



## **MARRIAGE IN AUSTRALIA**

### **THE MARRIAGE ACT 1961**

All marriages solemnized by Australian law are in accordance with the Marriage Act 1961 and is administered by the Attorney General's Office. Marriage is legally binding and parties to the marriage are bound by this law.

### **THE MARRIAGE REGULATIONS 1963**

Further guidance to this law and the manner to which it is met and maintained is stipulated by the Marriage Regulations 1963.

### **REQUIREMENTS FOR PLANNING A CEREMONY**

Solemnizing of a marriage, whether it be a small event or large, is never one to be taken lightly. It requires careful planning not only for personal satisfaction but in order to fulfill legal requirements. A Notice of Intended Marriage (NOIM) needs to be completed and signed by bride and groom, as well as the celebrant between 1 month and 18 months before the day of the ceremony. Identification needs to be provided to your celebrant along with supporting documentation as required by the NOIM. Finding your celebrant is of prior importance as they can confirm availability for your date and guide you through the entire process.

### **CIVIL CELEBRANT**

Civil marriage celebrants are qualified and authorized under the Marriage Act 1961. Once you have selected your marriage celebrant you can ensure their validity by checking the Register of Marriage Celebrants or the List of Authorised Marriage Celebrants.

### **TRAINING AND DEVELOPMENT**

Marriage celebrants have undergone special training before being appointed by the Registrar and are required to complete five hours of ongoing professional development per year to maintain and develop new and existing skills as well as be updated continuously regarding law.

### **CODE OF PRACTICE (REG 37L)**

Marriage celebrants are professionals who follow a strict Code of Practice and if they do not disciplinary measures may be taken against them by the Registrar of Marriage Celebrants.



## **ROLE AND LEGAL OBLIGATIONS**

Marriage celebrants play a key role in a marriage ceremony from the beginning stage of planning through to final solemnization, submission of legal paperwork and issue of certificate. Providing a high level of service, it is part of their role to provide you with guidance in structuring the ceremony. Celebrants recognize the significance of culture, art and family in marriage and will provide suggestions to incorporate them into the ceremony.

Compliance to the Marriage Act 1961, state and territory laws and the prevention of unlawful discrimination is only a start. Marriage celebrants have general requirements as well to assist in the organization of the ceremony. These are:

- (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.

It is also necessary for celebrants to maintain information regarding relationship services within the community and provide these to parties, to enhance and sustain them throughout their marriage.

#### **CLIENT COMMUNICATION**

Parties may be suitably satisfied with the services of a celebrant; however that satisfaction may also go beyond to either extreme. It is important to each professional as well as the industry to receive feedback regarding the pros and cons of the services provided, for the sake of continuous improvement as well as the resolution of any grievances.

Feedback may be submitted via the online [feedback form](#) and is of course welcome in writing. Similarly, all feedback may also be made via the Attorney-General's Department although attempts to address any unresolved matters should be done first with the celebrant if appropriate.

#### **INTERPRETERS**

Where a party to a marriage is not equipped with the English language, it is a legal requirement (in accordance with the [Marriage Act 1961, SECT 112](#)) for an interpreter to be employed for each meeting with the celebrant and for the ceremony itself. A form 24 certificate of faithful services and a statutory declaration from the registered interpreter is required at close of ceremony. The interpreter needs to be registered with the [National Accreditation Authority for Translators and Interpreters LTD \(NAATI\)](#).



## **RELATIONSHIP INFORMATION**

The following relationship services have services throughout Victoria.

### **Mackillop Family Services**

Address: 118 Commercial Road, Footscray VIC 3011

Contact Details: Ph: 03 9680 8444

Fax: 03 9396 1814

Email: [enquiries@mackillop.org.au](mailto:enquiries@mackillop.org.au)

Website: [www.mackillop.org.au](http://www.mackillop.org.au)

### **Lifeworks Relationship Counselling Education Services**

Address: 237 Hogans Road Hoppers Crossing, VIC 3029

Contact Details: Ph: 03 9974 3200

Fax: 03 99743288

Email: [lifeworks@lifeworks.com.au](mailto:lifeworks@lifeworks.com.au)

Website: [www.lifeworks.com.au](http://www.lifeworks.com.au)

### **Relationships Australia VIC**

Address: 1 Clarke Street Sunshine VIC 3020

Contact Details: Ph: 03 8311 9222

Fax: 03 9364 9902

Email: [ho@rav.org.au](mailto:ho@rav.org.au)

Website: [www.relationships.com.au/vic](http://www.relationships.com.au/vic)



## **PROFESSIONAL PROFILE**

### **ART & CULTURE IN CEREMONY**

Multicultural and artistic rituals add personal reflection on ceremonies. Many aspects should be considered, such as: meanings of colour, flowers, music, readings and much more. Religious aspects may also be included in a civil ceremony. It is part of my role as a celebrant to provide you with suggestions and assistance to incorporate these into your personal ceremony.

### **BASIC TRADITIONAL CEREMONIAL STRUCTURE**

1. Processional
2. Welcoming
3. Giving away of bride
4. Introduction
5. Reading
6. Legal component
7. Spoken Declaration
8. Vows
9. Ring Ceremony
10. Conclusion
11. Declaration
12. Signing of Register
13. Congratulations and presentation
14. Recessional

Providing the legal components are included accordingly, the ceremonial structure can be changed to suit your personal desire.

### **COPYRIGHT**

Professional services and products are more often than not accompanied by a Copyright. It is important that you have a thorough understanding of your legal rights to a product or service and where ever possible, in writing. Possible claimants of copyright material may include your wedding photographs and negatives and audiovisual recordings of musical performances.

### **STATEMENT OF FEES (last updated 19/04/2016)**

Standard fee for my services as your marriage celebrant is \$600 all inclusive. Travel to the ceremony is included in this amount for 50km each way. Extra travel charges are \$1 per additional kilometre. A deposit of \$100 is payable at the meeting when the Notice of Intended Marriage is completed. The final balance is due one week before the ceremony.



## **REFUND POLICY**

All payments are receipted and recorded. Payments received in advance for services not yet rendered will be refunded upon written request no later than 7 days prior to the ceremony, however initial deposit is not-refundable once initial interview has occurred and Notice of Intended Marriage has been completed and signed by all parties. Additional charges for extended services or travel already provided will not be refunded unless agreed to by both parties or as per obligation according to the Marriage Celebrant's Code of practice.

## **PRIVACY POLICY**

In accordance with Code of Practice and the ethics of my personal and professional nature, I respect the privacy and confidentiality of parties to a marriage. Records are maintained in a secure environment – hardcopies under lock and key, electronic files by personal computer with password protection. Any files that are no longer required are shredded and any personal documents to be sent to the Registrar are either done in person by myself or by registered post. Discussion of the any ceremony is only with the immediate parties unless otherwise permitted.

## **FEEDBACK**

Feedback is welcome whether positive or negative. The purpose of feedback should be for conflict resolution, constructive criticism or simple appraisal. Your feedback is relied upon for continual improvement of my services. Please [download a feedback form](#) online and send any correspondence to the details below.

## **CONTACT**

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**Civil Marriage Celebrant**  
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All of the information I have presented can be located on my website at [www.sunshineofyourlove.com.au](http://www.sunshineofyourlove.com.au) You can contact me by phone, email or post. I endeavor to respond to all messages on the same day they are received and all enquiries are welcome.