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, 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.

<table>
<tr><td>

FOR CELEBRANT'S USE

Marriage arranged:

for...am/pm
          (time)

on..
       (day of week)

....
          (date)

at ....

....

</td><td>

Commonwealth of Australia
Marriage Act 1961

NOTICE OF INTENDED MARRIAGE

To: ....

....

....
[*insert name and address of proposed celebrant*]

</td><td>

FOR OFFICIAL USE ONLY

Registered No.

</td></tr>
</table>

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:

		BRIDEGROOM			BRIDE		
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 _____

Rites used _____

Place marriage solemnised _____

Date marriage solemnised _____

*Strike out words not required
†Strike out if inapplicable

	BRIDEGROOM	BRIDE		BRIDEGROOM	BRIDE
Birth certificate(s) produced	☐	☐			
Registration number of birth certificate	_____	_____			
*Statutory declaration(s)	☐	☐			
Australian† or foreign† passport produced	☐	☐	† Evidence of *death, *nullity or *dissolution	☐	☐
Passport number	_____	_____	If dissolution or nullity, insert Court location	_____	
# Current drivers licence produced	☐	☐	† For marriage of a party under 18 years: - consents received - court approval	☐ ☐	☐ ☐
Drivers licence number	_____	_____	Authority for marriage despite late notice - not applicable	☐	
# 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	_____	_____			

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.

	BRIDEGROOM	BRIDE
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