



Australian Government

Department of Education, Employment and Workplace Relations

CHCCEL405A Conduct and review a marriage ceremony in line with legal requirements

Release: 1

CHCCEL405A Conduct and review a marriage ceremony in line with legal requirements

Modification History

Not Applicable

Unit Descriptor

Descriptor

This unit describes the knowledge and skills required by marriage celebrants to conduct and review marriage ceremonies

Application of the Unit

Application

This unit is mandatory for individuals aspiring to be appointed as marriage celebrants and suitable for existing marriage celebrants registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*

Licensing/Regulatory Information

Not Applicable

Pre-Requisites

Pre-requisite

This unit of competency must be assessed after achievement of related unit:

- CHCEL402A Establish and maintain knowledge of legal responsibilities of a marriage celebrant

Employability Skills Information

Employability Skills

This unit contains Employability Skills

Elements and Performance Criteria Pre-Content

Elements define the essential outcomes of a unit of competency.

The Performance Criteria specify the level of performance required to demonstrate achievement of the Element. Terms in *italics* are elaborated in the Range Statement.

Elements and Performance Criteria

ELEMENT

PERFORMANCE CRITERIA

1. Address legal requirements to work as a marriage celebrant

- 1.1 Work with demonstrated accurate knowledge of the *responsibilities and obligations of a marriage celebrant under the Marriage Act 1961 and Marriage Regulations 1963*
- 1.2 Work with demonstrated accurate knowledge of available family relationship services as required under the *Code of Practice* for Marriage Celebrants

ELEMENT

PERFORMANCE CRITERIA

2. Finalise arrangements for marriage ceremony

- 2.1 Sight documentation required by the Marriage Act prior to solemnisation of the marriage
- 2.2 Review all required documentation and ensure it is accurately completed for signing
- 2.3 Confirm venue and time arrangements to meet the needs of the marrying couple, ensuring other arrangements at the venue will not interfere with planned ceremony
- 2.4 Confirm roles of ceremony participants and/or other service providers
- 2.5 Identify special needs of ceremony participants and/or other service providers, including interpreters as required and ensure working relationship established prior to commencement of ceremony
- 2.6 Apply Code of Practice in relation to arrival times
- 2.7 Identify possible problems or issues and put in place contingency plans where possible
- 2.8 Manage documentation relating to the ceremony and *communication* with the marrying couple

3. Conduct ceremony

- 3.1 Maintain professional personal *presentation* in accordance with the Code of Practice
- 3.2 Ensure professional *presentation* of the marriage ceremony in line with plan agreed with marrying couple and in keeping with religious or non-religious context
- 3.3 Ensure the ceremony is audible in accordance with the Code of Practice
- 3.4 Ensure appropriate placement of marriage celebrant during the ceremony particularly in relation to other people participating
- 3.5 Use resources and techniques effectively as agreed with marrying couple to enhance the significance and symbolism of the marriage ceremony in line with values and ideals of the couple
- 3.5 Facilitate orderly progression of the ceremony, as agreed with the marrying couple
- 3.6 Ensure that all documentation [3 certificates of marriage] is correctly signed by the marrying couple and their witnesses
- 3.7 Ensure that any omissions or errors are rectified in the presence of, and initialled by, the marrying couple and their witnesses

ELEMENT

PERFORMANCE CRITERIA

4. Follow up and review ceremony

- 4.1 Use effective *administrative/business management skills* to collect, store and manage documentation relating to the ceremony and *communication* with the marrying couple
- 4.2 Forward documents to State/territory Registrar of Births, Deaths and Marriages after performing ceremony
- 4.3 Ensure *secure storage of documentation* relating to marrying couple in line with legal requirements
- 4.4 Apply effective invoicing procedures in line with billing arrangements agreed with marrying couple
- 4.5 Incorporate evaluation procedures into marriage celebrancy practices as a basis for improving services
- 4.6 Seek feedback from the marrying couple using a range of techniques and use feedback to continuously improve service
- 4.7 Use negative feedback and complaints as well as positive feedback to guide practice improvement
- 4.7 Work in collaboration with colleagues to develop, maintain and improve own skills and resources

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This describes the essential skills and knowledge and their level required for this unit.

Essential knowledge:

The candidate must be able to demonstrate essential knowledge required to effectively do the task outlined in elements and performance criteria of this unit, manage the task and manage contingencies in the context of the identified work role

These include:

- Knowledge of sources of legal and practical information;
- Understanding and awareness of cultural rights, multicultural contributions, and the place of the arts in culture and ceremony
- Knowledge of the importance of ceremony and ritual in community and family life
- Understanding of client liaison techniques
- Understanding of and a commitment to ongoing professional development
- Elements of conducting an effective ceremony including use of additional materials

REQUIRED SKILLS AND KNOWLEDGE

The candidate must also be able to apply knowledge outlined in CHCCEL402A Establish and maintain knowledge of legal responsibilities of a marriage celebrant, including:

- *Marriage Act:*
 - knowledge of the obligations and responsibilities of a marriage celebrant according to the Marriage Act and Marriage Regulations and Code of Practice
 - knowledge of all documentation which must be sighted before a marriage can take place
 - knowledge of offences under the Marriage Act
- Other legislation
 - general knowledge of aspects of Commonwealth Migration, Privacy, Trade Practices, Commonwealth Statutory Declarations and Copyright Acts relevant to performing the role of a marriage celebrant
 - awareness of Commonwealth discrimination laws as well as those in each state and territory
 - knowledge of the processes and procedures of State/territory Registrars of Births, Deaths and Marriages
- *Statutory Declarations Act 1959 (Cwlth):*
 - detailed knowledge of responsibilities in accepting a Commonwealth Statutory Declaration
- *Migration Act 1958:*
 - broad understanding of immigration laws and the issues that may arise for parties who do not have permanent residency status and wish to marry
 - awareness that marriage does not automatically give permanent residency
- *Copyright Act 1968* especially applicability of the use of material in ceremonies
- *Privacy Act 1988*
 - understanding that celebrants have an obligation to protect privacy and maintain confidentiality

continued ...

REQUIRED SKILLS AND KNOWLEDGE

Essential knowledge (contd):

- *Trade Practices Act 1974*
 - understanding of obligations relevant to operating as a marriage celebrant within the Trade Practices Act; and
 - knowledge of where to locate relevant information
- Marriage/Relationship Education Services - knowledge of pre-marriage and other relationship education services

Essential skills:

It is critical that the candidate demonstrate the ability to:

- Comply with all obligations and responsibilities under the Marriage Act
- Adhere to all required legislation
- Deliver the agreed format and content of the ceremony
- Facilitate ceremonies in a manner that demonstrates cultural and social respect
- Convey a non-judgemental attitude towards marrying couples
- Manage ceremonies consistent with the celebrant's responsibility towards the significance of marriage
- Determine and understand needs of marrying couples and assist them to feel at ease

In addition, the candidate must be able to effectively do the task outlined in elements and performance criteria of this unit, manage the task and manage contingencies in the context of the identified work role

These include the ability to:

- Provide information about the availability of relationship education services
- Establish networks with relevant marriage/relationship education service provider/s
- Demonstrate effective communication skills, including:
 - speaking in a firm, diplomatic and culturally appropriate manner
 - providing clear information, listen to and understand the needs of marrying couples, and clarify ceremony instructions
 - effective and empathetic listening skills while avoiding acting as a counsellor or educator
 - maintaining awareness of and sensitivity to needs of marrying couples (e.g. demonstrate sensitivity to issues of race, religious beliefs, cultural background, language levels, personal capabilities of clients)
 - discussing appropriate check/to do lists with couple
 - summarising and clarify issues covered during consultation interviews prior to conduct of ceremony
 - effective negotiation skills
 - effective conflict resolution skills

REQUIRED SKILLS AND KNOWLEDGE

- confirming procedures with translator as necessary
- Apply effective management skills
- Explain the key features of the Marriage Act
- Accurately complete essential legal documents
- Access information about and an understanding of GST and its application
- Locate the relevant information for other state/territory legislation as required (such as local government parks and gardens, state and territory registering authorities)
- Refer persons to appropriate authority for further information
- Provide ceremony resources that are varied, presentable and well maintained
- Work with others and display empathy

continued ...

REQUIRED SKILLS AND KNOWLEDGE

Essential skills (contd):

Ability to:

- Demonstrate language and literacy competence, including:
 - literacy competence to satisfactorily fulfil the role of a marriage celebrant including the ability to interpret legal requirements and Commonwealth policies and procedures
 - using appropriate ritual and symbols in ceremony
 - language competence to provide clear information, listen to and understand the needs of marrying couples and clarify ceremony instructions
- Apply problem solving skills including the ability to work with a group and calmly manage disruptions
- Demonstrate effective presentation skills, including:
 - presenting materials for ceremony professionally; and controlled assembly of wedding party and guests with discretion
 - effective projection of voice and ability to work in public before an audience
 - discretion in terms of any perceived or actual disruption during ceremony
 - conducting ceremony with flow and continuity
 - introducing couple in the manner previously agreed
 - presentation of a complete and professional folder of ceremony to couple
 - demonstrating respect and courtesy to wedding party, guests and other participants (i.e. photographer, musicians, translator) before, during and following the ceremony
 - consultation and presentation skills including an ability to convey an attitude of professionalism and compassion
 - using effective problem solving skills to clarify any legal or other business issues arising
 - departing tactfully and at the appropriate time
- Demonstrate management and administrative skills, including:
 - effectively using techniques for monitoring own service area including client satisfaction
 - applying numeracy skills including satisfactory record-keeping
 - being honest and open in terms of fees and what monies are refundable and in what circumstances [note: this needs to be conveyed at the first interview with the couple]
 - using effective time management skills to ensure arrival at venue at agreed time
 - checking any equipment or resources as necessary
 - following up on any outstanding issues
 - contributing to revision of procedures and guidelines as appropriate

Evidence Guide

EVIDENCE GUIDE

The evidence guide provides advice on assessment and must be read in conjunction with the Performance Criteria, Required Skills and Knowledge, the Range Statement and the Assessment Guidelines for this Training Package.

Critical aspects for assessment and evidence required to demonstrate this unit of competency:

- The individual being assessed must provide evidence of specified essential knowledge as well as skills
- For assessment of aspiring marriage celebrants, this unit is most appropriately assessed by the observation of a simulated interview with marrying couple and simulated ceremony or through role play and the completion and submission of documents
- For existing marriage celebrants choosing to be assessed against the competencies, this unit is most appropriately assessed prior to and during the conduct of a marriage ceremony and the completion and submission of completed documents
- Assessment should enable assessment of response to a diverse range of marrying couples in a range of situations
- A diversity of assessment tasks is essential for holistic assessment

EVIDENCE GUIDE

- Access and equity considerations:*
- All workers in community services should be aware of access, equity and human rights issues in relation to their own area of work
 - All workers should develop their ability to work in a culturally diverse environment
 - In recognition of particular issues facing Aboriginal and Torres Strait Islander communities, workers should be aware of cultural, historical and current issues impacting on Aboriginal and Torres Strait Islander people
 - Assessors and trainers must take into account relevant access and equity issues, in particular relating to factors impacting on Aboriginal and/or Torres Strait Islander clients and communities
- Context of and specific resources for assessment:*
- This unit can be assessed independently, however holistic assessment practice with other community services units of competency is encouraged
 - Resources required for assessment of this unit include access to:
 - relevant or appropriately simulated environment where assessment can take place
 - relevant legislation, guidelines, Code of Practice, and range of required documentation
- Method of assessment may include:*
- Observation of simulation and/or role play of interview with marrying couple
 - Observation of simulation and/or role play of ceremony
 - Evidence during process for assessment of accurate completion of required documentation prior to ceremony and correct finalising of documents for forwarding to Registry Office following ceremony
 - Evidence of knowledge of all elements of Code of Practice/Marriage Act and its Regulations
 - Evidence of the appropriate use of ceremony and symbolism

Range Statement

RANGE STATEMENT

The Range Statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Add any essential operating conditions that may be present with training and assessment depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts.

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| <i>Secure storage of documentation includes:</i> | <ul style="list-style-type: none">• Addressing storage requirements including appropriate types of storage for marriage records• Ensuring that records can be kept secure for at least six years• Addressing specific documentation requirements for:<ul style="list-style-type: none">• religious registers• civil celebrant certificates• Maintenance of record-keeping sheets |
| <i>Marriage regulations includes:</i> | <ul style="list-style-type: none">• Knowledge of and adherence to the Marriage Regulations |
| <i>Other relevant legislation includes</i> | <ul style="list-style-type: none">• Knowledge of aspects of Commonwealth Migration, Privacy, Trade Practices, Commonwealth Statutory Declarations, Discrimination and Copyright Acts relevant to performing the role of a marriage celebrant• Knowledge of State/territory discrimination laws.• Knowledge of the processes and procedures of State/territory Registrars of Births, Deaths and Marriages |
| <i>Code of Practice includes:</i> | <ul style="list-style-type: none">• Knowledge of and adherence to the Code of Practice for Marriage Celebrants as specified in the Marriage Regulations |

RANGE STATEMENT

Relationship education services includes:

- Information about the availability of relationship education services is provided in accordance with the Code of Practice

Communication includes:

- Effective and professional communication with marrying couple
- Ceremony options presented to marrying couple for consideration
This may vary taking account of whether the ceremony is civil or religious
- Marrying couple's needs identified
This may vary taking account of whether the ceremony is civil or religious
- Feedback sought from marrying couple employing a range of techniques
- Feedback used to improve service
- Collaboration with colleagues sought to develop, maintain and improve skills and resources

Administrative/business management skills includes:

- Privacy, security and confidentiality of marrying couple documentation and communications maintained
- All forms and procedures completed accurately and within the required timeframe as specified in the Marriage Act
- All relevant materials provided to marrying couple in a timely and professional manner
- All documentation available and accurately completed within the required timeframe and lodged appropriately as specified in the Marriage Act
- Documentation collected and stored securely and appropriately

Presentation includes:

- Ceremony presentation is accurate and professional
- Orderly progression of ceremony, as agreed to with marrying couple, is facilitated
- The roles of ceremony participants or other service providers, where relevant, are confirmed

Unit Sector(s)

Not Applicable