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## *Message from our team*

Welcome to the Winter 2018 edition of Marriage Celebrant Matters.

Following a period of consultation with celebrants, associations and other stakeholders, the [Guidelines on the Marriage Act 1961 for authorised celebrants](#) were finalised and published on 2 July. Thank you again to all who provided feedback, a summary of the feedback and changes was provided to those who contributed, and where we did not take that feedback on we provided reasons why. The Marriage Law and Celebrants Section (MLCS) looks forward to upcoming opportunities to consult with celebrants and other stakeholders on the review of official marriage forms.

The MLCS is committed to improving communications with marriage celebrants and other stakeholders in streamlining processes and procedures. The MLCS welcomes feedback and comments via email at [marriagecelebrantssection@ag.gov.au](mailto:marriagecelebrantssection@ag.gov.au).

## *Recapping since the last newsletter*

The past several months have seen changes to the *Marriage Act 1961* for marriage equality, new Marriage Regulations 2017, and a review of the *Guidelines on the Marriage Act 1961 for authorised celebrants*.

The MLCS has updated existing fact sheets and developed new ones to assist celebrants to remain up to date with all the changes. See further details below about our website resources specifically developed for celebrants.

This year's compulsory ongoing professional development (OPD) activity is, 'Marriage Equality: Key Messages'. The activity is designed to ensure that marriage celebrants are up-to-date with the changes to the legislation, policy and guidelines following the legislative reforms for marriage equality.

## 2018-19 Celebrant registration charge

The 2018-19 celebrant registration charge process is well underway. Invoices were sent to celebrants on 2 July 2018 to the email address in our database or by post for the very small number of celebrants who do not have an email address. Please remember you must pay your invoice by the charge payment day to remain registered as a Commonwealth-registered marriage celebrant. This year, the charge payment day is 31 August 2018. As in previous years, the MLCS has sent a reminder to those celebrants who have not yet paid their invoice. The MLCS will no longer be sending a reminder SMS message.

If you have not received your invoice, it is very important that you contact us **immediately**.

The Registrar of Marriage Celebrants has no discretion and must deregister you if your invoice is not paid by 31 August 2018.

There are several options for you to pay your invoice including, via credit card, electronic funds transfer (EFT) and cheque. The easiest method of payment is via credit card through the celebrant self-service portal.

### Applying to the Administrative Appeals Tribunal (AAT) for review of decision to deregister due to non-payment

If deregistered for non-payment (or for any other reason), celebrants have a right to apply to the AAT for review of the decision to deregister them. Celebrants should consider seeking independent legal advice before deciding whether to apply to the AAT for a review.

Information about the AAT review process is available on the AAT's website at [www.aat.gov.au](http://www.aat.gov.au). This includes information about the cost to lodge an application to the AAT.

### Mandatory deregistration for non-payment of the annual registration charge has been confirmed by the AAT

In [Thiel and the Registrar of Marriage Celebrants \[2015\] AATA 872](#) the AAT confirmed that the Registrar has no discretion to not deregister a celebrant for non-payment, even if there are exceptional circumstances.

### Re-registering as a marriage celebrant

A celebrant who is deregistered for non payment (or for any other reason) is able to apply to the department to be re-registered.

The usual process for applying will be followed. Applicants will need to complete the [online application form](#), pay the \$600 application fee and hold the minimum required qualification (currently a [Certificate IV in Celebrancy](#)).

## Key dates for the remainder of 2018

### 31 August 2018— 'Charge Payment Day'

The celebrant registration charge must be paid by the 'charge payment day', 31 August 2018, to maintain registration for 2018-19.

### 31 December 2018

You have until 31 December 2018 to complete your Ongoing Professional Development (OPD) for 2018. To ensure you do not miss out on fulfilling your OPD obligation we encourage you to complete your OPD early. In exceptional circumstances, you can apply for an exemption from completing OPD. You have until 31 December 2018 to apply to the Registrar of Marriage Celebrants for an exemption.

*Please note that the department is closed from 25 December 2018 until 2 January 2019 with limited staff on 24 December 2018. If you apply for an exemption during this time you will not know the outcome of your exemption application until the New Year and if your application for exemption is unsuccessful, you will not be able to complete your 2018 OPD in 2019. This may result in you being found to be non-compliant with your 2018 OPD obligation. In these circumstances, the Registrar of Marriage Celebrants may impose disciplinary measures. More information about applying for an exemption from OPD is available on our [website](#).*

## *Giving the minimum one month notice*

The department has published a fact sheet, 'Notice of intended marriage – Giving the minimum one month notice – Revised August 2018'. The fact sheet is available on the department's [website](#).

## *Marriage (Celebrant Professional Development) Statement 2018*

Following the commencement of the Marriage Regulations 2017, the list of ongoing professional development activities approved by the department for delivery by the panel of approved OPD providers is published as a statement on the [Federal Register of Legislation](#).

The statement is a legislative instrument and specifies which of those activities (if any) are compulsory for the year. The name of that instrument is [Marriage \(Celebrant Professional Development\) Statement 2018](#). We have provided a link to the statement listing approved activities for 2018 on our [website](#).

## *Upcoming consultation on the review of the official marriage forms*

The MLCS is progressing a comprehensive review of the official marriage forms. The review is building on feedback received from celebrants, their representatives and other key stakeholders, including comments received following the commencement of marriage equality as well as previous work undertaken by the department. We recently consulted with the state and territory registries of births, deaths and marriages and the Australian Bureau of Statistics. The next steps will include consulting with marriage celebrants and celebrant associations, including making available on our website sample, draft forms for celebrants to provide their feedback.

## *Meeting with celebrant associations on 2 May 2018*

The department met with marriage celebrant associations on 2 May 2018. Sixteen celebrants representing fourteen celebrant associations were in attendance. Issues discussed included improving consultation approaches between associations and the department, changes to the *Marriage Act 1961* for marriage equality, and consultation activities including the review of official marriage forms. The meeting also included a presentation by the Department of Finance on the Australian Government Charging Framework. The department held a teleconference with associations on 10 August 2018 and the next face to face meeting is scheduled for mid-October.

## *Celebrant details on the register of marriage celebrants*

We have received feedback from celebrants who have received unwanted correspondence due to their contact details appearing on the [register of marriage celebrants](#) (the register).

The details to be entered on the register are set out in section 43 of the Marriage Regulations 2017. At a minimum, celebrants' suburb, state/territory and postcode must be published on the register. Celebrants are also able to enter any other contact details should they wish to do so (the register does not include capacity for celebrants' website addresses).

The register is publicly accessible and can be used by marrying couples to search for authorised celebrants in their state or territory.

Not all correspondence which celebrants may receive will be from potential clients.

In this regard, the MLCS encourages celebrants to exercise caution when receiving unsolicited requests or other correspondence. The Australian Government has information about what to do when receiving unsolicited emails. The information can be accessed from the [Australian Communications and Media Authority](#).

Celebrants can securely manage their contact details through the [self-service portal](#).

## Website and other resources for marriage celebrants

The Attorney-General's Department's [website](#) provides information to assist you to perform your role in line with the *Marriage Act 1961* and Marriage Regulations 2017. This includes through the dedicated [For Commonwealth-Registered Marriage Celebrants](#) pages.

We encourage you to visit the website regularly as it is the best way to remain informed about changes to the law and practices.

Did you know we have the following fact sheets on the [Celebrant resources](#) page?

- NOIM—Giving the minimum one month notice—Revised August 2018
- Self-service portal—invoices and receipts—August 2018
- Changes to marriage ceremony requirements—December 2017
- Marriage equality: Questions and answers on sex and gender—May 2018

Recently updated fact sheets on the [Celebrant resources](#) page include:

- Maintaining your registration as a Commonwealth marriage celebrant—updated April 2018
- Changes to marriage forms and certificates—updated May 2018

## Celebrant Associations

There are a number of celebrant associations representing marriage celebrants. Celebrants may find that joining an association is beneficial in fulfilling the role of a celebrant. Associations have advised that some of the benefits of joining an association are as listed below:

- Continuing professional development through Association networks, forums and social media platforms
- Assistance through help desk facilities and contact points
- Ongoing professional development (OPD) programs at discounted rates
- Access to conferences to network and meet your OPD obligations (if the conference has been approved by the Registrar of Marriage Celebrants to satisfy the OPD elective component)
- Association developed resources to support your role, including books, information sheets and stationary
- Experienced celebrant mentors to assist new celebrants
- Access to celebrant software for free, or at an additional fee, and
- Insurance and copyright coverage or ability to access at an additional fee.

The details about associations are provided on the department's [website](#) as a convenience to celebrants. The Attorney-General's Department does not endorse any individual association nor does it accept responsibility for any of the above information about association benefits.

## Contact us

Email us at [marriagecelebrantssection@ag.gov.au](mailto:marriagecelebrantssection@ag.gov.au) or by phone on 1800 550 343 from 10am to 1pm and 2pm to 5pm (AEST time).