

Re; Marriage Celebrants Program

As a registered celebrant of almost twenty years, I wish to comment on the two Bills that have both been referred to the Senate Committee on Legal and Constitutional Affairs to report by 18 June.

In particular I am concerned about the removal of the obligation for the Registrar of Marriage Celebrants to review the performance of celebrants every five years and replace this with an annual online performance questionnaire which in the words of the Attorney General, “will enable a more regular and targeted approach to **monitoring the performance** of celebrants”.

I am **most** concerned that there will be an unintended effect from the proposed changes whereby a celebrant’s appointment to perform marriages technically (and all of a sudden) becomes a **‘year by year’** proposition.

The AG newsletter ‘Marriage Celebrant Matters - Autumn 2013’ states

The charge must be paid each year to continue your registration as a marriage celebrant. In 2013, you will have 60 days from the date of the invoice to pay the charge. Once the charge has been paid, you will be issued with an annual registration certificate.

Failure to pay the charge by the due date will result in deregistration unless the Registrar has granted you an exemption. You will be given seven days’ notice to transfer any NOIMs or clients prior to deregistration.

This seems contradictory to the lifetime appointment of celebrants. It also serves to destabilise the profession given many couples book their celebrant well ahead of their ceremony (often more than a year ahead).

While I personally have no qualms that I will pass annual scrutiny, I feel aggrieved at this subtle change which will replace the previous ‘five year’ review and can result in removal from the register of authorised celebrants at **very short notice**.

Couples sometimes choose their celebrant at least a year in advance; this is especially so for the most experienced and sought after celebrants. In an extreme case, a marrying couple may be affected by suddenly ‘losing’ their booked celebrant with little warning or advance notice, because a bureaucrat has removed the celebrant’s authorisation over an admin matter rather than a breach of the Code of Practice. I agree this is unlikely, but not impossible. A further consequence would be the erosion in the public perception of the profession as a direct result of the instability introduced by this administrative decision.

While the Government claims the changes have involved consultation (and I did attend a meeting in Hobart which focussed on the changes to the MSC and the benefits of the ‘professional fee’) this change was not widely discussed, From my discussions with colleagues across the country it does not have the support of individual celebrants or the peak industry bodies.

It is my understanding that being appointed as a celebrant is a **life appointment**, and the proposed legislation is contradictory to this.

I wish you to consider the implications of the Bill, inasmuch as it introduces an annual assessment of competency with the possibility of removing celebrants from the Register without a proper process to assess competency or reason for non payment of a 'fee' within a specified period. There are many genuine circumstances which may arise, that could result in a genuine reason for not making this deadline. A celebrant who has done nothing wrong, may find themselves suddenly having to justify why they should not lose their appointment.