



Australian Government

**Assessment Requirements for CHCCEL005
Establish and maintain marriage
celebrancy practice**

Release: 1

Assessment Requirements for CHCCEL005 Establish and maintain marriage celebrancy practice

Modification History

Release	Comments
Release 1	<p>This version was released in <i>CHC Community Services Training Package release 3.0</i> and meets the requirements of the 2012 Standards for Training Packages.</p> <p>Significant changes to the elements and performance criteria. New evidence requirements for assessment including volume and frequency requirements. Significant change to knowledge evidence.</p> <p>Supersedes CHCCEL402A</p>

Performance Evidence

The candidate must show evidence of the ability to complete tasks outlined in elements and performance criteria of this unit, manage tasks and manage contingencies in the context of the job role. There must be evidence that the candidate has:

- used critical thinking skills to identify, review and collate information from authoritative sources about requirements for marriage celebrancy practice
- developed and documented an outline of the systems and procedures, and the associated costs, required to support a marriage celebrancy practice in the context of legal requirements.

Knowledge Evidence

The candidate must be able to demonstrate essential knowledge required to effectively complete tasks outlined in elements and performance criteria of this unit, manage tasks and manage contingencies in the context of the work role. This includes knowledge of:

- the marriage regulations and current resources developed by the Attorney-General's Department to support celebrants
- the roles and responsibilities of the government and government agencies, at both Commonwealth and state/territory levels, under marriage regulations
- the major sections of marriage regulations, including:
 - the legal definition of marriage in Australia

- who may marry under Australian law
- the requirements for a marriage to be valid
- the grounds upon which a marriage could be declared void
- the various offences under marriage regulations, and the related penalties
- the Code of Practice, contained in marriage regulations, including understanding the legal requirements of the Code of Practice, such as the obligation to respect privacy and confidentiality
- current resources developed by the Attorney-General's Department to support celebrants, including how these resources can be used to assist a celebrant in their best practice
- the links between marriage regulations (including the Code of Practice) and current resources
- the purpose of marriage, and its evolution historically as it applies to marriage in Australia
- Commonwealth anti-discrimination laws, as well as those in each state and territory
- *Statutory Declarations Act 1959*, including knowledge of responsibilities in accepting a Commonwealth statutory declaration
- *Migration Act 1958*, including:
 - broad understanding of immigration laws relating to marriages contrived to gain permanent residency
 - knowledge of how to respond to a request from a couple to verify their intent to marry to the Department of Immigration and Border Protection
 - potential conflict of interest issues, where a celebrant is also a registered migration agent

Copyright Act 1968, including:

- understanding of who (the celebrant or the couple) is responsible for obtaining any copyright licences or permissions
- understanding of the difference between copyright licence and copyright insurance
- awareness of the Copyright Agency Limited (CAL) and Celebrant Group Copyright Licence available via most celebrant associations
- Australian Consumer Law, including:
 - understanding obligations to consumers relevant to operating as a marriage celebrant
 - identifying and accessing resources to assist marriage celebrants to understand and comply with obligations to consumers
- Australian defamation laws
- local government requirements that impact on ceremonies – requirements relating to the use of parks and gardens as wedding venues
- the requirements of the Marriage Celebrants Program:
 - categories of marriage celebrant, the differences between each category and the legal responsibilities, rights and duties of each category
 - Register of Marriage Celebrants
 - requirements for registration as a Commonwealth marriage celebrant
- application form and process of consideration of applications and registration:
 - fit and proper person criteria

- qualification and skill requirements
- conflict of interest provisions
- administrative procedures and application registration fees that apply to making an application for registration as a Commonwealth marriage celebrant, and the availability and process to obtain exemption from the fee
- obligations of marriage celebrants, including:
 - notification obligations, such as change in contact details, and documents of notification, including the marriage celebrant register portal
 - the annual celebrant registration charge, the availability of, and process to, obtain exemption from the charge, and the consequences of non-payment
 - requirements for ongoing professional development for marriage celebrants, and the availability of, and process to, obtain exemption from this requirements
- performance reviews and the matters the Registrar of Marriage Celebrants must take into account in conducting a performance review
- circumstances in which disciplinary measures can be taken against a marriage celebrant
- disciplinary measures that may be taken against a marriage celebrant
- review process for disciplinary decisions of the Registrar of Marriage Celebrants
- complaints against marriage celebrants and the operation of the complaints process
- records that the Registrar must keep in relation to each marriage celebrant
- the methods available for a marriage celebrant to identify and maintain up-to-date information, resources and support services to support professional celebrancy practice.

Assessment Conditions

Skills must have been demonstrated in the workplace or in a simulated environment that reflects workplace conditions. The following conditions must be met for this unit:

- use of suitable facilities, equipment and resources, including legislative information and Code of Practice.

Assessors must satisfy the Standards for Registered Training Organisations (RTOs) 2015/AQTF mandatory competency requirements for assessors.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=5e0c25cc-3d9d-4b43-80d3-bd22cc4f1e53>