

SOLEMNIZATION OF MATRIMONY CANON 1981¹

Canon 3, 1981

A canon concerning the solemnization of matrimony

The General Synod prescribes as follows:

1. This canon may be cited as the "Solemnization of Matrimony Canon 1981".
2. The canons numbered 62, 63, 100, 101, 102, 103 and 104 included in the Constitutions and Canons Ecclesiastical agreed upon by the Bishops and Clergy of the Province of Canterbury in the year of our Lord 1603 and known as the Canons of 1603, and any Canon amending or appended to the 62nd or the 102nd Canon, shall not have any operation or effect in this Church.
3. Matrimony shall not be solemnized according to the rites and ceremonies of this Church -
 - (a) unless the celebrant is a minister registered on the nomination of this Church as an authorised celebrant according to the law of the Commonwealth of Australia;
 - (b) unless at least one of the parties to be married has been baptized;
 - (c) except in a church or chapel of this Church or a church building licensed by the bishop of the diocese for the solemnization of matrimony unless the bishop of the diocese in the particular case gives express permission for the solemnization of the marriage at some other specific place;
 - (d) where the persons to be married are within a prohibited relationship as declared by the law of this Church in force in the diocese concerned;
 - (e) where a party to be married is a minor, otherwise than in accordance with the laws of the Commonwealth of Australia relating to the consent of parents or guardians in the case of the marriage of such persons;
 - (f) except in the presence of not less than two witnesses; and
 - (g) where either or each of the parties to be married is a divorced person, except in accordance with the law of this Church as to the marriage of such persons in force in the diocese concerned.

¹ See Appendix B on page 447.

4. Nothing in this canon shall affect the provisions of any ordinance of a diocese in force or having effect at the time when the diocese adopts this canon relating to the publication of Banns of Marriage and dispensation therewith.
5. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in any diocese unless and until the diocese by ordinance adopts it.
