COMMONWEALTH OF AUSTRALIA

Marriage Act 1961

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, including each party's sex, and uses that 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 A party to an intended marriage who is unable, after reasonable inquiry, to state any information required in the Notice, should write "*unknown*" in the relevant space on the form. To make the Notice effective, the party must also give the authorised celebrant a statutory declaration stating that they are 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 11, 12, 13 or 14 of the Notice, or the *date* of a previous marriage ceremony under item 16 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 is satisfied 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 has previously been legally married, evidence of a party's divorce, or of the death of a 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 A party to an intended marriage who has not turned 18 (unless the party has previously been married), 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 the person obtains an order from the court under section 12 of the Act.

FOR CELEBRANT'S USE	Commonwealth of Australia *Marriage Act 1961*	FOR OFFICIAL USE ONLY
Marriage arranged: for.....am/pm (time) on..... (day of week) ..... (date) at	**NOTICE OF INTENDED MARRIAGE** To: .... [*insert name and address of proposed celebrant*]	Registered No.

The following parties give notice of their intended marriage:

		PARTY 1	PARTY 2
1	Description of party	Groom ☐ Bride ☐ Partner ☐	Groom ☐ Bride ☐ Partner ☐
2	Surname		
3	Given names		
4	Sex ('X' refers to indeterminate/intersex/unspecified)	Male ☐ Female ☐ X ☐	Male ☐ Female ☐ X ☐
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	Day / Month / Year

Are the parties related to each other? Yes ☐ No ☐

If yes, state relationship

Signature of party 1

Signature of party 2

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

Rites used

Place marriage solemnised

Date marriage solemnised

*Strike out words not required
†Strike out if inapplicable

	PARTY 1	PARTY 2
Birth certificate(s) produced	☐	☐
Registration number of birth certificate		
*Statutory declaration(s)	☐	☐
Australian† or foreign† passport produced	☐	☐
Passport number		
# Current drivers licence produced	☐	☐
Drivers licence number		
# Current proof of age card or evidence of age card produced	☐	☐
Proof of age card number or evidence of age card number		
# Current identification card displaying the cardholder's photograph produced	☐	☐
Type of identification card		
Number of identification card		

	PARTY 1	PARTY 2
† Evidence of *death, *nullity or *dissolution	☐	☐
If dissolution or nullity, insert Court location		
† For marriage of a party under 18 years: - consents received	☐	☐
- court approval	☐	☐
Authority for marriage despite late notice - not applicable	☐	

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.

	PARTY 1	PARTY 2
Have you given the document referred to in subsection 42(5A) of the Act to the parties?	☐	☐

Celebrant's number	Celebrant's signature

Official use only