



MARRIAGE CELEBRANTS PROGRAMME

June 2019

Quick Reference Guide – Authorised Celebrant obligations in an Online Environment

This quick reference Guide should be read with the 'Authorised Celebrant Obligations in an Online Environment' fact sheet. The Guide can be used to assist authorised celebrants meet their obligations under the *Marriage Act 1961* (Marriage Act) and Marriage Regulations 2017 (Regulations) when receiving, sighting, submitting/lodging and retaining electronic copies of marriage documents.

Electronic form includes an email (scanned), text messaging a photo of the document, or facsimile but not video conferencing such as Skype.

Electronic signature is a usual signature (typed, scanned or digitised) equivalent to a hand-written signature.

What documents can an authorised celebrant receive electronically?

- The Notice of Intended Marriage (Notice)
- Original supporting documents – passport (scanned original), birth certificate (scanned original), divorce certificates (scanned original or certified copy).
- A Commonwealth statutory declaration (scanned original signed in pen).

What documents can be signed electronically in the presence of an authorised celebrant or authorised witness?

- The Notice
- Official certificates of marriage (civil and religious) and
- Declaration of No Legal Impediment (DNLI)
- Certificate of Faithful Performance by an Interpreter (following the solemnisation of the marriage)

What can an authorised celebrant do via video conferencing?

- Sight evidence of identity electronically including via video conferencing e.g. where a party holding a driver's license up to the camera during a video conferencing call

What about record-keeping?

- Marriage celebrants can retain the second official certificate of marriage and Form 15 certificate record of use form electronically
- Ministers of Religion may determine how their records are kept – electronically or hard copy
- Hard copies of the Notice, DNLI or any supporting documents (divorce orders, parental consents etc) do not need to be kept once lodged electronically with the registry of births, deaths and marriages (BDM)
 - o Celebrants may wish to retain these documents until the marriage is registered
- Two official certificates of marriage must still be prepared – one for registration (with the DNLI on the reverse side) and one for the authorised celebrant (they may retain this copy electronically)
 - o Once registered with the BDM, the authorised celebrant may dispose of the BDM copy