

ANNEX 43E:

APPLICATION FOR CERTIFICATE OF NO IMPEDIMENT TO MARRIAGE - OTHER COUNTRIES



**COMMONWEALTH OF AUSTRALIA
APPLICATION FOR CERTIFICATE OF NO IMPEDIMENT TO MARRIAGE**

Applicant to complete
 I,....., of
 (address).....
 apply for a Certificate of No Impediment in respect of my proposed marriage in (name of overseas
 country).....to.(name of partner)

in support I provide the following particulars-

Applicant

Partner

- | | | |
|---|-----------------|-----------------|
| 1. Surname | 1..... | 1..... |
| 2. Christian or given names | 2..... | 2..... |
| 3. Country of Citizenship | 3..... | 3..... |
| 4. Australian Residency status
(i.e. Permanent Resident or Non-Resident) | 4..... | 4..... |
| 5. Usual occupation | 5..... | 5..... |
| 6. Usual place of address (<i>in full</i>) | 6.....
..... | 6.....
..... |
| 7. Have you been married before? (<i>Yes/No</i>) | 7..... | 7..... |
| 7(a). If yes to 7, please provide details of how that marriage was terminated. | 7(a) | 7(a) |
| 8. Place of birth
Indicate town/city and State/Territory
(<i>and country if born outside Australia</i>) | 8..... | 8..... |
| 9. Date of birth | 9..... | 9..... |
| 9(a). If under 18 provide details of judicial authorisation | 9(a) | 9(a) |
| 10. Are you and the other party related? (<i>Yes/No</i>) | 10..... | 10..... |
| 10(a). If yes to 10 please provide details of relationship | 10(a) | 10(a) |
| 11. Name of mother/parent one (in full)
(<i>Name at birth if different</i>) | 11..... | 11..... |

12. Name of father/parent two (in full) 12..... 12.....
(Name at birth if different)

I do solemnly and sincerely declare that the above information is correct and that I believe there is no legal impediment to the marriage by reason of -

- (a) My being lawfully married to some other person;
- (b) Our being within a prohibited relationship;
- (c) A lack of real consent to the marriage on my part because:
 - (i) it was obtained by duress or fraud
 - (ii) of mistaken identity of the other party or as to the nature of the ceremony performed;
 - (iii) of mental incapacity understanding the nature and effect of the marriage ceremony; or
- (d) My not being of marriageable age.

Signature of person making the declaration.....

Declared at..... on the..... day of.....20.....

Witnessed by*:

.....
.....
(Signature, name and title of person witnessing the declaration.)

*The persons before whom this declaration may be made are: a legal practitioner; a medical practitioner; an Australian Consular Officer; an Australian Diplomatic Officer; a person authorised under section 3(c) or 3(d) of the *Consular Fees Act 1955*; a bailiff; a civil marriage celebrant; a clerk of a court; a Justice of the Peace; a magistrate; a minister of religion; a Notary Public; a police officer; a Registrar or Deputy Registrar of a court; or a permanent employee (with 5 or more years of continuous service) of a local government authority or of Commonwealth, State or Territory government or authority.

APPLICANT CONTACT DETAILS: (in the event we need to contact you regarding your application please provide relevant details)

Contact phone number:
.....

Alternative Contact Phone number: (after hours/mobile)
.....

Email address:
.....

The issue of a CNI will allow same-sex couples to take part in a marriage ceremony overseas and to be recognised as being married according to the laws of that overseas country. However, a same-sex marriage will not be recognised as a marriage in Australia, but will be prima facie evidence of a de facto relationship for the purposes of a civil union under some state and territory laws.