



Marriage Celebrants Programme

Updated April 2018

Guidelines on advertising for Commonwealth-registered marriage celebrants

Celebrants often advertise their services

- Advertising can occur through newspapers, magazines, internet and social media.
- Done properly, advertising can benefit you and the broader community by making your services and terms clear.
- The way you advertise reflects your approach to your duties under the *Marriage Act 1961*. You must be a fit and proper person and act in accordance with the Code of Practice for marriage celebrants.
- From 9 December 2017, in all documents relating to the performance of your marriage celebrancy service, including advertisements, online media (website, social media etc) and business cards, you must clearly indicate whether you are:
 - a religious marriage celebrant (if you are listed as a 'religious marriage celebrant' on the Register of Marriage Celebrants), or
 - a marriage celebrant (if you are not a religious marriage celebrant).

What should celebrants do?

- Make sure you disclose, in your advertising and any other documents relating to your role as a marriage celebrant, what type of celebrant you are (from 9 December 2017).**
 - The type of celebrant you are—a marriage celebrant or a religious marriage celebrant—must be included in all your advertising materials, online media (website, social media etc), business cards and any other documents you make available about your services to solemnise marriages (paragraph 39G(1)(d) of the Marriage Act).
 - ☞ Handy hint – This will assist couples to identify those celebrants who solemnise marriages in accordance with their religious beliefs.
- Make sure any advertising material is accurate.**
 - Consumer protection laws make it [illegal to mislead or deceive](#).

You should be aware of federal consumer protection and [state and territory fair trading laws](#) relevant to your business.

- If you set out the legal requirements for solemnising a marriage, make sure they are correct (see the [Guidelines on the Marriage Act 1961 for Marriage Celebrants](#)).

Be clear about the types of ceremonies you offer.

- Marrying couples are more likely to have realistic expectations if you are clear about the types of marriage services you provide.

Example – the phrase ‘Registry weddings’ is often used to mean small, less formal weddings; but it could also mean weddings performed by officials at state and territory registries of births, deaths and marriages. Use ‘registry-style weddings’ instead to make it clear what services you offer.

Give couples sufficient contact information.

- Provide several alternatives if possible.

☞ Handy hint – If you change your contact details, inform the Registrar of Marriage Celebrants by email [marriagecelebrantssection@ag.gov.au]. This is a requirement under the Marriage Act; you must do this in order to stay registered.

Set out your standard terms and conditions.

- A standard agreement, while not obligatory, can help the couple to have realistic expectations and may prevent disagreements.
- Consider putting your standard agreement on your website or giving it to couples upfront.
- A service agreement may include:

- When and how a deposit will be refunded if arrangements fall through.

☞ Handy hint – Celebrants sometimes say in their service agreements that the couple’s deposit is not refundable after ‘lodgement of the notice of intended marriage (NOIM)’.

In this situation, celebrants usually mean that the deposit will not be refunded once they have received the NOIM from a couple. Couples, on the other hand, often take this to mean that a refund of the deposit will not occur after the NOIM has been lodged with the registry of births, deaths and marriages.

Simply replacing the words ‘lodgement of the NOIM’ with ‘receipt of the NOIM’ may prevent future disputes.

- How and when rehearsals will occur.
 - Whether you charge for travel to the wedding venue.
 - What equipment you will or will not provide.
- The Registrar receives many complaints each year about issues which could be addressed in service agreements. A comprehensive agreement can help you avoid disagreements and complaints.

☒ Do not copy or plagiarise other people’s advertisements, text, images or audio visual material without permission.

- Contravening [copyright law](#) can have significant civil and criminal penalties.
- Other celebrants may also be able to take legal action against you for “passing off” (or pretending to be another celebrant’s business).
- A copyright licence is unlikely to cover copying material from other celebrants’ websites.

☒ Do not provide advice when you are not authorised to do so, for example, about prospective marriage or spouse visas.

- As a marriage celebrant, you should not provide advice on migration matters. Section 280 of the *Migration Act 1958* states that a person who is not a migration agent must not give immigration assistance. You should be aware that heavy penalties apply.
- You can refer couples to the Department of Home Affairs website for information on visas and immigration-related matters.
- Alternatively, you may suggest that couples seek the advice of a registered migration agent for information on applying for marriage visas.