Name of authorised celebrant)

[Title of authorised celebrant (for example, 'Registered Minister of Religion' or 'Registrar of Marriages', or other description of qualification to solemnise marriages)]

[Title of authorised celebrant (for example, 'Registered Minister of Religion' or 'Registrar of Marriages', or other description of qualification to solemnise marriages)]

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.....

Table with 3 columns: Detail, Bridegroom, Bride. Rows include 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)*

..... Registration No: .....

*(Signature of Celebrant)*

\*The words in brackets may be omitted