Legal Requirements of Getting Married in Australia

​This page outlines the key legal requirements.

**To be legally married in Australia, a man and woman must:**

* not be married to someone else
* not be marrying a parent, grandparent, child, grandchild, brother or sister
* be at least eighteen years old, unless a court has approved a marriage where one party is aged between sixteen and eighteen years old
* understand what marriage means and freely consent to becoming husband and wife
* use specific words during the ceremony
* give written notice of their intention to marry to an authorised celebrant.

You don't have to be an Australian citizen or a permanent resident of Australia to legally marry here.

**Important paperwork—Notice of Intended Marriage**

A completed Notice of Intended Marriage form must be given to your celebrant at least one month before the wedding. You can give it to your celebrant up to eighteen months beforehand.

Talk to your celebrant if there is less than one month before your wedding. A prescribed authority may approve a shorter notice time in some limited circumstances.

You will need to give your celebrant evidence of date and place of birth, identity and the end of any previous marriages for each party. Your celebrant may also ask you to complete a statutory declaration to support your evidence.

**Celebrants**

Only an authorised celebrant can legally perform your marriage.

Authorised celebrants perform civil and religious ceremonies. There are three kinds of authorised celebrants:

* Commonwealth-registered marriage celebrants who perform civil and religious ceremonies (for independent religious organisations). The fees charged by these celebrants are not fixed. Prices may vary between celebrants. They are also required to follow the Code of practice for marriage celebrants.
* Ministers of religion of a recognised denomination who perform religious ceremonies. These celebrants are regulated by state and territory registries of births, deaths and marriages and their respective religious organisation.
* State officials who perform civil ceremonies. This includes some staff of state and territory registries of births, deaths and marriages and some local courts.

**After you are married**

On the day of your wedding, you will sign three marriage certificates. Each certificate should be signed by you, your celebrant and two witnesses. Your celebrant will give you one of the certificates as a record of your marriage.

Your celebrant must register your marriage with the registry of births, deaths and marriages in the state or territory it took place within fourteen days.

The certificate issued by the registry of births, deaths and marriages is required for many official purposes. You should apply for a copy of this certificate from the registry after your wedding.