



Authorised Civil Celebrants

Code of Practice

Issued by the Office of the Superintendent Registrar



Contents

| | |
|---|----|
| Application of this Code of Practice..... | 3 |
| Part 1 – Core Legal Requirements for Authorised Civil Celebrants | 4 |
| 1) High standard of service | 4 |
| 2) Recognition of significance of marriage/civil partnership/conversion to marriage | 4 |
| 3) Compliance with the Law..... | 4 |
| Part 2 – Requirements of an Authorised Civil Authorised Civil Celebrant..... | 6 |
| 1) General requirements relating to the role of Authorised Civil Authorised Civil Celebrant | 6 |
| 2) Requirements relating to the ceremony..... | 7 |
| 3) Requirements relating to the location of marriage | 10 |
| Part 3 - Fit and Proper Person Assessment..... | 11 |



Application of this Code of Practice

This Code of Practice applies to Authorised Civil Celebrants authorised by the Superintendent Registrar under the Marriage and Civil Status (Jersey) Law 2001 (as amended) and the Marriage and Civil Status (Jersey) Order 2018.

Note under Article 8 and 9 of the Order if the Superintendent Registrar is satisfied that an Authorised Civil Celebrant has not complied with an obligation under the law, including this Code of Practice, the Superintendent Registrar may take disciplinary action against the Authorised Civil Celebrant.



Part 1 – Core Legal Requirements for Authorised Civil Celebrants

1) High standard of service

An Authorised Civil Celebrant must at all times maintain a high standard of service in his or her professional conduct and practice.

2) Recognition of significance of marriage and conversion to marriage

An Authorised Civil Celebrant must recognise and respect the fundamental importance of the ceremony being a solemn and dignified occasion.

An Authorised Civil Celebrant must recognise and respect the social, cultural and legal significance of the life events of marriage and conversion to marriage in the Jersey community.

An Authorised Civil Celebrant must recognise and respect the social, cultural and legal significance of the ceremonies of marriage and conversion to marriage in the Jersey community.

3) Compliance with the Law

An Authorised Civil Celebrant must:

- (a) Solemnise marriage and conversion to marriage ceremonies according to the legal requirements of the Marriage and Civil Status (Jersey) Law 2001 and all associated Orders; and
- (b) Operate in accordance with any other legislation relevant to an individual providing services to the public; and



- (c) Comply with the terms of this Code of Practice and with guidelines issued by the Superintendent Registrar; and
- (d) Prevent and avoid unlawful discrimination in the provision of Authorised Civil Celebrant services; and
- (e) At all times ensure that the ceremony is solemn and dignified in nature;



Part 2 – Requirements of an Authorised Civil Authorised Civil Celebrant

An Authorised Civil Celebrant must respect the importance of a marriage and conversion to marriage ceremony to the parties, other persons organising the ceremony, family and friends of the parties.

1) General requirements relating to the role of Authorised Civil Celebrant

An Authorised Civil Celebrant must do the following:

- a) Provide a clear and unequivocal fee structure to the parties;
- b) Ensure they hold suitable insurance relating to their role;
- c) Ensure they are able to offer clients a clear contract for services;
- d) Respect the privacy and confidentiality of the parties;
- e) Provide appropriate facilities to meet with parties;
- f) Provide and maintain appropriate facilities for the secure storage of records and documents relating to the ceremony;
- g) Respect the requirements and expectations of the parties in relation to the ceremony (providing they are lawful);
- h) Give the parties information and guidance to enable them to choose or compose a ceremony that will meet their needs and expectations;
- i) Ensure that the content of the ceremony is in accordance with the law. This includes agreeing the content of the ceremony with the couple in writing in advance of the ceremony. The Authorised Civil Celebrant must seek the advice of the Superintendent Registrar where there is any concern or doubt that any aspect of the ceremony may not be in accordance with the law;
- j) If an Authorised Civil Celebrant has agreed to perform more than one ceremony on the same day:



- (i) Ensure that the parties to each ceremony receive a level of service that meets their separate and special requirements and
- (ii) Ensure that the Authorised Civil Celebrant is available at the venue for each ceremony not later than 1 hour before the commencement of the ceremony as detailed on the Marriage Certificate and Marriage Schedule (unless in the case of consecutive ceremonies, the ceremonies are to be held at the same venue) and
- (iii) Comply with all other requirements for each ceremony;
- k) Accept evaluative comment from the parties/Superintendent Registrar and use any comments to improve performance;
- l) Provide the parties information about how to notify the Superintendent Registrar of any concerns or complaints that they may have regarding the services provided by the Authorised Civil Celebrant;
- m) Inform the Superintendent Registrar of any information or changes of circumstances that may affect the terms of an Authorised Civil Celebrant's authorisation;
- n) Inform the Superintendent Registrar of any changes in contact details so that the Register of Authorised Civil Celebrants can be updated.

2) Requirements relating to the ceremony

All Authorised Civil Celebrants must:

- a) Within reasonable time before the ceremony:
 - i) Confirm all details with the parties; and
 - ii) Ensure the return of all personal documents belonging to the parties (unless it is necessary to keep the documents for the ceremony;) and
 - iii) Collect all documents required for the ceremony from the Office of the Superintendent Registrar during normal opening hours of the Office;



- b) Refuse to conduct a ceremony if any aspect of the law, Code of Practice or Superintendent Registrar's guidelines are not being complied with until such time as they are being complied with;
- c) Ensure that his or her personal presentation is of an appropriate standard for the ceremony;
- d) Make efforts to ensure that the ceremony is audible to all those present and in particular to the couple and witnesses;
- e) Make efforts to ensure that the parties names are pronounced correctly and in accordance with the parties' wishes;
- f) Arrive at the venue at least 1 hour before the commencement of the ceremony (the time being as stated on the Marriage Certificates and Marriage Schedule);
- g) Ensure that the parties to the marriage are those who have attended the Office of the Superintendent Registrar during the application process by comparing the photographs provided by the Office of the Superintendent Registrar to the parties.
- h) Refuse to conduct a ceremony if either party are incapable of consenting to the marriage or conversion to marriage through intoxication;
- i) Request alternative witnesses to the marriage if one or either of the witnesses are incapable of acting as a witness through age (ie being under the age of 18), or to the best of the Authorised Civil Celebrant's ability the Authorised Civil Celebrant believes the witness is incapable through mental capacity or intoxication;
- j) Ensure that the ceremony commences within one hour of the time stated on the Marriage Schedule and Marriage Certificates;
- k) Ensure that where religious content is requested, that content complies at all times with the Law and guidelines relating to religious content in civil marriage ceremonies;
- l) Ensure that the legal vows exchanged by the parties reflect the exact words provided in the law;
- m) Ensure accuracy in the conduct of the ceremony;



- n) If, during the course of the ceremony, a person objects to the wedding, the Authorised Civil Celebrant should halt proceedings whilst the objection is considered. The Authorised Civil Celebrant should make efforts to establish whether there are grounds for the objection and take the full details of the objection and the person making the objection and:
- i) In the event that the Authorised Civil Celebrant considers that the purported objection is not an impediment to marriage, the Authorised Civil Celebrant should continue with the ceremony. The couple must be told that the grounds for objection will be investigated by the Superintendent Registrar and, if found correct, the marriage may be void. Following the ceremony, the Authorised Civil Celebrant must immediately communicate details relating to the objection to the Superintendent Registrar, including the name and contact details of the person making the objection.
 - ii) In the event that the purported objection is considered by the Authorised Civil Celebrant to be a true impediment to marriage/civil partnership, the Authorised Civil Celebrant must halt the ceremony and communicate the reasons for halting the ceremony to the couple and inform them that the Superintendent Registrar will investigate the objection. Following halting the ceremony the Authorised Civil Celebrant must immediately inform the Superintendent Registrar that they have halted a ceremony due to an objection.
- o) Ensure accuracy in the signing of documents by all parties;
 - p) Check that the parties' signatures provided on the Signature Verifier Form matches the signatures signed on the Marriage Certificates and Marriage Schedule;
 - q) Sign, date and note the time on the Marriage Certificates and Marriage Schedule only after the couples and witnesses have signed the documents and having checked that the signatures match the Signature Verifier Form;
 - r) Make a declaration of marriage only after the signing of the Marriage Certificates and Marriage Schedule by all parties and by the Authorised Civil Celebrant;



- s) Ensure that the parties are provided with two signed Marriage Certificates at the conclusion of their marriage/conversion to marriage ceremony.
- t) Ensure that all relevant documents are completed and returned by hand to the SIR within 3 calendar days of the ceremony.

3) Requirements relating to the location of marriage

- a) Ensure that the ceremony is being conducted in a location which has been approved under the law as a location approved for civil marriage or civil partnership; and
- b) Ensure that the ceremony takes place within the boundaries of the approved location as set out in the register of approved locations and is separate from all other unrelated activities;
- c) Ascertain that any special conditions imposed as a condition of approval of a location have been complied with and in the event that they are not, the Authorised Civil Celebrant must inform the Superintendent Registrar; and
- d) Ensure that a Display Notice is displayed at the entrance to the premises at least 1 hour before the scheduled start of the ceremony in accordance with the law, and as supplied by the Superintendent Registrar;
- e) Ensure that the Authorised Civil Celebrant identifies and liaises with the Responsible Person before the ceremony;
- f) Ensure that no food or drink is available or consumed in the approved location for one hour before the commencement of ceremony and for the duration of the ceremony (except for making reasonable provision, for example: allowing water on a hot day or provision of bottles for/allow the breastfeeding of infants);



Part 3 - Fit and Proper Person Assessment

A person is only entitled to be registered as an Authorised Civil Celebrant if the person is considered by the Superintendent Registrar to be a fit and proper person.

If a person authorised as an Authorised Civil Celebrant breaches the requirements of the Fit and Proper Person Assessment during their authorisation period (or if it is proven that the applicant failed to inform the Superintendent Registrar of matters which would have impacted on the Fit and Proper Person Assessment during the Celebrant's application period) the Superintendent Registrar will investigate the matter and may impose disciplinary proceedings which may include suspension and/or withdrawal of the licence.

In determining whether the Superintendent Registrar is satisfied that the person is a fit and proper person to be an Authorised Civil Celebrant the Superintendent Registrar must take into account:

- a) Whether the person has sufficient knowledge and understanding of the law relating to the solemnisation of marriages and conversions to marriage by Authorised Civil Celebrants; and
- b) Whether the person is of good standing in the community; and
- c) Whether the person has passed a criminal record check; and
- d) Whether the person will fulfil the obligations of the Code of Practice under the law; and
- e) Whether the person will place their obligations under the law above their commercial enterprise; and
- f) Whether the person will at all times follow the direction of the Superintendent Registrar; and
- g) Any other matter the Superintendent Registrar considers relevant to whether the person is a fit and proper person to be an Authorised Civil Celebrant.