

Marriage (Celebrancy Qualifications or Skills) Determination 2018

I, Bridget Quayle, Registrar of Marriage Celebrants, make the following determination.

Dated 27 June 2018

Bridget Quayle

Registrar of Marriage Celebrants

Contents

Part 1—Preliminary 1

1 Name 1

2 Commencement 1

3 Authority 1

4 Schedules 1

5 Definitions 1

Part 2—Qualifications or skills 2

6 Qualifications or skills required of a marriage celebrant 2

7 Requirements for Certificate IV in Celebrancy 2

8 Requirements for celebrancy qualification 3

Part 3—Application, saving and transitional provisions 4

9 Application provision relating to the *Marriage (Celebrancy Qualifications or Skills) Determination 2018* 4

Schedule 1—Repeals 5

Marriage (Celebrancy qualifications or skills) Determination 2009 5

Part 1—Preliminary

1 Name

This instrument is the *Marriage (Celebrancy Qualifications or Skills) Determination 2018*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day this instrument is registered. | 3 July 2018 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made:

(a) under paragraph 39C(1)(b) of the *Marriage Act 1961*; and

(b) in accordance with section 39 of the *Marriage Regulations 2017*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

Note: A number of expressions used in this instrument are defined in the Act or the *Marriage Regulations 2017*, including the following:

(a) celebrancy qualification;

(b) celebrancy skills;

(c) Certificate IV in Celebrancy;

(d) marriage celebrant.

In this instrument:

***Act*** means the *Marriage Act 1961*.

Part 2—Qualifications or skills

6 Qualifications or skills required of a marriage celebrant

It is necessary for a person to have:

(a) a Certificate IV in Celebrancy; or

(b) a celebrancy qualification; or

(c) celebrancy skills.

7 Requirements for Certificate IV in Celebrancy

(1) It is necessary that a Certificate IV in Celebrancy includes:

(a) the units mentioned in subsection (2); or

(b) the units mentioned in subsection (3).

(2) For the purposes of paragraph (1)(a), the units are set out in the following table.

| Item | Unit code | Unit description |
| --- | --- | --- |
| 1 | CHCCEL402A | Establish and maintain knowledge of legal responsibilities of a marriage celebrant |
| 2 | CHCCEL403A | Develop an effective relationship with a marrying couple |
| 3 | CHCCEL404A | Plan a marriage ceremony in line with legal requirements |
| 4 | CHCCEL405A | Conduct and review a marriage ceremony in line with legal requirements |

(3) For the purposes of paragraph (1)(b), the units are set out in the following table.

| Item | Unit code | Unit description |
| --- | --- | --- |
| 1 | CHCCEL005 | Establish and maintain marriage celebrancy practice |
| 2 | CHCCEL006 | Interview clients and plan marriage ceremonies |
| 3 | CHCCEL007 | Prepare for, present and evaluate marriage ceremonies |

(4) It is necessary that a Certificate IV in Celebrancy uses the following materials:

(a) the Act;

(b) the *Marriage Regulations 2017* or the *Marriage Regulations 1963*;

(c) either of the following published by the Department in a form existing before this section commences:

(i) the *Guidelines on the Marriage Act 1961 for Marriage Celebrants*;

(ii) the *Guidelines on the Marriage Act 1961 for Authorised Celebrants July 2018*;

(d) the forms (if any) approved by the Minister under subsection 119(1) of the Act for the purposes of the following provisions of the Act:

(i) section 12 (authorisation of marriage of minor);

(ii) section 15 (dispensation with consent to marriage of minor);

(iii) section 16 (consent by Judge or magistrate to marriage of minor);

(iv) subsection 39D(1) (application for registration as a marriage celebrant);

(v) paragraph 42(1)(a) (notice of intended marriage);

(vi) paragraph 42(1)(c) (declaration by parties to marriage);

(vii) subsection 42(5A) (obligations of marriage);

(viii) paragraph 50(1)(b) (official certificate of marriage);

(ix) subsection 112(3) (interpreter’s certificate).

8 Requirements for celebrancy qualification

(1) It is necessary that a celebrancy qualification includes the units set out in the following table.

| Item | Unit code | Unit description |
| --- | --- | --- |
| 1 | APG4729 (formerly CVL4010) | Rites of passage: Culture and celebrating life cycle events |
| 2 | APG4730 (formerly CVL4020) | Life cycle events: Literature, music and life stories |
| 3 | APG4731 (formerly CVL4030) | Celebrant and client: Legal, ethical and personal issues |
| 4 | APG4732 (formerly CVL4040) | Professional celebration of rites of passage |

(2) It is necessary that a celebrancy qualification uses the following materials:

(a) the Act;

(b) the *Marriage Regulations 2017* or the *Marriage Regulations 1963*.

(3) It is necessary that a celebrancy qualification be awarded by Monash University.

Part 3—Application, saving and transitional provisions

9 Application provision relating to the *Marriage (Celebrancy Qualifications or Skills) Determination 2018*

(1) This instrument applies in relation to an application for registration as a marriage celebrant made under section 39D of the Act on or after 1 April 2018.

(2) Despite the repeal of the *Marriage (Celebrancy qualifications or skills) Determination 2009* by this instrument, that determination continues to apply in relation to an application for registration as a marriage celebrant that was made under section 39D of the Act if:

(a) the application was made before 1 April 2018; and

(b) immediately before 1 April 2018, a decision on the application has not been made.

Schedule 1—Repeals

Marriage (Celebrancy qualifications or skills) Determination 2009

1 The whole of the instrument

Repeal the instrument.