





Magical Memorable Marriages

0403 278 441 
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The Legal Bits:

Very little is actually needed to ensure a marriage is legal. Walking down the aisle, readings, even saying "I do" is all optional. However, there are a few things that must be done to make sure your nuptials are all above board.



The Who:

Almost any couple can get married in Australia. You don't even have to be a citizen or resident. However, there are a few basic requirements.

TO GET MARRIED IN AUSTRALIA YOU MUST:

1. Give real consent to the marriage

No surprise weddings where one of you didn't know about the marriage beforehand – surprises for guests is ok and even encouraged!

2. Not be currently married

You can still start the paperwork if one or both of you have a divorce pending, but the ceremony cannot go ahead until the divorce is finalised.

3. Be 18 years or over

However, if one of you is between 16-18, it is still possible to get married with a court approval. I can give you more information about this if needed.

4. Not be in a prohibited relationship i.e. too closely related

You can marry your cousin, but you can't marry your sibling, parent or grandparent – even if you're adopted.



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The How:

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THERE ARE FIVE LEGAL DOCUMENTS THAT NEED TO BE COMPLETED AND SIGNED.

1. Notice of Intended Marriage (NOIM)

This is the first document you must fill in, and it formally states your intention to marry your honey. It must be lodged with a celebrant at least one month prior to the wedding, but no more than 18 months prior. However, there are limited special circumstances when a shortening of time can be sought if you need to be married with less than one month's notice – I can give you more information about this if necessary.

If you book me, we will fill in the NOIM together or you can download it yourself. Make sure you read the instructions carefully. When completing the NOIM, you'll also need to supply your celebrant with original supporting documents to prove who you are and your eligibility to be married. See 'What documents do I need to provide?' See link to the NOIM below for more details.

2. Declaration of No Legal Impediment to Marriage (DONLIM)

This form states that there is no legal reason the two of you can't be married. You must sign this before the wedding ceremony, and ideally, as close to the big day as possible. Your celebrant will prepare this document for you and witness your signatures.

3. Official Certificate of Marriage (to register with Births, Deaths & Marriages)

Once you've said your legal vows and have signed this form as proof; congratulations.... you're officially married. This form is signed by both of you, your two witnesses and your celebrant, after your vows. This certificate is on the back of the DONLIM and your celebrant will prepare this for you.

4. Official Certificate of Marriage (for the celebrant to keep)

Just like the document above except that it won't be attached to the DONLIM. Your celebrant is required to keep this copy for six years.

5. Form 15 (aka the Presentation Marriage Certificate)



You, the witnesses and your celebrant sign this at the same time as your Official Certificates of Marriage. This is the pretty certificate that your celebrant will hand to you (or a nominated person) at the conclusion of your ceremony. While this is an important legal document (and therefore you should keep it in a safe place), it is not the same as an Official Certificate of Marriage, and may not be sufficient proof for things like changing your name on your passport. Once your marriage is registered with the Department of Births, Deaths & Marriages, you can apply for your Official Certificate of Marriage (or in some states, as your celebrant, I can apply on your behalf).

6. It is the responsibility of the celebrant to submit all the paperwork to the Department of Births, Deaths & Marriages to register the marriage, so once you've added your signature, your work is done.

7. There may be other forms that will need to be completed, such as if you need a document translated into English or an interpreter at your ceremony, but your celebrant will advise you of any additional paperwork required.



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The Paperwork:

To fill in the NOIM, I will need to see some original documents. In particular, you need to show:

- Proof of date and place of birth, such as your passport or birth certificate.
- Proof of identity, such as your passport, driver's licence or proof of age card.

(Don't panic if you don't have these documents. There are other acceptable documents, but these are just the most common. I can talk you through other options if needed).

IF RELEVANT, YOU MAY ALSO NEED TO PROVIDE:

- Proof of dissolution of previous marriage, such as a certificate of divorce or annulment or a death certificate.
- Proof of change of name if your current ID does not match the name on your date & place of birth document, such as a change of name certificate or your previous marriage certificate.

The Ceremony:

You might be surprised to learn how few things have to be done in a civil marriage ceremony to make it legal. The only things required are:

- You need an authorised celebrant to marry you (such as yours truly).
- You must provide two witnesses who are over 18.
- The celebrant must identify themselves and say the Monitum, which is:

I am legally registered to solemnise marriages according to the law.

Before you are joined in marriage in my presence and in the presence of everyone here, I am to remind you of the solemn and binding nature of the relationship into which you are now about to enter.

Marriage, according to law in Australia, is the union of two people to the exclusion of all others, voluntarily entered into for life.

- Each of you must say the legal vows, which are:



I call upon everyone here to witness that I, (your name), take you, (their name), to be my lawful wedded wife/husband/spouse/partner in marriage.

- Both of you, your two witnesses and the celebrant must sign three different copies of the marriage certificate.

And that's it! Once we've ticked those few boxes, you can add as little or as much as you like to the ceremony to make it your own.



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The Witnesses:

You must have two witnesses at your wedding (the celebrant doesn't count).

Both witnesses must:

- Be over 18
- Be able to understand the ceremony (if they don't understand spoken English, you will need a translator)

Your witness can be a friend, close relative, distant cousin, your ex, the photographer – whoever you like, as long as they fulfil those two requirements and agree to be your witness. And while it's strongly recommended that the witnesses are people who know you, it's not actually a requirement, so you can ask any willing stranger to be your witness.

The Changes:

Signing the NOIM or the DONLIM doesn't mean that you are obliged to get married. They just signal your intention to get married and declare there is no legal reason you cannot marry each other.

You aren't married until the moment you both say your legal vows, so until that very moment (even mid-ceremony!) you can change your mind. All other paperwork isn't signed until after the marriage is legal, and the celebrant will not submit any paperwork to the Department of Births, Deaths and Marriages until after the ceremony.

If you need to change the ceremony to a later date after signing the NOIM, it will continue to be valid for up to 18 months from the date of signing. Any longer, and you will need to sign a new NOIM. If you need to hold the ceremony at an earlier date, it will still need to be at least one month from the date you signed, unless you receive a shortening of time (your celebrant can tell you more about the shortening of time process if required). If you've already signed the DONLIM and you wish to change your wedding date, your celebrant can let you know if a new DONLIM will need to be signed.

Wedding or Commitment Ceremony:

You got married in Vegas, Bali or in a Volcano – what now?

In most cases, if you had a legal marriage ceremony overseas, your marriage is also recognised in Australia. If you are currently married in Australia – even to each other – you cannot get married again.

However, if you want to have a celebration with your Aussie family and friends, we can still have a party! I usually just start the ceremony with some words like "While Brad and Angelina have already taken care of the legal part of their marriage, today is the day that they've chosen to celebrate their wedding with the people they love."

If you need more information about this, just get in touch!