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Senate Legal and Constitutional Affairs Committee

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Parliament House

Canberra ACT 2600

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Marriage Amendment (Celebrant Administration and Fees) Bill 2013 and the Marriage (Celebrant Registration Charge) Bill 2013

Thank you for the opportunity to reply to the abovementioned Amendments.

As a Commonwealth Registered Marriage Celebrant of ten years' standing, I was interested to review the proposed Amendments and provide my response hereunder.

ITEM 1

Marriage Amendment (Celebrant Administration and Fees) Bill 2013

Schedule 1, Part 1 Annual Celebrant Registration Charge

I **oppose** the introduction of an Annual Celebrant Registration Charge for Commonwealth registered marriage celebrants, unless this charge will also apply to all marriage celebrants *viz.* Division 1—Authorised celebrants Subdivision A—Ministers of religion AND Subdivision B—State and Territory officers etc, who are exempt under the current proposal. This is clearly discriminatory.

When appointed to my position by the Federal Attorney-General, I was informed that the appointment was a life-time appointment and there was never any indication that, in the future, I would have to pay for the privilege of representing the Commonwealth.

To have the Attorney-General's Department renege on this arrangement is unacceptable.

Should the imposition of this fee be unavoidable, then determinations should be made to ensure

that the fee will not increase by more than the CPI each year and that it only apply to celebrants appointed after the introduction of the fee.

39FB Celebrant registration charge: consequence of non-payment

Additionally, should the fee be introduced, the proposal to de-register celebrants who do not pay this registration fee within 60 days from the date of the invoice is punitive, harsh and excessive.

There are many reasons why bills do not get paid on time and this fails to take account of individual circumstances, let alone whether the invoice was ever received in the first place.

The additional proposal from the Marriage Celebrants Legal Section that Notices of Intended Marriage would need to be transferred to another celebrant within seven days of de-registration is also punitive and patently impractical. There is no assurance that another celebrant will be available to take on the marriages as booked and there is potential for marrying couples to be left without any celebrant at all for their marriage. The resultant instability has potential to seriously undermine the public's confidence in the professionalism of marriage celebrants.

I further **oppose** the proposal that celebrants provide evidence of their completion of Ongoing Professional Development (OPD) and suggest that the providers of OPD provide the Marriage Celebrants Legal Section with completed attendance and participation records, which would reduce the need for double handling. I further believe that OPD should be made optional for celebrants of more than ten years' experience, with the exception of OPD relating to changes to the Marriage Act and to changes in technology.

ITEM 2

Marriage Amendment (Celebrant Administration and Fees) Bill 2013

Schedule 1, Part 2 Fee for applying to become a marriage celebrant

I **support** the implementation of an application fee for new marriage celebrants. Such a fee would deter those who are not fully committed to the role and enhance the professionalism of the celebrants in Australia. The fee should be accompanied by an interview to determine whether the applicant is indeed a fit and proper person, with the insight, education, training and professionalism to create and conduct meaningful and culturally appropriate ceremonies for marrying couples.

The number of new celebrants appointed should be capped, with new celebrants only appointed to

replace those retiring. This would reduce current problems with oversupply and consequent cost-cutting and reduced standards.

ITEM 3

Marriage Amendment (Celebrant Administration and Fees) Bill 2013

Schedule 2 - Other amendments Subsections 39H(1) and (2) Performance reviews

I **oppose** the removal of 5 year reviews of life-time appointments as reviews provide celebrants with the opportunity to consider their role and their developmental needs, in conjunction with the Marriage Celebrants Legal Section (MCLS). The MCLS would ideally engage leading celebrants to conduct the reviews, thus reducing the burden on the MCLS and ensuring that celebrants are reviewed appropriately by peers who have a full understanding of the role. Reviews should include interviews with couples who have been married by the celebrant, and who are the best positioned to comment on the celebrant's performance.

ITEM 4

Marriage Amendment (Celebrant Administration and Fees) Bill 2013

Schedule 2 – Other Amendments Subparagraph 42(1)(b) –Australian passport as evidence of place and date of birth *Australian Passport inclusion*

I **support** the Amendment to **Australia 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 this provides photographic evidence along with the party's name, date and place of birth and is a logical addition to the list of evidence which may be provided.

ITEM 5

Marriage Amendment (Celebrant Administration and Fees) Bill 2013

Page 6 of the Explanatory Memorandum Rights to work and rights in work

Prior to the introduction of the celebrant registration charge, a celebrant was authorised for life, subject to compliance with obligations under section 39G of the Marriage Act.

I am **strongly opposed** to this proposed change from a lifetime appointment to a one year appointment, on the following grounds:

1. I am a professional celebrant who has invested considerable time, study, research and finances to building an excellent reputation as a leader in my field. To have my appointment changed to a one year appointment would have significant impacts on my ability to commit to my clients, many of whom book their weddings with me up to two years in advance.
2. The proposed provision for immediate and automatic deregistration changes are clearly to the detriment of the marrying public who will no longer have the security knowing that I, as their preferred celebrant, will be definitely available to conduct their marriage.

I am vehemently opposed to the proposed conversion of my lifetime appointment as a celebrant to a one year appointment.

As a professional celebrant in good standing, I need to know that, if I abode by Section 39G, my life-time appointment will not be revoked.

Thank you for your consideration.

Margi MacGregor