

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

Name/organisation <i>(if you are providing a submission on behalf of an organisation, please provide the name of a contact person)</i>	Roger Thomson
Contact details <i>(one or all of the following: postal address, email address or phone number)</i>	

Publication of submissions

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

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Would you prefer this submission to remain confidential? No

Your submission

I began as a marriage celebrant in 1970, being a deputy registrar of BDM for the ACT. I left that position in 1993 as Registrar-General having performed more than 6000 marriage ceremonies.

I was authorised in 1999 (A04870) and have since performed more than 2000 ceremonies. I was President of the Australian Federation of Civil Celebrants from 2005 to 2007, having initiated OPD and delivered about 50 approved OPD topics.

I base my comments on the above experience.

Costs to Celebrants

The ability to recoup annual registration fee, OPD costs is minimal. A celebrant can cover these costs with 2-3 ceremonies a year. Any celebrant unable to perform more than 2-3 ceremonies a year is not delivering a service, is only seeking status, or has minimal interest in community expectations.

Recommendation: The costs are not huge. Leave this issue alone as celebrants can easily cover their costs with less than 5 weddings a year.

Conflict of Interest/ Benefits to Business.

When the Marriage Celebrant Program began in 1973 I was visited by The Hon Lionel Murphy, Attorney-General whose foresight ended the restriction to only marry in a registry office or a church. The ACT BDM registry then began solemnising marriages at any time and place. Senator Murphy asked me if I had any concerns. I replied that along with other Registrars we believed the celebrant function could easily be hijacked by commercial interests purely for profit rather than providing a service to the community (e.g. a JP or Magistrate). This came true when among others Dally Messenger in Melbourne began marketing practices within a year or two. Since then the program has exploded and looks like your options will allow full commercial exploitation of the wedding industry by celebrants.

Recommendation: Restrict the appointment of a marriage celebrant to that of a voluntary JP or holder of a public office. Do not allow any involvement in commercial practices – these exist now in harmony with a celebrant's services. Allow fees to cover costs of solemnising the marriage and nothing more.

Registration by the A-G highlights the singularly legal responsibilities of the celebrant as a community service provider not an entrepreneur. For instance a celebrant can cover the costs of sand or ribbons in their general fee, the same as they would vary their fee depending on the

travel costs for the ceremony. A celebrant's job is to conduct the ceremony according to law (Sec 46) nothing more.

Comment: If you open the wedding market to celebrants the Attorney-General would be better off getting out of the way completely – just registering qualified people and only getting involved in legal disputes. This would reduce the costs to celebrants and of course reduce the escalating administrative costs to A-G's which I am sure is a point to this Discussion Paper.

Thank you

Roger Thomson

Canberra.

PS As I have indicated over many years, I am always available for personal meetings face to face in Canberra. (What is it they say about corporate memory?)