

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Output 1.1

Question No. 12

Senator Webber asked the following question at the hearing on 24 May 2007:

- (a) What percentage of marriage celebrants have officiated at weddings in the last year? Can these percentages be given for each state and territory?
- (b) How many marriage celebrants officiated at less than 10 weddings in the last year? Can these figures be provided for each state and territory?
- (c) How many people are on the waiting list to authorisation to become a celebrant? Can these figures be provided for each state and territory?
- (d) Why is extensive advertising of marriage celebrant courses still allowed given the waiting list?
- (e) How many people are employed in the marriage celebrants section of the Department?
- (f) How many have experience in the sector – ie how many staff are, or have been marriage celebrants?
- (g) How are new appointments as marriage celebrants assessed?
- (h) is consideration given to the number of existing celebrants in geographic areas?

The answer to the honourable senator's question is as follows:

- (a) Based on information sent to the Department by marriage celebrants appointed by the Commonwealth, for the year 1 September 2005 to 31 August 2006 the following information is available. 57.4% officiated at weddings. The breakdown by State and Territory is as follows: ACT – 57.8%, NSW – 58.4%, QLD – 56.5%, VIC – 58.8%, WA - 50%, SA – 60.1%, TAS – 60.9% and NT – 64%.
- (b) Based on information sent to the Department by marriage celebrants appointed by the Commonwealth, for the year 1 September 2005 to 31 August 2006, a total of 1182 marriage celebrants officiated at 10 or less weddings. The breakdown by State and Territory is as follows: ACT - 22, NSW - 401, QLD - 284, VIC - 236, WA – 123, SA – 80, TAS – 20 and NT – 16.
- (c) On 5 June 2007 there were a total of 1235 applicants on waiting lists to be registered as marriage celebrants by the Registrar of Marriage Celebrants. The breakdown by State and Territory is as follows: ACT – 4, NSW – 414, QLD -295, VIC - 349, WA – 95, SA - 49, TAS – 29 and NT – 0.
- (d) Registered training organisations (RTOs) offering the unit of competency in marriage celebrancy are accredited and regulated by the States and Territories and operate independently of the Department. The Department has no involvement in or capacity to control their advertising or their promotion of course availability. The Department does contact all RTOs, by letter upon their first listing as offering marriage celebrancy training and by e-mail from time to time, to update them

on such matters as the waiting lists. The Department provides information by post to prospective students who make inquiries and has information on its website including details of the cap on appointments and the extent of the waiting lists.

(e) As at 15 June 2007 12.07 FTE staff are employed in the Marriage Celebrants Section. See the answer to Question 18 for more details on staffing for the Marriage Celebrants Section.

(f) None of the people employed in the Marriage Celebrants Section are, or have been, marriage celebrants.

(g) The requirements for registration as a marriage celebrant including the way in which applications must be assessed are set out in the *Marriage Act 1961* and the *Marriage Regulations 1963*. Individuals wishing to be registered as a marriage celebrant need to complete an approved, competency-based training course delivered by a registered training organisation that is accredited to deliver the training. Once an aspiring marriage celebrant completes an approved training course there is an additional requirement to demonstrate to the Registrar of Marriage Celebrants that the 'fit and proper person' criteria set out in the *Marriage Act 1961* have been met.

The requirements of the 'fit and proper person' test are as follows:

- sufficient knowledge of the law relating to the solemnisation of marriages by marriage celebrants
- a commitment to advising couples of the availability of relationship support services
- being of good standing in the community
- any convictions for offences punishable by imprisonment for one year or longer, against a law of the Commonwealth, States or Territories
- any actual or potential conflict of interest between the applicant's practice, or proposed practice, as a marriage celebrant and any business or other interests such as employment or hobbies
- any likelihood that registration as a marriage celebrant would result in gaining a benefit in respect of another business owned, controlled or carried out by the applicant
- the likelihood that the applicant would fulfil the obligations of a marriage celebrant set out in the Marriage Act, and
- any other matter the Registrar considers relevant.

(h) Since 1 September 2003 registration of marriage celebrants must be based on satisfying the criteria described above. The number of celebrants in geographic areas is not a consideration.