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# The Q & A Package

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- HOW I CAN HELP YOU TO MARRY
- FREQUENTLY ASKED QUESTIONS



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# Why did I become a Civil celebrant?

Thank you for approaching me to assist you with your wedding.

I have always been fascinated by ceremonies and rituals. I have worked as theatre producer and director, and an event manager for more than 25 years. Most recently I have delivered broadcast and site specific ceremonies for the federal Government.

In 2016 I had the very great privilege of managing the largest military repatriation in Australia's history. It led to me to explore the role of faith and tradition in our life transitions. My current area of professional development is the examination of how religion, spirituality and ritual inform aspects of our lives that for many, are a largely unconscious choices, and ones that we often draw comfort from and seek direction through.

In 2018, a couple of my closest friends married upon their return from a military deployment, and their experience with their chosen celebrant was not a positive one. At their suggestion, I looked into and then commenced studying to become a marriage celebrant. I qualified in 2019.

I am still working full-time in a role I love and with a group of people I genuinely enjoy spending my work days with, so my celebrant practice is managed by referral only. I don't advertise, I just make myself available to those who are seeking genuine connection with a celebrant who can guide them through a truly special moment in life.

So, that's what I actually do as qualified civil celebrant: I assist people to move through the key moments of change, loss and celebration and joining. Through professional facilitation and in collaboration with you, I can help you to design and guide you through, a moving warm and genuinely lovely coming together; be it a marriage, hand fasting or a commitment ceremony.

Thank you for asking me to assist you with ceremony.

One

# A few really important things to talk about

*to help you shape your ceremony*

Here are some simple questions that you may already have asked yourself:

**Question 1:** Who do you want with you on the day? Which of your family and friends will be your community as you enter into this new partnership?

**Question 2:** Where do you want to get married? What sort of place works for you?

**Question 3:** When? And just so you know, the busiest month of the year for weddings in Canberra is March and October.

**Question 4:** Now what is your budget budget? What can you really afford, by when and how do you make the most of the money you have without getting stressed. And guys, be realistic, it will save you a heap of anxiety and stress.

The most remarkable weddings we have attended and been part of are often those that contain small, meaningful details. The ceremonies I create with and for couples are a personalised reflection of you both, and I hope that your guys and your guests will remember it for years to come.

A traditional wedding **focuses on the marrying couple. It can be very simple, it might include references to religion, spirituality, their heritage/s**, and will often fuse culture and a lighter celebratory atmosphere.

I really enjoy incorporating new elements and traditions from different cultures and faiths.

And honestly you don't have to do something just because 'everyone' else does if it's not something you want or even appreciate. Look at the traditional wedding as a framework that you can either work within, be inspired by, or eschew!

I'm going to ask you some questions along the way.  
They'll be a little something like this...

**Have you thought about what you would like your ceremony to include?**

I have a little planning guide available through my client portal.

**How will it start?**

- Will either of you make an entrance?
- Is one to the other of you walking down an aisle to the other? Will you be accompanied by someone?
- Will you walk together to a certain point.
- Are you playing music during the entrance?

**Do you have a wedding party (best and grooms men, matron of honour and bridesmaids)?**

- How many people are in your wedding party?
- Any dogs or children?

**You'll need two witnesses**

- who might these two people be?

**Or perhaps you are considering eloping.**

And I have a separate advice sheet for that! And yes, its on the client portal!

**What about readings? is there a poem or a reading or even a piece of music you'd like to have included?**

- Who might read that poem or sing or play?

**Do you want people to take photos during the wedding?**

- Or do we ask people to sit back, enjoy and run phones off?
- Or do you want to have a #wedding?

**What about vows?**

If writing your own vows excites you (and I have to say a lot of couples I work with don't initially) or if traditional vows don't really work for you thats ok!

If you are wondering whether you should write your own vows even though it's not something you would enjoy — traditional can be just as beautiful! And...I have a guide to writing vows that you can access through my client portal.

two

# So how does this work?

*now you've made contact with me, whats next?*

**Question:** Do we need to meet in person before we engage you as our celebrant?

**Answer:** Yes, and to be very honest, I would not offer you my services if we have not met face to face. The first meeting is a chance for me to get to know both of you, and to understand a little bit more about the ceremony you are looking for.

Importantly it allows us all to understand if we are the right fit. It is really hard to hand over such a critical moment of your lives to a person who may be a stranger to you. So its important that you feel comfortable with me. Once we have establish whether I am the right person to assist you with your ceremony, you will be able to relax a little and feel confident that t and you are in safe hands.

**Question:** After we meet with you, are we under any obligation to take up your offer to officiate our marriage?

**Answer:** No. One of the reasons I broadened my ceremonial practice to include marriage celebrancy was that I could see that friends were struggling to find a celebrant they felt 'heard' and understood them and with whom they could work on imagining and then delivering their wedding. You both need to have absolute faith in the person you choose to guide you through this important moment. I will only ask that you let me know that you have decided not to proceed with me as your celebrant in a reasonable time frame.

**Question:** Can you help us to fill in the Notice of Intention to Marry (NOIM)?

**Answer:** Totally!

I'll guide you through it. It looks more complicated than it is. When you've chosen your celebrant you can then complete the Notice of Intended Marriage form. A Notice of Intended Marriage is valid for up to 18 months, and must be lodged with the celebrant at least one full calendar month prior to the date of the wedding. And I have cheat sheet I will give you access to!

## Question: Can we marry in the next month?

**Answer:** Normally, you can't marry until one calendar month from the date the authorised celebrant receives the Notice of Intended Marriage. However, you could marry within that month, without providing a copy of the Notice to me, but only in exceptional circumstances and these need to be documented. These include where there are:

- medical reasons;
- legal proceedings;
- an error in the Notice of Intended Marriage form; and/or
- employment related circumstances or travel commitments that cannot be avoided.

## Question: How will we know if you can perform the wedding for us?

After we meet, I will double check my calendar and commitment and if I can officiate I will make you an offer via email.

## Question: How do we take up your offer to officiate for us?

**Answer:** If I suit you (and for some I won't), all you need to do is confirm via email that you are happy for me to provide you with this service, confirm your wedding date, sign a service agreement and pay a holding deposit.

## Question: Do you write the whole service for us?

**Answer:** Yep. I will write word for word what I am going to say and we will agree on that ahead of time. That we all know what to expect and there should not be any surprises!

## Question: Can you witness documents for us?

**Answer:** Yes, I can do this as a celebrant and as a Justice of the Peace.

## Question: Are you happy to travel to a place outside of the ACT to officiate the marriage?

**Answer:** Yes, as long as it is within Australia, and we come to an arrangement about covering travel and accommodation costs, I am very happy to officiate a wedding pretty much anywhere.



**Question:** do you have a signing table and chairs?

**Answer:** Yes I do. And I have some lovely old fashion cloths, with candles and vases.

**Question:** Do you have public address system and microphones?

**Answer:** Sure do! I have a fabulous Bose S1 with a lapel mic for mer and a mic and stand for the bride and groom and anyone else who is speaking at the ceremony.

Three

# Now, the legalities

*How many forms and when and how many witnesses and what language...*

I have an information sheet online that you should have a look at. Its a two pager and it goes into detail about the legalities of marriage. Part of becoming my client is that i will give you access to some client only information through my client portal!

## Question: Who can marry in Australia?

**Answer:** Any person over the age of 18 years can enter into a marriage provided the relationship is not with another family member.

To get married in Australia, you don't have to be an Australian citizen or a permanent resident of Australia. However, if you are not an Australian citizen or permanent resident and you intend to reside in Australia before marrying you should seek legal advice in relation to obtaining a visa. I am not qualified to provide you advice in this area.

## Question: What happens if we don't provide the NOIM?

**Answer:** I can't marry you. I can perform a hand fasting or commitment ceremony but I cannot marry you.

## Question: Can you officiate over a wedding in another country?

**Answer:** No. I can only legally marry people in Australian territories.

## Question: Can you, as a Commonwealth-registered marriage celebrant solemnise a marriage in a religious building, such as a church?

**Answer:** Yes, the Marriage Act 1961 provides that a marriage may be solemnised on any day, at any time and at any place. Permission would be need to be obtained from the relevant religious organisation that manages the building.

**Question:** English is my fiancé's second language and I usually translate for us in a service environment, meeting or interview. Does this effect a marriage ceremony?

**Answer:** Yes. Both parties to the marriage, as well as the official witnesses must be able to understand completely the commitment being made and that it is only legally viable through the words spoken and heard during the ceremony. Note: this also includes sign language such as Auslan.

If either of the party marrying or the witnesses do not understand and cannot speak English I am required by law to request that the couple engaging the services of an interpreter or to pass the marriage onto a celebrant who speaks that language.

I do have resource sheet to assist with this.

**Question:** What are the components of the ceremony that must be adhered to legally?

**Answer:** There are three things that must happen in a legally binding marriage ceremony:

1. You must say **Vows** to one another that contain a certain statement;
2. The celebrant must recite the **Monitum**; and
3. You must be declared husband and wife or spouses in marriage

**Question:** When does the celebrant say the words in subsection 46(1) of the Marriage Act 1961, otherwise known as the 'monitum':

*The Monitum is:* I am duly authorised by law to solemnise marriages according to law. Before you are joined in marriage in my presence and in the presence of these witnesses, I am to remind you of the solemn and binding nature of the relationship into which you are now about to enter. Marriage, according to law in Australia, is the union of two people to the exclusion of all others, voluntarily entered into for life.

**Answer:** **Before** the couple exchange their vows.

**Question:** Who is required to say the words set out at subsection 45(2) of the Marriage Act 1961 - known as the 'vows' - during a non-religious marriage ceremony?

**Answer:** Each of the parties to the marriage; so both of you!

## Question: Do we need to have witnesses?

**Answer:** Yes. Witnesses are required to establish the identity of the people getting married and/or to testify that the marriage ceremony was performed.

An Australian marriage performed under the Australian Marriage Act requires witnesses to be:

1. Adults: Your witnesses must be adults. This means they are aged 18-years or older.
2. English-speaking: They must understand what is taking place and what they are signing.
3. 2-people: A minimum of two people are required to witness you getting married.

## Question: What happens after the marriage ceremony in Australia?

**Answer:** On your wedding day, I will have copies of the Ceremonial Marriage Certificate. This certificate must be signed by:

- both parties to the marriage;
- an authorised marriage celebrant or minister; and
- two witnesses, who must be over the age of 18 years.

## Question: Whose responsibility is it to register a marriage?

**Answer:** The marriage celebrant who solemnised the marriage. Me!

Within 14 days from the date of your marriage, I will lodge your Certificate of Marriage and other relevant paperwork with the Registry of Births, Deaths and Marriages in the state or territory in which you were married.

You can apply for a copy of your official (legal) marriage certificate from the registry. This certificate will allow you or your spouse to legally change your names if that is what you are planning to do.

## Question: Can I make the substitutions and/or changes to the vows in subsection 45(2) of the Marriage Act 1961 say spouse instead of Husband or wife or partner?

**Answer:** depending on the substitution – yes, but other changes are not allowed.

## What is the legal effect of a marriage?

**Answer:** To be married in Australia, both you and the other person must:

- not be currently married to another person;
- not be marrying a parent, grandparent, child, grandchild or sibling (including relationships resulting from adoption);
- be at least 18 years old (unless in certain circumstances where Court or parental consent has been granted);
- have an understanding of what a marriage means and be entering into the marriage voluntarily;
- provide a 'Notice of Intended Marriage' form to an authorised marriage celebrant or minister at least one month (but no later than 18 months) prior to your wedding unless there are exceptional circumstances (see: "Can I marry in the next month?" for further information);
- be married by an authorised marriage celebrant or minister;
- use the specific wording required by law during the ceremony; and
- produce original birth certificates or passports (or an English translation of the document) to your marriage celebrant or minister.

If either of you has been married before, you must provide the original **Divorce Order** or **Death Certificate** to me so we have evidence that proves that you are now either divorced or widowed.

**Question:** One party to our intended marriage has been married and divorced several times before. What divorce evidence must you as our celebrant see before solemnizing your marriage

**Answer:** I must sight legal evidence of divorce for the party's most recent marriage.

**Question:** One party to our intended marriage divorced their previous spouse in Australia in 2001. Documentation requirements changed in 2001. What is the name of the document that a celebrant needs to see to ensure that the party is free to marry?

**Answer:** A Decree absolute.

**Question:** One of us was divorced from a previous spouse in Australia in 2009. What document/s do I need to see to ensure that the party is free to marry?

**Answer:** A certificate of divorce

**Question:** Can you accept a church issued annulment or a court order as evidence a party is free to marry?

**Answer:** No. Legally an annulment or a court order is not sufficient evidence that a person is free to marry.

**Question:** Can two people who are both under the age of 18 years legally marry under Australian law?

**Answer:** The legal age for marriage in Australia is 18 years old. If you're aged between 16 and 18 years, you can get married with your parents' consent or by Court Order. Where consent to a marriage is given, the marriage must take place within three months of the date of consent.

**Question:** Where can I find information about appropriate consents regarding marriage.

i.e when one party to the marriage is under 18 years of age, and wishes to be married before their 18th birthday, which section of the Marriage Act 1961 might we be in contravention of if the marriage is solemnized without the couple obtaining appropriate consents?

**Answer:** Section 13 of the Marriage Act of 1961. Part II of the Marriage Act 1961 sets out all the requirements for the marriage of a minor

**Question:** How do we go about changing our names legally, if one of us is adopting the others surname?

**Answer:** You really can't do much about changing your name officially until after you have married. Then you will need to obtain a copy of your official marriage certificate as issued by the Births, Deaths and Marriages (BDM) office from the state in which your marriage took place.

For example, if you live in ACT but got married in Bugendore, your marriage will be registered at the NSW Births, Deaths and Marriage office and this is who you will receive your marriage certificate from.

Make a list of all the places where your name needs to be changed and unfortunately you will find there are a lot of places like, but not limited to your banks and other

financial institutions, your workplace, the ATO wants to know and so do other Australian Government departments including Medicare and any pension related departments, your lawyer - if you've lodged a will, passport (see below), electoral roll, superannuation accounts, electricity and other utilities, online accounts, social media (Facebook etc.)

While you are able to change your name online in many cases, sometimes you will have to physically present yourself, with your official marriage certificate in hand, and speak to a representative of the office, in order for the name change to be made official.

And there are some Government departments where you have to be there in person to change your name, for example the passport office.

### Question: Can we change a name via deed poll.

**Answer:** If you intend to create a new name that is not a joining of your family names (with a hyphen) then this is not a name change by marriage but is an official name change which is commonly known as a name change by deed poll.

This name change process is **entirely different** and an official marriage certificate is not needed to change your name by deed poll.

To find out how to apply to change your name by deed poll you need to contact the BDM office in the state where you were born as this is the BDM office where your birth certificate is held.

Here are some links to BDM offices located throughout Australia where you can find out more about changing your name be it by marriage or by Deed Poll:

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

Four

# Umm... about the ceremony

*Theres a few things we aren't keen on*

**Question:** Does either of us have to be 'Given Away'?

**Answer:** No. The act of 'giving away' is a centuries old custom, and refers to a period in history where the bride was considered the property of the father. It is a custom that can very uncomfortable for some, but a tradition that is an important element in a wedding for others. To this end, where this moment does occur for a couple, I call it instead 'the blessing', because it is most often the moment in which a parents or parents and or children or other loved ones provide their blessing upon you as you enter this new phase in your lives.

There are different options for how you enter into blessing sections. Some people will enter with both parents accompanying them to meet their future spouse, the marrying couple can walk in together or children can be involved in or accompany either individual. There is no set way of managing this and it is not a legal requirement to have this as part of your commitment to each other, so there are no rules as to how this part of the ceremony is conducted.

**Question:** My partner has changed their name (by usage, not legally), and does not wish to record the name on their birth certificate on his Notice of Intended Marriage (NOIM). How does a celebrant manage this situation?

**Answer:** During the ceremony I will explain that marriage is a legal state and as such you should obtain a change of name certificate. Not doing this may cause you significant issues including legal ones.

If the either of you insists on using your preferred name on the NOIM you may do so, although I must be satisfied that you are the person referred to in the NOIM – so you need to have appropriate ID that states the name that is being used and be prepared to have this copied and made available to the authorities as required.



## We are not keen on saying 'lawful wedded'

Yeah, it sounds a lot like awful wedded doesn't it. We can change it! I can say something like, you wedded partner, your legally recognised partner in marriage.

## Question:Do we need to kiss?

**Answer:** Not at all. there are others way to end the ceremony and celebrate the marriage. But be aware, there are times when your guest may call for it if this very loved moment doesn't happen.