

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Output 1.1

Question No. 15

Senator Crossin asked the following question at the hearing on 31 October 2006:

- (a) What requirements are there for ongoing professional development of registered marriage celebrants?
- (b) What reviews are undertaken by the department of registered marriage celebrants?
- (c) Has the Department established an Advisory Panel of Marriage Celebrants and stakeholders to advise and assist the Registrar of Marriage Celebrants? If not, will it consider it?

The answer to the honourable senator's question is as follows:

(a) Professional development obligations are a legislative requirement of all Commonwealth-registered marriage celebrants – s.39G of the *Marriage Act 1961* and Regulation 37M of the *Marriage Regulations 1963* refer. The requirements are for these marriage celebrants to undertake at least two professional development activities each registration year, including any activity that has been set by the Registrar of Marriage Celebrants as compulsory for that year, and must total at least five hours. A marriage celebrant must not include any activity that he or she has undertaken in the preceding five years.

(b) Amendments to the *Marriage Act 1961* which took effect on 1 September 2003 introduced a requirement that the Registrar of Marriage Celebrants review the performance of each Commonwealth-registered marriage celebrant. A review must be conducted not later than five years from the date of appointment or the date of the last review. A review can be conducted by the Registrar of Marriage Celebrants at any time if circumstances demonstrate the need for it.

In considering a marriage celebrant's performance, the Registrar must take into account any complaint dealt with by the Registrar, any information received concerning the marriage celebrant's performance, whether the marriage celebrant has complied with the Code of Practice, whether the marriage celebrant has undertaken the required professional development, whether the marriage celebrant has provided the required Annual Returns, and whether the marriage celebrant has developed any physical or mental incapacity that prevents him or her from continuing as a marriage celebrant – s.39H of the *Marriage Act 1961* and Regulation 37N of the *Marriage Regulations 1963* refer.

(c) No. The Department is considering ways to improve liaison with marriage celebrant associations and has recently sought comments from associations on ways to establish a regular liaison group.