



Australian Government
Attorney-General's Department

INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR REGISTRATION AS A MARRIAGE CELEBRANT

IMPORTANT: You should not book or agree to perform a marriage until you have been notified by the Registrar (the Registrar) of Marriage Celebrants that you have been registered as a marriage celebrant.

GENERAL COMMENTS

This package is for persons wishing to apply to the Registrar of Marriage Celebrants for registration as a marriage celebrant under Part IV, Division 1, Subdivision C of the *Marriage Act 1961*.

You should only complete this application if you have the required qualifications or skills. See the 'Qualifications, skills and knowledge of the law' section below for more details.

The application for Registration as a Marriage Celebrant form (application form) is to determine whether you are a fit and proper person to be a marriage celebrant (paragraph 39C of the *Marriage Act 1961*). Paying for and completing the qualification does not mean you automatically become a celebrant.

Please write clearly on the application form and associated documents and ensure you accurately complete each section.

FEES AND CHARGES

Aspiring marriage celebrants are required to pay an application fee of \$600, unless an exemption has been granted.

If your application is successful, you will need to pay the annual \$240 registration charge (or part thereof, depending on the timing of your registration).

In limited circumstances, an exemption from these fees and charges may be granted. Guidelines on eligibility are available on the 'Becoming a marriage celebrant' page of our website www.ag.gov.au/marriage.

Please note all fees and charges are non-refundable.

ORIGINAL DOCUMENTS OR CERTIFIED COPIES

Throughout this application form you will be asked to attach various documents as evidence of your claims. You will need to provide an original or certified copy of your evidence documentation.

How to make certified copies of original documents

- A full list of people who can certify your documents are available at www.ag.gov.au/statdec or on the back of the Commonwealth statutory declaration form.
- You will need to show the person the original document and the copy at the same time.
- The person certifying the copy of an original document may do so by attesting to the following words on the copied document: 'I have sighted the original of this document and certify it to be a true copy.' The person should sign under that statement and print their full name, the capacity in which they sign (ie Justice of the Peace), and the date.

SUPPLEMENTING MATERIAL IN THE APPLICATION FORM

There are a number of sections within the application form that have only limited space. For those sections, you may wish to add extra pages to the application form to provide full responses to the material requested.

ASSESSING YOUR APPLICATION

IMPORTANT: If your application is missing any necessary materials or information, it may result in your application being returned to you.

It will usually take three months from the date a formally 'complete' application is received for it to be assessed and the applicant notified of the result in writing. The time taken depends on factors such as the thoroughness of your application. If the Registrar requests further information from you in order to assess your application it may take longer than three months for you to be notified of the result.

The Registrar must deal with applications in the order they are received (subsection 39D(2) of the Marriage Act). Each application is issued with a process number and assessed in process number order.

OUTCOME OF ASSESSMENT OF YOUR APPLICATION

You will be notified in writing of the Registrar's decision within three months of receiving a complete application.

If the Register decides not to register you as a marriage celebrant you will be informed of the reasons for this decision in writing (subsection 39D(7) of the Marriage Act). If so, you are entitled to seek a review of the Registrar's decision from the Administrative Appeals Tribunal (subsection 39J(1) of the Marriage Act). Information about the AAT and its processes is available at www.aat.gov.au.

APPLICATION FOR REGISTRATION AS A MARRIAGE CELEBRANT

PERSONAL DETAILS

IMPORTANT: You should be contactable at all times while your application is being assessed. This will ensure your application is processed as quickly as possible.

Evidence of date of birth

One of the criteria required for registration as a marriage celebrant is that you are 18 years or over (paragraph 39C(1)(a) of the Marriage Act).

Evidence can be provided as a certified copy of one of the following documents:

- birth certificate
- driver's licence, or
- passport.

If your evidence of date of birth is in a different name to the name you are using in your application, you must provide evidence of your change of name. For example, if you provide a certified copy of your birth certificate and you have changed your name as a result of marriage, you must also provide a certified copy of your marriage certificate.

PREVIOUS AUTHORISATION AS A MARRIAGE CELEBRANT

If you have been previously authorised as a marriage celebrant in Australia you must provide full details and evidence of the cessation of your previous authorisation.

This question applies to you if at any time in the past you have been:

- an officer employed by a state or territory in a position that authorised you to solemnise marriages (referred to as a 'state officer')
- a minister of religion for a recognised denomination, or
- a Commonwealth-registered marriage celebrant performing civil or religious ceremonies.

Evidence of cessation as a marriage celebrant

- If you were a **state officer**, submit evidence that you no longer work in the position that is authorised to conduct marriage ceremonies (i.e. a letter from your employer or supervisor) and provide details of your current circumstances.
- If you were a **minister of religion for a recognised denomination**, submit a letter of revocation of your authorisation from the relevant state or territory Registrar of Births, Deaths and Marriages, or the nominating authority for the recognised denomination you belonged to.
- If you were a Commonwealth-registered marriage celebrant performing civil or religious ceremonies, please provide your previous A number.

CONTACT DETAILS

Email address

Please ensure your application includes your current email address that you monitor and on which you can be contacted. All further requests for information will be sent to your nominated email address and is your responsibility to monitor that email address.

Evidence of principal residential address

The evidence you provide should show both your name, principal address and be dated within six months of the date you submit your application.

Please provide an original or certified copy of one of the following documents:

- electoral enrolment
- rates notice
- lease
- utility bill (phone, electricity, gas, etc), or
- bank statement.

A driver's licence is not evidence of your principal residential address as it does not include a date of issue.

CONDUCTING RELIGIOUS CEREMONIES

Evidence for conducting a religious ceremony

If you propose to conduct marriage ceremonies for an independent religious organisation, you will need to provide the following:

- the organisation's written confirmation that you are permitted to conduct religious ceremonies for that organisation
- a copy of the religious organisation's marriage ceremony to enable us to verify that it meets vow requirements under *the Marriage Act 1961*, and
- your written undertaking that you will use the organisation's marriage ceremony.

REGISTER OF MARRIAGE CELEBRANTS

The Registrar lists name and contact details and addresses of each commonwealth registered marriage celebrant. It is published on the department's website and is available to the public.

Please note the following information:

- Under regulation 37I of the Marriage Regulations you are required to provide your title, full name and contact details (including address).
- If you do not wish to have your residential address published, you can provide a mailing address. However you will need to provide evidence of this mailing address (eg a bill from the post office).
- You are not permitted to use nicknames. You must provide your full legal name.

QUALIFICATIONS, SKILLS AND KNOWLEDGE OF THE LAW

You cannot be registered as a marriage celebrant unless you have at least one of the qualifications mentioned in paragraph 37G(1)(a) of the *Marriage Regulations 1963*.

Qualifications – Certificate IV in Celebrancy or an equivalent university qualification

You will need to provide an original or certified copy of your qualification. The certificate issued by the Registered Training Organisation (RTO) for completion of the Certificate IV in Celebrancy must contain the following requirements:

- confirm that all units of competency mandatory for registration as a marriage celebrant have been successfully completed
- state the name of the trainer/s of the mandatory marriage celebrancy units
- confirm that all required training materials were included in the delivery of the mandatory marriage celebrancy units
- include the following statement: 'Units completed for this qualification meet the requirements of the Registrar of Marriage Celebrants, as set out in subregulation 37G(2) of the *Marriage Regulations 1963*', and
- include a transcript of units completed as part of the qualification (including titles and national codes for each unit).

If your certificate does not include the statements listed above, you should request an amended certificate from your RTO provider.

Skills

This section should only be completed by those who are submitting their application on the basis of skills in an Australian Indigenous language and who wish to be appointed as a marriage celebrant to serve Indigenous communities.

For more information on the skills required to satisfy the 'Skills' criteria, please email the department at marriagecelebrantssection@ag.gov.au.

If your application relies upon the '**Skills**' in an Australian Indigenous language, you do not need to complete the '**Qualifications**' section.

CONVICTIONS FOR OFFENCES – CRIMINAL HISTORY

In determining whether you are a fit and proper person to become a marriage celebrant, the Registrar must take into account whether you have a conviction for an offence, punishable by imprisonment for one year or longer, against a law of the Commonwealth, a State or a Territory (see paragraph 39C(2)(d) of the Act).

Unless the spent convictions process mentioned in the following note applies, this means that if you were ever convicted of an offence carrying a **possible** prison sentence of one year or longer, you must answer yes to this question, even if you were not imprisoned.

Complete

- the consent form for a criminal history check by CrimTrac, and
- provide the original or certified copies of your 100 points of ID.

You can download the consent form and information on the documents required for your 100 points of ID at <https://marriage.ag.gov.au/application/Content/CrimTrack.pdf>.

BUSINESS INTERESTS AND OTHER INTERESTS

In determining whether you are a fit and proper person to become a marriage celebrant, the Registrar must take into account whether you have an actual or potential conflict of interest between your proposed practice as a marriage celebrant and your business or other interests (paragraph 39C(2)(e) of the Marriage Act). The Registrar must also take into account whether your registration as a marriage celebrant would be likely to result in you gaining a benefit in respect of another business that you own, control or carry out (paragraph 39C(2)(f) of the Marriage Act).

The *Conflict of interest and benefit to business guidelines* will assist you in considering these issues. The guidelines can be found on the department's website at www.ag.gov.au/celebrants.

Questions in this section are designed to assist the applicant identify these possible issues. If you tick 'yes' to any of these questions, you will need to provide thorough details (i.e. a description of your employment or business) and explain how you would manage them if you were registered as a marriage celebrant.

Please ensure that you state your occupation in response to the first question in Part F. If you are retired, unemployed, a carer or performing home duties, please say so.

Conflict of interest or benefit to a business

Actual or potential conflict of interest issues may arise in relation to your:

- business interests
- community work
- hobbies, or
- recreation activities.

The Registrar will consider each situation on a case by case basis. However, the most important factor to consider is the effect your business or other interests would have on your capacity to fulfil your duties and functions as a marriage celebrant. These include:

- conducting your practice as a marriage celebrant professionally and providing a high standard of service
- advising couples of the availability of relationship support services and informing couples of the range of information and services available to them

- recognising the social, cultural and legal significance of marriage and family relationships in the Australian community, and
- providing couples with information and guidance to choose a marriage ceremony that will meet their needs and expectations.

Examples of situations that may give rise to a possible conflict of interest or benefit to a business may result from an applicant who:

- is a migration agent
- offers ancillary products related to marriage to be purchased or a business they are connected with
- who intends to offer premises, or is employed by a business that offers premises, for wedding ceremonies or receptions (eg boats, gardens)
- offers their services as a 'wedding planner' to organise and perform the ceremony as part of a package, or
- offers counselling or relationship education as part of their service.

RELATIONSHIP SUPPORT SERVICES – KNOWLEDGE AND COMMITMENT

Your responses in this section should demonstrate that you conducted research into relationship support services in your region and developed an understanding and knowledge of the range and nature of those services.

Identifying organisations that provide relationship support services

You will need to list the name, address and other contact details of a number of relationship support services in your region. We recommend that you provide information on at least three different services, including private, not-for-profit and community organisations.

You should include relationship support services that:

- meet the needs of couples in your area. For example, if you live in a remote location you could provide information about telephone or distance providers
- are for couples from a diverse range of backgrounds and income levels
- include major not-for-profit family relationship support services
- are not simply a number of different locations for one organisation. For example, Relationships Australia in three different states, and
- are organisations that specifically provide services to enhance and sustain couples throughout their relationship (ie not only marriage preparation and education).

The services you list should not be those that have a limited or targeted purpose (ie Alcoholics Anonymous, Men's Helpline or financial assistance programs funded by government).

Describing the services offered by each organisation

For each of the relationship support services you list, you should include:

- **contact details** for each relationship support organisation listed
- a description of the **different** services each organisation offers
- the **availability** of services (ie times and days courses/sessions are run), and

- any **costs** associated with the use of those services.

FLUENCY IN A LANGUAGE OTHER THAN ENGLISH

If you are fluent in a language other than English, you may wish to identify the language/s, indicate your level of fluency and provide evidence of your fluency.

COMMUNITY STANDING

You should provide detailed information about your involvement in community activities, whether they are related to your occupation, interests or volunteer activities. You should only include the **current** community activities you are involved with.

This could involve listing the community organisations you are involved with and describing your role in each organisation.

- If you are not involved in the community then you should explain the reasons for that (i.e. you are currently a full-time carer for a family member).

OTHER MATTERS

This section gives you an opportunity to highlight any other skills, qualifications or attributes you consider relevant to your application and have not yet been addressed elsewhere in the Application Form.

REFEREE REPORTS

You need to provide three independent referee reports to support the claims you have made in the Application Form.

Your referee reports should comply with the following requirements:

- they are originally signed and dated
- contain contact details for your referees, including a day time phone number
- are not simply a generic or character reference, and
- are not simply copies of each other signed by different people

Choosing your referees

In choosing your referees, please consider the following important factors:

- each referee must have known you for at least two years
- your referees should not be members of your family (including those who are related to you by marriage)
- you should not ask a couple to make a joint referee report, and
- your referees should be willing to be contacted by phone to discuss the report they have provided

Guidance for your referees in completing their reports

It is your responsibility to ensure that each of your referees is able to address the topics set out below. It may be necessary for you to discuss one or more of these topics with your proposed referees to ensure they are sufficiently aware of your knowledge or commitment in each area.

Your referees will need to address the following criteria:

1. The length and nature of the referee's relationship with you
2. Your commitment to the central importance of the institution of marriage in society
3. Your knowledge of the availability of relationship support services in your region
4. Your commitment to advising all prospective couples about these relationship support services in your region
5. Your standing in the community (including your involvement in the community through professional or volunteer activities)
6. Your personal integrity and ethical standards
7. Your referee's knowledge of any other qualities or attributes that would support your application for registration as a marriage celebrant

You may wish to provide your referees with the 'Guidelines for referees' in **Attachment A**.

ASSESSING YOUR KNOWLEDGE OF THE LAW

As part of your application, you are required to complete a set of written questions, a Notice of Intended Marriage (NOIM) form scenario and a sample marriage ceremony to determine your knowledge of the law relating to the solemnisation of marriages by marriage celebrants.

Knowledge of the law is one of the factors the Registrar will consider in determining whether you are a fit and proper person to be a marriage celebrant (paragraph 39C(2)(a) of the Marriage Act).

Applicants applying through the online form will receive the questions on the knowledge of the law and the NOIM/Sample ceremony scenario in 'Part 2' of the online application.

Applicants who are applying with a hard copy application will need to contact us via email at marriagecelebrantssection@ag.gov.au to receive the questions on the knowledge of the law and the NOIM/Sample ceremony.

You should provide your answers when submitting your hardcopy application.

This pack contains

- a blank answer sheet for answers on the questions of the law
- a blank NOIM form, and
- a blank sample ceremony sheet

UNDERTAKINGS RELATING TO OBLIGATIONS UNDER SECTION 39G OF THE *MARRIAGE ACT 1961*

IMPORTANT: These undertakings are a serious matter and you should consider them carefully before signing. Marriage celebrants have a complex set of responsibilities under the law and failure to meet these is a criminal offence in some cases.

This section requires you to 'Agree' to the obligations as set out under section 39G of the Act.

Once agreed to, this section forms undertakings from you to the Registrar stating that you will comply with the required obligations as a marriage celebrant if you are registered

ATTACHMENTS – CHECKLIST

Ensure you have attached all the required documents to your application form. This includes:

- evidence of your principal residential address
- evidence of your cessation as an authorised celebrant (if applicable)
- evidence of your qualification (if applicable)
- evidence of your fluency in a language other than English and the Indigenous language(s) (if applicable)
- criminal history consent form
- 100 points of evidence for identity
- three referee reports.
- your answers to the questions on the knowledge of the law
- your sample notice of intended marriage, and
- your sample marriage ceremony.

SIGNATURE

By signing Application Form you are declaring that the information you have provided throughout your application is true in every detail.

Guidelines for referees

As part of the application process to be registered as a marriage celebrant, the Registrar of Marriage Celebrants requires applicants to provide three referee reports. These reports provide information that is important in the assessment of the applicant as a fit and proper person to be a marriage celebrant.

If you are asked to provide a referee report, you should have known the applicant for at least two years, and should not be a member of the applicant's family. Your report should address all the topics set out below. Please use the topics as headings in your report, setting out your comments about the applicant underneath each heading.

If you are unsure of any of the topics, you should discuss them fully with the applicant.

1. The length and nature of the applicant's relationship with you

In addition to general comments about the length and nature of the relationship, you should include a statement to the effect that you have known the applicant for at least two years and are not a member of his or her family.

2. The applicant's commitment to the central importance of the institution of marriage in society

Your comments should focus on whether, in your opinion, the applicant is committed to marriage as an institution in society. Your comments should go beyond the applicant's personal commitment to his or her own marriage and/or commitment to becoming a marriage celebrant.

3. The applicant's knowledge of the availability of relationship support services in their region

Your comments should indicate whether or not you feel that the applicant has knowledge of the relationship support services in his or her area. You should also comment on the applicant's level of knowledge or understanding of those services.

4. The applicant's commitment to advising all prospective couples about these relationship support services in their region

Your comments should focus on whether or not you feel that the applicant would be committed to informing any couples he or she may marry in future about the available relationship support services (should the applicant be registered as a marriage celebrant).

5. The applicant's standing in the community (including his or her involvement in the community through professional or volunteer activities)

You should clearly state what community or volunteer activities the applicant is currently involved in.

6. The applicant's personal integrity and ethical standards

7. Any other qualities or attributes that the applicant has that would support their application for registration as a marriage celebrant

Your report should not be a generic character reference, or a reference using identical wording from another report provided for this applicant. You should provide specific information in your own words about each of the criteria listed above.

You should provide the applicant with your original, signed and dated report. Please include your address and daytime contact details on the report. The applicant should have checked with you that you are willing to be contacted to discuss your comments if required.