



# MARRIAGE REGULATIONS 2017

## CODE OF PRACTICE

### Schedule 2—Code of Practice for Marriage Celebrants

Note: See section 52.

#### 1 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.

#### 2 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.

#### 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 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.

## **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. 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.

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