

# Notice of Intended Marriage

## change of relationship from civil union

BDM59

IMPORTANT: one of the parties must deliver the notice personally to the Registrar of Marriages and make the required statutory declaration. Please produce evidence of current civil union.

**At least 3 days' notice of intended marriage is required.**

To the Registrar of Marriages in \_\_\_\_\_ Notice No. \_\_\_\_\_

Full address of place where marriage is to be solemnised and any alternative address below \_\_\_\_\_

Notice is given that the parties named below intend to marry at either \_\_\_\_\_ or at \_\_\_\_\_

Date or approximate date of marriage \_\_\_\_\_

\*A marriage licence is valid for 3 months only. \*on \_\_\_\_\_

Full name of Marriage Celebrant (not required if marriage to be performed by Registrar) \_\_\_\_\_ Denomination or organisation \_\_\_\_\_

Headings for Copy of Particulars and certificates/printouts of this marriage (tick one box)	Parties to marriage		
	<input type="checkbox"/> Bride	<input type="checkbox"/> Bridegroom	<input type="checkbox"/> Partner
Current first or given name(s)	_____	_____	_____
Current surname or family name	_____	_____	_____
First or given name(s) at birth (if different from above)	_____	_____	_____
Surname or family name at birth (if different from above)	_____	_____	_____
Sex	_____	_____	_____
Full date of birth	Day _____ Month _____ Year _____	Day _____ Month _____ Year _____	Day _____ Month _____ Year _____
Place of birth (town/city, and country if not New Zealand)	_____	_____	_____
Usual occupation, profession or job	_____	_____	_____
Usual residential address in full Include: · flat number (if applicable) · street number and name · suburb or rural locality · city, town or district · country (if not New Zealand)	_____	_____	_____

PARENTS (refer to notes overleaf):	Parties to marriage		
	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Partner
First or given name(s)	_____	_____	_____
Surname or family name	_____	_____	_____
Surname or family name at birth (if different from above)	_____	_____	_____
(tick one box)	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Other parent
First or given name(s)	_____	_____	_____
Surname or family name	_____	_____	_____
Surname or family name at birth (if different from above)	_____	_____	_____

**Change of relationship from civil union**

Date of civil union Day \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_

Place of civil union \_\_\_\_\_

\*\*\*Note: only some types of overseas relationships are recognised as civil unions in New Zealand

\*\*\*Country (if not New Zealand) \_\_\_\_\_

**Statutory Declaration** *The portion of form below to be completed in front of the Registrar.*

I solemnly and sincerely declare: (1) that the information provided in this notice is true;

(2) that I believe that the marriage is not prohibited by section 15 of the Marriage Act 1955;

\*\*Delete paragraph (3) where not applicable. \*\* (3) that, \_\_\_\_\_ being under the age of 18 years, the consents required by law to the intended marriage have been given;

(4) that there is no lawful impediment to the intended marriage; and

(5) that the above parties are in a civil union with each other and wish to change the form of relationship from a civil union to a marriage.

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

Declared at \_\_\_\_\_ this day of \_\_\_\_\_ day month year

Signature of party giving notice \_\_\_\_\_ Signature of Registrar of Marriages \_\_\_\_\_

Print full name of party giving notice \_\_\_\_\_ Print full name of Registrar of Marriages \_\_\_\_\_

Office Use Only	Licence issued on	BDM10 10A & 44/44A prepared	Index noted	Objection checked	Completed BDM44A returned
	Date & Initials of Registrar	Date & Initials	Date & Initials	Date & Initials	Date & Initials

Your daytime phone number(s) if we need to contact you about this form

Your email address

## Notes

**IMPORTANT:** One of the parties must deliver the notice personally to the Registrar of Marriages and make the required statutory declaration. Please produce evidence of dissolution of any previous marriages and civil unions.

**At least 3 days' notice of intended marriage is required.**

### Bride / Bridegroom / Partner descriptions

Each party must choose one description of either bride, bridegroom or partner according to each party's wishes.

### 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 should be entered as the Other parent.

## Restrictions on marriage

### Section 15: Marriage of persons within prohibited degrees of relationship void

- (1) Subject to the provisions of this section, a marriage which is forbidden by the provisions of Schedule 2 shall be void.
- (2) Any persons who are not within the degrees of consanguinity but are within the degrees of affinity prohibited by the said Schedule 2 may apply to the High Court for its consent to their marriage, and the court, if it is satisfied that neither party to the intended marriage has by his or her conduct caused or contributed to the cause of the termination of any previous marriage of the other party, may make an order dispensing with the prohibition contained in Schedule 2 so far as it relates to the parties to the application and, if such an order is made, that prohibition shall cease to apply to the parties.
- (3) The Registrar of the court where any order under this section is made shall send a copy in duplicate of the order to the Registrar-General.
- (4) No marriage not forbidden by the provisions of Schedule 2 shall be void only on the ground of consanguinity or affinity.

### Schedule 2: Prohibited degrees of marriage

- (1) A person may not marry the person's—
  - (a) grandparent:
  - (b) parent:
  - (c) child:
  - (d) grandchild:
  - (e) sibling:
  - (f) parent's sibling:
  - (g) sibling's child:
  - (h) grandparent's spouse or civil union partner:
  - (i) parent's spouse or civil union partner:
  - (j) spouse's or civil union partner's parent:
  - (k) spouse's or civil union partner's grandparent:
  - (l) spouse's or civil union partner's child:
  - (m) child's spouse or civil union partner:
  - (n) grandchild's spouse or civil union partner:
  - (o) spouse's or civil union partner's grandchild.
- (2) The prohibited degrees of marriage 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.bdm.govt.nz](http://www.bdm.govt.nz)  
E-mail [bdm.nz@dia.govt.nz](mailto:bdm.nz@dia.govt.nz)  
Call free 0800 22 52 52

Births, Deaths and Marriages  
PO Box 10526  
WELLINGTON 6143

### Privacy Statement

The information sought on this form is collected under the Marriage Act 1955 and is required for a Marriage Registrar to process the marriage 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 marriage takes place, the information contained in this form will be transferred to the marriage registration form (the BDM45s) and form the basis of the registration of the marriage in accordance with the Births, Deaths, Marriages, and Relationships Registration Act 1995 (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 1993 provides rights of access to, and correction of, personal information collected on this form. However, the BDMRR Act governs access to registered marriage information. Information about your rights to access and, where appropriate, correct the information, is available by contacting Births, Deaths and Marriages.

# Information about your intended marriage

## What are the legal requirements for all marriage ceremonies?

The legal requirements are that:

- The marriage must be performed by a Marriage Celebrant or Registrar of Marriages at the place(s) specified on the marriage licence; and
- The marriage must be performed in the presence of at least two witnesses; and
- During the ceremony, and before at least two witnesses, each party must say the words "I AB take you CD, to be my legal wife/husband" or words to similar effect; and
- Both parties and witnesses must sign the registration forms (Copy of Particulars of Marriage).

Both parties must sign the registration forms using their pre-married signatures according to their names on the Marriage Licence. For example, if one party intends to assume the other party's surname on marriage, they 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 marriage and can demonstrate that understanding in court if later required to do so.

## What must the Marriage Celebrant do at the marriage ceremony?

The Marriage Celebrant must officiate at the marriage ceremony. This includes:

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

Persons other than the Marriage 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 marriage ceremony was performed by a Marriage Celebrant.

## What must the Registrar of Marriages do at a Registry Office marriage ceremony?

The Registrar of Marriages must officiate at the marriage ceremony. This includes:

- The formal identification of the parties named on the marriage licence (the Registrar must be satisfied that the persons about to be joined are in fact those named on the marriage licence); and
- The exchange of the marriage vows; and
- After both copies of the registration papers (Copy of Particulars of Marriage) have been signed and witnessed, the Registrar will retain the Registrars copy so that the marriage can be registered - the couple keep the other copy; and
- The Registrar must take all reasonable steps to ensure the marriage is registered with Births, Deaths and Marriages.

## Registry Office Ceremonies

Please be aware if you are considering having a Registry Office ceremony that they are standardised to meet the legislative requirements of getting married, which includes standard marriage vows. There are limitations on the time the ceremony takes (usually 10 minutes), the space for guests and other persons may not generally be involved in the ceremony. Contact the Registry Office where you intend to get married to discuss the arrangements. You may book a Registry Office ceremony at the same time as you give notice of your intended marriage and pay the fee.

**More information is available at [www.bdm.govt.nz](http://www.bdm.govt.nz) or Call free 0800 22 52 52**