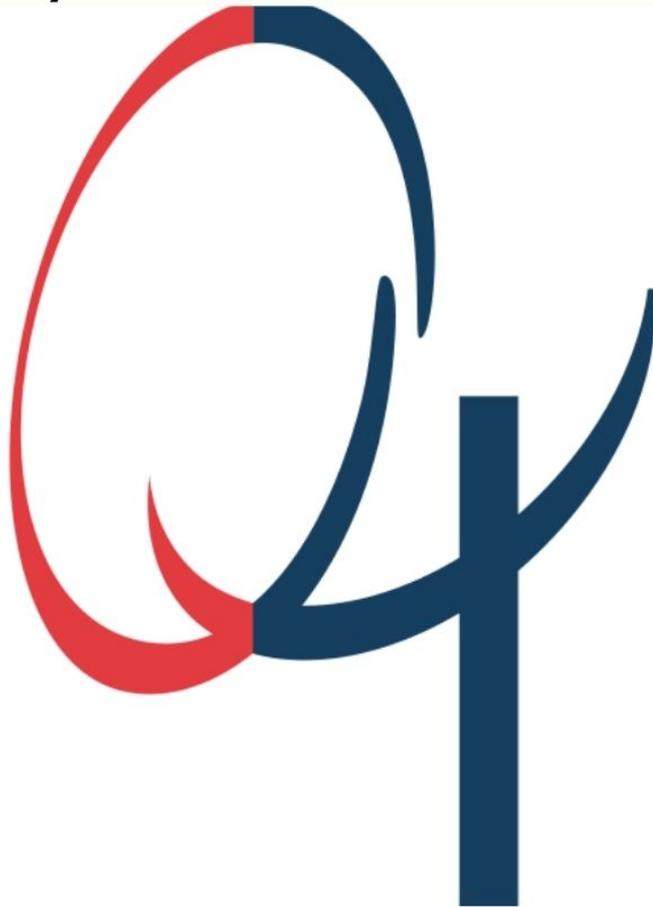


# Professional Development

2022

THE BEAUTIFUL THING ABOUT  
LEARNING IS THAT NOBODY CAN  
TAKE IT AWAY FROM YOU.

(B B KING)



QualTrain Australia P/L

<https://www.qualtrain.com.au/>

At QualTrain, we successfully deliver focused celebrant training. We supply quality assured training, both in the VET (Vocational Education & Training) and Adult Learning (personal enrichment and career related education and training). Our courses are designed to meet your optimum requirements.

All QualTrain professional development courses have been created for the purpose of aiding celebrants to enhance their practice skills by using a workplace-based approach to further develop and effectively embrace challenge, change and opportunity.

## QualTrain Australia Professional Development Program 2022

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MEMORIAL

WHERE TO  
FROM HERE?

## A2 Legal Refresher – Finding the right answers (2 hours)

This activity relates to a unit of competency within CHC41015 CIV in Celebrancy:

- CHCCEL402A Establish and maintain knowledge of legal responsibilities of a marriage celebrant
  - This unit describes the knowledge required to be developed and maintained by marriage celebrants to fulfil their legal responsibilities under the *Marriage Act 1961* and *Marriage Regulations 2017*, including the Code of Practice for Marriage Celebrants
- CHCLEG001 Work legally and ethically
  1. Identify and respond to legal requirements
    - 1.1 Identify, access and interpret sources of information about the legal requirements that apply to the work role
    - 1.2 Identify the scope and nature of own legal rights and responsibilities
    - 1.3 Adhere to legal requirements in work practice according to workplace policies and procedures and scope of role
    - 1.4 Recognise potential or actual breaches and report according to organisation procedures

The **aim of this activity** is to develop and refresh each celebrant's essential knowledge thereby developing confidence and assurance they are fulfilling their legal responsibilities when solemnising marriages.

### Introduction

In this activity we are going to look at the **most current information** available to Commonwealth Registered Marriage Celebrants, drawing on the following resources:

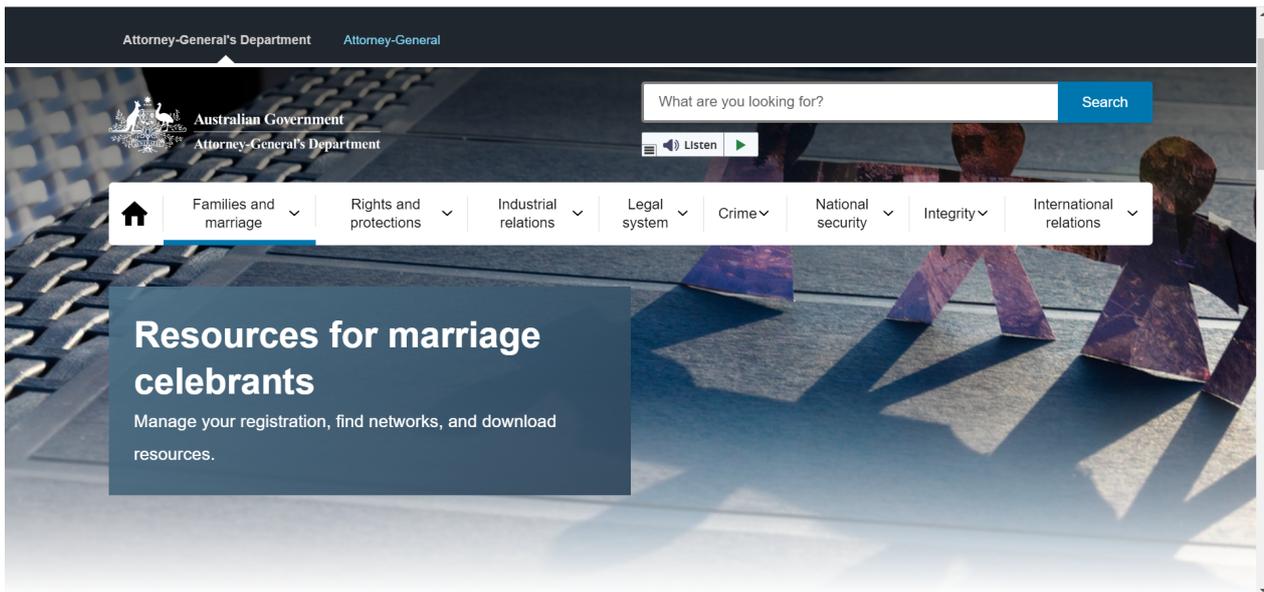
- Attorney-General's website, particularly in relation to [resources for marriage celebrants, your responsibilities as a Commonwealth Registered Marriage Celebrant and self-service portal](#)
- Marriage Act 1961, Marriage Regulations 2017, Guidelines on the Marriage Act 1961.
- Guidelines on the Marriage Act 1961 (current version)

### PART ONE - REVIEW

**To begin the activity** review the links to current information, most relevant to this activity.

Please click on all the links or copy and paste into your web browser.

*Snapshot of the Attorney-General's website 'Resources for marriage celebrants'*



**LINK: <https://www.ag.gov.au/families-and-marriage/marriage/resources-marriage-celebrants>**

Scroll down the page to find the following:

- **Your responsibilities as a Commonwealth-registered marriage celebrant**  
Understand your responsibilities as a Commonwealth registered marriage celebrant.
- **Download resources** Download forms and resources for your work as an authorised marriage celebrant. Access fact sheets, forms and celebrant newsletters.

When you visit the page: Your responsibilities as a Commonwealth-registered marriage celebrant you will find this important information (extracted):

### **Rules for Commonwealth-registered marriage celebrants**

Commonwealth-registered marriage celebrants play an important role in our communities.

As a celebrant, you have legal responsibilities you must follow. If you don't, you could face serious consequences.

You must follow all the rules in the:

- Marriage Act 1961- external site
- Marriage Regulations 2017- external site (including the code of practice for marriage celebrants)

**Download the code of practice:** [Code of practice for marriage celebrants](#)

**Guides to help you understand the rules**

We manage the Marriage Celebrant Program in Australia. Through the program, we aim to help you understand your responsibilities and how to meet them.

Our guides contain essential information on how to meet your responsibilities as a Commonwealth-registered marriage celebrant. We cannot provide legal advice.

*Download a guide to the Marriage Act 1961 (latest version to be updated):*

- [Guidelines on the Marriage Act 1961 for authorised celebrants – Sep 2021](#)

*Checklist for solemnising a marriage:*

- [Celebrants obligations when solemnising marriages – Updated July 2018](#)

*Rules about accepting electronic copies of documents:*

- [Marriage Celebrants in an Online Environment June 2019](#)
- [Quick Reference Guide – Celebrants in an Online Environment – June 2019](#)

*Notice of Intended Marriage fact sheet:*

- [Notice of intended marriage – giving the minimum one month notice – Revised August 2018](#)

For further guidance on completing the Notice of Intended Marriage form, please see the factsheets below, including examples of completed Notice of Intended Marriage forms using existing scenarios.

- [Tips for completing Notices of Intended Marriage – from September 1](#)

*Correcting marriage documentation fact sheet:*

For guidance on how to amend information or correct errors made on marriage documentation please read the fact sheet on correcting marriage documentation.

- [Correcting marriage documentation – September 2020](#)

We also provide guidance on how to advertise your services as a marriage celebrant. This includes rules you must follow and tips for offering your services.

*Download the advertising guidelines:*

- [Guidelines on advertising for Commonwealth-registered marriage celebrants – Updated May 2019](#)

**Please review** this important information and make note of where you can find the latest versions of these publications and resources in the future.

When you visit the page: **[Resources for marriage celebrants](#)**

<https://www.ag.gov.au/families-and-marriage/marriage/resources-marriage-celebrants> you will find the following important information (extracted) under the tab **Download resources:**

## **Marriage forms**

*The forms on this page are for official use under the Marriage Act 1961 and Marriage Regulations 2017.*

Do not change these forms or they may become invalid.

### **Buy official forms from CanPrint**

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

You must buy this form from [CanPrint Communications- external site](#) which is the approved supplier. They can only supply the form to registered marriage celebrants.

CanPrint also supplies other marriage stationery, including:

- marriage registers
- official forms
- certificates

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

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.

Visit [CanPrint Communications- external site](#) or [email them](#) for more information.

### **A copy of our approval letter for CanPrint:**

- [Authorisation of CanPrint to supply the Form 15 Certificate of Marriage](#)

**ACTIVITY Solemnisation of marriage forms** are available to download on this page. Please review the available forms and make note of where you can find the latest versions of these resources in the future.

Link: <https://www.ag.gov.au/families-and-marriage/marriage/resources-marriage-celebrants/download-resources>

## What's new in 2021/2022?

In previous years celebrant's have had to complete a total of five hours of OPD. This year marriage celebrants will only have to undertake a **compulsory activity** to fulfil their obligations. Further information on OPD in 2022 is [available here](#). The activity will be accessed via the [celebrant self-service portal](#).

**Marriage Act 1961 has been temporarily modified** due to COVID-19, to enable an authorised witness to remotely witness the signing of the Notice of Intended Marriage (NOIM). This is a temporary response to assist parties to the marriage meet the notification requirements given the continuing impact of the COVID pandemic.

Further information on the Determination which modifies the *Marriage Act 1961* commencing 21 December 2021 is [available here](#)

Under the Determination, an authorised witness may sign in the 'Signature of witness box' on page 4 of the NOIM, if they have observed the party signing the NOIM, by means of videoconferencing facilities such as Skype or Zoom.

Such NOIMs signed and witnessed remotely during the specified period should be accepted despite the note on page 2 of the NOIM stating that the 'Notice must be signed in the physical presence of an authorised witness'. A NOIM must still be given to the authorised celebrant at least one month before the marriage is solemnised.

Please note the following Please note that the locality requirements of witnesses have not been altered. As such authorised celebrants are only able to remotely witness the signature of parties signing the notice in Australia – see sections 42(2)(c) and (d) of the [Marriage Act](#).

There are **no changes** to the requirement for the physical presence of all parties to the marriage, including the celebrant and two official witnesses, on the day of the marriage (see sections 41 and 44 of the [Marriage Act](#)).

Section 41 - A marriage shall be solemnised by or in the (physical) presence of an authorised celebrant who is authorised to solemnise marriages at the place where the marriage takes place.

Section 44 - A marriage shall not be solemnised unless at least 2 persons who are, or appear to the person solemnising the marriage to be, over the age of 18 years are (physically) present as witnesses.

There is also **no change** to the requirement that the declaration of no legal impediment be 'made and subscribed' (physically) before the authorised celebrant prior to the ceremony (see section 42(1)(c) of the [Marriage Act](#)).

The department will provide further information regarding the ending of the temporary facility to witness NOIMs remotely closer to the date of repeal of the relevant legislation.

Please contact us at [marriagecelebrantssection@ag.gov.au](mailto:marriagecelebrantssection@ag.gov.au) if you have any questions about the above.

**New Forms** - The three new marriage forms: the Notice of Intended Marriage (NOIM), the Official Certificate of Marriage (OCM), and Declaration of No Legal Impediment to Marriage (DNLI) forms, will be available for download from the department's [website](#) on 31 August 2021.

MLCS has provided the following guidance material on the changes to marriage forms commencing on 1 September 2021:

1. [Fact sheet on Changes to marriage forms and certificates 2021](#)

**From 1 September 2021, all authorised celebrants MUST use the new NOIM, OCM and DNLI forms.**

NOIM forms signed and submitted to an authorised celebrant before 1 September 2021 will remain valid for a period of 18 months from their date of receipt by the authorised celebrant. All NOIM forms submitted to an authorised celebrant after 1 September 2021, must be in the new form.

There are no changes to the Form 15 Certificates of Marriage (that is given by the celebrant to the couple immediately following the wedding). Authorised celebrants can continue to use their existing stock of Form 15 certificates. The Form 15 certificates continue to be available for purchase from CanPrint Communications.

[Guidelines on the Marriage Act 1961 for authorised celebrants](#) updated on 31 August 2021, to reflect the new forms commencing on 1 September 2021.

**ACTIVITY:** Follow these links:

Return to the page [Manage your registration](#) See the following information extracted from this page:

### **Use the self-service portal#**

Our [self-service portal- external site](#) makes it easy to manage your registration online.

In the portal, you can:

- update your contact details
- view your invoices and receipts
- [apply to not pay the registration charge for 1 year](#)
- [apply to not complete OPD for 1 year](#)
- update your OPD activities
- [resign as a marriage celebrant](#)

If you have problems accessing or using the portal, [email us](#).

### **Download tips to help you use the self-service portal**

- [Accessing the marriage celebrants self-service portal](#)
- [Updating your details – Fact sheet – Minimum and maximum details displayed on the register](#)

**ACTIVITY Please review** this important information and make note of where you can find the latest versions of these resources in the future.

**ACTIVITY:** (Extracts from the Guidelines on the Marriage Act 1961 most current version available). Follow this link to the [Guidelines on the Marriage Act 1961 for authorised celebrants \[PDF 1.96 MB\]](#)

Using the Index in the Guidelines, 'ctrl click' on each of the parts outlined below to read the relevant information. **Please review** this important information and make note of where you can find the latest versions of this resource in the future.

### **PART 4 SOLEMNISING MARRIAGES AND COMPLETING OFFICIAL MARRIAGE FORMS**

- Witnessing the NOIM (Part 4.9 of the Guidelines)
- NOIMs signed overseas (Part 4.9.2 of the Guidelines)
- Transfer of NOIM (Part 5.2.2 of the Guidelines)
- Signing the Declaration of No Legal Impediment (Part 4.14 of the Guidelines)
- Vows (Part 5.7 of the Guidelines)

## **PART 8 ESTABLISHING THAT THE PROPOSED MARRIAGE WILL BE VALID**

- Grounds on which a marriage may be invalid (part 8.2 of the guidelines)
- Real consent (parts 8.5 and 8.6 of the guidelines)
- Surprise marriages (part 11.1 of the guidelines)
- Capacity to understand and the nature and effect of marriage (Part 8.6.5 of the guidelines)

### **Review CHECKLIST FOR SOLEMNISATION OF A MARRIAGE (APPENDIX B TO THE GUIDELINES)**

This document forms an excellent checklist for marriage celebrants. Please review the document and we suggest you review it regularly as it will ensure that each essential step in the solemnisation of a marriage is followed without error or omission. This checklist is available as a fact sheet on the Attorney-General's website:

<https://www.ag.gov.au/sites/default/files/2020-03/celebrants-obligations.pdf>

## **PART 12 OFFENCES**

### **12.1 WHY IT IS IMPORTANT FOR CELEBRANTS TO KNOW ABOUT OFFENCES UNDER THE MARRIAGE ACT**

### **12.2 OFFENCES RELEVANT TO CELEBRANTS**

The following are the most commonly encountered by marriage celebrants:

- Section 99 Solemnising marriage where notice or declaration not given or made etc.
- Section 100 Solemnising marriage where reason to believe there is a legal impediment
- Section 101 Solemnisation of marriage by unauthorised person
- Section 104 Giving defective notice etc

By now you will feel confident in knowing that marriage celebrants have all these excellent resources freely available.

**Highly recommended:** develop a practice of regularly visiting the Attorney-General's website to check on the currency of the publication or resource you wish to view. Only the latest versions appear on the AGD website. You don't need to print the majority of these versions as you can regularly download them to your computer.

**REMINDER** Celebrants are encouraged to review the resources available to them as shown in the text above. Celebrants are not encouraged to rely on information or answers to questions received from celebrant colleagues, by following unauthorised website blogs and so on. The risk is that this information, although given in the spirit of goodwill, may not be accurate or current.

If a celebrant cannot find the answer needed in the resources available to them, then they may contact MLCS at [marriagecelebrantssection@ag.gov.au](mailto:marriagecelebrantssection@ag.gov.au) / 1800 550 343 (office hours Canberra time). If the information required relates to registration of a marriage or lodgement of marriage documents then they should contact the Registry BDM in the state or territory where the marriage took place.

## PART TWO – FINDING THE RIGHT ANSWERS

Now that you have reviewed the current resources available to all marriage celebrants, it is time to practice 'finding the right answers'. As a guide, we will use some of the essential knowledge requirements outlined in the units of competency: CHCCEL402A & CHCLEG001

**EXERCISE:** Review the checklist below.

### CHECKLIST

TOPIC	ISSUE	RESOURCE(S)	WHERE TO FIND THE RESOURCE(S)
Witnessing of signatures on the Notice of Intended Marriage (NOIM).	The marrying couple reside overseas and will not arrive in Australia until two weeks prior to the date of the marriage. They want to know who can witness their signatures on the NOIM.	Marriage Act 1961 + Guidelines on the Marriage Act 1961 current version (5) + the NOIM + AGD website Rules to get married in Australia	Act – S42.2(d) + Guidelines 4.9.2 + page 4 of the NOIM + <a href="#">Rules to get married in Australia</a> + <a href="#">Quick Reference Guide – Celebrants in an Online Environment – June 2019 + temporary modification to the Marriage Act (see above information)</a>
Evidence of the date and place of birth of parties to a proposed marriage (evidence required when parties born in Australia and born overseas).	One party to this marriage was born in New South Wales (John) the second party was born in Switzerland (Liesle). Explain the evidence they require to present prior to marriage.	Marriage Act 1961 + Guidelines on the Marriage Act 1961 current version (5) + AGD website Rules to get married in Australia	Act – S42.1(b) + Guidelines 4.10 + <a href="#">Rules to get married in Australia</a> + <a href="#">Quick Reference Guide – Celebrants in an Online Environment – June 2019</a>
Evidence of the end of a previous marriage of a party to a proposed marriage (evidence required for previous marriages conducted in Australia and overseas).	John was divorced from his previous spouse. Liesle is a widow. Explain the documents they must show for evidence of the end of their previous marriages.	Marriage Act 1961 + Guidelines on the Marriage Act 1961 current version (5) + AGD website Rules to get married in Australia	Act – S42.10 + Guidelines 4.11.1 + 4.11.2 + <a href="#">Rules to get married in Australia</a> + <a href="#">Quick Reference Guide – Celebrants in an Online Environment – June 2019</a>
Amending information or correction of errors made on marriage documentation.	After the marriage of John and Liesle, you discover an error on the official certificate of marriage.	Marriage Act 1961 + AGD website – Rules for Commonwealth Reg. Celebrants - factsheet	Act – S51 + <a href="#">Correcting marriage documentation – September 2020</a>
Circumstances for shortening of the notice time for an intended marriage.	You receive a call from a marrying couple who tell you they have to get married in three weeks' time as the visiting partner's visa is about to expire.	Marriage Act 1961 + Marriage Regs 2017 + Guidelines on the Marriage Act 1961 current version (5)	Act – S42.5 + Regs – Schedule 3 + Guidelines 4.3

**Optional learning:** Now that you have reviewed the completed section of the checklist, using the following template CHECKLIST, review the TOPIC + ISSUE then enter the name of the resource or resources and the location(s) where you can find them.

**CHECKLIST CONT.**

TOPIC	ISSUE	RESOURCE(S)	WHERE TO FIND THE RESOURCE(S)
In-house celebrant for a venue.	'Top-Spot Weddings and Parties' have invited you to be their in-house celebrant. They want to discuss remuneration with you – the first wedding is scheduled for five weeks' time.		
Marriage between a person and their adopted child.	Frank wants to marry Lee. Frank tells you that 15 years ago he was married to Jane and they adopted Lee. The adoption was subsequently annulled, they divorced, Jane's new husband adopted Lee. Can you marry Frank and Lee?		
Second marriage ceremonies.	Christine and Sarah recently returned from Las Vegas. They tell you they went to the Elvis Chapel and were 'married' by an Elvis impersonator. They don't think it was a legal marriage and they don't have a certificate. They would like to be married by you.		Research second marriage ceremonies in the Guidelines to the Marriage Act
Names on marriage documents.	George is the name a party to marriage has written on the NOIM. When you sight his birth certificate, his name is spelt 'Jerzy'. He doesn't want to go through the process of name change and insists that he wants to use 'George' in the ceremony and on his certificates.		

<p>Advertising your celebrant services.</p>	<p>You have decided on a new name for your marriage celebrant business: 'Bespoke Registry Weddings' Can you use that business name?</p>		
<p>Real consent to marriage.</p>	<p>When you arrive at the wedding, you find one party to the marriage is obviously under the influence of alcohol. The second party to the marriage is arriving shortly. What can you do?</p>		
<p>Marriage of a minor.</p>	<p>Eighteen-year-old Paul tells you his sixteen-year-old girlfriend, Jenny, is pregnant and they want to be married before the baby is born. Jenny does not communicate with her parents. Paul wants to support Jenny and the baby. How will you advise them?</p>		
<p>Interpreters in the marriage ceremony.</p>	<p>Rupert tells you that his fiancé, Constance, is Balinese and doesn't speak much English. However he speaks Indonesian (as well as English) and because they don't have enough money to engage a interpreter, he would like to invite Constance's Balinese Uncle to conduct the ceremony. The uncle does not speak English.</p>		
<p>Religious Marriage Celebrants.</p>	<p>Barry, a newly registered celebrant is contacted by a prospective couple wishing to be married. Barry refuses to solemnise the marriage based on his religious beliefs which causes the couple offense.</p>	<p>Marriage Act 1961 + Guidelines on the Marriage Act 1961 current version (5) + the NOIM + AGD website Guidelines on Advertising</p>	
<p>NOIM – giving the 1-month notice.</p>	<p>A couple gives you a completed Notice of Intended Marriage on 28 February. What is the earliest day on which their marriage can be solemnised?</p>	<p>Marriage Act 1961 + Guidelines on the Marriage Act 1961 current version (5) + AGD website Notice of Intended Marriage – giving the one month notice</p>	

Evidence of place of date and birth VS Identification	A party to marriage provides you with an extract of a birth entry for evidence of place and date of birth and a student card for Identification purposes.	Guidelines on the Marriage Act 1961 current version (5)	Research Establishing identities of the parties to the marriage
Marrying couples in overseas	You are approached by a couple that wish to be married by you in Bali.	Marriage Act 1961	Section 39F

**How celebrants should interact with the MLCS (Marriage Law and Celebrant’s Section)?**

**Contact the department**

If you cannot find the information you need in the guidelines you may wish to contact the department for guidance.

You may contact the department by:

Emailing the Registrar of Marriage Celebrants at [marriagecelebrantssection@ag.gov.au](mailto:marriagecelebrantssection@ag.gov.au)

Calling 1800 550 343  
between 10.00am-1.00pm and 2.00pm-5.00pm Monday-Friday (local Canberra time).

Part 1 INTRODUCTION Guidelines to the Marriage Act

The guidelines provide essential information for celebrants on the solemnisation of marriages in Australia under the Marriage Act and the Marriage Regulations.

The material provides best practice guidance on the solemnisation of marriage in Australia and celebrants are expected to familiarise themselves with the information in this document. **The following material is provided on the understanding that the department is not providing professional legal advice on any particular matter.** The department can only provide guidance on the requirements of the legislation.

## **A1 Legal Refresher – Void Marriages ‘Consent’ (2 hours)**

This activity relates to a unit of competency within CHC41015 CIV in Celebrancy:

- CHCCEL402A Establish and maintain knowledge of legal responsibilities of a marriage celebrant
  - This unit describes the knowledge required to be developed and maintained by marriage celebrants to fulfil their legal responsibilities under the *Marriage Act 1961* and *Marriage Regulations 2017*, including the Code of Practice for Marriage Celebrants
- CHCLEG001 Work legally and ethically
  1. Identify and respond to legal requirements
    - 1.1 Identify, access and interpret sources of information about the legal requirements that apply to the work role
    - 1.2 Identify the scope and nature of own legal rights and responsibilities
    - 1.3 Adhere to legal requirements in work practice according to workplace policies and procedures and scope of role
    - 1.4 Recognise potential or actual breaches and report according to organisation procedures

The activity is designed to complement the needs of both experienced and inexperienced celebrants. The information provided in this activity is available in the Guidelines on the *Marriage Act 1961 for authorised celebrants* on the Attorney-General’s Department’s website page, [Resources for marriage celebrants](#).

### **Grounds on which a marriage may be invalid (part 8.2 of the guidelines)**

Section 23B of the Marriage Act states that the only grounds on which a marriage is void are:

- (a) either of the parties is, at the time of the marriage, lawfully married to some other person
- (b) the parties are within a prohibited relationship
- (c) by reason of section 48 the marriage is not a valid marriage
- (d) the consent of either of the parties is not a real consent because:
  - (i) it was obtained by duress or fraud
  - (ii) that party is mistaken as to the identity of the other party or as to the nature of the ceremony performed; or
  - (iii) that party is mentally incapable of understanding the nature and effect of the marriage ceremony, or
- (e) either of the parties is not of marriageable age.

This activity considers real consent in more detail.

## **Real consent (parts 8.5 and 8.6 of the guidelines)**

In respect of marriage law, there are two important types of consent, the consent required from a relevant person for the marriage of a minor and the requirement for the real consent of adult parties to voluntarily enter into a marriage.

As noted above, paragraph 23B(1)(d) provides that a marriage is void if the consent of either of the parties is not a real consent.

Consent is not real consent under s 23B of the Marriage Act, if:

- (i) it was obtained by duress or fraud;
- (ii) that party is mistaken as to the identity of the other party or as to the nature of the ceremony performed; or
- (iii) that party did not understand the nature and effect of the marriage ceremony.

The family courts are responsible for determining whether or not any of these grounds are satisfied and render a marriage void.

Other consent issues that arise on the day of the marriage ceremony can include, for example, duress or a party to the marriage who is intoxicated, under the influence of drugs, or otherwise appears to be in an altered mental state to an extent that this could impair their ability to consent to the marriage.

### **General consequences if the marriage is void due to lack of consent**

- The authorised celebrant may have committed an offence. Under section 100 of the Marriage Act it is an offence for a person to solemnise a marriage or purport to solemnise a marriage if the person has reason to believe there is a legal impediment to the marriage or if the person has reason to believe it would be void. The penalty for this offence is imprisonment for up to six months or 5 penalty units.
- The couple may have to apply to a court for a declaration as to the validity of their marriage. They may also have to go through a second marriage ceremony under section 113 of the Marriage Act. Each of these processes can be stressful, expensive and difficult for the couple. In addition, the authorised celebrant may be called to give evidence in court as to the consent of the parties.
- A valid marriage usually invalidates any existing will. The position of each member of the couple and members of their families may be considerably affected if a marriage is void.
- The Registrar of Marriage Celebrants may also take disciplinary measures against a Commonwealth-registered marriage celebrant (section 39I of the Marriage Act).

### **Celebrant Resource – References (consent):**

- Definition of Marriage - SUBSECTION 46(1) OF THE MARRIAGE ACT
- Celebrant commits an offence - 12.2.2 of the Guidelines Section 100 – Legal impediment
- Accepting a NOIM in a surprise wedding scenario – 11.1.3 OF THE Guidelines
- Forced Marriage 'offences' – 12.4 of the Guidelines

- Assessing whether a party to marriage is consenting 'mental incapacity' - 8.6 of the Guidelines
- Concerns about consent 'intoxication' – 8.6.4 Concerns about consent

Additional references:

Make notes – self-reflection/discussion

## **A2 Communicating Effectively with Your BDM**

There are Registries of Births, Deaths and Marriages in each state and territory of Australia. You can find out more about the BDM in your location by following this link:

<https://www.australia.gov.au/information-and-services/family-and-community/births-deaths-and-marriages-registries>

**Activity:** Follow the link to the Registry of Births, Deaths and Marriages in your state or territory. Make notes about the useful information you found (15 minutes)

**Question:** Why is it important for marriage celebrants to know how to contact the Registry of Births, Deaths and Marriages in their state/territory?

*Answers should include:*

- Register a marriage
- Advise clients about how to apply for a certificate of birth, death or marriage
- Advise clients about change of name registration
- Advise clients who seek information about changes of sex, adoptions

### **Recent updates from BDM and AGD:**

- **NOTIFICATION OF FEES INCREASE – EFFECTIVE 1 JULY 2021**
- Registry of Births, Deaths and Marriages *Schedule of Fees* for products and services effective 1 July 2021. We ask that you delete or destroy any old *Marriage Certificate Application Forms* prior to 1 July 2021.
- When advising clients of the procedure to obtain their certified certificate of marriage, please encourage them to apply via the online portal ensuring sufficient time has passed to allow submission of marriage documentation to the Registry and registration of the event, before doing so.

- Where authorised celebrants apply for the certificate of marriage for their clients as part of their services, please use the new *Marriage Certificate Application Form* and pay the updated fee when requesting a marriage certificate at the time of registering a marriage. To obtain the latest version of forms and relevant fees, please visit BDM in your state or territory.
- online registration system for marriage celebrants (submitting marriage documents)

## **The role of the BDM – who they are?**

Marriage Services Team

Registrar of Western Australia:

Team Leader:

Senior Marriage Services Officer:

Marriage Services Officer:

## **What do they do?**

- Administration of Civil Celebrants & Ministers of Religion
- Registration of marriages solemnised
- Shortening of Time applications
- Investigation of marriages and celebrant breaches of conduct
- Telephone and email enquiries from couples and authorised celebrants
- Marriages at the Registry Office

## **Registering Marriages**

Issues to be aware of include:

### Birthplace

- Specific country i.e. England, Ireland, Scotland or Wales – not United Kingdom
- Current name of country i.e. Rhodesia vs **Zimbabwe**, Holland vs **Netherlands**
- Abbreviations i.e. WA vs Western Australia

## Names

- Party only has one name
- Name in full – no initials
- Upper and lowercase
- Joined, hyphenated or no space in between names
- Names with accents

## Parents' Names

- Require current name and birth name
- Unknown should only be entered where it is genuinely unknown
- Unknown should only be entered where it is genuinely unknown

## Issues Continued:

- Location of marriage – suburb only, beach, park
- Poor handwriting – especially witnesses names
- Liquid paper, stapled, glued together
- Unsigned documents
- Missing documents i.e. COM & NOIM received but DNLI missing
- Witness signatures on the NOIM - not Pharmacist, Teacher, Family, etc.
- Inconsistency of information between NoIM and CoM
- Occupations – Retired, Coles, FIFO, unemployed etc.
- Marriage papers not completed in full – date NoIM received, divorce etc.
- Couples/Parents/other details do not match WA birth registrations
- Timely submission of marriage documents to the Registry

Corrections and Amendments on marriage documents made after the marriage has been register will incur a fee of \$53.00.

Most errors can be explained by either calling BDM or writing a cover letter and enclosed in the same envelop used to send the marriage documents to BDM

## **How celebrants should interact with the BDM?**

By phone or email

# QualTrain Australia Pty Ltd

Dear Participant

Thank you for your participation in QualTrain's professional development program, and we hope you found the activities informative and worthwhile.

We value your contributions and time spent with us and trust you have come away with useful and beneficial ideas.

We believe that we offer high quality training and resources and we are constantly examining our own practice to ensure we provide innovative and satisfying learning activities to motivate and inspire our celebrant colleagues.

We look forward to seeing you again in the near future. In the meantime, please stay in touch with QualTrain by following us on : Facebook <https://www.facebook.com/qualtrain.com.au>, Instagram@qualtrainaustralia and checking out our website <http://www.qualtrain.com.au/>

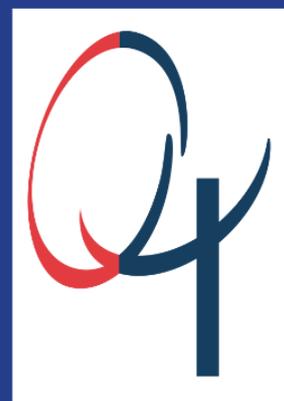
Yours sincerely

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