Questions and Answers
Changes to Ontario’s Marriage Act –
Indigenous Marriage Officiants

1. What has changed?

Legislative changes have been made to expand the authority for who may perform a marriage in Ontario. Amendments made to the Marriage Act come into effect on October 8, 2020. These amendments recognize the capacity of Indigenous communities and organizations to appoint persons who may be registered to solemnize marriages in Ontario.

In addition, changes to the Marriage Act were made to allow out of province judges appointed by the federal government or a provincial or territorial government, as well as Ontario case management masters to perform civil marriages in Ontario.

2. When do these changes come into effect?

Amendments made to the Marriage Act come into effect on October 8, 2020.

3. What new category of registered persons may now be authorized to perform a marriage in Ontario?

Changes to the Marriage Act will allow a person to be registered as authorized to solemnize marriage in Ontario if:
- they belong to a band, a First Nation, Métis, or Inuit organization or community; or a permanently established Indigenous entity, located in whole or in part in Ontario; and
- they are recognized by the band, First Nation, Métis or Inuit organization or community or Indigenous entity as entitled to solemnize marriages in accordance with its customs and traditions.

The band, First Nation, Métis or Inuit organization or community or permanently established Indigenous entity must be on record with the Office of the Registrar General (ORG) for the purpose of registering persons as authorized to solemnize marriage in Ontario.

See question 5 for information of how an Indigenous community, organization or entity may be placed on the record with ORG for the purpose of registering marriage officiants.
4. **How does a person apply to become registered to perform marriage in Ontario under the new changes?**

There are two types of registered marriage officiants authorized under the Marriage Act:

1) Registered religious officiants – application process for registration remains the same
2) *NEW – registered Indigenous officiants – a person who wants to be registered as an Indigenous officiant must complete a short application form, and submit it with supporting documentation to the Office of the Registrar General (ORG)

In order to be registered as an Indigenous marriage officiant, applicants must:

- Belong to a band, First Nation, Métis or Inuit organization or community or permanently established Indigenous entity located in whole or in part in Ontario that is on record with the ORG for the purpose of registering persons as authorized to solemnize marriage in Ontario.
- Be duly recognized by the band, First Nation, Métis or Inuit organization or community or permanently established Indigenous entity as entitled to solemnize marriage according to its customs and traditions.

Requests for application forms or any questions on how to become registered as an officiant may be referred to the Marriage Office helpline at 807-343-7568, in writing to the Office of the Registrar General – Attention Marriage Office, 189 Red River Road, P.O. Box 4600, Thunder Bay ON P7B 6L8 or by email to: ORGID@ontario.ca.

5. **How may a band, First Nation, Métis or Inuit organization or community or permanently established Indigenous entity submit information in order to be recorded by the ORG for the purpose of appointing persons to solemnize marriage in Ontario?**

To be recorded by the ORG for the purpose of appointing persons to solemnize marriage in Ontario, an Indigenous community and/or organization will need to complete a Profile Record and submit it with any required supporting documentation to the Office of the Registrar General.

To begin the registration process, please contact the Marriage Office helpline at 807-343-7568, or in writing to the Office of the Registrar General – Attention Marriage Office, 189 Red River Road, P.O. Box 4600, Thunder Bay ON P7B 6L8 or by email to: ORGID@ontario.ca.
6. **Who may continue to perform a marriage in Ontario?**

Legislative changes do not impact the following categories of officiants who continue to be authorized under the Marriage Act:

- a religious officiant registered under the Marriage Act to perform religious marriage;
- an Ontario judge, justice of the peace; and
- a municipal clerk and or their delegate authorized to perform civil marriages in Ontario.
Chief Mark Hill  
Six Nations of the Grand River Territory  
markhill@sixnations.ca

Dear Chief Hill:

Further to my letter to you in December 2019 on the introduction of Bill 161, the Smarter and Stronger Justice Act, 2020, I am pleased to advise that the bill received Royal Assent on July 8, 2020. Amendments to the Marriage Act have come into effect as of October 8, 2020, recognizing the role of Indigenous communities and organizations in acknowledging persons as authorized to solemnize marriages. Once registered, officiants will have the flexibility to solemnize marriages according to the customs and traditions of their community, and the marriage will be registered in Ontario.

Culture is at the heart of marriage traditions, and I am pleased that Indigenous Ontarians finally have the ability to perform marriages in a more culturally appropriate way. These changes are in keeping with the spirit of partnership and reconciliation, and respond to a longstanding request for greater flexibility. They were informed by feedback received from valued stakeholders and community members.

Effective October 8, 2020, the following persons may be legally authorized to solemnize marriage in Ontario:

- A person who belongs to a band, First Nation, Métis or Inuit organization or community or Indigenous entity, and is registered under the Marriage Act to solemnize marriages in Ontario;
- A religious officiant registered under the Marriage Act to solemnize religious marriages in Ontario; or
- A judge, case management master, justice of the peace, municipal clerk and/or their delegate authorized to solemnize civil marriages in Ontario.
We have updated the marriage section on the Ontario.ca website with information about these changes. That information can be found by visiting: ServiceOntario.ca/GettingMarried.

Regarding Indigenous marriage solemnization under section 20.2 of the Marriage Act, a person may be registered to perform marriage in Ontario if:

- they belong to a band, a First Nation, Métis, or Inuit organization or community; or a permanently established Indigenous entity, located in whole or in part in Ontario; and
- they are recognized by the band, First Nation, Métis or Inuit organization or community or Indigenous entity as entitled to solemnize marriages in accordance with its customs and traditions.

Requests for application forms, or any questions on how to become registered as an officiant or have an Indigenous community and/or organization identified for the appointment of officiants by the community and/or organization, may be referred to the Marriage Office helpline at 1-807-343-7568, ORGID@ontario.ca or in writing to:

Office of the Registrar General
Attention Marriage Office
189 Red River Road
P.O. Box 4600
Thunder Bay, ON P7B 6L8

Please also find attached a Questions and Answers document which provides additional details on the changes and the application process, which we encourage you to share across your community and/or organization.

If you have any questions or require clarification on these legislative changes, please contact Neil Salter, Manager, Public Safety and Operations Policy at 416-356-1706 or Neil.Salter@ontario.ca.

Please accept my best wishes.

Sincerely,

[Signature]

The Honourable Lisa Thompson
Minister of Government and Consumer Services

c: The Honourable Greg Rickford, Minister of Indigenous Affairs
The Honourable Doug Downey, Attorney General
Neil Salter, Manager, Public Safety and Operations Policy Branch, Ministry of Government and Consumer Services

Attachment: Questions and Answers