

Notice of intended civil union

where both parties ordinarily resident outside New Zealand

BDM358

To the Registrar of Civil Unions in _____ Notice No. _____

Notice is given that the parties named below intend to enter into a civil union at either

Full address of place where civil union is to be solemnised and any alternative address below

or at

Date or approximate date of civil union

*A civil union licence is valid for 3 months only.

*on

Full name of Civil Union Celebrant (not required if civil union to be performed by Registrar)

Parties to civil union

Current first or given name(s)	_____	_____
Current surname or family name	_____	_____
First or given name(s) at birth <i>(if different from above)</i>	_____	_____
Surname or family name at birth <i>(if different from above)</i>	_____	_____
Sex	_____	_____
Full date of birth	Day _____ Month _____ Year _____	Day _____ Month _____ Year _____
Place of birth <i>(town/city, and country if not New Zealand)</i>	_____	_____
Usual occupation, profession or job	_____	_____
What was your last relationship (if any)?	<input type="checkbox"/> Never been in a marriage or civil union <input type="checkbox"/> Marriage <input type="checkbox"/> Civil Union	<input type="checkbox"/> Never been in a marriage or civil union <input type="checkbox"/> Marriage <input type="checkbox"/> Civil Union
If previously married or in a civil union: (1) how did that relationship end?	<input type="checkbox"/> By dissolution/divorce <input type="checkbox"/> Death of spouse/partner	<input type="checkbox"/> By dissolution/divorce <input type="checkbox"/> Death of spouse/partner
(2) when did that relationship legally end?	Day _____ Month _____ Year _____	Day _____ Month _____ Year _____
Usual residential address in full Include: - flat number (if applicable) - street number and name - suburb or rural locality - city, town or district - country (if not New Zealand)	_____	_____
Parents (refer to notes overleaf):	<input type="checkbox"/> Mother <input type="checkbox"/> Father	<input type="checkbox"/> Mother <input type="checkbox"/> Father
Current first or given name(s)	_____	_____
Current surname or family name	_____	_____
Surname or family name at birth <i>(if different from above)</i>	_____	_____
<i>(tick one box)</i>	<input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Other parent	<input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Other parent
Current first or given name(s)	_____	_____
Current surname or family name	_____	_____
Surname or family name at birth <i>(if different from above)</i>	_____	_____
I intend to appear in person at the office of the Registrar to whom this notice is sent to collect a civil union licence on	Day _____ Month _____ Year _____	

Statutory declaration *To be completed in front of the Registrar or Commonwealth representative.*

I solemnly and sincerely declare:

- (1) that the information provided in this notice is true; and
- (2) that I believe that the civil union is not prohibited by section 9 of the Civil Union Act 2004; and
- ** (3) that, _____
being under the age of 18 years, the consents required by law to the intended civil union have been given; and
- (4) that there is no lawful impediment to the intended civil union;

**Delete paragraph (3) where not applicable.

***Declaration may be made either: (a) When notice sent to Registrar of Civil Unions from overseas; or (b) When party attends an office of a Registrar of Civil Unions to collect civil union licence.

***And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at _____ this day of _____ day month year

Section 9 of the Civil Union Act 2004 referred to in the statutory declaration and the schedule of Forbidden Civil Unions are printed on the back of this form.

Signature of party giving notice

Print full name of party giving notice

Signature of Commonwealth representative (if declaration made before party's arrival in New Zealand) or Registrar of Civil Unions (if declaration made after party's arrival in New Zealand).

Print full name of Commonwealth representative or Registrar of Civil Unions (cross out one).

Office Use Only	Licence issued on	BDM310 310A & 345/345A prepared	Index noted	Objection checked	Completed BDM345A returned
	Date & Initials of Registrar	Date & Initials	Date & Initials	Date & Initials	Date & Initials

Your daytime phone number(s) if we need to contact you about this form

Your email address

Notes

IMPORTANT: One of the parties must deliver the notice personally to the Registrar of Civil Unions and make the required statutory declaration. Please produce evidence of dissolution of any previous marriages and civil unions.
At least 3 days' notice of intended civil union is required.

Parents

Legal parents

Parties must include the details of their legal parents. If including details about same-sex parents, those must be the details of the party's adoptive parents, or the person's mother and her female spouse or partner where the circumstance in paragraph (b) of the following section ("Other parent") applies.

Other parent

If a child was born as a result of an assisted human reproduction procedure (such as artificial insemination):

- (a) if the mother married, or entered into a civil union or de facto relationship with, a man who consented to the mother undergoing the procedure, that man's details should be entered as the Father.
- (b) if the mother married, or entered into a civil union or de facto relationship with a woman who consented to the mother undergoing the procedure, the mother's partners details can be entered as either Mother or Other parent, as per her preference.

Restrictions on civil union

Section 9: Partners not to be within prohibited degrees of civil union

Two people who are within the prohibited degrees of civil union, as set out in Schedule 2, are prohibited from entering into a civil union with each other, except as provided in section 10.

Section 10: Order dispensing with prohibition on civil union within prohibited degrees of affinity

- (1) Two people who are within the prohibited degrees of affinity, but who are not within the prohibited degrees of consanguinity, may apply to the Family Court for an order under this section.
- (2) On an application under subsection (1), the court may make an order dispensing with the prohibition in section 9.
- (3) The Registrar of any court where an order under this section is made must send a copy of the order to the Registrar-General.

Schedule 2: Prohibited degrees of civil union

- (1) Person A and person B are within the prohibited degrees of civil union if person A is person B's—

1 grandparent	8 grandparent's spouse or civil union partner
2 parent	9 parent's spouse or civil union partner
3 child	10 spouse's or civil union partner's parent
4 grandchild	11 spouse's or civil union partner's grandparent
5 sibling	12 spouse's or civil union partner's child
6 parent's sibling	13 child's spouse or civil union partner
7 sibling's child	14 grandchild's spouse or civil union partner
	15 spouse's or civil union partner's grandchild
- (2) The prohibited degrees of civil union apply whether the relationships described are by the whole blood or by the half blood.
- (3) In this schedule, spouse and civil union partner includes a former spouse or former civil union partner, whether alive or deceased, and whether the marriage or civil union was terminated by death, dissolution, or otherwise.

For further information

Website www.govt.nz/bdm
E-mail bdm.nz@dia.govt.nz
Call free 0800 22 52 52 (within New Zealand)
Phone +64 4 463 9362 (if outside New Zealand)

Births, Deaths and Marriages
PO Box 10526
WELLINGTON 6143

Privacy Statement

The information sought on this form is collected under the Civil Union Act 2004 and is required for a Civil Union Registrar to process the civil union licence application. Failure to complete the form could result in the application being declined.

A person who makes, or causes to be made, a false declaration on this form will be liable on conviction to a fine or term of imprisonment, or both.

If the civil union takes place, the information contained in this form will be transferred to the civil union registration form (the BDM345s) and form the basis of the registration of the civil union in accordance with the Births, Deaths, Marriages, and Relationships Registration Act 1995 (the "BDMRR Act").

If this information is so registered, it will be held on a public register, and may generally be accessed by any person on application (e.g. as a certificate or printout). Births, Deaths, and Marriages may also release it to certain government agencies, as authorised by law. The Privacy Act 1993 provides rights of access to, and correction of, personal information collected on this form. However, the BDMRR Act governs access to registered civil union information. Information about your rights to access and, where appropriate, correct the information, is available by contacting Births, Deaths and Marriages.

Information about your intended civil union

What are the legal requirements for all civil union ceremonies?

The legal requirements are that:

- The civil union must be performed by a Civil Union Celebrant or Registrar of Civil unions at the place(s) specified on the civil union licence;
- The civil union must be performed in the presence of at least two witnesses; and
- During the ceremony, and before at least two witnesses, each party must make a clear statement that names both parties and acknowledges that they are freely joining in a civil union with each other.
- Both parties and witnesses must sign the registration forms (Copy of Particulars of Civil Union)

Both parties must sign the registration forms using their pre-civil union signatures according to their names on the Civil Union Licence. For example, if one party is assuming the other's surname on civil union, that party must sign the registration forms using their usual signature.

Children may act as witnesses if they understand the importance of the part they take in the recording of the civil union and can demonstrate that understanding in court if later required to do so.

What must the Civil union Celebrant do at the civil union ceremony?

The Civil Union Celebrant must officiate at the civil union ceremony. This includes:

- The formal identification of the parties named on the civil union licence (the celebrant must be satisfied that the persons about to be joined are in fact those named on the civil union licence);
- The exchange of the civil union statements;
- After both copies of the registration papers (Copy of Particulars of Civil Union) have been signed and witnessed, the Civil Union Celebrant must return the Registrars copy to the issuing Registry Office within 10 calendar days - the couple keep the other copy;
- The Civil Union Celebrant must take all reasonable steps to ensure the civil union is registered with Births, Deaths and Marriages.

Persons other than the Civil Union Celebrant may be involved in the ceremony by, for instance, reading a poem.

There should be no doubt in the eyes of the couple, witnesses and attendees that the civil union ceremony was performed by a Civil Union Celebrant.

What must the Registrar of Civil Unions do at a Registry Office civil union ceremony?

The Registrar of Civil Unions must officiate at the civil union ceremony. This includes:

- The formal identification of the parties named on the civil union licence (the Registrar must be satisfied that the persons about to be joined are in fact those named on the civil union licence);
- The exchange of the civil union statements;
- After both copies of the registration papers (Copy of Particulars of Civil Union) have been signed and witnessed, the Registrar will retain the Registrars copy so that the civil union can be registered - the couple keep the other copy;
- The Registrar must take all reasonable steps to ensure the civil union is registered with Births, Deaths and Marriages.

Registry Office Ceremonies

Please be aware if you are considering having a Registry Office ceremony that they are standardised to meet the legislative requirements of entering into a civil union, which includes standard civil union statements. There are limitations on the time the ceremony takes (usually 10 minutes), the space for guests and other persons may not generally be involved in the ceremony. Contact the Registry Office where you intend to enter into a civil union to discuss the arrangements. You may book a Registry Office ceremony at the same time as you give notice of your intended civil union and pay the fee.

More information is available at www.govt.nz/bdm or phone (+64 4) 463 9362