



**Civil Celebrations Network (CCN) Incorporated**  
Community Based Non-Profit Association promoting  
Civil Ceremonies and Celebrations

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TO: Committee Secretary  
Senate Legal and Constitution Affairs Committee  
Parliament House  
CANBERRA ACT 2600

DATE: 23 April 2013

**Submission to:**

**Senate Legal and Constitution Affairs Committee**

**23 April 2013**

**Re: Marriage Amendment (Celebrant Administration and Fees) Bill**  
**Marriage (Celebrant Registration Charge) Bill 2013**

The Civil Celebrations Network Inc., (CCN) **DOES NOT SUPPORT** the Government's latest recommendations to the Marriage Act 1961, as outlined in the two Bills above. We, the CCN Inc., consider the majority of the recommendations presented in these Bills to be a GROSS example of complete ignorance and discrimination towards the majority of Australians (71% of Australians who choose a civil marriage ceremony) and to the Independent Commonwealth Civil Marriage Celebrants who conduct their marriage ceremonies.

The result of implementing most of the recommendations in these Bills will undoubtedly have a very serious and damaging effect on many Australians and this is clearly outlined in CoCA's submission to the Senate Committee.

**CCN unreservedly supports CoCA's submission in its entirety, to the Senate Legal and Constitutional Affairs Committee.** CoCA's submission has been compiled by highly experienced and skilled celebrant professionals, who intimately understand the Civil Marriage profession in Australia. CoCA's recommendations, provided in their submission, **WILL** help increase the

professionalism of celebrants. Imposing a fee on only one group of celebrants is nothing but discriminatory and elitist. **The ability to pay is NOT a determinant of “professionalism”.**

The amendments proposed **WILL NOT** “increase the professionalism” of civil celebrants and only further compound the current problems faced by the independent civil celebrant industry. The Marriage Celebrant Section caused these current problems, in 2003, when at that time they did not heed the advice of the industry to introduce an eleven-unit VET celebrant training course. This resulted in a massive intake of new celebrants in an industry that couldn’t support them.

The CCN Inc. also wishes to make particular comment in regards to the following three faulty proposed amendments:

### **Removal of Lifetime Appointment**

**CCN Inc. strongly opposes the removal of lifetime appointments.** For celebrants to now face the possibility of going from a life-time appointment (subject to abiding by Section 39G), to what is essentially a “1 year contract” based on their ability to pay an annual fee, is **GROSSLY unjust and discriminatory.** This amendment suggests that a celebrant’s “professionalism” is based purely on their ability to pay. **We oppose the removal of lifetime appointments.**

Marrying couples will also not have the reassurance that the celebrant they chose to write and conduct their wedding ceremony will still be registered on their wedding day, as many couples book their celebrant 12 or more months in advance. This situation is extremely detrimental to the marrying public who are entitled to be confident that their marriage celebrant will be the person marrying them; on what is one of the most important days in people’s lives.

### **Annual Celebrant Registration Charge**

There are many other more equitable ways of raising funds than this obvious display of discrimination. Any law introducing a fee should be introduced across the board, to **ALL** marriage celebrants, not just Commonwealth Registered Marriage Celebrants. Why should other celebrant categories be exempted from incurring an annual fee if they also use the MCLS? The law is the law and should apply to all celebrants. The ability to pay a fee is merely an indicator of wealth or other income, not of “professionalism”.

### **Removal of 5-Year Reviews**

The original argument put forward by the MCLS was that an annual fee was necessary to help fund celebrant reviews. Now the MCLS has stated it wishes to remove the 5-year reviews. If the MCLS were so concerned about “professional standards” within the celebrant industry, then why would they want to replace the 5-year reviews with an annual fee that will further de-stabilise the civil celebrancy profession?

Finally, putting the same-sex marriage issue to one side, **the Attorney General's Department Marriage Law and Celebrant Section staff acknowledges the Marriage Act 1961 is discriminatory.** The Act needs modernizing and given an in-depth review. The CCN Inc. raised this significant systemic injustice issue in their February Submission on *Cost Recovery and Increased Professionalism*. This submission can be found on our website: <http://www.celebrations.org.au/submissions/926-ccn-incs-submission-re-agd-celebrant-fee-and-reforms->

Therefore, the CCN Inc. supports the Coalition of Celebrant Associations (CoCA) Incorporated recommendations to the Attorney General in late 2012 for a Senate Inquiry with the following Terms of Reference. See Appendix 1 (Attached)

**We, the members of CCN Inc., strongly oppose the “cost recovery” and removal of lifetime appointment measures presented in the above Bills.** They will be completely inefficient and ineffective in “raising the professional standards of Commonwealth Marriage Celebrants”. We therefore urge the Senate Committee in the strongest possible terms, to read the CoCA submission in full, so as to fully appreciate the “reality” of the situation.

Yours faithfully

Robbie Fincham, CMC  
CCN Inc. Chairperson

23<sup>rd</sup> April 2013

## **APPENDIX 1**

SEE <http://www.coalitionofcelebrantassociations.org.au/progress/ongoing-representations/1-senate-inquiry/>

### **TERMS OF REFERENCE FOR SENATE INQUIRY**

Australia's marriage law and marriage celebrant services including:

- (a) A review of the current law and practice and the extent to which it is sustainable in delivering high standards of professionalism
- (b) The effectiveness of the Celebrants' Code of Practice and Guidelines for Celebrants
- (c) The extent to which current training regimes are fit for purpose
- (d) Celebrant appointment processes
- (e) The extent to which the treatment of civil celebrants and religious ministers is equitable
- (f) The effectiveness of the current complaints handling system.
- (g) The appropriateness of current fees and levies imposed on celebrants
- (h) Any other relevant matters.