

## **Review of the Statutory Declarations Regulations 1993 Submission.**

1. This submission is made on behalf of the Coalition of Celebrant Associations (CoCA) Incorporated, which was established on 16 October 2008.
2. CoCA is recognised by the Commonwealth Attorney-General as the peak representative body for all Commonwealth registered marriage celebrants. CoCA is comprised of 11 celebrant associations of marriage celebrants.
3. Australia's Civil Celebrant Program was a world first in that the marrying public can be married with a ceremony of their choice, at any location, time or day. This flexibility was introduced in 1973 under Section 39 of the Marriage Act.
4. Inherent with that flexibility, came the problem of getting documents certified, and completing statutory declarations "out of office" hours, and in remote situations and locations.
5. In 1993, Commonwealth registered marriage celebrants were granted the privilege of being able to certify photo copies of documents they had seen, and to witness Statutory Declarations regulations 1993. Schedule 2. Part 1 of those eligible to witness.

*219 Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961*

6. Commonwealth registered marriage celebrants now conduct 75% of all marriages in Australia.
7. Commonwealth registered marriage celebrants are now required to complete a Certificate IV in celebrancy, meet "Fit and proper person criteria, pay a \$600 application fee when applying for authorisation, which includes a criminal history check. Marriage celebrants see and witness legal forms every day and take great care to comply with legal requirements to enable correct marriage registrations to take place.
8. Prior to 1993, celebrants had to undergo appointment as a Commissioner for Declarations in addition to their marriage celebrant appointment, just to be able to assist the public with their wedding arrangements. In many States currently, the Commissioner for Declarations title and duties have been abandoned.
9. Marriage celebrants see and witness legal forms every day and take great care to comply with legal requirements to enable correct marriage registrations to take place.
10. The Coalition of celebrants Associations (CoCA) considers it is an essential part of the Commonwealth registered Marriage Celebrant role to be able to witness Statutory Declarations and to witness photocopies of documents shown to us.
11. Marriage Celebrants MUST see official documents as part of their duties, unlike several other categories of people who are currently able to witness Statutory Declarations.
12. If the parties to the marriage cannot produce original documents, a Statutory Declaration to explain and declare facts of birth and place of birth, must be completed.
13. The Coalition of Celebrant Associations (CoCA) urges this hearing to allow Commonwealth registered Marriage celebrants to continue the practice of witnessing Statutory Declarations for the benefit of, and assistance to, the Australian public.