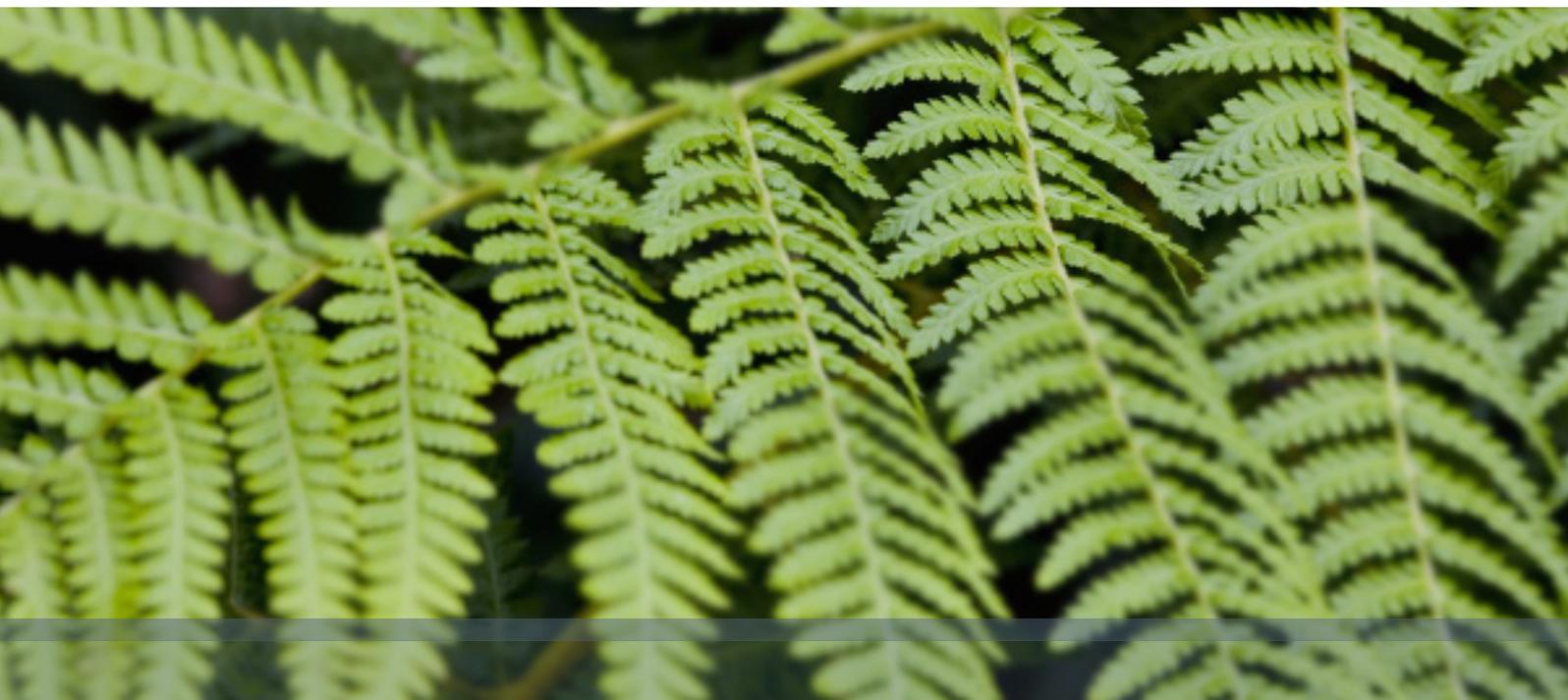




Te Tari Taiwhenua
Internal Affairs

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.

Couples can apply for a marriage licence online at <https://marriages.services.govt.nz>

For more information visit our website www.govt.nz/bdm

ARE THERE DIFFERENT KINDS OF CEREMONY?

There are two types of ceremony held by an approved Marriage or Civil Union Celebrant at an agreed place:

- A registry ceremony at any time on weekdays excluding public holidays; and
- A personalised ceremony 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.

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.

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?

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 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 have a personalised ceremony instead.

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. *Under the Marriage Act, a marriage cannot occur virtually and the couple, celebrant and witnesses must be physically present in the same place.*

- ✓ 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” to each other— 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.
- ✓ *Whether a marriage or a civil union, each party should say the words to each other rather than answering a question asked by the celebrant. Note that any marriage or civil union should not be void if it was performed where the celebrant asked a question of the parties.*
- ✓ The registration papers must be signed by the couple, the celebrant and the two witnesses immediately after the ceremony, and must be returned by the celebrant to Births, Deaths and Marriages 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 declaration before the ceremony that they will interpret truthfully and faithfully. The declaration is available at www.govt.nz/bdm.

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?

For personalised ceremonies it is a matter to be agreed between the celebrant and the couple.

Registry ceremonies have a set fee, so the celebrant cannot charge for extra costs.

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.

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.

Dealing with the documentation

NOTICE OF INTENDED MARRIAGE OR INTENDED CIVIL UNION

Couples may be able to apply for a marriage licence online at <https://marriages.services.govt.nz/>

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.



If the couple decide to change the place of solemnisation after the licence has been issued, the marriage/civil union may be solemnised at a place other than that stated on the licence. The only condition is that the venue must be within the NZ territorial boundaries. A separate note is not required to advise the registry office of the change of venue. The celebrant needs to make sure the place of marriage is accurately described on the 'Copy of Particulars of Marriage'.

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 do the following.

If you want to get married you can apply online at <https://marriages.services.govt.nz>

If you want to enter into a civil union:

- ✓ Complete a 'Notice of Intended Civil Union, where both parties are ordinarily resident outside of New Zealand';

- ✓ Send the notice (with the fee) to a Births, Deaths and Marriages office ensuring that it reaches the office at least a week before the intended date of the ceremony;
- ✓ When you arrive in New Zealand, you then need to visit that office, sign the declaration before a Registrar of Civil Unions and collect the civil union licence.
- ✓ Once in New Zealand the statutory declaration must be signed before the licence is issued.
- ✓ Alternatively, the couple can sign the statutory declaration in their home country in front of an authorised person.

Consent:

If one or both of the couple are 16 or 17 years of age they will need consent from a Family Court Judge.

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

APPLY FOR A LICENCE ONLINE

The easiest and simplest way to obtain a marriage licence is for the one of the parties to apply online at <https://marriages.services.govt.nz>

Alternatively, a hard copy form may be used: 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.

ISSUE OF LICENCE

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

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

A marriage licence cannot be extended past the 3-month validity. If the couple cannot marry within the 3 months, they will need to apply for a new licence and pay the fee.

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

COPY OF PARTICULARS

When the marriage licence is issued by a Registrar (by email, courier or in person), also included will be two copies of either a 'Copy of Particulars of Marriage' or a 'Copy of Particulars of Civil Union'. The celebrant needs to be given all 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, ASAP within 10 calendar days, to Births, Deaths and Marriages.

The celebrant will scan or taken a photo of the Copy of Particulars and email it to bdmregister@dia.govt.nz

The preference is to send it by email, but if the Registrar's copy cannot be emailed, it may be posted to Freepost 254029, Births, Deaths and Marriages, PO Box 10526, Wellington 6143. The celebrant should email or post the particulars – not do both.

The celebrant should retain the Registrar's physical copy of the Copy of Particulars for 4 weeks in case BDM ask for it to be resent. After 4 weeks the Particulars must be securely destroyed (tear up or shred) and delete the email sent to BDM.

MARRIAGE OR CIVIL UNION CERTIFICATE

A marriage certificate can be ordered online at the same time as when applying for a marriage licence at <https://marriages.services.govt.nz> and it will be posted to the orderer after the marriage is registered. Alternatively, after a marriage or civil union is registered, a certificate may be ordered online at <https://certificates.services.govt.nz>.

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 SEND TO BIRTHS, DEATHS AND MARRIAGES

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 needs to be changed due to unforeseen circumstances, it may be occur at a place other than that stated on the licence. The only condition is that the venue must be within the NZ territorial boundaries. A separate note is not required to advise BDM of the change of venue.

3. Signatures

The bride/bridegroom/partner must sign using their pre-marriage signatures.

Witnesses must sign using their usual signature.

The celebrant must sign using their usual signature.

Copy of Particulars of Marriage		INTERNAL AFFAIRS	
This copy to be handed to the parties to the marriage immediately after being signed.			
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 <i>(if different from above)</i>	-	-	-
Surname or family name at birth <i>(if different from above)</i>	-	-	-
Sex	Female	Male	Male
Full date of birth	7 July 1977	7 July 1977	7 July 1977
Place of birth	Place	Place	Place
Usual occupation, profession or job	Occupation	Occupation	Occupation
Relationship status	Never Married or in a Civil Union	Never Married or in a Civil Union	Never Married or in a Civil Union
Usual residential address in full	Address	Address	Address
PARENT:	Mother	Mother	
First or given name(s)	Name	Name	
Surname or family name	Name	Name	
Surname or family name at birth <i>(if different from above)</i>	Name	Name	
PARENT:	Father	Father	
First or given name(s)	Name	Name	
Surname or family name	Name	Name	
Surname or family name at birth <i>(if different from above)</i>	-	-	
This marriage was solemnised on	Date of marriage	1	
<i>Please write or print clearly</i>	2	Full description of where marriage was solemnised and full address	
at			
Between us	3	Signature of bridegroom	
In the presence of us	Signature of bride	4	Full residential address of witness
	Signature of witness	5	
	Full name of witness	6	Full residential address of witness
	Signature of witness	7	
	Full name of a fiancé	8	
I certify that the marriage of the parties named above was solemnised in my presence:			
3		7	
Signature of Marriage Celebrant or Registrar of Marriages		Designation or organization, if applicable	
6		8	
Full name of Marriage Celebrant or Registrar of Marriage		Registration number of independent marriage celebrant	

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.
4. If you have completed a course in celebrant studies, provide a copy of your certificate or a letter from the school confirming completion of studies. Attach this document in the letters of support.

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 quiz.

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 require that you attend a formal interview, which will be by video conferencing.

During the interview you will need to perform a practice marriage ceremony. This involves reading [option 1 of the registry vows](#) to assess your basic skill level.

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.

REGISTRY CELEBRANTS

To be a registry celebrant, celebrants need to be financial members of the Celebrants Association of New Zealand (CANZ) and have achieved validation (VCANZ).

Information about registry ceremonies is available on www.govt.nz/bdm.

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.

WHERE TO GO FOR GUIDANCE

A celebrant needing help can contact us:

- Visit our website: www.govt.nz/bdm
- E-mail celebrants@dia.govt.nz

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.

To get this information you must ensure your contact details are up-to-date. You can update your own details online using the [Self-service Portal](#).

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 complete the reappointments online.

BILL OF RIGHTS ACT AND HUMAN RIGHTS ACT

The Marriage Act 1955 says that organisational celebrant may decline to perform a marriage if it would contravene the organisation's religious beliefs, philosophical or humanitarian convictions. There is no such provision for independent celebrants.

Independent celebrants are performing a public duty, so the Bill of Rights Act 1990 applies to their work. Therefore, independent celebrants must uphold the human rights of couples who seek their services, including the right to be free from discrimination on the grounds of the couple's ethnicity, religious or ethical belief, sex, sexual orientation, family status or other grounds set out in the Human Rights Act 1993.



Te Tari Taiwhenua 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
- email the Births, Deaths and Marriages Office: celebrants@dia.govt.nz
- write to:
Births, Deaths and Marriages
PO Box 10-526
Wellington 6143, New Zealand