

Solemnisation of Marriage Ordinance 2011

(Reprinted under the Interpretation Ordinance 1985.)

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Long Title

An Ordinance to repeal the General Synod – Solemnization of Matrimony Canon 1981 Adopting Ordinance 1982 and to provide regulations for the Solemnisation of Marriage in the Diocese.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Solemnisation of Marriage Ordinance 2011.

2. Repeal and Exclusion

(1) The General Synod – Solemnization of Matrimony Canon 1981 Adopting Ordinance 1982 is repealed and the Canon is thereby excluded.

(2) Such repeal and exclusion does not invalidate any act taken under the General Synod – Solemnization of Matrimony Canon 1981 Adopting Ordinance 1982 prior to the date of assent to this Ordinance.

3. Definitions

In this Ordinance, unless the context otherwise requires –

- (a) the expression “this Church” means the Anglican Church of Australia in this Diocese;
- (b) “Marriage Act” means the Marriage Act 1961 of Australia as amended from time to time;
- (c) “marriage” means a voluntary union for life of one man and one woman to the exclusion of all others;
- (d) “minister” means a minister who, on the nomination of this Church, is authorised by the laws of the Commonwealth of Australia to solemnise marriage.

4. Marriage Act Requirements

The obligations imposed by this Ordinance are in addition to the obligations imposed by the Marriage Act.

5. Requirements

Marriage shall not be solemnised in the Diocese –

- (a) except in accordance with the rites and ceremonies of this Church;
- (b) unless the celebrant is a minister;
- (c) except in a church or chapel of this Diocese provided that the Archbishop may give permission for the solemnisation of the marriage at some other specific place in this Diocese or a regional bishop has given such permission in relation to some other specific place in his region;
- (d) unless the persons to be married are not within a prohibited relationship; and

- (e) where either or each of the parties to be married is a divorced person, unless, in accordance with the laws of this Church, the Archbishop has given permission for the solemnisation of the marriage in this Diocese or a regional bishop has given his permission for the solemnisation of the marriage in his region.
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9 November 2011