

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

Program 1.3

Question No. 78

Senator Wright asked the following question at the hearing on 18 October 2011:

Did the government in 2003 make a number of major changes to the Marriage Act and Marriage Regulations based upon the assumption that independent civil and minority religious celebrants were no longer providing a community service, but were assumed to be small businesses and that open market forces would regulate their numbers and the quality of their services?

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

The former Government stated in the Explanatory Memorandum for the *Marriage Amendment Act 2002* that the objectives behind the reforms to the Program in 2003 were:

- to open the doors to marriage celebrancy to a greater number of appropriate applicants to enable talented and dedicated members of the community to influence and continue to improve the style, content and dynamism of celebrancy,
- to broaden and enhance the role of celebrants to include the promotion of pre-marriage and other relationship services to assist in building stronger and healthier family relationships, and
- to elevate the overall standard of professional celebrancy services to ensure that all marrying couples receive celebrant services which meet their reasonable expectations.

The reforms as originally proposed were intended to open the market to competition, subject to meeting minimum quality standards. A cap on the number of people who could be registered as marriage celebrants was in place for the first five years after the 2003 reforms.