

Code of Practice for marriage celebrants

The Code of Practice for Marriage Celebrants is contained in Schedule 2 of the Marriage Regulations 2017, as detailed below.

APPLICATION OF THIS CODE OF PRACTICE

This Code of Practice applies to marriage celebrants.

Note 1: A marriage celebrant is a person registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*: see subsection 5(1) of that Act.

Note 2: Under paragraph 39I(1)(b) of that Act, 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.

HIGH STANDARD OF SERVICE

A marriage celebrant must maintain a high standard of service in his or her professional conduct and practice. This includes (without limitation) ensuring the following:

- (a) appropriate personal presentation for marriage ceremonies;
- (b) punctuality for marriage ceremonies;
- (c) accuracy in preparation of documents and in the conduct of marriage ceremonies.

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.

COMPLIANCE WITH THE ACT AND OTHER LAWS

A marriage celebrant must:

- (a) comply with the requirements of the *Marriage Act 1961* and the *Marriage Regulations 2017* which apply to the marriage celebrant; and
- (b) observe the laws of the Commonwealth and of any State or Territory in which the marriage celebrant solemnises marriages; and
- (c) avoid unlawful discrimination in the provision of marriage celebrancy services.

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. This includes (without limitation) the following:

- (a) giving the parties information and guidance to enable them to choose or compose a marriage ceremony, including information to assist the parties to decide whether a marriage ceremony rehearsal is needed or appropriate;
- (b) respecting the privacy and confidentiality of the parties, including by:
 - (i) arranging for appropriate facilities to interview parties; and

- (ii) dealing appropriately with personal documents and personal information; and
 - (iii) maintaining appropriate facilities for the secure storage of records; and
 - (iv) ensuring the return of all personal documents belonging to the parties as soon as practicable (unless it is necessary to keep the documents for the ceremony);
- (c) giving 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.

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 the parties to the marriage about the range of information and services available to them to enhance, and sustain them throughout, their relationship.