



# Marriage Celebrant Matters

## Message from our team

Welcome to our Autumn/Winter 2015 issue of Marriage Celebrant Matters.

In early July 2015 invoices will be issued for the 2015–16 annual registration charge. An invoice will be generated for all celebrants registered on 1 July 2015. For the first time, copies of invoices will be available on each celebrant’s self-service portal. The easiest way to pay your invoice is via the self-service portal. This automatically matches the payment to your account and generates a receipt.

Keep an eye on the department’s website. A number of new fact sheets, translated copies of the ‘Happily ever before and after’ brochure and new electronic forms are now available for download.

As at 1 June 2015 there are more than 8853 Commonwealth registered celebrants. We are pleased to report that in 2014 93% of celebrants met their ongoing professional development (OPD) obligations. OPD approved courses and conferences for 2015 are available on our website.

In April 2015 the team met with marriage celebrant associations to discuss a broad range of issues including the new cost recovery implementation statement, the regulator performance framework, the review of forms, performance monitoring, and proposed changes to forced marriage offences. .

We look forward to working with you over the next busy invoicing period.

*Marriage Celebrants Programme Team*

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## *New resources for marriage celebrants*

### **Fact sheets**

Fact sheets on issues commonly raised by celebrants are developed to assist you to easily access topical information. Currently, the following fact sheets are available:

- Completing item 15 on the NOIM—Children of previous marriage
- Self-service portal
- Celebrant registration charge

Fact sheets are now available for download from the '[For marriage celebrants](#)' page of the website.

### **Translated 'Happily ever before and after' brochure now available**

The document outlining the obligations and consequences of marriage and stating the availability of marriage education counselling (known as the 'Happily Ever... Before and After' brochure) is now available in the following 13 languages:

- Spanish
- Tagalog
- Nepali
- Japanese
- Vietnamese
- Greek
- Chinese (both simplified and traditional script)
- Hindi
- Korean
- Indonesian
- Thai
- Italian
- Arabic

We hope this helps you to assist marrying couples to fully understand the content of the brochure. The translated documents are available on the [Marriage forms](#) page of the website for download. The brochure may be provided to marrying couples in either electronic or printed format.

## *Printing the declaration of no legal impediment to marriage and official certificate of marriage*

In January 2015 the Declaration of no legal impediment to marriage (formerly form 14) and the Official certificate of marriage (formerly form 16) were made available as writable pdf documents. These electronic forms are available on the [Marriage Forms](#) page of the website. This means you are able to download and print these forms for use when solemnising marriages.

Marriage celebrants who print their own forms must adhere to Section 50 (3) of the *Marriage Act 1961* which provides that 'one of the official certificates or the official certificate, as the case may be, shall be on the reverse side of the paper bearing the declarations made by the parties under section 42'. To assist celebrants meet this obligation, the forms have also been combined into a single document available online.

The electronic form and hardcopy are approved forms and may not be changed. However, you will find one specific difference between the electronic forms and the version contained in the 'green' book purchased through CanPrint—the writable PDF documents do not have serial numbers on them or the record keeping tab on the left hand side. The serial numbers and tab provided by CanPrint in their books are a courtesy to assist marriage celebrants with their records management.



## *Update on review of marriage forms*

A review of all of the forms approved for use under the Marriage Act 1961 and Marriage Regulations 1963 is currently underway. The first stage of this process was to seek feedback about the forms relating to the solemnisation of marriage. We would like to thank all marriage celebrants who took the time to provide a response to our survey. Over 1800 responses were received from across the three categories of authorised celebrants. A summary of the survey responses is available on the [Marriage Forms](#) page of the department's website. We are considering the survey results and working to update the existing forms.

The second stage of the consultation process involves consultation with registries of births, deaths and marriages, prescribed authorities and courts who also use the forms. It is anticipated that the entire review process will take about 12 months to complete.

The department is conscious of the need to provide celebrants with advance notice of the date the forms will change, as well as a significant transitional period for celebrants to utilise the hard copies of forms they currently have. The department will engage with celebrant associations in determining these timeframes.



## *Reminder: Ongoing professional development 2015*

It is important that celebrants remain up to date with all of their legal and professional obligations as a marriage celebrant to avoid the potential for a disciplinary measure being imposed by the Registrar, which could include deregistration. We recommend that you plan to complete your ongoing professional development in the first half of the year. This will allow time to reschedule an activity should an unforeseen situation occur.

You must complete five hours of ongoing professional development in 2015, including two hours of the 2015 compulsory activity and three hours of electives, unless you have been granted an exemption. You have until 31 December 2015 to complete your five hours or apply for an exemption. More information about completing your [ongoing professional development](#) is available from our website.

## *Use of passports or birth certificates?*

It has come to the department's attention that some marrying couples are requesting amendments to their marriage certificates as a result of using passports as evidence for date and place of birth. It is best practice to explain to marrying couples what the result of using certain documentation will mean. For example, if an intended bride has the city of her birth on her passport but the suburb of her birth on her birth certificate, she can choose to use the document that will reflect what she wants to see on the marriage certificate.

Explaining to a marrying couple how the choice of documentation will reflect in the marriage certificate provides a couple with the opportunity to address this issue ahead of time.

## *Supporting documents for visa applications*

The department has received advice from the Department of Immigration and Border Protection (DIBP) about the supporting documents it requires when couples are applying for Prospective Marriage visas. DIBP has advised that the original Notice of Intended Marriage is not required to be submitted. In most cases a letter from the celebrant confirming the date of the marriage ceremony for the couple and confirmation that a NOIM has been lodged will be sufficient.

Additionally, DIBP has advised that the 'A' number of the celebrant who married the applicant is no longer a mandatory field for its online Partner visa application form (47SP).

## *Monitoring of marriage celebrant performance*

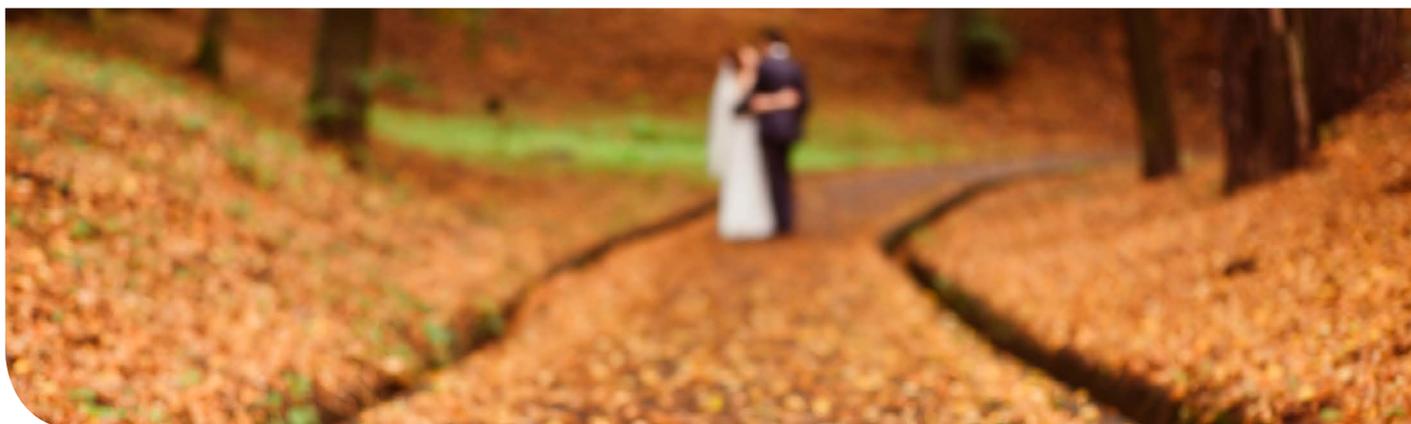
In recent years, the Registrar has focussed on compliance with the obligation to undertake ongoing professional development. From 2010–2013, approximately 75% of celebrants had been fulfilling this obligation. As a result, many celebrants who had successive years of non-compliance have been deregistered. In 2014, the compliance rate was 93%, which is a great result and the Registrar encourages celebrants to continue to refresh their skills and refine their practice through ongoing professional development. The Registrar will continue to monitor compliance with the obligation to complete ongoing professional development.

To assist monitoring compliance with the Code of Practice and to prompt celebrants to comply with their s 39G obligation to report any event that could affect their suitability to be registered as a celebrant, an annual online questionnaire will be rolled out to celebrants through the online self service portal, in conjunction with the invoices for the annual charge in July. The annual questionnaire will allow celebrants to assess their practices and ensure that they have considered any issues that might affect their duties as a marriage celebrant.

You are encouraged to complete the questionnaire through the self-service portal at the same time as making payment of the annual registration charge. Please visit your self-service portal in July to access the online questionnaire.

## *Update on Cost Recovery*

The Australian Government implemented cost recovery of the Marriage Celebrants Programme from 1 July 2014. Money collected via cost recovery is used to administer the Programme in line with the Australian Government Cost Recovery Guidelines. Further information on cost recovery is available through the Cost Recovery Impact Statement on the department's website. An updated version of this statement, now called a Cost Recovery Implementation Statement, is currently being prepared by the department and will be publicly available before 1 July 2015. The updated statement will contain year to date performance information for 2014–15 and expected revenue and costs for 2015–16. The current fees and charges will remain constant for 2015–16.



## Annual registration charge

All celebrants registered on 1 July 2015 must pay the annual registration charge to remain registered. The annual celebrant registration charge for the 2015–16 financial year remains at \$240.

**Invoices will be issued in early July 2015 and will be sent via email to all celebrants with an email address recorded on file.** Celebrants who have not provided an email address will receive their invoice through the post. Additionally celebrants will be able to access their invoice online via the [self service portal](#).

Your invoice will be due for payment at 30 days from the date of issue. If the invoice remains unpaid after 60 days from the date of issue (the legislated 'charge payment day'), under section 39FB of the *Marriage Act 1961*, the Registrar of Marriage Celebrants must deregister you. No discretion can be applied.

An easy way to ensure correct payment of your invoice is to pay through the self-service portal. Payment is accepted by credit card (excluding American Express). You may also use online banking, or ring the telephone number provided on the invoice with your credit card details. Please carefully check that you use the correct invoice or reference number for the payment method that you choose. This will ensure your payment is correctly identified.

For further information regarding accessing the self-service portal and paying invoices please refer to the fact sheets, available to download from the '[For marriage celebrants](#)' page.

### Exemptions

In limited circumstances, an exemption may be granted from the annual celebrant registration charge. If you intend to seek an exemption from the annual registration charge, please refer to the [Guidelines for marriage celebrants seeking exemption from the celebrant registration charge](#) and begin compiling your application documents. Please note that under the legislation, applications for exemption must be received within 21 days of the date that the invoice was sent. Applications received outside of this timeframe cannot be considered. A non-refundable application processing fee of \$30 is payable with your application. Applications, including payment, can be made through the [self service portal](#).

### What should I be doing now?

You should check that your email and address details are up to date. This can be done on the [self service portal](#) or by contacting the Marriage Celebrants Section.

If you do not wish to continue as a Commonwealth-registered marriage celebrant in the 2015–16 financial year, you should send written advice of your resignation to the Marriage Law and Celebrants Section by 30 June 2015. If you do not resign, an invoice will be issued to you. Any invoice which remains unpaid by the charge payment day, will result in the celebrant being deregistered and a debt to the Commonwealth incurred.

Please note that the option to update your contact details on the self-service portal will be closed the week beginning 29 June and will reopen 9 July to allow time for the MLCS to generate and place invoices on the self-service portal.

### Registration certificates discontinued

In the past you may have received a certificate of registration, valid for the current financial year, following payment of the annual registration charge. In the meeting between the department and celebrant associations held in December 2014, it was agreed that registration certificates would be discontinued at the end of this financial year. The certificate only being valid for a financial year caused some confusion as a celebrant's registration does not end at 30 June, rather it continues as long as obligations continue to be met. Discontinuing the certificate also increases efficiency and contributes to maintaining the registration charge at its current rate. As such, you will not receive a certificate of registration following payment of the 2015–16 registration charge. You will continue to receive an official receipt for your payment.

## *Forced marriage*

Every adult in Australia is free to choose whether to marry. A forced marriage is when a person gets married without freely and fully consenting, because they have been coerced, threatened or deceived. Forcing anybody to get married is never acceptable and is a crime in Australia.

The Australian Government considers forced marriage a slavery-like practice, a form of gender based violence and an abuse of human rights. This abhorrent practice is not limited to any particular cultural group, religion or ethnicity, and there are reports of victims of forced marriage from all over the world.

Australia's forced marriage offences capture legally recognised marriages, as well as cultural or religious ceremonies and registered relationships. Therefore, it is imperative that celebrants are equipped with the right information to be able to identify and appropriately respond to suspected cases of forced marriage. People can be victims of forced marriage regardless of age, gender or sexual orientation.

A Forced Marriage Community Pack is available to help you better identify and respond to suspected cases of forced marriage. The pack includes FAQ factsheets; a 'how to guide' on preparing a safety plan (for people who may be at risk of being forced to get married, refusing a marriage or leaving a marriage that they never agreed to); a small fold-away booklet for vulnerable people; and an information booklet for agencies, community organisations and services providers.

This is available at [www.ag.gov.au/forcedmarriage](http://www.ag.gov.au/forcedmarriage). Select materials are currently being translated into key community languages and will be available mid-2015.

Celebrants may also wish to complete Anti-Slavery Australia's free online training program on human trafficking, slavery and slavery-like practices. The e-learning course includes a comprehensive module on forced marriage and covers principles for working with people in, or at risk of, forced marriage as well as information on indicators and referral pathways. For more information, visit [www.antislavery.org.au/e-learning](http://www.antislavery.org.au/e-learning).

### Contact us

Phone: 1800 550 343 Monday to Friday from 10am to 1pm and 2pm to 5pm AEST.

Email: [marriagecelebrantssection@ag.gov.au](mailto:marriagecelebrantssection@ag.gov.au).

Postal address:  
**3-5 National Circuit, Barton, ACT, 2600.**

For feedback or suggestions for this newsletter or our programme, you should email us at [marriagecelebrantssection@ag.gov.au](mailto:marriagecelebrantssection@ag.gov.au).