



CCCAUST

MARRIAGE CELEBRANT - INFORMATION GUIDE

MINISTERS OF RELIGION

01.01.20 V1

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1. AUSTRALIAN GOVERNMENT MARRIAGE CELEBRANTS PROGRAM:

The Marriage Act 1961 (the Act) establishes the legal framework for marriage in Australia, including the requirements for marriages to be validly solemnised under Australian law and foreign marriages to be legally recognised under Australian law.

Section 120 of the Act provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters that are required or permitted, or necessary or convenient, to be prescribed for carrying out or giving effect to the Act.

The Marriage Regulations 1963 (the current regulations), which sunset on 1 April 2018, provide procedural and technical support for the marriage framework established by the Act. Broader marriage policy issues, such as eligibility to marry, must be addressed through the Act.

The Marriage Regulations 2017 (the Regulations) will repeal and replace the current regulations from 1 April 2018. The Regulations will support the Act in largely the same manner as the current regulations, streamlining and simplifying many of the requirements of the current regulations, removing obsolete or unnecessary provisions and reducing the regulatory burden imposed on authorised celebrants and other stakeholders.

The Marriage Amendment (Definition and Religious Freedoms) Act 2017, shows the text of the law as amended and in force on 25 October 2018 (the compilation date). The object of this Act creates a legal framework:

- a)** to allow civil celebrants to solemnise marriage, understood as the union of 2 people to the exclusion of all others, voluntarily entered into for life; and
- b)** to allow ministers of religion to solemnise marriage, respecting the doctrines, tenets and beliefs of their religion, the views of their religious community or their own religious beliefs; and
- c)** to allow equal access to marriage while protecting religious freedom in relation to marriage.

Included as a reference is the Replacement Explanatory Statement issued by the authority of Attorney General's Departments as a supplement to The Marriage Act 1961 and The Marriage Regulations 2017.

2. MARRIAGE ACT 1961:

[Marriage Act 1961 - C2018C00441](#)

Division 1 – Ministers of religion sections 34 to 38 and 39DA to 39DE apply to Ministers of religion and relate to among other things, the removal of a person entitled to be registered under section 29 of the Marriage Act 1961 from the register (list of all authorised Marriage Celebrants).

Division 2 – Marriage Celebrants - Subdivision A – General provisions sections 39 to 69 of the Marriage Regulations do not apply to Ministers of Religion for Recognised denominations. These sections relate to the appointment and regulation of Commonwealth- registered Marriage Celebrants.

Extract from the Marriage Act 1961 – No 12

Compilation No. 27

Compilation date: 26 October 2018

Includes amendments up to: Act No. 130, 2018

Registered: 9 November 2018

Part IV—Solemnisation of marriages in Australia

Division 1—Authorised celebrants

Subdivision A—Ministers of religion

25 Interpretation

(1) In this Subdivision:

- (a) a reference to a Registrar shall be read as a reference to a Registrar of Ministers of Religion; and
- (b) a reference to a register shall be read as a reference to a register kept for the purposes of this Subdivision.

(2) For the purposes of this Subdivision, a person who is serving outside Australia as a member of the Defence Force and was, immediately before the person became a member of the Defence Force, ordinarily resident in a State or Territory shall be deemed, while the person is so serving, to be ordinarily resident in that State or Territory.

26 Recognised denominations

The Governor-General may, by Proclamation, declare a religious body or a religious organisation to be a recognised denomination for the purposes of this Act.

27 Registers of ministers of religion

- (1) For the purposes of this Subdivision, there shall be, for each State and Territory, a Registrar of Ministers of Religion and a Deputy Registrar of Ministers of Religion, who shall be appointed by the Minister.
- (2) In the event of the absence, through illness or otherwise, of the Registrar, or of a vacancy in the office of the Registrar, the Deputy Registrar has all the powers, and shall perform all the duties and functions, of the Registrar during the absence or vacancy.
- (3) Unless and until another person is appointed to be the Registrar of Ministers of Religion for a particular Territory, the person having, under the law of that Territory, the function of maintaining a register of all marriages solemnised in that Territory shall be the Registrar for that Territory.
- (4) The Registrar for a State or Territory shall keep a register, in such form as the Minister determines, of ministers of religion ordinarily resident in the State or Territory who are entitled to registration under this Subdivision.

28 Transfer of State registers

- (1) The Governor-General may make arrangements with the Governor of a State for the transfer to the Commonwealth of any register of persons authorised to solemnise marriages in that State kept by an officer of that State immediately before the commencement of this Act.
- (2) A copy of each arrangement made under this section shall be published in the *Gazette*.
- (3) A register of a State transferred to the Commonwealth in pursuance of an arrangement made under this section, and a register of persons authorised to solemnise marriages kept in relation to a Territory immediately before the commencement of this Act, shall be deemed to form part of the register kept for that State or that Territory, as the case may be, for the purposes of this Subdivision.
- (4) A person registered in a register so transferred or kept who is, immediately after the commencement of this Act, a Minister of Religion of a recognised denomination shall be deemed to be so registered in pursuance of this Subdivision, and the Registrar by whom the register is kept shall remove from that register the name of any other person.

29 Qualifications for registration under this Subdivision

Subject to this Subdivision, a person is entitled to registration under this Subdivision if:

- (a) the person is a Minister of Religion of a recognised denomination;*
- (b) the person is nominated for registration under this Subdivision by that denomination;*
- (c) the person is ordinarily resident in Australia; and*
- (d) the person has attained the age of 21 years.*

30 Registrar to register applicant

- (1) Subject to this Subdivision, the Registrar for a State or Territory shall, on application in writing by a person ordinarily resident in that State or Territory who is entitled to registration under this Subdivision, register that person in the register kept by that Registrar.*
- (2) The particulars set out in an application for registration under this Subdivision shall be verified by the applicant by statutory declaration.*

31 Applicant may be refused registration in certain circumstances

- (1) A Registrar to whom an application for registration under this Subdivision is made may refuse to register the applicant if, in the opinion of the Registrar:*
 - (a) there are already registered under this Subdivision sufficient ministers of religion of the denomination to which the applicant belongs to meet the needs of the denomination in the locality in which the applicant resides;*
 - (b) the applicant is not a fit and proper person to solemnise marriages; or*
 - (c) the applicant is unlikely to devote a substantial part of his or her time to the performance of functions generally performed by a Minister of Religion.*

32 Effect of registration

A Minister of Religion who is registered under this Subdivision in any register may solemnise marriages at any place in Australia.

33 Removal from register

- (1) Subject to this section, a Registrar shall remove the name of a person from the register kept by that Registrar if he or she is satisfied that:*
 - (a) that person has requested that his or her name be so removed;*
 - (b) that person has died;*
 - (c) the denomination by which that person was nominated for registration, or in respect of which that person is registered, no longer desires that that person be registered under this Subdivision or has ceased to be a recognised denomination;*

(d) that person:

(i) has been guilty of such contraventions of this Act or the regulations as to show him or her not to be a fit and proper person to be registered under this Subdivision;

(ii) has been making a business of solemnising marriages for the purpose of profit or gain; or

(iii) is not a fit and proper person to solemnise marriages; or

(e) that person is, for any other reason, not entitled to registration under this Subdivision.

(2) A Registrar shall not remove the name of a person from a register under this section on a ground specified in paragraph (1)(d) or (e) unless:

(a) the Registrar has, in accordance with the regulations, served on the person a notice in writing:

(i) stating the Registrar's intention to do so on that ground unless, not later than a date specified in the notice and being not less than 21 days from the date of service of the notice, the person satisfies the Registrar that the person's name should not be removed from the register; and

(ii) informing the person that any representations made to the Registrar before that date will be considered by the Registrar;

(b) the Registrar has considered any representations made by the person before the date specified in the notice; and

(c) the removal takes place within 14 days after the date specified in the notice.

(3) Where notice is served on a person under subsection (2), that person shall not solemnise a marriage unless and until:

(a) the person is notified by the Registrar that the Registrar has decided not to remove the person's name from the register;

(b) a period of 14 days has elapsed from the date specified in the notice under subsection (2) and the person's name has not been removed from the register; or

(c) the person's name, having been removed from the register, is restored to the register.

34 Review of refusal to register or removal from register

(1) An application may be made to the Administrative Appeals Tribunal for a review of a decision of a Registrar made on or after 1 July 1976:

- (a) *refusing to register a person who has applied for registration under this Subdivision; or*
 - (b) *removing the name of a person from a register in pursuance of section 33.*
- (3) *The reference in subsection (1) to a decision of a Registrar includes a reference to a decision of a Deputy Registrar of Ministers of Religion given in pursuance of subsection 27(2).*
- (4) *Where the Tribunal sets aside a decision refusing to register a person or a decision under section 33 removing the name of a person from a register, the appropriate Registrar shall forthwith register the person, or restore the name of the person to the register, as the case requires.*
- (5) *For the purposes of the making of an application under subsection (1) and for the purposes of the operation of the Administrative Appeals Tribunal Act 1975 in relation to such an application, where a person has made application under subsection 30(1) for registration under this Subdivision and, at the expiration of a period of 3 months from the day on which the application was made, the person has not been registered and has not been notified by the Registrar that that person's application has been refused, the Registrar shall be deemed to have decided, on the last day of that period, not to register that person.*

35 Change of address etc. to be notified

- (1) *Where a person registered under this Subdivision:*
- (a) *changes his or her name, address or designation; or*
 - (b) *ceases to exercise, or ceases to be entitled to exercise, the functions of a Minister of Religion of the denomination by which he or she was nominated for registration or in respect of which he or she is registered;*
- the person shall, within 30 days thereafter, notify the Registrar by whom the register in which the person is registered is kept of that fact in accordance with the regulations.*
- (2) *The Registrar may, upon receiving notification of a change of name, address or designation under subsection (1) or if the Registrar is otherwise satisfied that the particulars shown in the register in respect of a person are not correct, amend the register accordingly.*

36 Transfer to another State etc.

- (1) *Where a person whose name is included in the register for a particular State or Territory is ordinarily resident in another State or Territory, the Registrar by whom*

the register is kept shall, subject to this section, remove the name of that person from that register.

- (2) *Where the name of a person referred to in subsection (1) is not included in the register for the State or Territory in which the person is ordinarily resident, the Registrar for that State or Territory may enter the name of that person in the register kept by that Registrar, and the name of that person shall not be removed from a register by virtue of subsection (1) unless and until it has been so entered.*

37 Furnishing of information by recognised denominations

The regulations may make provision for, and in relation to, the furnishing to Registrars by each recognised denomination of:

- (a) information as to matters affecting the right to registration under this Subdivision of persons who are so registered as ministers of religion of that denomination; and*
- (b) an annual list of persons registered under this Subdivision as ministers of religion of that denomination who are exercising the functions of a Minister of Religion of that denomination.*

38 Registrars to furnish information to Attorney-General

Each Registrar shall, if the Secretary of the Department so requests, furnish to the Secretary:

- (a) a list of ministers of religion registered by that Registrar under this Subdivision during the period specified in the request, showing the full name, designation, residential or postal address and religious denomination of each minister; and*
- (b) particulars of any other alterations to the register kept by that Registrar under this Subdivision made during that period.*

Subdivision D—Religious marriage celebrants

39DA Entitlement to be identified as a religious marriage celebrant on the register of marriage celebrants

A person is entitled to be identified as a religious marriage celebrant on the register of marriage celebrants if:

- (a) the person is registered as a marriage celebrant under Subdivision C of this Division; and*
- (b) the person is a Minister of Religion.*

39DB Request to be identified as a religious marriage celebrant on the register of marriage celebrants

- (1) A person may, in writing, give the Registrar of Marriage Celebrants notice that the person wishes to be identified as a religious marriage celebrant on the register of marriage celebrants.
- (2) The notice must be in a form approved by the Registrar, and include all of the information required by the form.

39DC Identification as a religious marriage celebrant

The Registrar of Marriage Celebrants must identify a person as a religious marriage celebrant on the register of marriage celebrants if:

- (a) *the person has given the Registrar notice in accordance with section 39DB that the person wishes to be identified as a religious marriage celebrant on the register; and*
- (b) *the person is entitled to be identified as a religious marriage celebrant on the register.*

39DD Transitional provisions for existing marriage celebrants

Marriage celebrants who are ministers of religion, but not ministers of religion of a recognised denomination

- (1) *The Registrar of Marriage Celebrants must identify a person as a religious marriage celebrant on the register of marriage celebrants if:*
 - (a) *the person was registered as a marriage celebrant under Subdivision C of this Division immediately before Part 1 of Schedule 1 to the Marriage Amendment (Definition and Religious Freedoms) Act 2017 commenced; and*
 - (b) *the person is a Minister of Religion.*

Marriage celebrants who wish to be religious marriage celebrants on the basis of their religious beliefs

- (2) *The Registrar of Marriage Celebrants must identify a person as a religious marriage celebrant on the register of marriage celebrants if:*
 - (a) *the person was registered as a marriage celebrant under Subdivision C of this Division immediately before Part 1 of Schedule 1 to the Marriage Amendment (Definition and Religious Freedoms) Act 2017 commenced; and*
 - (b) *the person gives the Registrar notice that the person wishes to be identified as a religious marriage celebrant on the register:*
 - (i) *in writing; and*

- (ii) in a form approved by the Registrar; and*
- (iii) within 90 days after Part 1 of Schedule 1 to the Marriage Amendment (Definition and Religious Freedoms) Act 2017 commences; and*
- (c) the choice is based on the person's religious beliefs.*

39DE Process of identification on the register as a religious marriage celebrant

- (1) The Registrar identifies a person as a religious marriage celebrant on the register of marriage celebrants by annotating the register to include that detail.*
- (2) If the Registrar identifies a person as a religious marriage celebrant on the register of marriage celebrants, the Registrar must, as soon as practicable, give the person written notice of that fact.*
- (3) If the Registrar decides not to identify a person as a religious marriage celebrant on the register of marriage celebrants, the Registrar must, as soon as practicable, inform the person in writing of:*
 - (a) the decision; and*
 - (b) the reasons for it; and*
 - (c) the person's right under section 39J to apply for a review of the decision.*

3. MARRIAGE REGULATIONS 2017:

[Marriage Regulations 2017 - F2017L01359](#)

This instrument is made under the Marriage Act 1961.

Extract from the Marriage Regulations 2017

[Provisions applicable to Ministers of Religion]

Part 3—Solemnisation of marriages in Australia

Division 1—Ministers of religion

34 Notice of intention to remove person's name from register

For the purposes of paragraph 33(2)(a) of the Act, a notice that a Registrar of Ministers of Religion is required to serve on a person may be served:

- (a) if the Registrar holds or performs the duties of an office under a law of a State or Territory—by giving the person the notice in any way the office holder is authorised by a law of the State or Territory to give notices; or*
- (b) if the person has provided an email address to the Registrar—by sending it to the email address; or*
- (c) by sending it to:*
 - (i) the principal residential address provided by the person to the Registrar; or*
 - (ii) if the postal address provided by the person to the Registrar is different from the principal residential address—the postal address.*

35 Notice of removal of person's name from register

If a Registrar of Ministers of Religion removes a person's name from the register under section 33 of the Act, the Registrar must give the person's recognised denomination written notice of the removal.

36 Notice of change of address etc.

- (1) For the purposes of subsection 35(1) of the Act, notice must be given in writing.*
- (2) For the purposes of subsection 35(1) of the Act, notice of a change in any one or more of a person's name, address or designation must set out the name, address and designation both before and after the change.*

37 Notice seeking information about ministers of religion

- (1) A Registrar of Ministers of Religion may, by written notice given to a recognised denomination, require the denomination to give the Registrar, by a specified day, specified information in relation to one or more persons:*

- (a) whose names are in the register kept by the Registrar under subsection 27(4) of the Act; and*
- (b) who are registered as ministers of religion of the denomination.*

Note: See paragraph 37(a) of the Act.

- (2) The specified day must be at least 14 days after the notice is given.*
- (3) The specified information must be about matters affecting those persons' right to be registered.*
- (4) In complying with a notice given to a recognised denomination under subsection (1), a member of the denomination must, on behalf of the denomination:*
 - (a) sign the document containing the specified information; and*
 - (b) certify that the information is correct.*

38 Annual list of ministers of religion

- (1) This section applies to a recognised denomination if, on 1 January in a year, one or more persons exercising the functions of a Minister of Religion of the denomination are registered as ministers of religion of the denomination.*
- (2) The recognised denomination must, before 1 February in that year, give the Registrar of Ministers of Religion for each State or Territory in which such a person is ordinarily resident a list (the new list) that includes:*
 - (a) the full name, address and designation of each such person ordinarily resident in the State or Territory; and*
 - (b) if a person's name was on the previous year's list and is not on the new list—the reasons for that.*

4. MARRIAGE AMENDMENTS ACT 2017:

[Marriage Amendment \(Definition and Religious Freedoms\) Act 2017](#)

Objects of this Act

It is an object of this Act to create a legal framework:

- (a) to allow civil celebrants to solemnise marriage, understood as the union of 2 people to the exclusion of all others, voluntarily entered into for life; and*
- (b) to allow ministers of religion to solemnise marriage, respecting the doctrines, tenets and beliefs of their religion, the views of their religious community or their own religious beliefs; and*
- (c) to allow equal access to marriage while protecting religious freedom in relation to marriage.*

Note: The Marriage Amendment Act has ensued many amendments to the Marriage Act 1961.

A. MARRIAGE EQUALITY IN AUSTRALIA:

From 9 December 2017, sex or gender no longer affects the right to marry under Australian law and same-sex marriage became legal in Australia.

[Marriage Amendment \(Definition and Religious Freedoms\) Act 2017](#) commenced on 9 December 2017. This Act amended the *Marriage Act 1961* to redefine marriage as 'the union of 2 people to the exclusion of all others, voluntarily entered into for life'.

[Marriage Equality](#)

Section 48 of the Marriage Amendment (Definition and Religious Freedoms) Act 2017

Added amendment - extract:

Refusing to solemnise a marriage on the basis of religious beliefs etc:

- (2) A chaplain may refuse to solemnise a marriage despite anything in this Part, if any of the following applies:*
 - (a) the refusal conforms to the doctrines, tenets or beliefs of the religion of the chaplain's religious body or religious organisation;*
 - (b) the refusal is necessary to avoid injury to the religious susceptibilities of adherents of that religion; or*
 - (c) the chaplain's religious beliefs do not allow the chaplain to solemnise the marriage.*

Grounds for refusal not limited by this section:

- (3) This section does not limit the grounds on which an authorised celebrant (including a chaplain) may refuse to solemnise a marriage.*

5. RECOGNISED RELIGIOUS DENOMINATIONS:

Many religious organisations allow their ministers to perform marriage ceremonies.

For ministers to legally perform a ceremony, the organisation must:

- i. Be listed as a recognised denomination under the Marriage Act 1961.
- ii. Nominate its ministers to be authorised celebrants.
- iii. Be registered by the relevant state or territory birth, deaths and marriages registry.

Ministers of religion not associated with a recognised denomination may be authorised as a Marriage Celebrant or religious Marriage Celebrant through the Marriage Celebrants Programme.

The Marriage (Recognised Denominations) Proclamation 2018 lists all religious organisations recognised for the purposes of the Marriage Act. The Proclamation was made by the Governor-General on 21 November 2018, and commenced on 27 November 2018. It replaces the Marriage (Recognised Denominations) Proclamation 2007, which was due to sunset on 1 April 2019.

[Recognised Denominations](#)

NOTE: All churches affiliated with the Open Brethren in Australia are recognised by the Attorney General's Department under **Christian Community Churches of Australia**.

6. MARRIAGE CELEBRANTS:

To legally marry people in Australia, you must be an authorised Marriage Celebrant.

There are 4 [Types of Marriage Celebrants](#):

- i. Commonwealth-registered Marriage Celebrants.
- ii. Commonwealth-registered religious Marriage Celebrants. **[Refer item 'f']**
- iii. Ministers of religion, who are registered with the state and territory registries of births, deaths and marriages **[Refer item 'f']**
- iv. State and territory officers.

A Commonwealth-registered Marriage Celebrant is a celebrant that is registered by the Commonwealth of Australia. There are over 9000 Commonwealth-registered Marriage Celebrants in Australia. [Qualifications - Commonwealth Marriage Celebrant](#).

All Marriage Celebrants must be fully conversant with Marriage Act 1961, Marriage Regulations of 2017 and Marriage Amendment (Definition and Religious Freedoms) Act 2017.

7. MINISTERS OF RELIGION:

Ministers of religion can continue to exercise their religious beliefs to impose additional conditions for a marriage or to refuse to solemnise a marriage. This is the case for all ministers of religion, regardless of whether or not their religious organisation is proclaimed as a recognised denomination under the Marriage Act.

Ministers of religion can also continue to use a form or ceremony of marriage recognised as sufficient by their religious organisation **[Marriage Rites]**.

Ministers of religion who do not belong to a recognised denomination are required to state the new legal definition of marriage as part of a marriage ceremony. If they wish, ministers can also explain, during the ceremony, the meaning of marriage according to their religious organisation's doctrines or beliefs.

Clause 32 of the Marriage Act 1961 states - A minister of religion who is registered under this Subdivision in any register may solemnise marriages at any place in Australia.

Clause 35 Change of address etc. to be notified - Marriage Act 1961

(1) Where a person registered under this Subdivision:

- a) changes his or her name, address or designation; or*
- b) ceases to exercise, or ceases to be entitled to exercise, the functions of a minister of religion of the denomination by which he or she was nominated for registration or in respect of which he or she is registered;*

The person shall, within 30 days thereafter, notify the Registrar by whom the register in which the person is registered is kept of that fact in accordance with the regulations.

(2) The Registrar may, upon receiving notification of a change of name, address or designation under subsection (1) or if the Registrar is otherwise satisfied that the particulars shown in the register in respect of a person are not correct, amend the register accordingly.

8. CONDITIONS - VALID MARRIAGE [Rules to getting married in Australia](#)

The conditions for a valid marriage have not changed. Under Australian law, a couple must wait at least one month to marry after giving an authorised celebrant a completed Notice of Intended Marriage form. In certain circumstances, a couple can seek permission from a prescribed authority to marry earlier. More information is available on the Rules for getting married in Australia by visiting the foregoing link.

To get married in Australia, you must:

- i. Not be married.
- ii. Not be marrying a parent, grandparent, child, grandchild, brother or sister.
- iii. Be at least 18 years old, unless a court has approved a marriage where one person is 16-18 years old.
- iv. Understand what marriage means and freely agree to marry.
- v. Use specific words during the ceremony.
- vi. Give a notice of intended marriage form to an authorised Marriage Celebrant at least 1 month and no more than 18 months before your wedding.
- vii. Be married by an authorised Marriage Celebrant.

You don't have to be:

- i. An Australian citizen.
- ii. A permanent resident of Australia.

If you are not an Australian citizen or permanent resident of Australia and you want to live in Australia after your marriage, you should find out about [find out about getting a visa](#).

9. MARRYING OVERSEAS:

[Smartraveller](#) has information on getting married overseas.

Overseas marriages cannot be:

- i. Performed by an Australian-authorised Marriage Celebrant.
- ii. Registered in Australia.

An overseas marriage is generally recognised in Australia if it:

- i. Was a valid marriage in the overseas country?
- ii. Would have been a valid marriage here?

You may be able to use your overseas marriage certificate to prove that you got married. However, some states and territories don't accept overseas marriage certificates if you want to change your name.

For more information, visit your state or territory's registry of births, deaths and marriages.

10. FORMS:

[For a complete list of downloadable forms and translated brochures](#)

11. OFFICIAL PRINTER - CANPRINT

You can download all forms **except the Form 15 Certificate of Marriage**.

You must buy this form from [CanPrint](#) which is the approved supplier. They can only supply the forms to registered Marriage Celebrants.

CanPrint also supplies other marriage stationery, including:

- i. Marriage registers.
- ii. Official forms.
- iii. Certificates.

You must give them your celebrant registration number anytime you buy marriage stationery.

CanPrint has a Religious New Starter Pack [Item 9524886], containing:

- 1 x Marriage Register.
- 2 x Marriage Certificate book of ten.
- 1 x White Envelopes pack of 25.
- 1 x Notice of Intended Marriage 50
- 1 x Marriage Certificate (religious or civil) 10.
- 1 x Brochures pack of 10.

You can buy forms that are not the Form 15 from other suppliers. But they must meet the requirements under the Marriage Act. If they don't, they may be rejected by the registry of births, deaths and marriages.

12. CHRISTIAN COMMUNITY CHURCHES OF AUSTRALIA:

A. Preface:

CCCAust is a recognised denomination by the Attorney General's Department for the purpose of registering Ministers of Religion as Marriage Celebrants. This enables CCCAust's state bodies to nominate and register competent ministers to perform these duties in their respective states.

[Register of prescribed authorities](#)

B. Registration by the State Authorities:

It has been agreed by the Board of Christian Community Churches of Australia that the nominating authority for each state should continue to process applications for Marriage Celebrants in their state.

C. Nominating Authorities - States:

Following are the registered nominating authorities to register Marriage Celebrants under Christian Community Churches of Australia in each state.

ACT/NSW	Brad Scott	brad@cccaustnsw.com	0400 260 077
QLD	Shane Ginn	shane@cccqld.org	0448 774 800
SA	Jeff Spencer	jeff@craigmorechurch.org	0417 088 615
TAS	Graeme Smith	graeme1@netspace.net.au	0417 549 569
VIC	Paul Gould	paul@cccvat.com.au	03 9894 1796
WA	David Shaw	david@dcf.net.au	0414 560 506

D. Common Procedure:

It was also agreed, that a common procedure be adopted to process and approve the nominations of Marriage Celebrants to be registered under Christian Community Churches of Australia in each state.

Minutes CCCAust Board Meeting 05.03.2018

4.2. Common Process to Nominate Celebrants

A paper was presented to the Board outline a proposed common procedure for all States to follow when appointing Celebrants. Jeff Spencer moved that the process be accepted and implemented by the States. Seconded by Alex Worley

Note: If there is any inconsistency with the 'Common Procedure' and the Marriage Regulations of 2017, the provision of the Marriage Regulations of 2017 shall apply.

E. Marriage Rites – Christian Community Churches of Australia:

It was agreed by the Board of Christian Community Churches of Australia that all celebrants registered under its denomination as recorded by the Commonwealth of Australia, use the agreed 'Rites'

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2. Marriage Rites

Rites have been tweaked based on feedback after the last meeting.

An introduction has been added.

Comments:

Was requested that leadership be changed to Eldership / leadership in the preamble.

Was a request to remove the word covenantal from the statement "Marriage is the God ordained covenantal union ..." Was agreed that the word "Covenantal" could be made optional.

David Smith moved that the rites be accepted with the above changes. Seconded by Ross Bunyon

Everyone was in agreeance.

F. Criterion:

CCCAust requires that Ministers of Religion wishing to register as a Marriage Celebrant under its registered denomination, are appropriately prepared for the role and conform to all the requirements detailed in this application.

- a.** The person is engaged as a Minister of Religion with a recognised CCCAust church;
- b.** The Minister of Religion is nominated for registration by their church;
- c.** The Minister of Religion is nominated by the nominating authority for the state the church is located in;
- d.** The Minister of Religion is a citizen or permanent resident in Australia; and
- e.** The Minister of Religion has attained the age of 21 years.

G. Required Competencies:

a. Prior to applying to become a Marriage celebrant:

- i. Have read and comprehended all relevant verses in the Bible concerning marriage.
- ii. Have read and comprehended [CCCAust Marriage Celebrant Information Guide](#)
- iii. Have read and comprehended [Marriage Act 1961 - C2018C00441](#)
- iv. Have read and comprehended [Marriage Regulations 2017 - F2017L01359](#)
- v. Have read and comprehended [Marriage Amendment \(Definition and Religious Freedoms\) Act 2017](#)
- vi. Have read and comprehended – CCCAust Marriage Rites
- vii. Have read and comprehended – CCCAust Code of Practice – Marriage Ceremony
- viii. Have been trained by an approved recognised religious training organization in

Marriage Celebrancy.

- ix. Has been advised by the church on its governing tenets regards marrying a couple.

b. Either prior to or post application:

- i. Have been trained by an approved religious training organization in Pre-Marriage Counselling.

c. Post Application:

- i. Undertake every year, four hours of professional development relevant to marriage.

d. Christian Tenets:

- i. Only marry in accordance with Biblical tenets concerning marriage.
- ii. Only marry in accordance with the marriage tenets of the church.

e. Pre-Marriage Counselling:

- i. Provide all couples with a copy of the marriage tenets of the church and CCCAust Marriage Rites.
- ii. Counsel all couples on marriage in accordance with the training received on Pre-Marital Counselling.

f. Performing the Marriage Ceremony:

- i. Solemnize the marriage in accordance with CCCAust Code of Practice.
- ii. Solemnize the marriage in accordance with CCCAust Marriage Rites.

H. Process for Appointing New Marriage Celebrants:

- a.** The applicant is to obtain the endorsement of the eldership/leadership/board of the church, stated in a letter to the state body.
- b.** The applicant is to complete the applicable Nomination for Registration of Minister of Religion for the state the application is to be made and forward to the state body.
- c.** The applicant is to complete CCCAust's application for a Marriage Celebrancy Licence.
- d.** The state body, having received the forgoing documentation and assessed that the applicant has met all the requirements of CCCAust, shall:
 - i. retain a record of all documentation,
 - ii. apply to the respective Births, Deaths and Marriage authority in its state, and
 - iii. upon receipt of the registration from Births Deaths and Marriages, retain a copy of the registration and record it in a register of Marriage Celebrants.

13. MARRIAGE CEREMONY - PROCESS:

A. Prior To Marrying A Couple:

Before you marry a couple:

- a.** Establish that they meet the conditions of a valid marriage [Clause 8](#).
- b.** Make them aware of the Biblical, CCCAust and Church tenets relating to marriage and that they will be married subject to those tenets.
- c.** Ensure they have undertaken pre-marriage counselling.
- d.** They complete a notice of intended marriage form at least one month (but not more than 18 months) prior to the wedding.

The form can be completed if the couple is overseas and plans to get married in Australia.

If the form cannot be completed within a month of the wedding, the prescribed authority may approve it on the following basis:

- i. Employment-related or travel commitments.*
 - ii. Wedding or celebration arrangements.*
 - iii. Medical reasons.*
 - iv. Legal proceedings.*
 - v. Error in giving notice.*
- e.** Acquire evidence of their date and place of birth [copy of birth certificate or passport].
 - f.** Acquire visual and written proof of their identify [copy of driver's licence or passport].
 - g.** Acquire, if applicable, proof a previous marriage has been annulled [copy of document].

B. Code of Practice:

a. Preface:

The following Code of Practice includes many of the Code of Practices that apply to Marriage Celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961, which is listed in Schedule 2 of the Marriage Regulations 2017.

CCCAust has elected to include most of these codes along specific Christian codes to establish a Code of Practice in keeping with the codes expected of a Commonwealth appointed Marriage Celebrant and that of a Minister of Religion.

b. 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:

- i. appropriate personal presentation for marriage ceremonies;
- ii. punctuality for marriage ceremonies;
- iii. accuracy in preparation of documents and in the conduct of marriage ceremonies.

The Celebrant is to perform the wedding service with dignity and sensitivity.

Marriage ceremonies are a wonderful opportunity to share the Good News about Christ and the Celebrant is to effectively communicate these truths in during the ceremony.

c. 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.

d. Compliance with the Act and other laws:

A marriage celebrant must:

- i. comply with the requirements of the Marriage Act 1961 and the Marriage Regulations 2017 which apply to the marriage celebrant; and
- ii. observe the laws of the Commonwealth and of any State or Territory in which the marriage celebrant solemnises marriages; and
- iii. avoid unlawful discrimination in the provision of marriage Celebrancy services.

e. 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:

- i. 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;
- ii. respecting the privacy and confidentiality of the parties, including by:
 - a. arranging for appropriate facilities to interview parties; and
 - b. dealing appropriately with personal documents and personal information; and
 - c. maintaining appropriate facilities for the secure storage of records; and
 - d. 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);

- iii. 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.

f. Knowledge and understanding of family relationships services:

A marriage celebrant must:

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

g. Christian fundamentals:

A marriage celebrant must:

- i. Conduct the marriage in accordance with CCCAust Marriage Rites.

C. Marriage Ceremony – CCCAust Marriage Rites:

Marriage Solemnization in Christian Community Churches of Australia (CCCAust)

All CCCAust marriage celebrants are representatives of our churches. As local church representatives

CCCAust marriage celebrants must solemnize all marriages under the guidance of the church leadership as well as in accordance with the Australian Marriage Act and the CCCAust Marriage Rites detailed below. The CCCAust Marriage Rites represent the minimum requirements for solemnizing a marriage under the rites of the Christian Community Churches of Australia. Individual church elderships/leaderships may require celebrants to include additional elements.

CCCAust Marriage Rites:

Where deemed necessary by the celebrant and the elders/leaders of the church the following is to be conducted prior to the wedding ceremony:

- **PRE-MARRIAGE EDUCATION:** The couple is to receive teaching on Christian Marriage and should receive appropriate counsel in subjects such as: interpersonal relationships, communication and conflict resolution, sexuality, family, and financial management.

The following are essential components for the wedding ceremony:

- **MARRIAGE EXPLANATION:** An opening statement which explains the nature and purpose of Christian marriage. The Marriage explanation is to include the words:

“Marriage is the God ordained covenantal union of a man and a woman to the exclusion of all others, voluntarily entered into for life.” (Inclusion of the word ‘covenantal’ is strongly encouraged but optional.)

- **Bible Reading:** Suitably selected for each couple.
- **Vows:** Includes the following:
- **Witnesses:** Commence with or include the words “In the presence of God and these witnesses...” or similar.
- **Questions or Statements of Intent:** Include the words “Do you GROOM take BRIDE to be your lawful wedded wife” and “Do you BRIDE take GROOM to be your lawful wedded husband?” or “I call upon the persons here present to witness that I, GROOM, take you, BRIDE, to be my lawful wedded wife” and “I call upon the persons here present to witness that I, BRIDE, take you, GROOM, to be my lawful wedded husband.” or similar. From the above lawful or wedded may be omitted, but not both.
- **Covenantal Promises:** The couple makes personal covenantal promises to each other. These promises may be tailored to include personal components. These should be vetted and guided by the Celebrant and must include aspects of commitment, love, and faithfulness to each other. Commence with or include “In the presence of God, family and friends, I promise...” or similar.
- **Symbols/Tokens:** Usually rings are exchanged.
- **Prayer for or Blessing** upon the couple.
- **Declaration:** A declaration that the man and woman are married firstly according to God’s authority and secondly according to the laws of the Australian Commonwealth.
- **Signing:** The official wedding documents are signed by the couple, two legal witnesses, and the authorised celebrant.
- **Presentation:** The couple is presented to the audience by name.

The inclusion of the following components in the wedding ceremony is strongly encouraged:

- **Endorsement:** A public opportunity for the families to endorse, support and give their blessing to the marriage OR a call for possible objections as a way of confirming the legitimacy of the marriage.
- **Talk:** A message based on the Bible to encourage the couple and the audience.

D. Marriage Ceremony - Post:

On your wedding day, three Marriage Certificates must be signed by:

- a.** The bride and groom.
- b.** The Marriage Celebrant.
- c.** Two witnesses, who must be 18 years of age.

The authorised Marriage Celebrant is to give the couple a Certificate of Marriage on the day. This is a ceremonial certificate of your marriage.

The celebrant is within 14 days of the marriage, to submit the marriage documentation to the registry of births, deaths and marriages in the state or territory the marriage took place.

[It is to be noted that in some states Celebrants and State Authorities can now interact with Births Deaths and Marriages via a portal.](#)

Advise the couple to apply for a copy of your official marriage certificate from the registry. The couple will need the certificate if you they want to change names or prove they are married.

Following are the state regulatory authorities for Births Deaths and Marriages.

Australian Capitol Territories	<u>ACT</u>
New South Wales	<u>NSW</u>
Queensland	<u>QLD</u>
South Australia	<u>SA</u>
Tasmania	<u>TAS</u>
Victoria	<u>VIC</u>
Western Australia	<u>WA</u>

14. BIBLE VERSUS:

A. Bible Verses about Marriage:

Hebrews 13:4 - Let marriage be held in honour among all, and let the marriage bed be undefiled, for God will judge the sexually immoral and adulterous.

Proverbs 18:22 - He who finds a wife finds a good thing and obtains favour from the Lord.

Genesis 2:24 - Therefore a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh.

1 Corinthians 13:4-7 - Love is patient and kind; love does not envy or boast; it is not arrogant or rude. It does not insist on its own way; it is not irritable or resentful; it does not rejoice at wrongdoing, but rejoices with the truth. Love bears all things, believes all things, hopes all things, endures all things.

Proverbs 21:9 - It is better to live in a corner of the housetop than in a house shared with a quarrelsome wife.

Proverbs 19:14 - House and wealth are inherited from fathers, but a prudent wife is from the Lord.

1 Peter 3:7 - Likewise, husbands, live with your wives in an understanding way, showing honour to the woman as the weaker vessel, since they are heirs with you of the grace of life, so that your prayers may not be hindered.

2 Corinthians 6:14 - Do not be unequally yoked with unbelievers. For what partnership has righteousness with lawlessness? Or what fellowship has light with darkness?

B. Scriptures Quotes for Husbands and Wives:

Ephesians 5:25 - Husbands, love your wives, as Christ loved the church and gave himself up for her

Ephesians 5:33 - However, let each one of you love his wife as himself, and let the wife see that she respects her husband.

Genesis 2:18 - Then the Lord God said, "It is not good that the man should be alone; I will make him a helper fit for him."

Matthew 19:4-6 - He answered, "Have you not read that he who created them from the beginning made them male and female, and said, 'Therefore a man shall leave his father and his mother and hold fast to his wife, and the two shall become one flesh'? So they are no longer two but one flesh. What therefore God has joined together, let not man separate."

Colossians 3:18-19 - Wives, submit to your husbands, as is fitting in the Lord. Husbands, love your wives, and do not be harsh with them.

1 Peter 4:8 - Above all, keep loving one another earnestly, since love covers a multitude of sins.

Proverbs 31:10 - An excellent wife who can find? She is far more precious than jewels.

Mark 10:6-9 - But from the beginning of creation, 'God made them male and female.' 'Therefore a man shall leave his father and mother and hold fast to his wife, and the two shall become one flesh.' So they are no longer two but one flesh. What therefore God has joined together, let not man separate."

Ephesians 5:22-33 - Wives, submit yourselves to your own husbands as you do to the Lord. For the husband is the head of the wife as Christ is the head of the church, his body, of which he is the Savior. Now as the church submits to Christ, so also wives should submit to their husbands in everything. Husbands, love your wives, just as Christ loved the church and gave himself up for her to make her holy, cleansing her by the washing with water through the word, and to present her to himself as a radiant church, without stain or wrinkle or any other blemish, but holy and blameless. In this same way, husbands ought to love their wives as their own bodies. He who loves his wife loves himself. After all, no one ever hated their own body, but they feed and care for their body, just as Christ does the church— for we are members of his body. "For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh." This is a profound mystery—but I am talking about Christ and the church. However, each one of you also must love his wife as he loves himself, and the wife must respect her husband.

1 Corinthians 7:2-11 - But since sexual immorality is occurring, each man should have sexual relations with his own wife, and each woman with her own husband. The husband should fulfill his marital duty to his wife, and likewise the wife to her husband. The wife does not have authority over her own body but yields it to her husband. In the same way, the husband does not have authority over his own body but yields it to his wife. Do not deprive each other except perhaps by mutual consent and for a time, so that you may devote yourselves to prayer. Then come together again so that Satan will not tempt you because of your lack of self-control. I say this as a concession, not as a command. I wish that all of you were as I am. But each of you has your own gift from God; one has this gift, another has that. Now to the unmarried and the widows I say: It is good for them to stay unmarried, as I do. But if they cannot control themselves, they should marry, for it is better to marry than to burn with passion. To the married I give this command (not I, but the Lord): A wife must not separate from her husband. But if she does, she must remain unmarried or else be reconciled to her husband. And a husband must not divorce his wife.

C. Bible Quotes about Marriage and Sexual Morality:

Isaiah 62:5 - For as a young man marries a young woman, so shall your sons marry you, and as the bridegroom rejoices over the bride, so shall your God rejoice over you.

Deuteronomy 24:5 - When a man is newly married, he shall not go out with the army or be liable for any other public duty. He shall be free at home one year to be happy with his wife whom he has taken.

Ecclesiastes 4:12 - And though a man might prevail against one who is alone, two will withstand him—a threefold cord is not quickly broken.

Proverbs 12:4 - An excellent wife is the crown of her husband, but she who brings shame is like rottenness in his bones.

Ephesians 5:31 - "Therefore a man shall leave his father and mother and hold fast to his wife, and the two shall become one flesh."

1 John 4:7 - Beloved, let us love one another, for love is from God, and whoever loves has been born of God and knows God.

Matthew 19:9 - And I say to you: whoever divorces his wife, except for sexual immorality, and marries another, commits adultery."

Matthew 5:32 - But I say to you that everyone who divorces his wife, except on the ground of sexual immorality, makes her commit adultery, and whoever marries a divorced woman commits adultery.

Ecclesiastes 4:9-12 - Two are better than one, because they have a good reward for their toil. For if they fall, one will lift up his fellow. But woe to him who is alone when he falls and has not another to lift him up! Again, if two lie together, they keep warm, but how can one keep warm alone? And though a man might prevail against one who is alone, two will withstand him—a threefold cord is not quickly broken.

Mark 10:9 - What therefore God has joined together, let not man separate.

Psalms 85:10 - Steadfast love and faithfulness meet; righteousness and peace kiss each other.