

A close-up photograph of green fern fronds, showing the intricate, feathery structure of the leaves. The fronds are a vibrant green color and are set against a dark, blurred background.

INTERNAL AFFAIRS



Marriage and Civil Union Celebrants

A GUIDE TO THE ROLE OF CELEBRANTS IN NEW ZEALAND

What is a marriage?

A marriage is the formalisation of a relationship between two people, regardless of gender, in accordance with the Marriage Act 1955.

What is a civil union?

A civil union is the formalisation of a relationship between two people, regardless of gender, in accordance with the Civil Union Act 2004.

Criteria, rules and processes

The Marriage Act 1955, Civil Union Act 2004 and the Births, Deaths, Marriages, and Relationships Registration Act 1995 set out the criteria, rules and processes for a couple to have their relationship solemnised and registered in New Zealand.

Regulations made under these Acts prescribe applicable forms and fees.

All forms are available through our website: www.govt.nz/bdm or from Births, Deaths and Marriages offices and agencies.

ARE THERE DIFFERENT KINDS OF CEREMONY?

There are two types of ceremony:

- A ceremony held by a Registrar in a Registry Office; and
- A ceremony held by an approved Marriage or Civil Union Celebrant at a place other than a Registry Office.

Registry Office ceremonies are performed during normal office hours, but a Marriage or Civil Union Celebrant may conduct a marriage or civil union at any time, on any day of the week.

WHO CAN CONDUCT MARRIAGES OR CIVIL UNIONS?

People who have been appointed by the Registrar-General as celebrants and whose names appear in the *New Zealand Gazette* and at www.govt.nz/bdm can solemnise marriages or civil unions in New Zealand.

To solemnise marriages, a person must be approved in accordance with the Marriage Act 1955 and have their name published as a Marriage Celebrant in the *Gazette*. To solemnise civil unions, a person must be

approved in accordance with the Civil Union Act 2004 and have their name published as a Civil Union Celebrant in the *Gazette*.

Registrars can conduct marriages and civil unions in Registry Offices.

Marriages and civil unions can also be conducted according to the practices of certain organisations that are exempt from the requirement to have a Marriage or Civil Union Celebrant present.

The person officiating over the legal aspects of the ceremony must be an approved celebrant both when the licence is issued and on the actual day the ceremony is solemnised.

Celebrants are appointed until the next annual renewal process. Therefore, celebrants must check their name is still on the list of celebrants before conducting a ceremony.

A current list of Marriage or Civil Union Celebrants is available through our website at www.govt.nz/bdm, or by phoning 0800 22 52 52.

The *Gazette* is published weekly, and names are added to or removed from the list as required throughout the year. The *Gazette* can also be accessed online at www.gazette.govt.nz

What are the types of celebrants?

In addition to Registrars, there are three main categories of celebrant.

- **Independent Celebrants:** people from the community who are appointed to solemnise marriages or civil unions and who operate independent of churches and organisations.
- **Ministers of religious bodies** (as specified in Schedule 1 of the Marriage Act 1955): certain religious bodies can nominate their ministers to solemnise marriages.
- **Organisational marriage celebrants:** organisations that have as one of their principal objects the upholding or promotion of religious beliefs or philosophical or humanitarian convictions can nominate designated celebrants to solemnise marriages.

CAN A JUSTICE OF THE PEACE OFFICIATE AT MARRIAGES OR CIVIL UNIONS?

A Justice of the Peace (JP) has no implied or automatic authority to solemnise a marriage or civil union. A JP may apply to the Registrar-General to be a Marriage or Civil Union Celebrant. If this is approved, the JP's name would be published in the *New Zealand Gazette*.

CAN A PERSON GET PERMISSION TO PERFORM A 'ONE-OFF' MARRIAGE OR CIVIL UNION CEREMONY?

No. There is no provision to be appointed to perform a 'one-off' marriage or civil union.

CAN CELEBRANTS PERFORM CEREMONIES IN OTHER COUNTRIES?

The Acts are specific to marriages and civil unions in New Zealand (including the Ross Dependency).

CAN A MARRIAGE CELEBRANT SOLEMNISE A CIVIL UNION AND VICE VERSA?

Persons may solemnise both marriages and civil unions only if they have been appointed by the Registrar-General as both a marriage celebrant and a civil union celebrant.

ARE CELEBRANTS ABLE TO OFFER DIFFERENT STYLES OF CEREMONY?

Celebrants can perform ceremonies in accordance with the couple's customs, traditions, religious and cultural beliefs. Celebrants affiliated to various approved organisations will have their distinctive styles and practices.

Celebrants are encouraged to work with couples to provide a ceremony that meets their needs, and to help couples who wish to design and write their own.

In all cases, the celebrant is responsible for ensuring that all legal requirements are met.

Registry Office ceremonies are short and of a standard format designed to comply with the legislation. If a couple wish to personalise their ceremony we recommend they approach a marriage or civil union celebrant.

IS THERE A SUPPORT NETWORK FOR CELEBRANTS?

Yes. For more details visit our website www.govt.nz/bdm

WHAT IS THE CELEBRANT'S ROLE IN THE CEREMONY?

The approved celebrant must take an active role by officiating over the legal aspects of the ceremony.

Persons other than the approved celebrant are also able to participate in the ceremony – eg reading a poem or singing a song.

WHAT ARE THE LEGAL ASPECTS OF THE CEREMONY?

- ✓ The formal identification of the people named on the Marriage or Civil Union Licence. The celebrant must be satisfied that the people about to be joined in marriage or by civil union are in fact those named on the licence.
- ✓ The full names of the people— as they appear on the licence – must be used at some point in the ceremony to clearly identify them. Abbreviations and nicknames may then be used in other parts of the ceremony.
- ✓ The ceremony must be solemnised at a place described on the licence and by an approved celebrant and before at least two other witnesses.
- ✓ During a marriage ceremony, the couple must exchange marriage vows. That is each person must say the words, “I AB, take you CD, to be my legal wife/husband/partner” – or words to similar effect.
- ✓ During a civil union ceremony, the couple must exchange the civil union statements. That is each person must make a statement to the other that names both people and acknowledges that they are freely joining in a civil union with each other.
- ✓

- ✓ The registration papers must be signed by the couple, the celebrant and the two witnesses immediately after the ceremony, and must be returned to the issuing Registrar within 10 calendar days.
- ✓ The celebrant must take all reasonable steps to ensure the marriage or civil union is registered with Births, Deaths and Marriages.

WHAT IF THE NOMINATED CELEBRANT IS UNABLE TO OFFICIATE?

When the celebrant named on the licence is unable to officiate at a marriage or civil union, any other approved marriage or civil union celebrant may officiate, according to whether the ceremony is a marriage or civil union.

IS A CELEBRANT OBLIGED TO SOLEMNISE A SPECIFIC MARRIAGE OR CIVIL UNION?

A Marriage or Civil Union Licence authorises a Marriage or Civil Union Celebrant to solemnise a specific ceremony, but it does not oblige them to do so.

WHO CAN BE A WITNESS DURING THE CEREMONY?

Witnesses must be able to understand what happens at the ceremony (They should be of sound mind, and should not be intoxicated).

Children can be witnesses, but they must be old enough to understand the nature of the ceremony, and must be able to demonstrate that understanding in court if later required to do so.

IS AN INTERPRETER REQUIRED?

The couple and the witnesses must all be able to understand the language the celebrant uses. The celebrant must be able to understand the language of the couple and the witnesses.

If any of the parties do not understand one another, then an interpreter will be required.

The interpreter must sign a statutory declaration before the ceremony that they will interpret truthfully and faithfully.

ARE THERE DIFFERENT KINDS OF MARRIAGE REGISTER?

Some churches and other organisations will require a newly-married couple to sign a 'marriage register'. While this may constitute an important aspect of record-keeping as far as the church or organisation is concerned, it is not part

of the registration process. The marriage must be registered with Births, Deaths and Marriages.

CAN AUTHORISED CELEBRANTS CHARGE A FEE?

This is a matter to be agreed between the celebrant and the couple.

OFFENCES


The Marriage Act 1955, the Civil Union Act 2004 and the Births, Deaths, Marriages, and Relationships Registration Act 1995 set out a number of offences relating to the solemnisation and registration of marriages.

These include:

- Solemnising a ceremony when not an approved Marriage or Civil Union Celebrant, or contrary to the requirements of the Act;
- Making, or causing to be made, false declarations; and
- Making, or causing to be made, a false statement in respect of any information required to be registered.

Anyone convicted for any of these offences is liable to imprisonment and/or a fine.

Dealing with the documentation



A number of documents are integral to the solemnisation and registration of a marriage and civil union. This section is to help you make sure that all documents are correct and complete.

NOTICE OF INTENDED MARRIAGE OR INTENDED CIVIL UNION

There are three general types of marriage or civil union notice:

- For general use;
- Where both people are ordinarily resident outside New Zealand; and
- For a couple changing their relationship either from a marriage to a civil union, or from a civil union to a marriage.

Names of the parties:

Names only will appear on documentation. No honorific (Mr/Mrs/Ms/Miss, etc) or title or rank (Sir/Dr/Prof, etc) is required to be given or will appear on any documents.

Proof of end of previous marriage or civil union:

If one or both of the couple has been married or in a civil union before, they may be asked to provide the Registrar with evidence of the end of that relationship.

If the former spouse or partner died, the date of the death must be stated on the notice.

Where a couple are changing from a marriage to a civil union or from a civil union to a marriage, the Registrar requires documentary evidence of the current relationship.

Alternative venue:

A ceremony must take place at one of the locations specified on the licence.

If the couple are planning an outdoor ceremony it is advisable to include an alternative indoor venue on the notice, in case of unsuitable weather conditions.

This information will appear on the licence as an alternative place at which the ceremony may be solemnised.

If the couple decide to change the place of solemnisation after the licence has been issued, they should contact the issuing Registrar to change the form to show the new place of solemnisation.

However, if it is not possible to contact the Registrar before the ceremony, the papers must be returned to the Registrar the next working day after the ceremony and the Registrar advised of the change in venue.

If the ceremony is to be held on council land the celebrant should advise the couple to book the area and get a receipt from the council, to prevent 'double bookings'.

Council permission is required to set up a marquee for health and safety reasons.

Coming from overseas:

If a couple usually live overseas but want to get married or enter into a civil union in New Zealand, the couple (or either one of them) will need to:

- ✓ Complete a 'Notice of Intended Marriage, where both parties are ordinarily resident outside of New Zealand' or 'Notice of Intended Civil Union, where both parties are ordinarily resident outside of New Zealand';
- ✓ Send the notice (with the fee) to the Registry Office nearest to the place where their ceremony is to be solemnised, ensuring that it reaches the Registrar at least a week before the intended date of the ceremony;
- ✓ Sign the statutory declaration in front of a Registrar; and
- ✓ Collect the licence and the two copies of the Copy of Particulars.

Once in New Zealand the statutory declaration must be signed before the licence is issued or a Registry Office ceremony can occur.

Alternatively, the couple can sign the statutory declaration in their home country in front of an authorised diplomatic or consular officer of a Commonwealth country.

Written Consent:

- If one or both of the couple are 16 or 17 years of age they will need consent.
- Generally consent must be obtained from each of the legal guardians (usually the parents) – unless they cannot be located or are, as a result of incapacity, unable to give consent;
- If no guardians are able to give consent, consent must be obtained from a relative acting in place of a guardian, or from a Family Court Judge;
- A Family Court Judge can also grant consent if the guardians refuse to give it.

Consent forms are available through our website: www.govt.nz/bdm or from Births, Deaths and Marriages offices and agencies.

If either of the couple is under 16 years of age they cannot get a Marriage or Civil Union Licence.

STATUTORY DECLARATION

If the declaration is to be signed in New Zealand, one of the couple must appear in person before a Registrar of Marriages and Civil Unions to sign a statutory declaration that both people are free to marry or enter into a civil union and that all the details supplied are correct.

MARRIAGE AND CIVIL UNION LICENCE

The Registrar will issue the Marriage or Civil Union Licence no sooner than the third day after receiving notice of the intended marriage or civil union.

A licence is valid for three months from the date of issue.

A ceremony cannot proceed until an approved celebrant has been given the Marriage or Civil Union Licence.

COPY OF PARTICULARS

The person making the statutory declaration and collecting the licence from the Registrar will also be given two copies of either a 'Copy of Particulars of Marriage' or a 'Copy of Particulars of Civil Union' and a return addressed envelope.

The celebrant needs to be given these documents before the ceremony.

Immediately after the solemnisation, both copies of the Copy of Particulars must be fully completed and signed by the couple, the celebrant and the two witnesses.

After the ceremony the celebrant gives the couple one Copy of Particulars and returns the other, within 10 calendar days, to the Registrar who issued the licence.

The couple are also given a card to notify the Electoral Commission of their marriage or civil union.

COURIER OPTION

If the ceremony date is more than 2 weeks after the date the documents are to be collected from the Registrar, the couple may choose to have them couriered to their address at their own expense. The couple should discuss this with the Registry Office.

MARRIAGE OR CIVIL UNION CERTIFICATE

After the completion of the ceremony a marriage or civil union certificate can be ordered by completing the order form on the back of the Copy of Particulars. This is the easiest and most convenient option for the couple to order a certificate. The certificate will be posted to the orderer after the marriage or civil union is registered.

Alternatively, the couple can order a certificate by calling 0800 22 77 77 (if overseas phone +64 4 463 9362).

CAVEAT AND NOTICE OF OBJECTION

Any person who believes that there are legal grounds as to why a licence should not be issued for a couple intending to marry or enter into a civil union may lodge a caveat or notice of objection with a Registrar.

A caveat or notice of objection is a formal notice giving the grounds of objection to a licence being issued.

When a Registrar is aware a relevant caveat or notice of objection has been lodged, the Registrar will submit the objection to the Family Court, and the court will determine whether the objection should be discharged (cancelled) or upheld.

Caveats and notice of objections expire after one year unless discharged or withdrawn.

If the Family Court considers that the grounds on which a particular caveat or notice of objection was lodged were unreasonable and were intended to annoy or cause distress, the person who lodged the caveat or notice of objection may be liable to pay compensation to the couple.

CHECKING THE COPY OF PARTICULARS BEFORE YOU RETURN THEM TO THE ISSUING REGISTRY OFFICE

These instructions similarly apply to civil unions

1. Date of marriage

Print the day, month and year that the ceremony occurred on.

2. Place of marriage

Print the full residential address including town/city, and venue name if applicable.

If the ceremony was at a private residence, this should be stated. For example: "Residence of J Doe, 16 Black Street, Gisborne".

The ceremony must occur at one of the places named on the licence, but if the place was changed due to unforeseen circumstances and the Registry Office could not be contacted prior to the ceremony, you must state the new place and include a letter giving a reason for the change.

3. Signatures

The bride/bridegroom/partner must sign using his and her pre-marriage signatures.

Witnesses must sign using his or her usual signature.

The celebrant must sign using his or her usual signature.

Copy of Particulars of Marriage		INTERNAL AFFAIRS	
This copy to be handed to the parties to the marriage immediately after being signed.		Te Tari Taiwhiri	
Registry	Auckland	Particulars of Parties to Marriage	
Notice No.	1234	Bride	Bridegroom
Current first or given name(s)	Name	Name	Name
Current surname or family name	Name	Name	Name
First or given name(s) at birth (if different from above)	-	-	-
Surname or family name at birth (if different from above)	-	-	-
Sex	Female	-	Male
Full date of birth	7 July 1977	-	7 July 1977
Place of birth	Place	-	Place
Usual occupation, profession or job	Occupation	-	Occupation
Relationship status	Never Married or in a Civil Union	-	Never Married or in a Civil Union
Usual residential address in full	Address	-	Address
PARENT:	Mother	Mother	
First or given name(s)	Name	Name	
Surname or family name	Name	Name	
Surname or family name at birth (if different from above)	Name	Name	
PARENT:	Father	Father	
First or given name(s)	Name	Name	
Surname or family name	Name	Name	
Surname or family name at birth (if different from above)	-	-	-
This marriage was solemnised on	Date of marriage	1	
Please write or print clearly	Full description of where marriage was solemnised and full address	2	
Between us		3	
In the presence of us	Signature of Bride	Signature of Bridegroom	
	Signature of witness	Full residential address of witness	5
	Full name of witness		
	Signature of witness	Full residential address of witness	5
	Full name of witness		
I certify that the marriage of the parties named above was solemnised in my presence:	Signature of Marriage Celebrant or Registrar of Marriages	7	
THIS COPY TO BE HANDLED TO PARTIES TO MARRIAGE	Full name of Marriage Celebrant or Registrar of Marriages	6	
	Registration number of independent marriage celebrant	8	

Particulars of Civil Union		INTERNAL AFFAIRS	
Handed to the parties to the civil union or being signed		Te Tari Taiwhenua DOMJASA	
Auckland		Particulars of Parties to Civil Union	
1234			
first (or given name(s))	Name	Name	
name or family name	Name	Name	
given name(s) at birth (if different from above)	-	-	
family name at birth (if different from above)	-	-	
Sex	Female	Male	
Full date of birth	7 July 1977	7 July 1977	
Place of birth	Place	Place	
Occupation, profession or job	Occupation	Occupation	
Relationship status	Never Married or in a Civil Union	Never Married or in a Civil Union	
Full residential address in full	Address	Address	
PARENT:	Mother	Mother	
First (or given name(s))	Name	Name	
name or family name	Name	Name	
family name at birth (if different from above)	Name	Name	
PARENT:	Father	Father	
First (or given name(s))	Name	Name	
name or family name	Name	Name	
family name at birth (if different from above)	-	-	
Date of civil union	1		
Full description of where civil union was solemnised and full address	2		
Between us	3		
In the presence of us	3	4	5
Signature of witness	3	4	5
Full name of witness	3	4	5
Signature of witness	4	5	
Full name of witness	4	5	
Signature of witness	5		
Full name of witness	5		
Signature of Civil Union Celebrant or Registrar of Civil Union	6	8	
Full name of Civil Union Celebrant or Registrar of Civil Union	6	8	
Registration number of civil union celebrant	8		

4. Names of witnesses

5. Full residential address of witnesses

6. Full name of celebrant

7. Denomination or organisation

Independent marriage celebrants must leave this blank.

Print the registration number you were allocated.
This does not apply if you are a marriage
celebrant of a church or organisation.

Applying to Become a Marriage or Civil Union Celebrant

Apply online and pay the regulated fee to be a celebrant at www.govt.nz/organisations/births-deaths-and-marriages/information-for-marriage-celebrants/

You'll need:

1. at least 4 signed letters of support from people in your community — each letter needs to explain why you would be a good celebrant and include the information in the support letter checklist
2. 2 referees to complete a good character form
3. a copy of your criminal conviction history.

You also need to be a New Zealand citizen. If you're not, you need to show that there are exceptional reasons why you should become a celebrant.

The online application also includes a test.

Information about how to apply is available at www.govt.nz/bdm

APPOINTMENT CRITERIA

The Registrar-General considers three main criteria when assessing candidates' suitability for appointment as Marriage or Civil Union Celebrants:

- The applicant must be a person of good character; and
- The applicant must demonstrate that they have the ability to conscientiously perform the duties of a celebrant; and
- There must be evidence that an appointment as a celebrant is in the interests of the public generally or a particular community.

The Registrar-General will also consider any potential conflicts of interest and apparent bias that may arise if you are appointed and consider whether those issues can be managed appropriately.

The people who support your application may be contacted by our office.

The Registrar-General may also refer you to your local Registrar of Marriages and Civil Unions for a formal interview. In that case your application form will be forwarded to your local Registrar for reference.

INTERVIEWING

The interview is to:

- ensure the Registrar-General has sufficient information to make a decision;
- advise you about the role; and
- give you an opportunity to ask questions.

After the interview, the local Registrar will send a report to the Registrar-General.

You will be notified of the outcome of the interview within approximately 10 working days.

In the meantime you can participate in a marriage or civil union ceremony (such as by reading a poem) but an approved celebrant must perform the legal requirements in accordance with the legislation.

IF APPOINTED AS A MARRIAGE OR CIVIL UNION CELEBRANT

The names of successful applicants are published in the *New Zealand Gazette* and at www.govt.nz/bdm. Names are added or removed from the published list as required

throughout the year.

Once your name has been published in the *Gazette* and at www.govt.nz/bdm you can solemnise marriages or civil unions.

A person whose name has been removed from the list of celebrants must not officiate at marriage or civil union ceremonies.

To be authorised as a Marriage Celebrant or as a Civil Union Celebrant you will need to make a specific application to be that type of celebrant.

ANNUAL RENEWAL OF APPOINTMENT

Celebrants are appointed only until the next appointment renewal process and renewal of appointments is not automatic.

Each renewal application is treated as a fresh application for consideration by the Registrar-General.

Independent Celebrants

Towards the end of each calendar year, the Registrar-General will contact celebrants, asking if they want to continue in the role and include information on how to apply for reappointment.

NOTE

The Marriage Act 1955, the Civil Union Act 2004 and the Births, Deaths, Marriages, and Relationships Registration Act 1995 include provisions to charge an application fee and a renewal fee.

To get this information you must ensure your contact details are up-to-date. You can update your own details using the online Celebrants Self Service or by emailing celebrants@dia.govt.nz.

If you haven't been contacted by November you should contact BDM for information on how to apply for renewal.

Organisational Celebrants

Towards the end of each calendar year, the Registrar-General will contact the central contact of your organisation, asking for your organisation's list of celebrants to be reappointed for the next year. It is the central contacts responsibility to return the list of reappointments to BDM.

WHERE TO GO FOR GUIDANCE

A celebrant needing help can contact us:

- Visit our website: www.govt.nz/bdm
- Freephone 0800 22 52 52
- E-mail bdm.nz@dia.govt.nz



INTERNAL AFFAIRS



This guide for marriage and civil union celebrants answers the most likely questions about marriages for current celebrants and people considering applying to be a marriage or civil union celebrant.

Please contact us if you require further assistance:

- visit our website: www.govt.nz/bdm
- freephone 0800 22 52 52
- +64 4 463 9362 (outside New Zealand)
- email the Births, Deaths and Marriages Office: bdm.nz@dia.govt.nz
- write to:
Births, Deaths and Marriages
PO Box 10-526
Wellington 6143, New Zealand