

26 April 2013

Committee Secretary

Senate Legal and Constitutional Affairs Committee

PO Box 6100

Parliament House

CANBERRA ACT 2600



Dear Sir/Madam

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

As a celebrant who is going to be affected by this change I would like to state the following:

- 1 Imposing fees is an unfair method of cost recovery
- 2 There are no guarantees that there will be any improvement in regulation, their performance and that we will receive knowledgeable and legally correct services
- 3 The Bills are discriminatory in that they are applied to Commonwealth registered celebrants and not to celebrants said to be regulated by States and Territories (arguably these are not effectively regulated seeing they have little or no appointment criteria and no ongoing training)
- 4 Deregistration on the basis of non-payment of the annual fee (not on the basis of poor performance) could give rise to AAT and other appeals and also discriminate against couple's choice of celebrant
- 5 The Department is ceasing the celebrant reviews in five years yet one reason to justify the fees is to conduct celebrant reviews

- 6 This Bill can be seen as purely revenue raising
- 7 The Bills do not require cost cutting on behalf of the Department, or requirement for reviewable analysis of savings and efficient attendant on these amendments, but instead allow ever increasing levies on celebrants
- 8 The Bills contribute to celebrants' existing burden of working unusual hours, under any and every conditions and imposes unreasonable additional costs on income deprived celebrants by way of annually renewable appointments plus costs of ongoing professional development (which sometimes is of an extremely poor quality)
- 9 The Department originally proposed an annual fee of \$600 and when celebrants said the amount was outrageous, reduced it to \$240 without explaining it could revert to \$600 (only discovered when Bills made available)
- 10 Exemptions from the annual fee may be made to celebrants in "remote" locations when, in fact, we all battle to make ends meet with an average annual number of weddings per celebrant being six (in 2003 it was 30 weddings per annum per celebrant)
- 11 No details of what new (and presumably accountable) "new services" will be delivered to Commonwealth registered celebrants as prescribed in the Bill
- 12 Subsection 39D(2) - The Registrar dealing with applications in the order in which they are made. However, there is no process in place to limit the number of applications, to cap the number of celebrants or to apply waiting times before registration is approved based on a genuine need for the celebrant's services. The new celebrant application fee does not, in itself, address the serious oversupply in celebrant numbers following the 2003 "reforms". There are now around 500 new celebrants being registered each year and every possibility this number will increase if measures are not introduced to curb new registrations to ensure they are in line with community needs.

I would appreciate your taking these points into consideration.

Yours faithfully

(R L Bird)