

Code of Practice for marriage celebrants

(regulation 37L)

1 Application of this Code of Practice

This Code of Practice applies to marriage celebrants (being persons registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*).

Note: Under paragraph 39I(1)(b) of the *Marriage Act 1961*, if the Registrar of Marriage Celebrants is satisfied that a marriage celebrant has not complied with an obligation under section 39G of that Act, including this Code of Practice, the Registrar may take disciplinary measures against the marriage celebrant.

2 High standard of service

A marriage celebrant must maintain a high standard of service in his or her professional conduct and practice.

3 Recognition of significance of marriage

A marriage celebrant must recognise the social, cultural and legal significance of marriage and the marriage ceremony in the Australian community, and the importance of strong and respectful family relationships.

4 Compliance with the Marriage Act and other laws

A marriage celebrant must:

- (a) solemnize marriages according to the legal requirements of the *Marriage Act 1961* (Cth); and
- (b) observe the laws of the Commonwealth and of the State or Territory where the marriage is to be solemnized; and
- (c) prevent and avoid unlawful discrimination in the provision of marriage celebrancy services.

5 General requirements for marriage ceremonies

A marriage celebrant must respect the importance of the marriage ceremony to the parties and the other persons organising the ceremony. To that end, the marriage celebrant must do the following:

- (a) give the parties information and guidance to enable them to choose or compose a marriage ceremony that will meet their needs and expectations;
- (b) respect the privacy and confidentiality of the parties;
- (c) maintain appropriate facilities to interview parties and provide office facilities, including facilities for the secure storage of records;
- (d) within a reasonable time before the marriage ceremony:
 - (i) confirm all details with the parties; and

- (ii) ensure the return of all personal documents belonging to the parties (unless it is necessary to keep the documents for the ceremony); and
- (iii) sign any necessary declarations;
- (e) if requested by the parties, conduct a marriage ceremony rehearsal;
- (f) ensure that his or her personal presentation is of an appropriate standard for the marriage ceremony, and respect the expectations of the parties in relation to the ceremony;
- (g) make efforts to ensure that the marriage ceremony is audible to all those present (using audio equipment, if required);
- (h) ensure accuracy in the preparation of documents, and in the conduct of the marriage ceremony;
- (i) arrive at the venue for the marriage ceremony no later than the time agreed with the parties;
- (j) if the marriage celebrant has agreed to perform more than one marriage ceremony on the same day:
 - (i) ensure that the parties to each marriage receive a level of service that meets their separate and special requirements; and
 - (ii) be available at the venue for each marriage ceremony at least 20 minutes before the agreed commencement of each ceremony (unless, in the case of consecutive ceremonies, the ceremonies are to be held at the same venue);
- (k) ensure that all relevant documents are completed and sent to the appropriate registering authority within 14 days after the marriage ceremony, as required by section 50 of the *Marriage Act 1961*;
- (l) in relation to the provision of marriage services, accept evaluative comment from the parties, and use any comments to improve performance;
- (m) give the parties information about how to notify the Commonwealth Attorney-General's Department of any concerns or complaints they may have regarding the marriage services provided by the marriage celebrant.

6 Knowledge and understanding of family relationships services

A marriage celebrant must:

- (a) maintain an up-to-date knowledge about appropriate family relationships services in the community; and
- (b) inform parties about the range of information and services available to them to enhance, and sustain them throughout, their relationship.