

AUSTRALIAN CITIZENS WISHING TO GET MARRIED IN ITALY

Please read CAREFULLY the following information and when you have all your documents ready book an appointment via email at aire.brisbane@esteri.it

FOR EXTENDED READING PLEASE LOG INTO THE AUSTRALIAN EMBASSY WEBSITE IN ROME

<http://www.italy.embassy.gov.au/rome/Marriage.html>

http://www.esteri.it/mae/en/italiani_nel_mondo/serviziconsolari/statocivile/matrimonio.html

Please contact the "Comune" (Town Hall) where the marriage will take place in order to comply with Italian Legislation with regard to Marriages, art. 51 of the President of the Republic Decree no. 396 of year 2000.

Besides name, birth date and place, citizenship, place of residence, marital status, art. 51 of D.P.R. 396/2000 refers to the impediments to marriage provided for by the Italian Civilian code, as follows:

1. a person judicially disqualified for mental ailment cannot marry (art. 85);
2. individuals related to each other by bonds of kinship, affinity or adoption cannot marry to each other (art. 87);
3. likewise cannot marry to each other persons one of which was condemned for murder (even if only attempted) of the other's spouse (art. 88).

Documents to be presented to the Registrar of the chosen Municipality at least 15 days before the wedding date:

- original full birth certificate, apostilled (from the Department of Foreign Affairs and Trade in Brisbane) and officially translated into Italian by a list of certified NAATI translator;
- Certificate of Non-Impediment form DFAT, officially translated into Italian
- a valid passport

Australian citizens are also required an "Atto Notorio", a statutory declaration that must be signed by each of the two parties, along with 4 able witnesses, stating that there is no impediment to the marriage according to Australian laws. All witnesses must at least 18 years old, carry a valid photo ID and not be family-related to the future bride or groom. If you are unable to obtain an "Atto di notorietà per uso matrimonio" (also known as Atto Notorio) from an Italian Consulate in Australia, you may obtain one from the Tribunale Civile in Italy.

The "Atto Notorio" must be presented to either the Australian Embassy in Rome or the Australian Consulate in Milan in order to obtain the "NULLA OSTA" (NO IMPEDIMENT CERTIFICATE) required by Italian Law (art. 116, Civil Code).

Should you wish to obtain your "Atto Notorio" while still in Australia, do contact the Consulate at least one month before your travelling date and arrange for a specific appointment. All the details needed to draft your "Atto Notorio" have to be submitted to the Consulate at least 2 weeks before your appointment:

- name, surname, place and date of birth of bride and groom
- name and surname of parents of bride and groom (mother's maiden name only)
- bride and groom's passport number and date and place of issue of the same
- residential address of bride and groom
- if either party is not an Australian citizen, specify citizenship
- if either party is divorced, supply name and surname, place and date of birth of previous spouse, date of divorce and name of the Court that issued the divorce decree.

The following details are needed for witnesses IN ORIGINAL AND WITH A COPY:

- name, surname, place and date of birth, residential address
- details of witnesses IDs (passport or driving license only): number, date and place of issue, expiry date. **The same ID must be carried to the appointment.**

All four (4) witnesses need to be present at the appointment. The bride and the groom may use the same witnesses if both require an "atto notorio".

The following documents must be submitted at the appointment IN ORIGINAL AND WITH A COPY:

- Atto Notorio Form (to be requested via email at this consulate);
- original full birth certificate, apostilled (from the DFAT) and officially translated into Italian (returned at the end of the appointment to be later delivered at the Municipality by the declarant);
- Declaration of Non Impediment made at the Department of Foreign Affairs and Trade and officially translated into Italian;
- a valid passport;
- proof of residence;
- if applicable, divorce sentence in the form of the Divorce Order (Family Court) apostilled (from DFAT) and officially translated into Italian (returned at the end of the appointment to be later delivered at the Municipality by the declarant).

Art. 89 of the Civil Code states that for a woman who has been divorced or widowed for less than 300 days to remarry, a specific authorization from an Italian Court is necessary. This authorization will be issued upon presentation of a medical report certifying that the future bride is not pregnant.

The wedding ceremony must be attended by: the bride, the groom, two witnesses (plus one interpreter if the couple does not speak Italian).

Those seeking a religious ceremony are advised to contact their local parish and sister parishes in Italy, which will then advise on the necessary documents to fulfill the requirements of the Church.