

# Submission to the Attorney-General's Department

## *Ongoing Professional Development for Commonwealth-registered marriage celebrants and Guidelines on Conflict of Interest and Benefit to Business for Commonwealth-registered marriage celebrants DISCUSSION PAPER – NOVEMBER 2016*

**SUBMISSIONS MUST BE RECEIVED BY 5pm FRIDAY, 13 JANUARY 2017**

### Your details

<b>Name/organisation</b> <i>(if you are providing a submission on behalf of an organisation, please provide the name of a contact person)</i>	Marriage Celebrants Australia (Inc) Est. WA
<b>Contact details</b> <i>(one or all of the following: postal address, email address or phone number)</i>	

### Publication of submissions

In meeting the Australian Government's commitment to enhancing the accessibility of published material, the Attorney-General's Department will only publish submissions to this website that have been submitted electronically. The following formats are preferred:

- Microsoft Word
- Rich Text Format (RTF)
- txt format.

Please limit individual file size to less than 5MB. The department may create PDF documents from the above formats. To help the department satisfy the Australian Government web content accessibility guidelines, **please do not include** where possible any tables, diagrams or images (including your organisation's logo).

Hardcopy submissions received by mail or fax will still be considered by the department, however they will not be published on the website.

## Confidentiality

Submissions received may be published on the Attorney-General's Department webpage, except where requests have been made to keep them confidential or where they relate to particular cases or personal information.

Would you prefer this submission to remain confidential? No

## Your submission

### Professional development

While most civil celebrants would agree that marriage is only part of the profession, as it is for independent religious, and religious celebrants; we feel that the Department does not have recognition of that fact, in choosing topics for Ongoing Professional Development.

We would like to say that a Dept that only has interest in marriage law, and Commonwealth registered marriage celebrants, should not be approving or vetoing all the topics we consider suitable and appropriate.

Our members feel that changes in the law could rapidly be disseminated through emails, e-learning and the celebrant portal, rather than by an annual OPD session.

Adult Learning principles support other topics to enrich the professional capability of our role in the community.

Any topic covered in or related to the Certificate IV of Celebrancy is suitable, and would encourage celebrants to upgrade or extend their qualifications.

It could well be time for those associations who wish to do so, to take back the responsibility of organising, and providing, developmental activities in the form of seminars workshops, conferences with the obligation to inform the dept. of compliance by their members.

Those small groups who could not, or do not want to do this, should still have the services of approved OPD providers available. We think the current system of approved OPD providers should remain in place for at least another five years.

If the Dept. limited its role to determining approved OPD providers, along with topics concerning marriage law, professional Associations could then develop and encourage the kind of OPD they feel celebrants need, the profession would grow in knowledge and compliance rates.

Our members agree that five hours of OPD is a reasonable amount of time.

We also agree that the OPD year should remain a calendar year, as this fits with schooling terms. When OPD ran from October to October it was very confusing. Yet another change would confuse more.

A good celebrant is one with professional knowledge, with high ethical standards and pride and dedication to their role in the community. 2 | M C A ( I n c )

## **Conflict Of Interest And Benefit To Business**

Strong support from our members has been forthcoming for the more strict adherence to section 49 of the Marriage Act 1961, rather than removing all restrictions on Conflict of Interest (COI) and Benefit to Business (B2B). In recent years, celebrants have tried to become more professional, and we think this has been misinterpreted, as being more businesslike.

Included are the following comments from members, which when appearing on our Association forum received an avalanche of support;

“ We need to be a profession that is not influenced by outside pressure as stated in, and that we presented to, the Attorney Generals Department, in our application to become a Marriage Celebrant from our referees, as in; a person without criminal conviction, with high moral values and who is a worthwhile member of the community.”

“Huge companies, hotels and venues will take control of our profession, as they have done with the funeral industry”

“Once we enter into extreme commercialisation of weddings, we will lose our professional stance in the community”

Our Association members strongly believe that the only benefit to removing COI and B2B, would be to the MLCS, as they will not have to deal with complaints about celebrants overstepping the mark. Consumers will not benefit because costs will rise as soon as the monopoly get a handle on it. Immediately, clients might appreciate a “one stop shop” but will soon find that the celebrant cannot possibly offer what big hotels can. The cost will be high to couples and to the professional reputation of celebrants generally.

We are aware that section 49 has been more liberally governed recently, due to ATT challenges being upheld, and with the interpretation of staff as they have changed within the dept. This has caused confusion to celebrants and to the public alike.

We support the Coalition of Celebrant Associations’ (CoCA) Submission, and urge not only the continuation, but the more strict enforcement of Conflict of Interest and Benefit to Business provisions.