



**Australian Government**  
**Attorney-General's Department**

**Access to Justice Division**

**Meeting of the  
Coalition of Celebrant Associations and the Attorney-General's Department  
22 May 2014**

**Celebrant associations represented by CoCA attendees at this meeting:**

Association of Civil Marriage Celebrants (ACMC)  
Civil Celebrations Network (CCN)  
International College of Celebrancy Alumni (ICCA)  
South East Australia Civil Marriage Celebrant Association (SEACMCA)  
Celebrants Australia Inc (CAI)  
Professional Celebrants Association (PCA)  
Civil Celebrants Graduate Association (CCGA)  
Association of Civil Marriage Celebrants SA (ACMCSA)  
Marriage Celebrants Australia (MCA)  
Australian Marriage Celebrants (AMC)  
Alliance of Celebrants Queensland (ACQ)

CoCA Attendees: Dorothy Harrison (MCA), Judy Brooks (CAI), Rona Goold (CCN), Liz Pforr (ACQ), Maarit Kasurinen (PCA), Catherine Bearsley (CCGA), Peter Champion (ACMCSA), Susan Winters (ACMC), Len Mason (SEACMCA), Sonia Collins (CCN)

**Apologies:** Robyn Caine, Keith Lammond, Georgia Mills (ACMCV)

**AGD Attendees:** Tamsyn Harvey (Assistant Secretary, Family Law Branch), Franca Musolino (Registrar of Marriage Celebrants), Kim Williams (Principal Legal Officer), Angela Tsongas (Assistant Director), Matthew O'Brien (Project Officer), In part: Greg Manning (First Assistant Secretary, Access to Justice Division)

**Introductions**

AGD welcomed CoCA delegates and thanked them for their attendance.

The meeting commenced with Acknowledgment of Country.

Tamsyn Harvey the Assistant Secretary, Family Law Branch, introduced herself as currently covering the branch head position of Marriage and Intercountry Adoption Branch.

CoCA introduced new, returning and alternate delegates and offered apologies for those delegates not able to attend. CoCA announced current office holders: Dorothy Harrison (Chair), Liz Phorr (Vice Chair), Judy Brooks (Secretary) and Rona Goold (Treasurer), Gail Nagel (public officer).

## **CoCA General Update**

1. CoCA is reviewing its constitution. A sub-committee has been established to undertake the review.
2. CoCA prepared a submission regarding the Department of Finance's (DoF) whole-of-government review of Australian Public Service's cost recovery guidelines. CoCA delegates attended a meeting of DoF regarding deregulation of government.

## **Register of Marriage Celebrants**

3. CoCA requested that each entry on the Register of Marriage Celebrants be given an individual URL, allowing celebrants to embed a link on their individual websites. AGD noted that this is not the way the Register is currently set up and would require be a major redevelopment of the existing structure. AGD agreed to discuss with IT staff.

## **Forms for use under the *Marriage Act 1961* and the *Marriage Regulations 1963***

4. AGD explained that from 1 July 2014 all forms, with the exception of the Form 15 Certificate of Marriage, have been removed from the *Marriage Regulations 1963*. Celebrants may continue to use previously prescribed forms until 31 December 2014. CoCA indicated their interest in being consulted on the development of marriage forms. AGD agreed to consult with CoCA as part of the forms redevelopment.

## **Updating CoCA-AGD Protocol**

5. CoCA recommended a review of the 'Protocol between CoCA-AGD' due to concerns that they are not being consulted as the peak body of celebrants. AGD confirmed that consultation has been undertaken with CoCA as the peak body however wider consultation with the celebrant community is required as part of the Department's obligations to wider ensure consultation with all relevant stakeholder groups. CoCA enquired about the process of adding celebrant associations and networks to the list on the AGD website.
6. CoCA enquired whether it would be possible to receive some funding from AGD to meet costs, for example, travel costs of participants for meetings. AGD noted its awareness that CoCA delegates are volunteers and appreciate their time and contribution; however the provision of funding is extremely unlikely. AGD also explained that any such funding is not factored into cost recovery.

**Action:** AGD to review process of adding celebrant associations and networks to the list on the AGD website.

## **Income and expenditure report from AGD**

7. COCA asked if AGD will provide a profit statement following the introduction of cost recovery. AGD explained that a [publicly available](#) Cost Recovery Impact Statement (CRIS) has been prepared to serve that purpose. AGD reiterated that the CRIS sets out that recovered funds must not generate a profit, and that a review of the CRIS will be undertaken.

## **BDM accepting certified copies in place of original documents**

8. CoCA noted reports that BDM registries have been accepting certified copies of required evidence documents instead of originals when conducting registry marriages. AGD are meeting with representatives from each BDM registry shortly and are willing to raise this issue.

**Action:** CoCA to provide AGD with reports of specific examples of BDM registries accepting certified copies of documents in place of originals.

## **Conflict of interest and Advertising Guidelines**

9. CoCA noted concerns with recent changes to the 'Making a complaint about a Commonwealth-registered marriage celebrant' form on the AGD website. Some celebrants have suggested that the form does not correspond with information in the celebrant 'Guidelines' or 'Code of Practice'. AGD noted that the purpose of these changes is to keep marrying couples informed of their options. AGD informed CoCA that complaints are received from different sources including other celebrants and the BDMs.

10. CoCA noted reports of celebrants advertising both celebrancy and other wedding services on the same website. CoCA also reiterated their concerns with celebrants entering into legal agreements with wedding venues. AGD noted CoCA's concerns and advised that the 'Advertising Guidelines' are being updated. AGD also noted that each conflict of interest issue must be considered on a case-by-case basis and cautioned against being overly prescriptive in this area.

11. CoCA raised concerns that celebrants who are conducting both civil and independent religious ceremonies may have a conflict of interest. AGD noted that federal marriage legislation does not prevent celebrants from doing this, and that, to our knowledge only a very small number of celebrants do so. The celebrant application process includes a question about whether applicants intend to conduct religious ceremonies. Celebrants who have such an intention are required to complete an appropriate undertaking as part of the application.

**Action:** AGD to review the 'Making a complaint about a Commonwealth-registered marriage celebrant' and 'Advertising Guidelines' documents and give an update at next meeting.

## **AGD General Update**

### *Marriage Celebrant Program Reforms commencing on 1 July 2014*

12. AGD reiterated information provided in the 'General AGD Update Paper' available on the [AGD website](#).

13. AGD gave an overview of how invoices will be processed. Invoices will be batched and sent out over a three week period. Celebrants will be allowed sixty days to pay their invoice. AGD advised that standard departmental payment procedure will be used.

14. AGD will provide further information to celebrants regarding the process applying for an exemption from the annual registration charge fee closer to 1 July. CoCA requested that AGD also circulate guidance about what celebrants need to do if they choose not to pay the annual registration charge, noting that celebrants who have booked weddings will need to transfer documentation to

another celebrant. AGD noted that celebrants who are not intending to pay the fee should already be notifying marrying couples.

15. AGD advised that the design of the new celebrant registration certificate has been finalised and thanked CoCA for their contribution.

16. CoCA suggested a project be undertaken to review the *Marriage Act 1961*. CoCA indicated their enthusiasm to be involved in consultation on such a project. AGD indicated that any changes to marriage legislation are subject to the priorities of government.

**Action:** AGD to provide guidance for celebrants who do not intend to pay the celebrant registration charge but have booked weddings.

#### *Introduction of questionnaire*

17. AGD detailed the introduction of an annual questionnaire for celebrants, to be completed in the self-service portal. CoCA suggested that the questionnaire requests information on; association membership, insurance details, and number of weddings conducted in the calendar year. CoCA indicated their availability to test the questionnaire prior to its release. AGD will take CoCA's suggestions on note.

#### *Administration of program and statistics*

18. AGD reiterated information provided in the 'General AGD Update Paper' available on the [AGD website](#).

#### *Ongoing Professional Development*

19. AGD reiterated information provided in the 'General AGD Update Paper' available on the [AGD website](#).

20. AGD noted a project which had focussed on OPD non-compliance resulting in deregistration of celebrants who had failed to complete OPD over a number of years - CoCA recommended that, in the future, OPD moves to an independent celebrant-based OPD model. CoCA also recommended that ongoing celebrant training be referred to as Continued Professional Development (CPD).

**Action:** AGD to consider comments relating to OPD by CoCA in review of any changes to future approach to OPD.

## CoCA-AGD ACTION ITEMS – 22 May 2014

The following action items have arisen during the CoCA-AGD meetings. They do not include matters that may have been raised in other forums outside of the meetings.

Meeting / Item No.	Description	Status
1.	AGD to review process of adding celebrant associations and networks to the list on the AGD website.	In progress. The Department sent a questionnaire to celebrant associations on 20 August 2014.
2.	CoCA to provide AGD with reports of specific examples of BDM registries accepting certified copies of documents in place of originals.	
3.	AGD to review the 'Making a complaint about a Commonwealth-registered marriage celebrant' and 'Advertising Guidelines' documents and give an update at next meeting.	In progress.
4.	AGD to provide guidance for celebrants who do not intend to pay the celebrant registration charge but have booked weddings.	Guidance will be added to the FAQs on AGD website the week of 1 September 2014. Instructions on how to transfer a NOIM is available the celebrant 'Guidelines'.
5.	AGD to consider comments relating to OPD by CoCA in review of any changes to future approach to OPD.	In progress.