



Notice of intended civil union
Where both parties ordinarily resident outside New Zealand

BDM358 • GUIDE NOTES 1

Signing IN New Zealand

If you live in New Zealand or will be in New Zealand more than three working days before you intend to enter into a civil union you may give notice personally before a Registrar of Civil Unions and make the required statutory declaration.

Signing OUTSIDE New Zealand

If you both live outside New Zealand and will arrive in New Zealand less than three working days before the date you intend to enter into a civil union, you may be able to complete most of the formalities before you arrive in New Zealand.

You will need to complete this form, a Notice of intended civil union where both parties ordinarily resident outside New Zealand (BDM358) form. If you are overseas, you can complete everything on the form except the declaration, and send it with payment to the registry office in Auckland, Manukau, Wellington or Christchurch. 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.

Or, the declaration must be signed by an authorised person (refer to page 2), and then sent, with payment, to the registry office in New Zealand closest to where you will enter into a civil union. If it is convenient, you can have the declaration witnessed by an authorised person, for instance, at our London or Sydney office.

Only the Notice of intended civil union where both parties ordinarily resident outside New Zealand (BDM358) can be signed by an authorised person outside New Zealand.

Instructions for authorised person if declaration is signed outside New Zealand

A couple can only enter into a civil union in New Zealand if, for each person:

- the civil union is not prohibited by Section 9 of the Civil Union Act 2004 - Refer to page 7, and
- if aged 16 or 17 years old, consent has been obtained from a Family Court Judge, and
- there is no lawful impediment to the intended civil union. A lawful impediment includes:
 - either party is already married or in a civil union; or
 - one of the parties to the civil union is under the age of 16 years; or
 - by reason of duress, mistake, or insanity, or for any other reason, there is an absence of consent by either party to civil union with the other party.

Witnessing the statutory declaration:

1. Check that you are authorised to take a statutory declaration - refer to page 2,
2. Confirm that the place of civil union is in New Zealand,
3. Check that the date of the intended civil union is less than 3 months from the form that is declared,
4. Check the document for any alterations, erasures, blanks or gaps to ensure the form is fully completed,
5. All changes to the statutory declaration must be: ruled out with a single line; the new information written clearly above the line; and the new information initialed by the person witnessing that declaration,
6. Make sure the declarant understands what they are signing and that it is a crime to make a false declaration,
7. Ask the person "Do you sincerely and solemnly declare that you are the person referred to in this declaration and that the content is true and correct?" (or words to that effect),
8. Ask the declarant to sign and print their full name,
9. You as the authorised person witnessing the declaration must sign, print your full name and enter your qualification to witness the statutory declaration,
10. Give the form to the declarant. The declarant will post the form to BDM in New Zealand.

You must sign the statutory declaration before one of these people

The qualification of the person authorised to take a statutory declaration must be one of the following and depends on whether you are making the declaration in New Zealand, or outside New Zealand and in a Commonwealth country. If outside New Zealand and you are not sure if the country is a Commonwealth country refer to the list of member states at www.thecommonwealth.org

In New Zealand

- Registrar of Civil Unions (Refer to the list at the end of this form)

Commonwealth country other than New Zealand

- Commonwealth representative
- Justice of the Peace
- Notary Public
- Judge
- Commissioner of Oaths
- Solicitor of the High Court of New Zealand
- A person authorised by the law of that country to administer an oath for the purpose of judicial proceeding

A country other than a Commonwealth country

- Commonwealth representative
- Notary Public
- Judge
- Solicitor of the High Court of New Zealand

All of Australia

- Commonwealth representative
- Justice of the Peace
- Notary Public
- Judge
- Solicitor of the High Court of New Zealand
- Australian legal practitioner
- Court clerk or registrar who certifies his or her authority to take an oath for a judicial proceeding

Also, if in South Australia

- Commissioner for Affidavits

Also, if in Western Australia

- A mining registrar appointed under the Mining Act 1978

Also, if in the Northern Territory

- Commissioner for Oaths (by personal appointment)
- Member of the Legislative Assembly
- Member of the house of the Commonwealth elected to represent the Territory or a constituency in the Territory

Also, if in Queensland

- Commissioner of Declarations
- Conveyancer

- Australian Police are not authorised to take this statutory declaration, unless you are in the Northern Territory.
- Australian Pharmacists, Optometrists and Doctors are not authorised to take this statutory declaration.

England or Wales

- Commonwealth representative
- Justice of the Peace
- Notary Public
- Judge
- Solicitor of the High Court of New Zealand
- Court clerk or registrar who certifies his or her authority to take an oath for a judicial proceeding
- Commissioner of Oaths (by personal appointment)
- Solicitor
- Barrister
- Legal Executive
- Licensed Conveyancer

Ireland or Northern Ireland

- Commonwealth representative
- Justice of the Peace
- Notary Public
- Judge
- Solicitor of the High Court of New Zealand
- Court clerk or registrar who certifies his or her authority to take an oath for a judicial proceeding
- Solicitor

Scotland

- Commonwealth representative
- Justice of the Peace
- Notary Public
- Judge
- Solicitor of the High Court of New Zealand
- Person authorised by law of that country to administer an oath for the purpose of a judicial proceeding



He Pānuitanga Hono ā-Ture

E noho noa ai ngā tāngata tokorua i waho i Aotearoa

Notice number

Notice of intended civil union

Where both parties ordinarily resident outside New Zealand

Sign this application in person before a Registrar of Civil Unions and post it with fee to BDM Licence Application, Department of Internal Affairs, PO Box 10526, Wellington 6140.

What you need to know

- You need to arrange your licence more than 3 working days before your civil union. It expires after 3 months.
- Only one of you needs to complete the application, but you need information about both of you.
- It costs \$150 for a civil union licence or \$240 for a registry civil union.
- One of the parties must sign the application personally before a Registrar of Civil Unions and make the required statutory declaration.
- You may be required to provide evidence of the dissolution of the most recent marriage or civil union of each of the parties, if any.
- You must complete all applicable fields.

When you need to use a paper form

- Entering a civil union, or
- Changing your civil union to a marriage, or vice versa, or
- Aged 16 or 17 years old, or
- Giving notice in NZ to get married in the United Kingdom.

For more information refer to www.govt.nz/bdm.

You may be required to do it again if there are errors or missing information

SECTION 1: Notice details

Date or approximate date of civil union

(Within the next 3 months)

Date you intended to collect your licence

(In person at the office of the Registrar where notice is sent)

Full name of Civil Union Celebrant

Denomination or organisation of Celebrant

(If applicable)

Full address of place you will have your civil union

Alternative address for civil union e.g. wet weather alternative

(If applicable)

SECTION 2: Parties to civil union**Party 1 to civil union****Current first and middle names****Current surname or family name****First and middle names at birth**

(If different from above)

Surname or family name at birth

(If different from above)

Sex**Date of birth***

(dd/mm/yyyy)

Place of birth

(Town or city, and country if not NZ)

Occupation, profession or job**Usual residential address****Street number and name****Suburb****Town/city****Country**

(If not NZ)

Postcode**Daytime phone number****Contact email address****What was your last relationship (if any)?**☐ Never married or in a civil union☐ Marriage☐ Civil Union**A) If previously married or in a civil union:
How did the relationship end?**☐ By dissolution/divorce☐ Death of a spouse/partner**B) Date the relationship legally ended***

(dd/mm/yyyy)

*If you were divorced in New Zealand and don't know the date, call the Ministry of Justice on 0800 268 787

Parent 1☐ Mother☐ Father**First and middle names****Surname or family name****Surname or family name at birth**

(If different from above)

Parent 2☐ Mother☐ Father☐ Parent**First and middle names****Surname or family name****Surname or family name at birth**

(If different from above)

* If you are aged 16 or 17 attach a consent from a Family Court Judge.

Party 2 to civil union**Current first and middle names****Current surname or family name****First and middle names at birth**

(If different from above)

Surname or family name at birth

(If different from above)

Sex**Date of birth***

(dd/mm/yyyy)

Place of birth

(Town or city, and country if not NZ)

Occupation, profession or job**Usual residential address****Street number and name****Suburb****Town/city****Country**

(If not NZ)

Postcode**Daytime phone number****Contact email address****What was your last relationship (if any)?**☐ Never married or in a civil union☐ Marriage☐ Civil Union**A) If previously married or in a civil union:****How did the relationship end?**☐ By dissolution/divorce☐ Death of a spouse/partner**B) Date the relationship legally ended***

(dd/mm/yyyy)

*If you were divorced in New Zealand and don't know the date, call the Ministry of Justice on 0800 268 787

Parent 1☐ Mother☐ Father**First and middle names****Surname or family name****Surname or family name at birth**

(If different from above)

Parent 2☐ Mother☐ Father☐ Parent**First and middle names****Surname or family name****Surname or family name at birth**

(If different from above)

* If you are aged 16 or 17 attach a consent from a Family Court Judge.

SECTION 3: After civil union

Where will you and your partner live after your civil union?

If you are on the New Zealand Electoral roll, the Electoral Commission will contact you for details of any changes (for example, your surname) after your civil union. This helps to keep the Electoral roll up to date.

Street number and name

Suburb

Town/city

Country
(If not NZ)

Postcode

SECTION 4: Statutory declaration

To be completed in front of the Registrar

I solemnly and sincerely declare:

(1) that the information provided in this notice is true; and

(2) that I believe that the civil union is not prohibited by section 9 of the Civil Union Act 2004; and

(3) that , _____

being under the age of 18 years, the consent required by law to intended civil union have been given; and

(4) that there is no lawful impediment to the intended civil union.

And I make this solemn declaration conscientiously believing the same to be true by virtue of the Oaths and Declarations Act 1957*.

Declared at (town or city)

This day of

Day

Month

Year

Complete before a Registrar

Signature of party giving notice

Print full name of party giving notice

Registrar will sign and complete place and date of declaration

Signature of Registrar of Civil Unions

Print full name of Registrar of Civil Unions

* Declaration may be made either: (a) When notice sent to Registrar of Civil Unions from overseas; or
(b) When party attends an office of a Registrar of Civil Unions to collect the civil union licence.

** Signature of authorised person (if declaration made before party's arrival in New Zealand) or Registrar of Civil Unions (if declaration made after party's arrival in New Zealand)

SECTION 5: Civil Union licence fee and delivery

BDM358 • Page 5/9

Select **ONE** box below for each of the options given

The type of ceremony you are having is a

Personalised ceremony

If you are having a **personalised** ceremony, how would you like your licence sent?

- ☐ \$150 Civil union licence for a **personalised** ceremony
(Your celebrant may charge an additional fee. BDM does not set the level of that fee)
- ☐ \$5 Courier within New Zealand
(Complete delivery details below if you select courier)
- ☐ FREE Email to this address:

Registry ceremony

If you are having a **registry** ceremony your licence will be sent directly to your celebrant.

- ☐ \$150 **Registry** marriage ceremony
(You will need to pay an additional \$90 directly to your celebrant)

Delivery name

Street number and name

Suburb

Town/city

Country
(If not NZ)

Postcode

SECTION 6: Civil Union certificate fee (optional)

Your civil union certificate will be sent to you after your ceremony and the civil union is registered

Quantity of civil union certificates required (\$33.00 each)

Shipment of civil union certificate (select **ONE** box)

- ☐ I want the item(s) sent by standard post \$0.00
- ☐ I want the item(s) couriered to a New Zealand address \$5.00
- ☐ I want the item(s) couriered to an overseas address \$15.00 - \$30.00
- Australia, Asia, Pacific: **\$15** USA: **\$20** Europe: **\$25** Rest of world: **\$30**

Delivery name

Street number and name

Suburb

Town/city

Country
(If not NZ)

Postcode

SECTION 7: Payment

Complete payment details on last page attached to this form.

Locations to sign this form

BDM358 • Page 6/9

DIA Auckland Office

12- 14 Nicholls Lane
Auckland

Rotorua District Court

1162 Tutanekai Street
Rotorua

Tauranga District Court

26 McLean Street
Tauranga

Whakatane District Court

7 Pyne Street
Whakatane

Gisborne District Court

1 Customhouse Street
Gisborne

Hastings District Court

106 Eastbourne Street W
Hastings

Napier District Court

251 Hastings Street
Napier

Wairoa District Court

106-108 Queen Street
Wairoa

Dannevirke District Court

5-7 Gordon Street
Dannevirke

Levin District Court

9 Bristol Street
Levin

Ohakune (Ruapehu District Council)

59 Huia Street
Taumarunui

Palmerston North District Court

486 Main Street East
Palmerston North

Taihape District Court

10 Tui Street
Taihape

Taumarunui District Court

Miriama Street
Taumarunui

Whanganui District Court

Market Place
Whanganui

Kaikohe District Court

Station Road
Kaikohe

Kaitaia District Court

13 Redan Road
Kaitaia

Whangarei District Court

105-109 Bank Street
Whangarei

Hawera District Court

64-68 Princes Street
Hawera

New Plymouth District Court

Robe Street
New Plymouth

Hamilton District Court

116 Anglesea Street
Hamilton

Huntly District Court

4-6 Glasgow Street
Huntly

Matamata

Matamata-Piako District Council
Corner Tainui and Tui Street

Morrinsville District Court

31 Moorehouse Street
Morrinsville

Taupo District Court

Story Place
Taupo

Te Aroha

Matamata-Piako District Council
4-6 Glasgow Street

Thames District Court

505 Queen Street
Thames

Tokoroa District Court

Bridge Street
Tokoroa

Carterton District Council

50 Halloway Street
Carterton

Masterton District Court

Corner Dixon Street and Park Ave
Masterton

DIA Christchurch Office

Level 1, 120 Hereford Street
Christchurch

Timaru District Court

12-14 North Street
Timaru

Blenheim District Court

58 Alfred Street
Blenheim

Nelson District Court

200 Bridge Street
Nelson

Motueka

Arthur Woodcock Accountants
121 King Edward Street

Alexandra District Court

4-6 Kelman Street
Alexandra

Dunedin District Court

1 Dunbar Street
Dunedin

Queenstown District Court

36 Stanley Street
Queenstown

Gore District Court

6 Hokonui Drive
Gore

Invercargill District Court

33 Don Street
Invercargill

Greymouth District Court

60 Guinness Street
Greymouth

Westport District Court

11 Wakefield Street
Westport

Chatham Islands Police Station

Waitangi-Tuku Road
Chatham Islands

Ashburton District Court

Corner of Baring Square West and
Cameron Street, Ashburton

DIA Wellington Office

Level 2, 7 Waterloo Quay
Wellington

What are the legal requirements for all civil union ceremonies?

The legal requirements are that:

- The civil union must be performed by a Civil Union Celebrant at the place(s) specified on the civil union licence;
- The civil union must be performed in the presence of at least two witnesses; and
- During the ceremony, and before at least two witnesses, each party must make a clear statement that names both parties and acknowledges that they are freely joining in a civil union with each other.
- Both parties and witnesses must sign the registration forms (Copy of Particulars of Civil Union)

Both parties must sign the registration forms using their pre-civil union signatures according to their names on the Civil Union Licence. For example, if one party is assuming the other's surname on civil union, that party must sign the registration forms using their usual signature.

Children may act as witnesses if they understand the importance of the part they take in the recording of the civil union and can demonstrate that understanding in court if later required to do so.

What must the Civil Union Celebrant do at the civil union ceremony?

The Civil Union Celebrant must officiate at the civil union ceremony. This includes:

- The formal identification of the parties named on the civil union licence (the celebrant must be satisfied that the persons about to be joined are in fact those named on the civil union licence);
- The exchange of the civil union statements;
- After both copies of the registration papers (Copy of Particulars of Civil Union) have been signed and witnessed, the Civil Union Celebrant must return the Registrars copy to the issuing Registry Office within 10 calendar days - the couple keep the other copy;
- The Civil Union Celebrant must take all reasonable steps to ensure the civil union is registered with Births, Deaths and Marriages.

Persons other than the Civil Union Celebrant may be involved in the ceremony by, for instance, reading a poem.

There should be no doubt in the eyes of the couple, witnesses and attendees that the civil union ceremony was performed by a Civil Union Celebrant.

Registry Ceremonies

Please be aware if you are considering having a registry ceremony that they are standardised to meet the legislative requirements of entering into a civil union, which includes standard civil union statements. There are limitations on the time the ceremony takes (usually 30 minutes), the space for guests and other persons may not generally be involved in the ceremony.

Parents

Legal parents: Parties must include the details of their legal parents. If including details about same-sex parents, those must be the details of the party's adoptive parents, or the person's mother and her female spouse or partner where the circumstance in paragraph (b) of the following section ("Other parent") applies.

Other parent: If a child was born as a result of an assisted human reproduction procedure (such as artificial insemination):

(A) if the mother married, or entered into a civil union or de facto relationship with, a man who consented to the mother undergoing the procedure, that man's details should be entered as the Father.

(B) if the mother married, or entered into a civil union or de facto relationship with a woman who consented to the mother undergoing the procedure, the mother's partners details can be entered as either Mother or Other parent, as per her preference.

Restrictions on civil union**Section 9: Partners not to be within prohibited degrees of civil union**

Two people who are within the prohibited degrees of civil union, as set out in Schedule 2, are prohibited from entering into a civil union with each other, except as provided in section 10.

Section 10: Order dispensing with prohibition on civil union within prohibited degrees of affinity

(1) Two people who are within the prohibited degrees of affinity, but who are not within the prohibited degrees of consanguinity, may apply to the Family Court for an order under this section.

(2) On an application under subsection (1), the court may make an order dispensing with the prohibition in section 9.

(3) The Registrar of any court where an order under this section is made must send a copy of the order to the Registrar-General.

Schedule 2: Prohibited degrees of civil union

(1) Person A and Person B are within the prohibited degrees of a civil union if person A is person B's-

- | | |
|-----------------------|--|
| (a) grandparent: | (h) grandparent's spouse or civil union partner: |
| (b) parent: | (i) parent's spouse or civil union partner: |
| (c) child: | (j) spouse's or civil union partner's parent: |
| (d) grandchild: | (k) spouse's or civil union partner's grandparent: |
| (e) sibling: | (l) spouse's or civil union partner's child: |
| (f) parent's sibling: | (m) child's spouse or civil union partner: |
| (g) sibling's child: | (n) grandchild's spouse or civil union partner: |
| | (o) spouse's or civil union partner's grandchild. |

(2) The prohibited degrees of civil union apply whether the relationships described are by the whole blood or by the half blood.

(3) In this schedule, spouse and civil union partner includes a former spouse or former civil union partner, whether alive or deceased, and whether the marriage or civil union was terminated by death, dissolution, or otherwise.

For further information

Website: www.govt.nz/bdm

Births, Deaths and Marriages

PO Box 10526

Wellington 6140

Privacy Statement: The information sought on this form is collected under the Civil Union Act 2004 and is required for a Civil Union Registrar to process the civil union licence application.

Failure to complete the form could result in the application being declined.

A person who makes, or causes to be made, a false declaration on this form will be liable on conviction to a fine or term of imprisonment, or both.

If the civil union takes place, the information contained in this form will be transferred to the civil union registration form (the BDM345s) and form the basis of the registration of the civil union in accordance with the Births, Deaths, Marriages, and Relationships Registration Act 2021 (the "BDMRR Act"). If this information is so registered, it will be held on a public register, and may generally be accessed by any person on application (e.g. as a certificate or printout).

Births, Deaths, and Marriages may also release it to certain government agencies, as authorised by law. The Privacy Act 2020 provides rights of access to, and correction of, personal information collected on this form. However, the BDMRR Act governs access to registered civil union information. Information about your rights to access and, where appropriate, correct the information, is available by contacting Births, Deaths and Marriages.

Payment

Do not post cash or card

☐ Please charge my credit card (Visa, MasterCard, American Express, Prezzy)

Card number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Card expiry date

		/		
--	--	---	--	--

Name on card

Cardholder signature