

# THE ANGLICAN CHURCH OF AUSTRALIA

## DIOCESE OF TASMANIA

### POLICY

<b>SUBJECT</b>	<b>MARRIAGE</b>
<b>AUTHORISED BY</b>	<b>BISHOP</b>
<b>AUDIENCE and DISTRIBUTION</b>	<b>All Clergy-</b> This is a directive policy to all those who hold the Bishop's Licence.
<b>VERSION</b>	<b>04</b>

#### Background

Consistent with the teaching of the Scriptures, Anglicans understand Marriage to be an exclusive and lifelong union of a man and a woman. This doctrine and belief is set out in the Book of Common Prayer.

*DEARLY beloved, we are gathered together here in the sight of God, and in the face of this Congregation, to join together this man and this woman in holy Matrimony; which is an honourable estate, instituted of God in the time of man's innocency, signifying unto us the mystical union that is betwixt Christ and his Church; which holy estate Christ adorned and beautified with his presence, and first miracle that he wrought, in Cana of Galilee; and is commended of Saint Paul to be honourable among all men: and therefore is not by any to be enterprised, nor taken in hand, unadvisedly, lightly, or wantonly, to satisfy men's carnal lusts and appetites, like brute beasts that have no understanding; but reverently, discreetly, advisedly, soberly, and in the fear of God; duly considering the causes for which Matrimony was ordained.*

*First, It was ordained for the procreation of children, to be brought up in the fear and nurture of the Lord, and to the praise of his holy Name.*

*Secondly, It was ordained for a remedy against sin, and to avoid fornication; that such persons as have not the gift of continency might marry, and keep themselves undefiled members of Christ's body.*

*Thirdly, It was ordained for the mutual society, help, and comfort, that the one ought to have of the other, both in prosperity and adversity. Into which holy estate these two persons present come now to be joined. Therefore if any man can shew any just cause, why they may not lawfully be joined together, let him now speak, or else hereafter for ever hold his peace.*

BCP Marriage Service

Marriage in Australian Law is governed by [The Marriage Act 1961](#).

Marriages in the Anglican Church of Australia are governed by the following Canons:

- [Solemnization of Matrimony Canon 1981](#)
- [Marriage of Divorced Persons Canon 1981](#)
- [Matrimony \(Prohibited Relationships\) Canon 1981](#)

In Tasmania Anglican Marriages may only be conducted by Licensed Ministers who hold a current marriage celebrant's licence.

**A. Marriages Generally**

1. Priests who have been registered with the Australian Government can undertake marriage services. That registration is conditional upon the use of an authorised Anglican liturgy for Marriage.
2. Performing a marriage is at the discretion of the minister. He or she is not compelled to respond to every request.
3. Marriage preparation / pre-marriage counselling is encouraged and may be conducted by a person or organisation outside of the church.
4. Local rules and customs may be developed and made available to all enquirers.
5. Fees may be charged for a wedding. The Registry is available to give guidance on the setting of fees for weddings.
6. A wedding would normally be conducted in a consecrated Anglican building.

**B. Weddings conducted outside of Anglican Church Buildings in Tasmania**

1. From time to time ministers will be requested to conduct a wedding outside of a church building, either in the open air or another public facility. It may be helpful for pastoral reasons to allow this. Discretion is given to the Incumbent of the Parish where the proposed wedding is to take place to allow the wedding to proceed.
2. If there is any doubt, the matter may be referred to the Bishop.

**C. Weddings conducted in other Parishes in the Diocese of Tasmania**

1. From time to time, ministers are asked to perform a marriage in a Parish in the Diocese where they are not the Incumbent. Permission must be sought from the Incumbent of the Parish in which the marriage is to take place, prior to agreeing to take the wedding.
2. Information from the Incumbent about local customs should be sought and followed where possible. Good communication with the incumbent is encouraged.

**D. Marriages Outside the Diocese of Tasmania**

1. Priests who are registered marriage celebrants can undertake marriage services throughout the country. However, that registration is conditional upon the use of an authorised Anglican service, that is authorised by the Bishop of the Diocese in which the wedding occurs.
2. A priest needs to seek the permission to conduct a marriage from the Bishop in the Diocese where the marriage is to be performed. Please contact the Bishop seeking such permission as early as possible. Priests of the Diocese of Tasmania have my approval to perform weddings in other dioceses as long as they have the permission of the Diocesan Bishop where the marriage is to occur. A priest can participate in marriage services other than as the celebrant without the Bishop's authority, although it is always good to have

open communication with Diocesan Bishops. A request to a Diocesan Bishop will need to have the support of the Incumbent of the parish in which the marriage is to take place.

3. Specific permission will be required from the respective Diocesan Bishop to perform a wedding outside a church building as this is not necessarily a practice approved in all dioceses.

#### **E. Marriages in Anglican Buildings conducted by a Minister of another denomination**

1. This would only be allowed in exceptional circumstances and the Rector must obtain permission from the Bishop for the wedding to occur.
2. In such a case the Minister must demonstrate that the service represents a doctrine of marriage that is compatible with Anglican teaching. This may require obtaining a copy of the proposed marriage service and vows.
3. If such a wedding should occur, the Rector (or delegate) would welcome the minister and the congregation to the Parish as a host and be present throughout.

#### **F. Same-Sex Weddings or Services of Blessing**

1. The Marriage Amendment Act 2017 made provision for marriage between two persons of the same gender in Australian Law. However, it restricts the Anglican Church of Australia to use only an Anglican Liturgy to solemnise a marriage. These liturgies do not allow us to conduct same-sex marriages.
2. Licensed Clergy and other licensed ministers in the Diocese of Tasmania are not permitted to liturgically participate in any same-sex marriages or blessings in Tasmania or anywhere else, including robing or wearing a clerical collar.
3. In line with the Australian Bishops' statement (2018) concerning the Marriage Amendment Act, it is not appropriate for church buildings and halls, and chapels owned by Anglican schools and other Anglican organisations to be used as venues for same-sex marriages or blessings.
4. Where it is the Bishop's jurisdiction, no Anglican building is allowed to be used for a same-sex wedding, blessing, reception or celebration.
5. Anglican buildings are also not to be used for a secular marriage celebrant or for another denomination to perform or bless a same-sex marriage.

#### **G. Remarriage of a Divorced Person**

1. Principles and Guidelines:  
The Church recognises that it has a double task to fulfil.
  - a. To bear faithful witness to the Christian ideal that marriage is a life-long commitment between one man and one woman.
  - b. To provide loving care for those whose marriage breaks down and who are looking for new growth in Christ.
2. The Rector may grant permission for the remarriage of a divorced person after a careful consideration. The Rector may refer the decision to the Bishop.

3. Remarriage of a divorced person is clearly possible in the following circumstances:
  - a. After divorce, consequent upon sexual infidelity on the part of the former spouse.
  - b. After divorce, initiated by the former spouse who did not profess Christian faith.
  - c. After divorce, where the former spouse has since died.
  - d. After divorce, where the former spouse has remarried, or lives in a defacto relationship.
  - e. After divorce, where the former spouse committed abuse or family violence.
4. Remarriage of a divorced person, who as a Christian committed adultery and is now intending to marry the person with whom they committed adultery, is not permitted.
5. Remarriage of a divorced person outside the circumstances outlined in sections 3, should be discussed with the Bishop.

## **Pastoral Appendix**

Some matters to consider in the remarriage of divorced persons:

- a. What were the circumstances of the break-down of the marriage?
- b. What efforts were made to seek guidance and effect reconciliation?
- c. How many children are there from the previous marriage? Are they being adequately cared for? Who has their custody? Has she/he fulfilled all obligations in relation to the former marriage?
- d. Were the couple Christians when the marriage broke down?
- e. To what extent does the divorced person accept responsibility for the failure of the previous marriage?
- f. Has the former marriage been dissolved in a civil court?
- g. Is the person repentant about the failure of the previous marriage?

## **Revision History**

VERSION	DATE	REVISION
1.	23/1/2019	Original by Bishop
2.	14/2/2019	Refinement by the DMST
3.	3/8/2019	Revision by Bishop for exposure to Senior Rectors
4.	7/10/2019	Revision for Ministry Conference
5	10/11/2021	Revision adding reason for divorce: abuse or domestic violence