



November 2018

# INFORMATION SHEET – RECOGNISED DENOMINATIONS

## General Information

Section 26 of the *Marriage Act 1961* provides that the Governor-General in Council may proclaim a religious body or religious organisation to be a recognised denomination for the purpose of the Marriage Act. Such proclamations are purely for the purpose of the Marriage Act. A declaration under section 26 does not in any way amount to government endorsement of the organisation concerned or an acknowledgment that it has any particular standing in the community.

Religious organisations declared to be recognised denominations may nominate, to the appropriate state or territory registrar of births, deaths and marriages, ministers of religion from their organisation to be authorised marriage celebrants. These ministers must meet the criteria set down in section 29 of the Marriage Act to be registered as authorised celebrants. Ministers of religion of recognised denominations are registered as authorised celebrants under Part IV, Division 1, Subdivision A of the Marriage Act.

Ministers of religious organisations which have not been proclaimed as recognised denominations can apply to the registrar of Marriage Celebrants to be a Commonwealth-registered marriage celebrant under Part IV, Division 1, Subdivision C or to be a religious marriage celebrant under Part IV, Division 1, Subdivision D of the Marriage Act. Visit the '[Becoming a marriage celebrant](#)' page of the Attorney-General's Department's website ([www.ag.gov.au](http://www.ag.gov.au)) for more information.

## Becoming a recognised denomination

A religious organisation seeking to be proclaimed as a recognised denomination applies to this department. The department assesses the application and makes a recommendation to the Attorney-General who decides whether to ask the Governor-General to declare a religious organisation to be a recognised denomination.

Applications by religious bodies or organisations seeking to be proclaimed as recognised denominations under section 26 are assessed against the following guidelines:

1. the organisation is independent of any other religious body or organisation
2. the organisation has been established for a minimum of three years, with prospects of continuing existence
3. the organisation has a substantial number of members
4. where an organisation has multiple congregations, the organisation has a significant need for marriage celebrants in each congregation
5. a central authority exists for the nomination of ministers of religion as authorised celebrants and to attend to other administrative functions associated with the Marriage Act

6. the organisation has processes in place to nominate appropriate ministers for registration as authorised celebrants in accordance with the Marriage Act, and
7. the organisation has clear processes to ensure ministers nominated as authorised celebrants meet their obligations under the Marriage Act and *Marriage Regulations 2017* in relation to the solemnisation of marriages.

When seeking recognised denomination status, religious organisations are asked to provide the following information to assist the department to consider their application:

- (a) an explanation of whether the organisation is independent of any other religious body or organisation
- (b) an explanation of the objects and activities of the organisation
- (c) evidence of the organisation's legal status, including a copy of the organisation's constitution and state or territory incorporation certificate, ASIC or ABN registration (if available)
- (d) an outline of the organisation's central administration system and management structure
- (e) a brief history of the establishment and growth of the organisation throughout Australia as evidence that the organisation is firmly established with prospects of continuing existence
- (f) details of each congregation, including date of establishment and size of each congregation
- (g) the name and designation of the person who will hold the position of Nominating Authority for the organisation (this is the person who will nominate and take responsibility for ministers within the organisation as authorised celebrants)
- (h) confirmation that each congregation accepts and recognises the authority of the Nominating Authority
- (i) an explanation and evidence of the organisation's past and anticipated future need for authorised celebrants
- (j) an explanation of the organisation's procedures to nominate ministers for registration as authorised celebrants
- (k) an explanation of the organisation's procedures for ensuring ministers nominated as authorised celebrants meet their obligations under the Marriage Act and Marriage Regulations in relation to the solemnisation of marriages. For example completing the required marriage paperwork, ensuring valid marriages (ie proper consents, age requirements), conducting ceremonies appropriately and with regards to provisions relating to witnesses, interpreters, etc
- (l) a copy of the form of wedding ceremony, and
- (m) confirmation that all authorised celebrants within the organisation will use the form of ceremony submitted with the application.

Please note that, should the organisation be proclaimed as a recognised denomination, the organisation's legally registered name will be the name that is included in the proclamation (subject to drafting conventions).

## How often are recognised denomination proclamations made?

On 21 November 2018, the Governor-General made a new recognised denomination proclamation – the Marriage (Recognised Denominations) Proclamation 2018. The consolidated list of recognised denominations is published on the Federal Register of Legislation (<https://www.legislation.gov.au/Details/F2018L01607>).

As new proclamations are made on a needs-basis, the department is unable to provide information on when the next proclamation will be made.