

Marriage Regulations (Amendment) 1992 No. 32

EXPLANATORY STATEMENT

Statutory Rules 1992 No. 32

Issued by the authority of the Minister for Justice and Consumer Affairs

Marriage Act 1961

Marriage Regulations (Amendment)

Section 120 of the Marriage Act 1961 (the Act) empowers the Governor-General to make regulations, not inconsistent with the Act, prescribing, inter alia, matters which are convenient to be prescribed for giving effect to the Act, and, in particular, prescribing the forms to be used under the Act.

Subsection 42(5A) of the Act requires an authorised marriage celebrant to give to parties who give notice of intended marriage a document in the prescribed form outlining the obligations and consequences of marriage and indicating the availability of marriage education and counselling.

The form of the notice is prescribed by Regulations 39A of the Marriage Regulations and is contained in Form 14A of the First Schedule to the Marriage Regulations.

On 22 October 1991 Regulations were made which revised and modernised the Form. Those Regulations contained an incorrect statement of the effect of a divorce in relation to a will in some states. The proposed Regulations correct the misstatement.