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Committee Secretary  
Senate Legal and Constitutional Affairs Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
Australia

22<sup>nd</sup> April 2013

**RE: The Senate Standing Committee on Legal & Constitutional Affairs**

**Inquiry into the Marriage Amendment (Celebrant Administration & Fees) Bill 2013  
And the Marriage (Celebrant Registration Charge) Bill 2013**

I am writing with genuine concern in regard to the abovementioned Bills currently before the Senate Standing Committee. I have been a full time celebrant predominately conducting marriage ceremonies having been appointed on 2nd September 2004 after waiting for three years for a course to be offered in my area following a career in the education sector. At that stage, celebrants had to wait for a position to become available regionally as only 350 were appointed annually. Appointment was for a lifetime following regulatory police checks to my referees and myself to establish that I was regarded in the community as a 'fit and proper person' to conduct marriage ceremonies. I have also been a Justice of the Peace (Qual) since 2nd June 2004.

I am a current committee member of the Alliance of Celebrants Queensland Inc. (ACQ) of which I am the delegate with the Coalition of Celebrant Associations (CoCA) and I was in attendance at the meetings with the Attorney General's Department in Canberra last week on my organisations behalf. I am also a member of the Civil Celebrants Network (CCN).

I fully endorse the submission by the Coalition of Celebrant Associations Inc (CoCA) as the professional working group formally recognised and acknowledged by the Attorney-General and the AGD as the Peak Body for marriage celebrant associations throughout Australia in regards to both Bills and my own organisation, Alliance of Celebrants Queensland's submission. I reject that these Bills, if introduced, will create 'new laws to improve marriage celebrant services' as per the Attorney General's The Hon Mark Dreyfus' media release dated 20th March 2013 simply by imposing a tax on a certain sector of celebrants, that being Commonwealth appointed celebrants.

Celebrants already have mandatory annual requirements including public and professional liability, ongoing professional development and currently, five year reviews undertaken by the Marriage Law & Celebrants Section. We abide by the code of practise and uphold the laws of the Commonwealth in the Marriage Act 1961 and the Marriage Regulations 1963 as celebrants have done so for decades.

On the Attorney General's Department own website under the section 'Becoming a Marriage Celebrant' states "before you apply some things to consider - Celebrants have high ongoing costs such as ongoing professional development, optional celebrant association fees, computer, internet access and website maintenance, business development, clothing, travel, marriage stationery, storage, office facilities etc." and yet the Government finds it appropriate to now consider an annual tax to existing small business operators – Commonwealth appointed celebrants. Only 2% of Commonwealth registered celebrants earn a living from performing marriages with the average being only 7 weddings officiated *per year!*

In light of these statistics I would particularly like to highlight the following areas of the Bills:

1. I support the Amendment to the Australian Marriage Act 1961 Part IV Division 2 Sub-paragraph 42 to **add an Australian passport as evident of the date and place of birth of the party seeking to marry** as a passport is acceptable under the Guidelines 4.1.7 for persons born overseas to use as proof and evidence of their date and place of birth as well as proof of identity;
2. I support the introduction of an Application fee for the processing of all new marriage celebrants in **all three categories** (A, B & C as per definition of the Guidelines 3.1) not just one sector of authorised celebrants who may solemnise marriages in Australia;
3. I oppose the removal of the current five year review as per the Guidelines 3.1.8 with ongoing lifetime appointments as I was given in 2004 (unless proven to no longer being a fit or proper person or not abiding by the Code of Practice Guidelines 3.1.5);
4. I vehemently oppose the introduction of the 'Celebrant Registration Fee' to be imposed upon one sector of celebrants alone on the basis of discrimination in that it denies natural justice i.e. category C, Commonwealth appointed celebrants as per the definition of the Guidelines 3.1 (see Point 2 above). If revenue is required by a government department to be self funded for 'cost recovery' this can be achieved by more equitable means as outlined in both the Coalition of Celebrant Associations Inc (CoCA) and the Alliance of Celebrants Queensland Inc. (ACQ) submissions, in particular, an increase to the registered marriage certificate applied for by married couples from each State or Territories Births, Deaths & Marriages that can be proportioned between the States/Territories and the Commonwealth.

As the level of statutory complaints is less than 0.5% of all weddings performed by Commonwealth appointed marriage celebrants, increased regulation on this sector of celebrants is unjustified. State registered celebrants are on a salary and as such, have a fixed income unlike Commonwealth registered Celebrants.

Neither religious celebrants or State/Territory registered celebrants have to pay for or attend Ongoing Professional Development regulations annually nor be subjected to what is currently a five year review for Commonwealth appointed celebrants and further;

5. Exemptions be removed entirely from the Bill, unless on the grounds of ill health or overseas as it is also discriminatory to have these based on postcodes which may include islands where many couples have destination weddings but be deemed remote by Canberra is unfair and unjustified;

6. Further, I support the calls for the capping to be reintroduced as per my initial appointment for a more equitable working small business model throughout Australia particularly given that marrying couples have not significantly increased *"In 2005, 109,000 new marriages were registered in Australia. This was equivalent to 5.4 marriages for every 1,000 people in the population. This rate has been in overall decline since 1986 when there were 7.2 marriages per 1,000 people."* (Australian Statisticians Website);

7. I support the call to encourage all celebrants to be a member of an association for advice and support on the delivery of a ceremony and could help reduce the amount of enquiries currently experienced by the Marriage Law and Celebrants Section (MLCS), recommending that celebrants with enquiries first consult the Guidelines of the Marriage Act 1961, their association, Births, Deaths & Marriages in their State / Territory, then the MLCS, if required. This should alleviate a substantial amount of contact with the Department as many new celebrants, in particular, require mentoring and reassurance. Of course, legal or complicated issues would be encouraged to immediately direct their enquiries to the Marriage Law and celebrants Section of the Attorney General's Department.

Yours sincerely

Elizabeth (Liz) Pforr