



International College of Celebrancy Association of Alumni and Friends – ICCA

To: Committee Secretary

Select Committee on the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill

Department of the Senate
PO Box 6100
Canberra ACT 2600

Phone: 02 6277 3228

Fax: 02 6277 5829

samesex.marriage.sen@aph.gov.au

Friday 20th January 2017

Dear Committee Secretary

Please find attached my recommendations to the Select Committee on the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill.

Submission:

- Summary of Recommendations
- Preamble
- Recommendations
- Notes
- Attachment 1 – Basic Assumptions
- Attachment 2 – Relevant Sections of Sections 31 and 33 of the Marriage Act
- Attachment 3 - Subdivision C - Religious organisations of religious celebrants authorised
- Attachment 4 – Subdivision A - Recognised Religions
- Attachment 5 – 10 years Goals of The Coalition of Celebrants Associations (CoCA) Inc.

ICCA appreciates the extension granted for our submission and we are too late an opportunity to speak with the Select Committee during its information gathering stage.

Should you require any more information, please contact our ICCA member Ms Rona Goold who played a major role in drafting the submission. Rona can be contacted on 0419 498 768.

Should you require any other information, let us know please.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Yvonne Werner".

Yvonne Werner
ICCA Coordinator

International College of Celebrancy Association of Alumni and Friends – ICCA

PO Box 548 Richmond Vic 3121

Mobile: 0412 499 404

<http://www.icca.net.au>

Submission to Select Committee - Exposure Draft of the Marriage Amendment (Same Sex Marriage) Bill

Summary of Recommendations

Recommendation 1: That the Marriage Act 1961 be amended to remove the requirement that the parties to the marriage be a “man and a woman”.

Recommendation 2: that the recognition in Australia of 'foreign' same-sex marriages be enacted by the repeal of Subsection 88B(4) and Section 88EA of the Marriage Act 1961

Recommendation 3: that the definition of marriage in Part I—Preliminary, Section 5 Interpretation and all such associated references to marriage be amended to read: "marriage means the union of **two adults** to the exclusion of all others, voluntarily entered into for life."

Recommendation 4: That, the Australian Parliament uphold the professional model of civil celebrancy as a role of “*office or public trust under the Commonwealth*” to ensure the highest standards of professional service to the Australian public, as introduced with the passing of the Marriage Amendment Bill 2002 with the support of all major parties.

Recommendation 5: That Section 47A as proposed in the exposure draft not be enacted.

Recommendation 6: that Subdivision C Marriage Celebrants be divided into two subdivisions – Subdivision C, Commonwealth civil celebrants and Subdivision D, Commonwealth religious celebrants - to enable the initial training and professional development of the two groups to be addressed discretely.

Recommendation 7: That the proposed amendment to Subsection 40 (2A) of the Sex Discrimination Act 1984, as proposed in the exposure draft not be enacted.

Recommendation 8: that if the government proceeds with Section 47A, then Section 47 (2) (i) read “(i) **longer** notice of intention to marry than that required by this Act is given”.

Recommendation 9: that Sections 46 and 113 (7) be modernised to ensure all celebrants authorised under the Act (*whether offering religious or civil ceremonies*) give a definition of marriage according to civil law, state whether they are authorised under the Act to conduct valid marriage, and if an un-authorised religious celebrant, that the couple is already legally married according to civil law.

Recommendation 10: that Sections 45 be modernised to ensure all marrying couples give consent to their marriage in their marriage ceremony (whether religious or civil) in the presence of their two witnesses and the marriage celebrant.

Recommendation 11: that the regulation of all Subdivisions be reviewed to ensure that all authorised celebrants are required to

- complete a nationally accredited Vocational Education and Training unit ¹⁶ of competency in marriage law prior to authorisation
- when legislative changes, complete an annual professional development activity in marriage law, and
- pay an annual fee for their regulation.

Preamble

- 1) The International College of Celebrancy (ICC) was established in 1995 as the first school of studies for civil celebrancy in Australia, and through the work of its Principal Dally Messenger III who established civil celebrancy courses in USA and the United Kingdom, has led the world in the development of civil celebrancy as a profession in its own right.
- 2) The International College of Celebrancy bases its education and training of independent civil celebrants on the following premises:
 - a) Ceremony is a basic expression of culture. Ceremonies in society express, reinforce, and transmit important moral and social values. Ceremonies are mechanisms which express and generate love, forge and declare the bond between individuals and which establish and identify community.
 - b) Ceremony has been used for thousands of years as a psychological, spiritual, social and cultural mechanism to assist people to adapt to major life changes, whether in status, role, family or social values and structures.
 - c) There is a relationship between health and wellbeing and the role of ceremonies and celebrations in societies. This is more obvious in ceremonies of loss, such as funerals and memorials, but equally important in ceremonies and celebrations that acknowledge love and life, such as engagements, marriage, christenings, namings, birthdays and wedding anniversaries.

“Celebrations have the potential to make a positive contribution to health and wellbeing, as both a setting, and as a process. More specifically, they have the potential to:

 - i) *Contribute towards healthy lifespan development for the individual;*
 - ii) *Facilitate personal and social healing; and*
 - iii) *Enhance social, mental, emotional, physical and spiritual growth for both individuals and communities”¹*
 - d) Civil celebrants need a profound intellectual grasp, and a deep emotional appreciation, of what rites of passage, rituals and ceremonies mean to the individual person and to society.
- 3) The College also offers the Certificate IV in Celebrancy for people wanting to gain authorisation from the Attorney-General’s Department as Commonwealth civil marriage celebrants.
- 4) The College also offers national continuing professional development activities, approved by the Attorney-General’s Department, for Commonwealth marriage celebrants to meet their annual professional development obligations under the Act.
- 5) The International College of Celebrancy Association of Alumni and Friends (ICCA) was established by graduates of the College’s Diploma courses and supports civil celebrants who offer a range of ceremonies and who believe in
 - a) the significance of ceremony as a rite of passage in our society
 - b) the significance of cultural identity and understanding in our ceremonies
 - c) providing best practice in ceremony
 - d) providing ceremonies to acknowledge all life celebrations and significant events
 - e) upholding civil law and human rights principles
- 6) This submission is based upon certain basic assumptions outlined in Attachment 1

Recommendations:

Re: Term of Reference

(a) *the nature and effect of proposed exemptions for ministers of religion, marriage celebrants and religious bodies and organisations, the extent to which those exemptions prevent encroachment upon religious freedoms, and the Commonwealth Government's justification for the proposed exemptions*

Recommendation 1: That the Marriage Act 1961 be amended to remove the requirement that the parties to the marriage be a "man and a woman".

Why is this an issue?

The nature of 'marriage' as a building block of society has been evolving to adapt to the increased scientific knowledge as well as the family, economic and social needs of human societies – in particular the recognition of women as of equal human capacity to men.

Denial of this evidence means our Australian society will continue to exert negative pressure on the minority of our citizens who do not conform to the traditional view of marriage.

The result is a less respectful and caring Australia; a huge cost to government in the physical and mental health impacts of discrimination, and the loss of economic, social and cultural advance that can be brought by people able to contribute to their fullest potential for themselves, their families and friends and our society as a whole.

Rationale:

- 1) As our society progresses, Australia needs to meet challenge to balance traditional wisdom with advances in science and technology.
- 2) Australia has advanced to the understanding that:
 - a) "private sexual behaviour between consenting adults" is the responsibility of those adults, not the state
 - b) children born out of wedlock should not be discriminated against
 - c) non-sexual behaviour after marriage, infertility due to advanced age or medical issues are not issues for refusing to marry heterosexual couples, although grounds in other cultures for refusal or termination of the marriage
 - d) human and civil rights must form the basis of ethical behaviours between people and between government and its peoples – ethics that can be supported by religions that have discerned these as fundamentals of their faith beliefs
- 3) Given the above and that the Australian Marriage Act does not discriminate against couples wishing to have a valid marriage according to civil law in the context of their religious faith (Section 47 of the current Act), to deny full marriage rights to couples who are not composed of a "man and a woman" is to uphold religious laws over civil law.

In a multi-cultural society, civil law must be upheld over different religious laws and traditions to maximise the potential for a respectful and caring society, free of civil unrest.

- 4) *The Marriage Act requires Subdivision C marriage celebrants² to “... recognise the social, cultural and legal significance of marriage and the marriage ceremony in the Australian community, and the importance of strong and respectful family relationships.”*

It is time the Australian government acknowledged the changing nature of ‘marriage’ and ‘family’ in our society to update the Marriage Act to reflect that principle for all Subdivisions of Authorised Celebrants, not just those that are Commonwealth regulated.

- 5) Marriage is a legal contract between two people that is reasonably economically accessible. In modern Australia, law firms that specialise in such arrangements can deal with legal relationships between three or more people.

Therefore it is LGBTIQ³ couples who are the most disadvantaged – personally, psychologically, legally, economically, socially by the fact that the Marriage Act does not include their relationships.

- 6) Therefore the International College of Celebrancy Association (ICCA) supports marriage equality for all Australian couples.

Note: This recommendation was also made by the Coalition of Celebrant Associations (CoCA) Inc. in its submission to the Select Committee on the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill.

Term of Reference

(c) potential amendments to improve the effect of the bill and the likelihood of achieving the support of the Senate

Recommendation 2: that the recognition in Australia of 'foreign' same-sex marriages be enacted by the repeal of Subsection 88B(4) and Section 88EA of the Marriage Act 1961.

Why is this an issue?

Citizens married in other countries that allow marriage equality can be denied the respect and support their marital status would normally have.

Rationale:

- 1) Globalisation means increased travel and migration.
- 2) Therefore Australia needs to respect those couples who would meet all the Australian criteria of marriage except in respect to the aspect of the definition of marriage as relates to a "man and a woman".

Term of Reference

(c) potential amendments to improve the effect of the bill and the likelihood of achieving the support of the Senate

The ICCA supports this recommendation made by the Coalition of Celebrant Associations (CoCA) Inc. in its submission to the Select Committee on the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill.

Recommendation 3: that the definition of marriage in Part I—Preliminary, Section 5 Interpretation and all such associated references to marriage be amended to read: "marriage means the union of **two adults** to the exclusion of all others, voluntarily entered into for life."

Why is this an issue?

Child and forced marriage is a growing concern in Australia.⁴

Rationale:

1. As provided in the Coalition of Celebrant Associations (CoCA) Inc.'s submission to Select Committee on the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill, especially as regards the public education consequences of the definition of marriage.
2. As noted in the preamble, the role of ceremonies in society is to "express, reinforce, and transmit important moral and social values."

One of these is that marriage, with its historical roots in the acquisition of sexual, inheritance and property rights requires the parties to the marriage to be of **adult** maturity.

If the definition is to be changed, this adult status needs to be upheld in the definition of marriage in the same way as it is held currently.

Legal arguments about one of the parties being between the ages of 16 and 18 has not forced a change to the current definition of marriage, so neither should such arguments hold sway now.

3. Child and Forced Marriage concerns in Australia warrant our national statement of the nature of marriage to be clear as to adult maturity, informed decision-making and free consent without coercion, intimidation and duress of any kind.
4. The public education value of this plain-English definition needs to be supported for the public good of all current and future Australian citizens.

Re: Term of Reference

(a) the nature and effect of proposed exemptions for ministers of religion, *marriage celebrants and religious bodies and organisations, the extent to which those exemptions prevent encroachment upon religious freedoms, and the Commonwealth Government's justification for the proposed exemptions*

The ICCA support this recommendation made by the Coalition of Celebrant Associations (CoCA) Inc. in its submission to the Select Committee on the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill.

Recommendation 4: That Section 47A as proposed in the exposure draft not be enacted.

Why is this an issue?

The Australia public would have no transparent way of knowing, who of the 99%⁵ of celebrants authorised under the **civil** law to marry couples in Australia, are allowed to apply "religious or conscientious" objections.

The Australian public have the right to know the principles an authorised celebrant will apply in this sensitive matter. Some LGBTIQ couples who are religious may still wish to choose an independent civil celebrant so their ceremony may be inclusive; and some heterosexual couples, who support marriage equality or who have family and friends who are LGBTIQ, may wish to engage a independent civil celebrant who does not have a "religious or conscientious objection" to same sex marriage.

Rationale:

1. As provided in the Coalition of Celebrant Associations (CoCA) Inc.'s submission to this Select Committee on the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill.
2. Most Australians expect our government to uphold Australian civil law over religious law or cultural practices that may apply in other countries.
3. The best civil laws are clear, in plain English and do not discriminate on the basis of religious law or personal bias.
4. With regard to Section 116 of the Constitution⁶ it is noted that:
 - a. the Marriage Act respects religious freedom allowing "*free exercise of any religion*" by allowing couples to be validly married under Australian law at the same time as having a marriage according to religious law
 - b. authorisations of Subdivision A and of independent religious celebrants under Subdivision C appear to be in contradiction of Section 116 of the Constitution re: "*.. no religious test shall be required as a qualification for any office or public trust under the Commonwealth*"
 - c. allowing "religious or conscientious grounds" for marriage celebrants who offer **civil** marriage services is
 - i. not upholding a separation of church and state functions, and
 - ii. giving religious law or beliefs greater power or status of any religion² than civil law.
 - d. by authorising employed and independent people to conduct civil marriage ceremonies is not "*imposing any religious observance*".

However to allow **any** celebrant conducting civil marriage services to impose their specific “religious or conscientious” belief would be imposing these beliefs upon those couples applying for civil marriage services.

- e. obviously Section 116 is not observed in numerous Commonwealth and State/ Territory laws, including the Marriage Act with respect to “*prohibiting the free exercise of any religion*”. For example, where religious law may allow the marriage of children under the age of 16 years.
5. Subdivision C **civil** marriage celebrants are expected to perform a professional role of “*public trust under the Commonwealth*”.

If a person cannot uphold the civil law definition of marriage and perform this role in an unbiased way, then they would not meet the criteria under Section 39 of being Fit and Proper Person for that role, and should seek some other public or religious service.

6. The effect of Section 47A is illogical, non-transparent, unfair and biased in that it would allow:
 - a. 99% of all authorised marriage celebrants the ability to discriminate on “religious or conscientious grounds”, and
 - b. 96.5% of those authorised to provide **civil** marriage services to discriminate on “religious or conscientious grounds”

in amending the Act to end discrimination against same sex couples.

7. The effect of Section 47A would be to **reduce access geographically** to ‘guaranteed’ **civil** marriage services. There are 293 Subdivision B - State and Territory Officers authorised to conduct civil marriage in the whole of Australia⁷.

In fact there are no such public servants available in the Australian Capital Territory. The geographic distribution of these public servants means in effect only one such marriage officer within large areas or minimal numbers in areas with a greater population density.

8. The effect of Section 47A would be to **reduce access by time / day of the year and location**, and/or **impose a financial barrier** for couples wanting to marry in evenings, weekends, and public holidays.

Most public servants are restricted in terms of working hours, and venues for conducting civil marriages. Either the service would not be available due to the costs (penalty rates, health and safety requirements, insurance cover etc.) or if available the fees charged would be far in excess of the average couples currently seeking the services of State and Territory offices. Cost being one of the main reasons couples seek these basic civil marriage services.

9. The effect of Section 47A would be to **reduce access** to the ability of the couple to **personalise their marriage ceremony** to meet their ethical values, to express their love and commitment to one another in language and symbols that carry meaning for them and that are tailored to their own and families specific circumstances.

Commonwealth Subdivision C Civil Marriage Celebrants are required to have training in marriage law and in the design and delivery of unique, personal meaningful ceremonies.

This unique role is why 75%⁸ of Australian couples now seek civil ceremonies.

10. Independent civil ceremonies reduce religious family and cultural tensions because in individually tailored ceremonies, differing family and cultural backgrounds of the parties to the marriage can be acknowledged, respected and celebrated whilst maintaining the status of Australian civil law.

Removing this as a “guaranteed” service to LGBTIQ couples and their families is counter-productive to the purpose of reducing discrimination against these couples in the Marriage Act, and consequently in Australian society.

11. State and Territory officers (Subdivision B) provide civil ceremonies, as do Subdivision C **civil** marriage celebrants.

The Act in defining how authorised celebrants perform their duties requires Subdivision B and Subdivision C marriage celebrants to apply the legislation in the same way. See Division 2—Marriages by authorised celebrants, Part VII—Offences and Part IX—Miscellaneous Sections 111 to 114.

Therefore if Subdivision B officers providing civil marriage are being required to uphold civil law, then the **same principle needs to apply** to Subdivision C independent professional **civil** marriage celebrants.

Re: Term of Reference

(a) the nature and effect of proposed exemptions for ministers of religion, *marriage celebrants* and religious bodies and organisations, the extent to which those exemptions prevent encroachment upon religious freedoms, and the Commonwealth Government's justification for the proposed exemptions

Recommendation 5: That, the Australian Parliament uphold the professional model of civil celebrancy as a role of "*office or public trust under the Commonwealth*" to ensure the highest standards of professional service to the Australian public, as introduced with the passing of the Marriage Amendment Bill 2002⁹ with the support of all major parties.

Why is this an issue?

Civil celebrants in Australian society are part of the social glue enabling people of different faiths and no specific ones to celebrate life's important events together and to honour lives lost due to old age, illness or accidents.

Skilled professional civil celebrants are needed to guide, inform and support families through these important life transitions.

The vision of Attorney-General Darryl Williams of a self-governing profession as expressed in the Explanatory Memorandum 2002¹⁰ is yet to be realised. Assuming marriage celebrants are simply part of the wedding industry is to devalue their role and impede the contribution they can make to a more respectful and harmonious society.

Rationale:

- 1) Given the importance of marriage to the structure of Australian society, it is important that independent civil celebrants have high entry qualifications in knowledge and skills, up-to-date professional development to address the changing needs of Australian families and the support of professional celebrant associations to ensure the highest standards of ethics and professional practice.
- 2) 75% of marrying couples choose to have non-religious ceremonies, even though Australia is a modern multicultural society with people of many faiths
- 3) Couples choosing independent civil celebrants (Subdivision C) deserve to have competent skilled professional civil celebrants to design and deliver their unique personalised marriage ceremonies based upon their needs and values as a couple as well as their circle of family and friends.
- 4) Prior to 1970, with only religious or registry office weddings as alternatives, many Australian families suffered the indignity of marriages held "behind the altar", with only one parties' family present when inter-denominational or inter-faith marriages occurred, or no family presence if a Registry office marriage.

Often these wedding ceremonies, resulted in fractured relationships within families and between families.

- 5) The advent of the Australian Civil Marriage Program has contributed, along with other social advances, to a reduction in these family tensions.
- 6) Current suggestions being explored by the Marriage Law and Celebrant Section to remove Conflict of Interest and Benefit to Business provisions of the Act do not align with the professional model of civil celebrancy as a role of "*office or public trust under the Commonwealth*", as enacted in the 2002 Marriage Amendment Bill.

- 7) These Conflict of Interest and Benefit to Business provisions were enacted in the 2002 Marriage Amendment Bill to ensure Subdivision C authorised celebrants maintained the high professional standards required of Subdivision A Celebrants and expected of Subdivision B State and Territory Officers who are public servants (See Attachment 2).

Term of Reference

(c) potential amendments to improve the effect of the bill and the likelihood of achieving the support of the Senate

The ICCA support this recommendation made by the Coalition of Celebrant Associations (CoCA) Inc. in its submission to the Select Committee on the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill.

Recommendation 6: that Subdivision C Marriage Celebrants be divided into two subdivisions – Subdivision C, Commonwealth civil celebrants and Subdivision D, Commonwealth religious celebrants - to enable the initial training and professional development of the two groups to be addressed discretely.

Why is this an issue?

The merging of two different types of Commonwealth Marriage Celebrants creates confusion for the public seeking **civil** marriage services and addressing their different training and regulation needs to the high standard required by the Act's Code of Practice of Subdivision C marriage celebrants.

Rationale:

1. As provided in the Coalition of Celebrant Associations (CoCA) Inc.'s submission to this Select Committee on the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill.
2. Prior to the 2003 changes, the Attorney-General's Department had different internal policies governing the appointment of Commonwealth Subdivision C marriage celebrants which included;
 - a. Celebrants with non-English languages (*were only able to conduct marriages in the specific languages*)
 - b. Celebrants with specific disabilities (*were only able to conduct marriages for the specific disability groups*)
 - c. Celebrants from small religious groups or sects (*for organisations not large enough to obtain "Recognised Religious" status, and only able conduct marriages for their religious group*) - See Attachment 3.
 - d. Celebrants appointed to provide civil marriage ceremonies based upon the same principles as Subdivision B State and Territory Officers as regards the legal components of the ceremony.
3. With the introduction of a professional model of celebrancy, Anti-Discrimination Legislation covered marriage celebrants in groups (2a) and (2b) above.

However an unintended consequence of the 2002 legislation was that the remaining two quite different groups (2c and 2b above) - independent religious celebrants and independent civil celebrants - were combined.

Therefore the initial qualifications and continuing professional development needs of these quite different groups are not addressed in educationally sound and effective manner.

4. The result has been
 - a. lower training qualifications for independent professional civil celebrants who conduct a range of unique personalised civil ceremonies, including marriage, than they need to participate effectively in the work force and

- b.** higher qualifications than necessary for independent religious celebrants whose ceremonies, including marriage, are set by their religious organisation in the same way as Recognised Religions' marriage celebrants under the Act.
 - c.** Separation of these two types of Commonwealth Marriage Celebrants would assist in a clearer separation of "church and state" functions as well as more effectively addressing their training and regulation.
- 5.** There are approximately 40 of these Commonwealth Subdivision C celebrants (See Appendix 3) who have been authorised for both religious and civil ceremonies making their primary allegiance to civil or religious law confusing for the marrying public.

Term of Reference

(c) potential amendments to improve the effect of the bill and the likelihood of achieving the support of the Senate

Recommendation 7: That the proposed amendment to Subsection 40 (2A) of the Sex Discrimination Act 1984, as proposed in the exposure draft not be enacted.

Why is this an issue?

See Recommendations 1, 2 and 3 above.

Rationale:

See Recommendations 1, 2 and 3 above.

Term of Reference

(c) potential amendments to improve the effect of the bill and the likelihood of achieving the support of the Senate

Recommendation 8: that if the government proceeds with Section 47A, then Section 47 (2) (i) read “(i) **longer** notice of intention to marry than that required by this Act is given”¹¹

Why is this a concern?

Confusion about what length of notice to be married is required by the Marriage Act will lead to inconvenience of and unfair treatment of couples as different interpretations are applied.

Rationale:

1. Whilst it has been argued that the proposed change “earlier than” is more consistent with other expressions in the Act, the reading of this expression depends upon the reference point at which the “earlier than” applies. For example,
 - a. if the point is the **latest date the Notice** can be lodged a month before the date of the wedding, such as 2nd August for a wedding on the 3rd September, then the expression “earlier than” means the minister can require the Notice to be lodged by say the 2nd July i.e. longer than the month’s notice required by the Act.
 - b. if the point is the **date of the wedding**, say the 3rd September, then the expression “earlier than” can be interpreted as meaning the minister can require the Notice to be earlier than the one month’s notice, and request the Notice to be lodged on, say the 20th August, which would be only two weeks notice and thus not the one month’s notice required by the Act.
2. The expression in the current Section 47 “(i) **longer** notice of intention to marry than that required by this Act is given” makes the point of reference clearly the date of the marriage is to be solemnised.
3. Plain English is one of the benefits of the current Marriage Act. Using legal expressions is more likely to lead to confusion, particular with authorised celebrants for whom English is a second language.

Note: The principles behind the following recommendations 9 to 11 are based upon The Coalition of Celebrant Associations (CoCA) Inc. 's 10-year goals. (Attachment 4)

Term of Reference

(c) potential amendments to improve the effect of the bill and the likelihood of achieving the support of the Senate

Recommendation 9: that Sections 46 and 113 (7) be modernised to ensure all celebrants authorised under the Act (*whether offering religious or civil ceremonies*) give a definition of marriage according to civil law, state whether they are authorised under the Act to conduct valid marriage, and if an unauthorised religious celebrant, that the couple is already legally married according to civil law.

Why is this a concern?

Child and forced marriage is a growing concern in Australia.

Religious celebrants under the Marriage Act, are able to conduct second religious marriage ceremonies without making it clear to the guests /congregation that the couple are already married. This implies religious law takes precedence over civil law in Australia.

Without the transparency required by this Section of the Act, one or both parties to the marriage and those present may not be aware that a valid marriage is being solemnized or may believe they are being validly married by an unauthorised religious celebrant purporting to marry the couple. The latter would mean the unauthorised religious celebrant would be guilty of an offence under Section 101¹² of the Act, and if either of the parties to the marriage knew the religious celebrant was unauthorised would be committing an offence under Section 103¹³ of the Act

Rationale:

1. As a federal act governing our nation, most Australians would expect that
 - a. the same criteria to apply to all those seeking to be married, and
 - b. the same criteria to be covered in the marriage ceremonyfor all couples to be able to be legally married under the Act.
2. The Marriage Act, whilst consistent in the grounds upon which a couple may be married, is inconsistent in the basic requirement of the marriage ceremony on the basis of religion between the requirements of Subdivision A, B and C celebrants and within Subdivision C.
3. It is an offence under Section 101 of the Marriage Act for any person (authorised celebrant or not) to purport to marry a couple, and Section 113 prohibits second marriages of couples already legally married to have a second marriage ceremony, unless this is a religious ceremony.

Therefore authorised **civil** marriage celebrants would be committing an offence under this Section for not making it clear to all present that the couple have been legally married.

Note: This service is often requested by couples married overseas, who then for family reasons wish to marry back in Australia.

4. However, there is no requirement in the Marriage Act that Subdivision A celebrants of a Recognised Religion include a definition of marriage according to Australian law, nor to make it clear to the guests or congregation present that the couple are:
 - a. being validly married under Australia law, where the religious celebrant is authorised as a Subdivision A celebrant, or
 - b. already married under Australia law, where the religious celebrant is not authorised
 - c. nor is there a requirement that a definition according to civil law is give. This may be qualified by their religious faith.

Not all religious groups or organisations oppose same sex marriage.

5. Whilst it would be an offence for an authorised celebrant conducting civil marriage or a private person to conduct a second marriage ceremony without making it clear that the ceremony was not valid under law, it is **not** an offence under the Marriage Act- Section 113¹⁴ for an unauthorised religious celebrant to conduct a second religious ceremony provided the couple are previously validly married and produced evidence of their marriage to that celebrant.
6. In France, the whole population understands that in France the only legal marriages are conducted by their state registry offices or local courts.

Because Australia has a complex system allowing both religious and civil celebrants of four different types to solemnize marriage, our population is not clear as to Australia's marriage requirements, nor if they are present at a legal marriage at a religious wedding ceremony.

Therefore the Australian Marriage Act needs to be also consistent as to its basic requirements of the marriage ceremony to ensure the parties to the marriage, their witnesses and their guests, and the Australian community as a whole, are clear as to the nature of the marriage ceremony being conducted in relation to civil law.

7. The Coalition of Celebrant Associations (CoCA) Inc. recommends that all marriage celebrants (whether offering religious or civil ceremonies) and all marriage ceremonies contain the same basic elements of civil law in its 10 years goals.

Proposed Change to the Marriage Act:

An example of a modified Section 46 and Section 113 (where blue phrases are additions, red are deletions) could be:

Section 46: Authorised celebrants make their status clear and explain nature of marriage relationship.

~~(1)~~ *Subject to subsection (2), before a marriage is solemnized by or in the presence of an authorized celebrant, the authorized celebrant, ~~not being a minister of a religion of a recognized denomination,~~ shall say to the parties, in the presence of the witnesses and at some point before Section 45, the words:*

"I am duly authorised by law ~~to solemnise*marriages~~ to formalise this marriage according to law.

"Before you are joined in marriage in my presence and in the presence of these witnesses, I am to remind you of the solemn and binding nature of the relationship into which you are now about to enter.

“Marriage, according to law in Australia, is the union of a man and a woman to the exclusion of all others, entered into voluntarily on the understanding that this relationship is for life”

or words to that effect.

- (2) ~~Where, in the case of a person authorized under subsection 39(2) to solemnize marriages, the Minister is satisfied that the form of ceremony to be used by that person sufficiently states the nature and obligations of marriage, the Minister may, either by the instrument by which that person is so authorized or by a subsequent instrument, exempt that person from compliance with subsection (1) of this section~~

* This word is no longer in common usage and can be misinterpreted.

Section 113¹⁵: Second marriage ceremonies

(1) to (4) as is

(5) Nothing in this Act shall be taken to prevent 2 persons who are already legally married to each other from going through a religious ceremony of marriage with each other in Australia where those persons have:

(a) produced to the person by whom or in whose presence the ceremony is to be performed a certificate of their existing marriage; and

(b) furnished to that person a statutory declaration, ~~a statement in writing signed by them and witnessed by that person,~~ that:

- (i) they have previously gone through a form or ceremony of marriage with each other;
- (ii) they are the parties mentioned in the certificate of marriage produced with the statement; and
- (iii) they have no reason to believe that they are not legally married to each other or, if their marriage took place outside Australia, they have no reason to believe that it would not be recognised as valid in Australia,

~~(c) and where the celebrant has declared to all present that the couple have signed declarations and provided evidence that they are already married according to civil law.~~

(6) The provisions of sections 42, 44, 50 and 51 do not apply to or in relation to a religious ceremony of marriage in accordance with subsection (5) and the person by whom, or in whose presence, the ceremony is performed shall not:

(a) prepare or issue in respect of it any certificate of marriage under or referring to this Act; or

(b) issue any other document to the parties in respect of the ceremony unless the parties are described in the document as being already legally married to each other.

(7) A person who is not an authorised celebrant *does* not commit an offence against section 101 by reason only of his or her having performed a religious ceremony of marriage between parties who have complied with the requirements of subsection (5) of this section, **provided the unauthorised celebrant declares to all present that the couple have signed declarations and provided evidence that they are already married according to civil law.**

Term of Reference

(c) *potential amendments to improve the effect of the bill and the likelihood of achieving the support of the Senate*

Recommendation 10: that Sections 45 be modernised to ensure all marrying couples give consent to their marriage in their marriage ceremony (whether religious or civil) in the presence of their two witnesses and the marriage celebrant.

Why is this a concern?

There are forms of **religious** marriage and marriage ceremonies that are recognised as sufficient for the purpose by the religious body or organisation, that do not require consent of the couple in the marriage ceremony.

Attendance at a marriage ceremony, of itself, may not constitute consent to the marriage. Therefore invalid marriage may be the result. Celebrants providing civil ceremonies are required to ensure that both parties to the marriage give consent in the ceremony.

Rationale:

1. In Western cultural traditions, marriage commenced and continues to be a *civil*, not religious, function. The Australian Marriage Act was based upon the British Marriage Act of 1836 that recognised civil marriages as a legal alternative to church marriages in England and Wales.
2. Those religions “Recognised” under the Marriage Act in 1961 were predominantly Christian.
3. Since 1961 the number smaller religious bodies (See Attachment 2) represented under Subdivision C by independent religious celebrants has grown to 512 and the number of Recognised Religions has grown to approximately 130 (See Attachment 3).
4. To ICCA’s knowledge, there has been no audit in the last decade of the “*form and ceremony recognised as sufficient for the purpose by the religious body or organisation*”, especially for Subdivision A authorised celebrants to ensure that all ceremonies require the consent of both parties to the marriage, or to ensure both parties being present in the same room with their witnesses, as is required of both parties to the marriage civil ceremonies.

“Section 45 (a) Where a marriage is solemnised by or in the presence of an authorised celebrant, being a minister of religion, it may be solemnised according to any form and ceremony recognised as sufficient for the purpose by the religious body or organisation of which he or she is a minister”.

5. Without interfering in the religious form or religious marriage rite, it would be a simple step for the Marriage Act to require all religious ceremonies to precede their marriage service with minimal components required by Sections 45 and 46.
6. The Coalition of Celebrant Associations (CoCA) Inc. recommends that all marriage celebrants (whether offering religious or civil ceremonies) and all marriage ceremonies contain the same basic elements of civil law in its 10 Year Goals.

An example of a modified Section 45 (where **blue** phrases are additions, **red** are deletions) could be:

Proposed Change to the Marriage Act:

Section 45: Form of ceremony

~~(1) Where a marriage is solemnized by or in the presence of an authorized celebrant, being a minister of religion, it may be solemnized according to any form and ceremony recognized as sufficient for the purpose by the religious body or organization of which he or she is a minister.~~

- (3) ~~(2)~~ Where a marriage is solemnized by or in the presence of an authorized celebrant, ~~not being a minister of religion,~~ it may be solemnized according to any form and ceremony recognized as sufficient for the purpose by the marriage celebrant and is sufficient if, in the presence of the authorized celebrant and the witnesses, the words:

~~I call upon the persons here present to witness that~~ “I, A.B. (or C.D.), take thee, C.D. (or A.B.), to be my ~~lawful wedded~~ wife (or husband ~~or spouse or partner in marriage~~);”[#]

* Or words to that effect.

- (4) ~~(3)~~ Where a marriage has been solemnized by or in the presence of an authorized celebrant, a certificate of the marriage prepared and signed in accordance with section 50 is conclusive evidence that the marriage was solemnized in accordance with this section.

- (5) ~~(4)~~ Nothing in subsection (2) makes a certificate conclusive:

(a) where the fact that the marriage ceremony took place is in issue—as to that fact;
or

(b) where the identity of a party to the marriage is in issue—as to the identity of that party.

[#] *Note: This 1836 version of the vows needs modernising. These vows were written in a time before identification documents were common. All celebrants are required to be satisfied as to the identities of the parties to the marriage and the information provided on the notice, by sighting official birth certificates or passports and other documents, thus there is no need for full names in the ceremony.*

Term of Reference

(c) potential amendments to improve the effect of the bill and the likelihood of achieving the support of the Senate

Recommendation 11: that the regulation of all Subdivisions be reviewed to ensure that all authorised celebrants are required to

- complete a nationally accredited Vocational Education and Training unit¹⁶ of competency in marriage law prior to authorisation
- when legislative changes, complete an annual professional development activity in marriage law, and
- pay an annual fee for their regulation.

Why is this a concern?

Inconsistent standards in the understanding and application of civil law by authorised celebrants result from the fact that only one third of all marriage celebrants are required by law to have basic qualifications in marriage law, have professional development in marriage law when the law changes and the state/ territory regulators of two subdivisions of authorised celebrants do not have the financial or other resources to ensure consistent standards are maintained for those they regulate.

Rationale:

1. The 2003 Marriage Amendment Bills and the 2014 Marriage Amendment Bills (which brought in an annual regulation fee for **only** Commonwealth celebrants) created further unfair differences between the three sub-divisions in their celebrants' authorisation, registration, administrative and regulation with the burden falling on those civil marriage celebrants that serviced the 75% of the public using independent civil celebrants.
2. Section 39 requires independent civil and religious celebrants (Subdivision C) to:
 - have training in marriage law before registration as a celebrant,
 - complete 5 hours of mandatory continuing education each year
 - abide by a Code of Practice
 - and pay an annual fee for their ongoing authorisation as a marriage celebrant, and failure to pay results in automatic de-registration.These requirements to **not apply** to Subdivision A and B authorised celebrants.
3. The Commonwealth Marriage Register regulates these Subdivision C independent civil and religious celebrants.
4. To raise standards and reduce regulatory costs, the Attorney-Generals' Department was advised to support the higher Diploma in Celebrancy in 2015 qualification proposed by CoCA, but require 2 Core Units and the 3 Marriage Units as the basis for Subdivision C civil independent marriage celebrants authorisation. As support was not forthcoming, the Attorney-Generals' Department has been advised to introduce mandated assessment for the marriage units in the new Certificate IV in Celebrancy.¹⁷
5. Subdivision A Ministers of Recognised Religions and Subdivision B State Officers are regulated by the State or Territory Registrar of the Office of Births, Deaths & Marriages and are **not required** by the Act to meet the above requirements.

6. Subdivision A Ministers of Recognised Religions are celebrants who are financially supported by their recognised religious organisation (with a stipend, accommodation, vehicle and other resources) and Subdivision B State Officers are employed as public servants with penalty rates and out-of-pocket expenses covered by their state or territory government.

Commonwealth marriage celebrants, in contrast, are independent professionals who need to cover all their own expenses, before being remunerated for their time providing marriage services.

7. With the average number of weddings per celebrant per annum dropping from 35 per celebrant per annum in 1999 to less than 11 in 2016, the average gross income of Commonwealth marriage celebrants has fallen to less than \$10,000 gross¹⁸.

8. Contrary to popular assumptions, most civil Commonwealth marriage celebrants are:

- a. concerned to provide professional marriage services with a fair remuneration for their time
- b. uphold high ethical standards for their marriages and other civil ceremonies, and
- c. uphold the Code of Practice part (3), which states

“A marriage celebrant must recognise the social, cultural and legal significance of marriage and the marriage ceremony in the Australian community, and the importance of strong and respectful family relationships.”

9. Having different standards for the authorisation and regulation of the different subdivision of celebrant is biased and unfair to those people performing duties of *“public trust under the Commonwealth”* and the marrying public who use their services.
10. The de-registration of a marriage celebrant for their failure to pay a fee to government, when two-thirds of authorised celebrants are not required to pay such a fee, is draconian and a failure of natural justice.

Notes

1. Doctoral Thesis prepared by Julieanne Hilbers, Doctor of Philosophy Faculty of Education. University of Technology Sydney entitled 'Celebrations for Personal and Collective Health and Wellbeing' 2006.
2. Code of Practice Australian Marriage Act Section 39G; Marriage Regulation 37L Schedule 1A
3. LGBTIQ = Lesbian, Gay, Bisexual, Transgender or Transsexual, Intersex and Questioning
4. Child and forced marriage is a growing concern in Australia.
5. The Act was established in the middle of the last century based upon British legislation pioneered in 1836. Unlike France where all couples must attend a registry office to legally marry, couples in the Australian community may choose from 4 types of marriage celebrants.
 - Subdivision A - Religious celebrants from Recognised Religions (22,880* - 72.1%)
 - Subdivision B - Marriage Officers in State and Territory Registry Offices (293* - 0.9%)
 - Subdivision C - Independent Civil Marriage Celebrants (8040* - 25.3%)
 - Subdivision C - Independent Religious Marriage Celebrants (539*- 1.7%)

Total of all = 31,752

6. Section 116 of the Australian Constitution states:

"The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth."

7. There are 293 Subdivision B - State and Territory Officers authorised to conduct civil marriage in the whole of Australia. The number of Subdivision B Marriage Officers in the following States and Territories are
 - a. Zero in the Australian Capital Territory
 - b. 156 in New South Wales
 - c. 6 in the Northern Territory
 - d. 33 in Queensland
 - e. 22 in South Australia
 - f. 6 in Tasmania
 - g. 38 in Victoria and
 - h. 31 in Western Australia.

from: <https://marriage.ag.gov.au/stateofficers/officers>

8. **3310.0 - Marriages and Divorces, Australia, 2015** Latest ISSUE Released at 11:30 AM (CANBERRA TIME) 30/11/2016 Ref: <http://www.abs.gov.au/ausstats/abs@.nsf/mf/3310.0>
9. **Marriage Amendment Bill 2002** No. 77, 2002 An Act to amend the Marriage Act 1961, and for related purposes. Ref: <https://www.legislation.gov.au/Details/C2004A01014>
10. **2002 Explanatory Memorandum** (The Parliament of the Commonwealth of Australia House of Representatives, Marriage Amendment Bill 2002, Circulated by authority of the Attorney-General, the Honourable Daryl Williams AM QC MP)http://www.austlii.edu.au/au/legis/cth/bill_em/mab2002175/memo1.html

11. **“Section 47 of the Marriage Act states:**

47. Ministers of religion not bound to solemnise marriage etc.

Nothing in this Part:

(a) imposes an obligation on an authorised celebrant, being a minister of religion, to solemnise any marriage; or

(b) prevents such an authorised celebrant from making it a condition of his or her solemnising a marriage that:

(i) longer notice of intention to marry than that required by this Act is given; or

(ii) requirements additional to those provided by this Act are observed.”

12. **“Section 101: Solemnisation of marriage by unauthorised person**

A person shall not solemnise a marriage, or purport to solemnise a marriage, at a place in Australia or under Part V unless the person is authorised by or under this Act to solemnise marriages at that place or under that Part, as the case may be.

Penalty: \$500 or imprisonment for 6 months.”

13. **“Section 103: Going through ceremony of marriage before person not authorised to solemnise it**

A person shall not go through a form or ceremony of marriage with another person knowing that the person solemnising the marriage is not authorised to solemnise it and having reason to believe that the other party to the marriage believes that the person solemnizing the marriage is so authorised.

Penalty: \$500 or imprisonment for 6 months.”

14. **“Section 113: Second marriage ceremonies**

(1) Except in accordance with this section:

(a) persons who are already legally married to each other shall not, in Australia or under Part V, go through a form or ceremony of marriage with each other; and

(b) a person who is authorised by this Act to solemnise marriages shall not purport to solemnise a marriage in Australia or under Part V between persons who inform the first-mentioned person that they are already legally married to each other or whom the first-mentioned person knows or has reason to believe to be already legally married to each other.

(2) Where:

(a) 2 persons have gone through a form or ceremony of marriage with each other, whether before or after the commencement of this Act; and

(b) there is a doubt:

(i) whether those persons are legally married to each other;

(ii) where the form or ceremony of marriage took place outside Australia, whether the marriage would be recognised as valid by a court in Australia; or

(iii) whether their marriage could be proved in legal proceedings; those persons may, subject to this section, go through a form or ceremony of marriage with each other in accordance with Division 2 of Part IV or under Part V as if they had not previously gone through a form or ceremony of marriage with each other.

(3) Where 2 persons wish to go through a form or ceremony of marriage with each other in pursuance of subsection (2), they shall furnish to the person by whom, or in whose presence, the form or ceremony is to take place or be performed:

- (a) a statutory declaration by them stating that they have previously gone through a form or ceremony of marriage with each other and specifying the date on which, the place at which and the circumstances in which they went through that form or ceremony; and
- (b) a certificate by a barrister or solicitor, being a certificate endorsed on the statutory declaration, that, on the facts stated in the declaration, there is, in his or her opinion, a doubt as to one of the matters specified in paragraph (2)(b).

(4) The person by whom or in whose presence a form or ceremony of marriage takes place or is performed in pursuance of subsection (2) shall make an endorsement in accordance with the regulations on each certificate issued in respect of it.

(4A) A marriage which takes place after the commencement of this subsection in pursuance of subsection (2) is not invalid by reason of any failure to comply with the requirements of subsection (3) or (4).

(5) Nothing in this Act shall be taken to prevent 2 persons who are already legally married to each other from going through a religious ceremony of marriage with each other in Australia where those persons have:

(a) produced to the person by whom or in whose presence the ceremony is to be performed a certificate of their existing marriage; and

(b) furnished to that person a statement in writing, signed by

- (i) they have previously gone through a form or ceremony of marriage with each other;
- (ii) they are the parties mentioned in the certificate of marriage produced with the statement; and
- (iii) they have no reason to believe that they are not legally married to each other or, if their marriage took place outside Australia, they have no reason to believe that it would not be recognised as valid in Australia.

(6) The provisions of sections 42, 44, 50 and 51 do not apply to or in relation to a religious ceremony of marriage in accordance with subsection (5) and the person by whom, or in whose presence, the ceremony is performed shall not:

- (a) prepare or issue in respect of it any certificate of marriage under or referring to this Act; or
- b) issue any other document to the parties in respect of the ceremony unless the parties are described in the document as being already legally married to each other.

(7) A person who is not an authorised celebrant does not commit an offence against section 101 by reason only of his or her having performed a religious ceremony of marriage between parties who have complied with the requirements of subsection (5) of this section."

15. As 14. above

16. A nationally accredited Vocational Education and Training unit could be modified from the new **CHCCEL005 Establish and maintain marriage celebrancy practice** for Subdivision C marriage celebrants to address the legal knowledge and skills required by Subdivision A and B authorised celebrants.

CHCCEL005 can be viewed on:

<http://www.coalitionofcelebrantassociations.org.au/for-celebrants/115-certificate-iv-in-celebrancy-2017/457-chccel005-establish-and-maintain-marriage-celebrancy-practice>

17. **Workforce Development - Vocational Education & Training Report October 2016** - R Goold Presented to the Marriage Law & Celebrant Section Thursday 27th October 2016. See: <http://www.coalitionofcelebrantassociations.org.au/for-celebrants/118-reports/480-vet-training-report-october-2016>

18. **Civil Celebrancy – A changing profession.** Prepared by CoCA for the Review of the VET Qualifications for Celebrancy for
<http://www.coalitionofcelebrantassociations.org.au/issues/65-professionalism/309-civil-celebrancy-a-changing-profession>

Attachment 1: Basic assumptions:

1. The countries where most people would like to live are those that
 - a. give their citizens an opportunity to participate fully in the governing of their country
 - b. treat their citizens respectfully by rule of **civil** law that is transparent, fair and unbiased
 - c. ensure that civil law takes priority over religious law,
 - d. uphold civil and human rights, and
 - e. balance the personal freedom of its citizens with legal structures for the common good (*whether that relates to citizens physical, mental and social well-being, property, education, work, transport, housing, environment etc.*)

2. Most Australians expect our government to uphold Australian civil law over religious law (*e.g. chopping off a hand for theft*) or cultural practices that may apply in other countries (*e.g. honour killings*)

3. Most Australians, if they ever read Section 116 of the Australian Constitution:

“The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.”

would assume, that this section was designed to ensure

- a. a separation of church and state
 - b. a person’s religion would not be grounds for discrimination against them but **not** to
 - c. give religious law or beliefs greater power or status than civil law.
4. Most Australians would assume – one nation, one Marriage Act - one basic set of criteria for all couples seeking and being married. That is:
 - a. The same criteria to be able to be married – *of adult status/ marriage age, not married to another person, giving free and un-coerced consent, length of notice etc.*
 - b. The same criteria in the marriage ceremony – *two witnesses, all parties in the same room, the authorised person ensuring those present know a marriage according to civil law is being conducted, an indication by both parties that they consent to marry one another*
 - c. The same basic legal training, professional development and regulation of those people holding “*public trust under the Commonwealth*”
 5. The Australian Marriage Act was based upon British law, developed from a Western Christian tradition where marriage until the 1500’s was a private secular (civil) function without witnesses.
 6. Religious (Christian) celebrants, being the educated people in a community, became involved primarily to record marriages, before the advent of a national registration system in the early 1800s.
 7. The Australian Marriage Act 1961, which was practical and easily understood by non-lawyers when first drafted, is in need of review to ensure that ad hoc changes since its enactment, are consistent and appropriate for a modern multi-cultural Australia.

Attachment 2: Relevant Sections of Sections 31 and 33 of the Marriage Act

Section 31 Applicant may be refused registration in certain circumstances

- 1) A Registrar to whom an application for registration under this Subdivision is made may refuse to register the applicant if, in the opinion of the Registrar:
 - a) there are already registered under this Subdivision sufficient ministers of religion of the denomination to which the applicant belongs **to meet the needs of the denomination in the locality** in which the applicant resides;
 - b) the applicant is **not a fit and proper person** to solemnise marriages; or
 - c) the applicant is **unlikely to devote a substantial part of his or her time to the performance of functions generally** performed by a minister of religion.

Section 33 (1) Removal from register

- 1) Subject to this section, a Registrar shall remove the name of a person from the register kept by that Registrar if he or she is satisfied that:
 - a) that person has requested that his or her name be so removed;
 - b) that person has died;
 - c) the denomination by which that person was nominated for registration, or in respect of which that person is registered, no longer desires that that person be registered under this Subdivision or has ceased to be a recognised denomination;
 - d) that person:
 - i) has been **guilty of such contraventions of this Act or the regulations** as to show him or her not to be a fit and proper person to be registered under this Subdivision;
 - ii) has been making **a business of solemnising marriages for the purpose of profit or gain**; or
 - iii) is not a fit and proper person to solemnise marriages; or
 - e) that person is, for any other reason, not entitled to registration under this Subdivision.

Attachment 3:

Subdivision C Independent independent religions celebrants representing 512 smaller religious bodies.

Denotes those also authorised for civil ceremonies

Moslem Alawy Society
Orthodox Catholic Church Of Christ The King #
Associated Peniel Ministries Australia Inc
Chinese Christian Church
Christ Evangelical Center Of Australia
Evangelical Lutheran Congregations Of The Reformation
Jesus Is Lord Church Australia Inc.
Korean Central Presbyterian Church
Korean Presbyterian Reformed Church
New Life Christian Community Inc
Samoan Christian Worship Cent
Southland Vineyard Chuch Inc.
Sri Guru Singh Sabha #
Ancient Church Of The East
Armenian Bible Church Of Sydney - Non Denominational
Arya Pratinidhi Sabha Of Australia
Australian Burmese Christian Fellowship
Bethel Presbyterian Church
Civil And Religious Ceremonies #
Cornerstone Community Inc
Eckankar Society Of Central Australia
Edwardstown Baptist Church
El Shaddai Kwiana Christian Fellowship Inc. #
Evangelical Chinese Church, Melbourne
Faith Community Church Incorporated
First Samoan Full Gospel Pentecostal Church
Guru Nanak Sikh Temple
Hindu Vedic
Journey To Christ
Kingdom Light Christian Centre Inc
Kingsway Fellowship International Inc
Macedonian Orthodox Community Of Australia
New Covenant Life Centre Inc.
Pagan And Civil Ceremonies #
Riverview Church
Seventh Day Adventist Reform Movement
Tokaikolo Christian Fellowship
Tokaikolo Christian Fellowship In Australia
Vision Ministries
Associated Peniel Ministries Australia Inc. Hope & Victory
Christian Church
Cornerstone Community Ltd
Abundant Life Community Church And Civil Ceremonies #
Acts Missions International – Brimbank
Acts Missions International – Rochedale
Acts Missions International Inc.
Adelaide Abundant Life Centre
Adelaide Christian Fellowship Hackham
Afghan Community Support Association Inc.
Agape Christian Church, Rooty Hill, New South Wales
Agios Ministries
Al Zahra Muslim Association
All Nations Church & Prayer Ministry
Alrissalah Islamic Association Of Victoria
Amazing Grace Christian Church
American Samoan Assembly Of God In Australia
Anglican Catholic Church
Anglican Catholic Church - The Diocese Of Australia And New Zealand
Anglican Independent Communion Australia
AROG And Civil Ceremonies #
Ashrafal Madaaris Inc
Assembly Of God Church Of Samoa In Australia Inc
Assyrian Christian Church
Austral-Asian Chinese Church
Australia (Nur) The Light Foundation Inc.
Australia Light Foundation
Australian Bosna Hercegovina Islamic Society GHB
Sydney Australian Celtic Anabaptist Church
Australian Christian Churches
Australian Evangelical Lutheran Church
Australian Fellowship Of Evangelical Students
Australian Fellowship Of Faith Churches And Ministers International
Australian Islamic Social Association
Australian Sikh Association (ASA)
Australian Turkish Social And Cultural Trust Inc
Bankstown Muslim Association
Beit Gan - Eden Messianic Community
Bethany Baptist Church
Bethany Christian Fellowship
Bethlehem Evangelical Lutheran Church
Bible Salvation Assembly
Bible Salvation Fellowship, Niddrie
Bible Truth Fellowship, Toowoomba, Queensland
Blackwood Family Church, Boyup Brook, Western Australia
Bodhikusuma Buddhist & Meditation Centre - Theravada Tradition
Brisbane Bible-Presbyterian Church Inc And Civil Ceremonies #
Brisbane Church Of Christ
Brisbane Sikh Temple (Gurdwara) Inc
Buddhist Society Of WA
Buddist Chanting At Civil Ceremonies
Bundaberg Living Word Fellowship
C3 Central City
Cabramatta Vineyard Church Inc.
Caloundra Holiness Church
Calvary Chapel Church Secret Harbour
Calvary Chapel Newcastle
Calvary Lighthouse Inc.
Calvary Worship Centre, Noble Park
Canberra Korean Church Incorporated
Canberra Korean Presbyterian Church
Cardwell Baptist Church, Cardwell, Queensland
Carmel Bible-Presbyterian Church Inc
Central Baptist Church
Central Church
Chester Reeve's Ministries
Chinese And Australian Baptist Church
Chinese Christian Church – Sydney
Chinese Christian Church And Civil Ceremonies #
Chinese Christian Church Brisbane
Chinese Christian Church Of Victoria
Chinese Christian Church Sydney
Chinese Methodist Church Of Melbourne
Christ Community Church
Christ Our Hope Ministries Sydney
Christian
Christian Catholic Church
Christian Gospel Centre
Christian Romanian Pentecostal Church 'Philadelphia'
Chung Tian Temple
Church Communities Australia Ltd
Church Of Christ
Church Of Christ (Kingdom Of God)
Church Of Holy Spirit
Church Of Jesus Is A Good Shephard
Church Of Life
Church Of Living Waters, Mandurah Inc.
Church Of Spiritual Enlightenment
Church Of The Harvest (Inc.) Ballajura, Western Australia
Church Of The Living God
Church Of The Nazerene - Mackay & Civil Ceremonies #
City Faith International Ltd

CityHarvest International
 Cityharvest International/ Cityharvest Church
 Cityview Church Inc.
 Civil Ceremonies & The Moslem Alawi Youth Movement #
 Civil Ceremonies And Belmore Road Church Of Christ #
 Civil Ceremonies And Ceremonies For Unification Church #
 Civil Ceremonies And Ceremonies Of Significance #
 Civil Ceremonies And Chinese Presbyterian Church Inc #
 Civil Ceremonies And City Edge Church - Melbourne Australia #
 Civil Ceremonies And Frontier International Christian Centre #
 Civil Ceremonies And Hindu Satsang Mandal Of Victoria #
 Civil Ceremonies And Path Of Hope #
 Civil Ceremonies And Shiv Shakti Cultural Group Inc. #
 Civil Ceremonies And Sikh Association Of WA #
 Civil Ceremonies And The Christian Community In Australia (Inc)#
 Civil Ceremonies And Tokaikolo Christian Fellowship #
 Clayton Community Church
 Coffs Harbour Bible Church
 Communion Of Evangelical Episcopal Churches Of Australia
 Compassions Fire Ministries International Inc
 Condell Park Bible Church
 Covenant Baptist Church Rossmoyne
 Covenant Bible-Presbyterian Church
 Creek Street Church
 Crossroads Christian Fellowship
 Crossroads Unichurch
 Darul Aman Mosque
 Darulfatwa - Islamic High Council Of Australia
 Dayspring Christian Fellowship - Castle Hill
 Deo Gloria Reformed Evangelical Church Of Australia Inc
 Devonport Community Church
 Eagle Heights Spiritual Centre And Civil Ceremonies #
 Eagle Lodge Spiritual Centre, Mackay, Queensland And Civil Ceremonies. #
 EagleDove Ministries Inc
 Eaglenet Ministry International
 Eagles' Wings Ministries Inc., Botany, New South Wales
 Eastern Shore Church Of Christ
 Echuca Community Church
 Eckankar Australia, Black Rock, Victoria
 ECKANKAR Religion Of The Light And Sound Of God
 Ecumenical Catholic Church Of Australia
 Elisha Care
 Emanuelu Christian Church
 Embrace Christian Fellowship
 Emmanuel Christian Fellowship
 Endeavour Christian Gathering
 Ethiopian Orthodox Tewahedo Debre Amin
 Abune Teklehaimanot Church Inc.
 Evangel Christian Fellowship
 Evangelical Chinese Church, Box Hill
 Evangelical Chinese Church, Sydney & Civil Ceremonies #
 Evangelical Formosan Church Of Sydney
 Every Home For Christ Inc
 Faith City Church
 Faith Presbyterian Church - Perth
 Family Worship Centre
 Fellowship Of Christ And Civil Ceremonies
 Finnish Pentecostal Church, Melbourne
 First Sikh Temple Of Australia - Woolgoolga
 Flaming Evangelical Ministries Australia Inc.
 Forster Christian Fellowship
 Foundation For The Preservation Of The
 Mahayana Tradition(Buddhist) And Civil Ceremonies #
 Free Church Of Tonga, Canterbury
 Free Church Of Tonga, Mascot Parish, Sydney.
 Free Presbyterian Church Of Scotland
 Free Wesleyan Church Of Tonga In Australia
 Free Wesleyan Church Of Tonga In Australia (Victoria)
 Incorporated
 Freedom Ministries
 Fruitful Vine Melbourne Church
 Full Life Christian Fellowship, Inc., South Strathfield, NSW
 Gateway International Church
 GBI Antiokhia
 Geelong Revival Centre
 Global Apostolic Network
 Glorious Gospel Church
 Glory Of God Church
 God'S Covenant Ministry
 Gold Coast Baptist Church
 Gospel Church Of Jesus Inc
 Gospel Faith Fellowship
 Gospel Power Ministries Australia Inc.
 Grace Baptist Church
 Grace Bible Church
 Grace Bible Church Inc.
 Grace Chinese Christian Church
 Grace Christian Church Inc.
 Grace Evangelical Church Newcastle Inc.
 Grace Heart Community Church & Civil Ceremonies #
 Grace Point Christian Church Australia
 Grassroots Gospel Promotion Interchurch Mission
 Greek Free (Evangelical) Church
 Greenwell Point Union Church
 Guildford Christian Assembly
 Haneul Sarang Church
 Harbour Lights Christian Centre
 Harvest Christian Fellowship, Canberra Inc.
 Harvest Church Central Coast
 Harvest Faith Fellowship
 Harvest House International Church
 Hemmant Spiritual Church
 Heritage Of Faith Christian Church
 Hervey Bay Bible Church
 High Street Christian Church
 Hindu Dharam Sabha Of Australian Inc
 Hindu Heritage Society (HHS) Incorporated And Civil Ceremonies#
 Hindu Samaj Australia Inc And Civil Ceremonies #
 Hindu Society Of Australia
 Hindu Society Of South Australia
 Hindu Vedic Sanatan Dharma
 His People Christian Church
 Hobart Salvation Centre
 Holland Park Church Of Christ
 Holy Ghost Church Of Christ
 Holy Spirit Autonomous Anglican Church, Balga, Western Australia
 Holy Trinity Limited
 Hope And Victory Christian Centre
 Hope And Victory Ministries - Miami QLD
 Hope Bible-Presbyterian Church
 Hope Christian Church, Melbourne
 Hope Christian Church, Melbourne City Centre
 Hope Sydney Christian Church
 Huonville Community Church
 Imam Ali (A) Islamic Centre
 Impact Ministries
 Independent Christian Church Inc
 Independent Evangelical Church
 Independent Greek Orthodox
 Independent Moslem Alawi Religion, Greenacre, New South Wales.
 Indian Cultural Society
 Indigenous Ministries
 Indonesian And Multicultural Church
 Indonesian Christian Family Church (GKKI)
 Indonesian Family Church Inc - Place Of Hope
 Ingham Independent Baptist Church
 Inner Life Church And Civil Ceremonies #
 Interfaith
 International Buddhist Assoc Of Queensland
 International Buddhist Chan Shan Temple Of Australia Inc. And Civil Ceremonies #
 International Christian Ministerial Association – Oceania
 International Community Fellowship
 Islamic Association Of Australia Inc

Islamic Charity Projects Association
Islamic Charity Projects Association, Bankstown
Islamic High Council Of Australia And Civil Ceremonies #
Islamic Information And Resource Centre (IIRC)
Islamic Instruction & Social Services Of Australia
Islamic Trust Schools Of Victoria
Jafary Community Supporting Social And Culture Of The Shea In WA
Jerry Savelle Ministries
Jesus Christ Saves Global Outreach
Jesus Lord Of The Harvest Fellowship, Inc & Civil Ceremonies #
Joy City Church
Jubilee International Church
Kelmescott Congregational Church
Kerisiano Faafouina Church In Australia Inc
Kingdom City Church
Korean Presbyterian Church In Sydney
Korean Pure Presbyterian Church Of Adelaide
Kubatul Islam Mosque (Cocos Keeling Islands)
Lemuria Spiritual Church
Liberty International Christian Centre
Life Church, Castle Hill Inc.
Lifechurch Inc.
Lifestyle Training Ministries
Lighthouse Chapel International
Lighthouse Christian Centre
Living Church Of God
Living Grace Christian Church Inc.
Living Stone Evangelical Free Church Of Australia
Living Stream Ministries Incorporated
Living Waters Christian Community
Living Way Christian Church
Living Word Faith Ministries Inc, Eight Mile Plains
Living Word Tabernade
Lord'S Light Presbyterian Church
Love Of Jesus Christian Ministries, Inc.
Macarthur District Community Church
Macedonian Orthodox Community Of Newcastle District -
Church Of "St Mary"
Macedonian Orthodox Community Of Sydney – Sydney
Mahanaim Ministry
Maitland Baptist Church NSW
Mar-Yacoub Syrian Orthodox Church
Maranatha Romanian Christian Church Mission Inc
Matthew 24 Ministries
Melbourne Bible Believers. Inc
Melbourne Church Of Christ
Messianic Ministries Incorporated
Miracle Christian Center Inc
Mission Kwa Sizabantu Australia Inc. Commonly Known
As: Lobethal Christian Fellowship
Missionheart
Monash Christian Fellowship
Moroccan United Arabic Community, Brunswick, Victoria.
MosaiXchurch Inc.
Moslem Alawi Youth Movement
Mt George Christian Church
Mukti- Gupteshwar Mandir Society
Multicultural Christian Fellowship
New Covenant Fellowship
New Covenant Pentecostal Church
New Earth Tribe Christian Fellowship
New Frontiers Grace City Church
New Life Christian Church Incorporated
New Life Church - Holroyd.
New Life Community Church
New Life Evangelical Church
New Life In Christ Fellowship In Australia
Newcastle Full Gospel Church (The Korea Assemblies Of God)
Noble Park Christian Church
North Coast Community Church
North Shore Sikh Association
Northern Rivers Sikh Association
Northside Baptist Church Inc
Northside Bible Church, Joondalup, Western Australia

Norwood Dawn Christadelphian Ecclesia
Oasis Of Love Christian Church
Ocean Point Beleivers Church
Old Calender Orthodox Church Of Greece Diocese For Australia Inc.
Old Paths Bible Church
Order Of The Mystic Rose, Incorporated
Orthodox Catholic Church
Orthodox Catholic Church Of Australia – Caboolture
Our Community Spiritual Church
Padthaway Vineyard Christian Fellowship
Parklea Christian Fellowship
Peace Evangelical Lutheran Church
Peniel Free Pentecostal Church (PFPC)
Perth Bread Of Life Christian Church Inc.
Perth Chinese Christian Church
Picton Bible Church
Plumpton Community Church
Power In The Name - Church Incorporated
Praise Evangelical Free Church Of Australia
Presbyterian And Methodist Schools Association
Ratana Established Church Of New Zealand
Ravenswood Church Of Christ, Ravenswood
Red Door Community Church And Civil Ceremonies #
Redeemer Baptist Church
Redlands Spiritual Centre
Reflection Christian Ministry
Reformed Evangelical Church Of Indonesia
Reho Church Of The Nations – Perth
Renewal Chinese Christian Church, Victoria
Restoration Life In Christ Church
Restoration Ministries
Revival From Down Under Inc
River Of Fire Ministries
Rivers Of Life
Rockhampton Church Of Christ (Non- Denominational)
Romanian Apostolic Pentecostal Church, Noble Park, Victoria.
Romanian Pentecoastal Church & Romanian Apostolic Church
Romanian Pentecostal Church - Bethel Inc.
Romanian Penticostal Church
Romanian Penticostal Church AND Romanian Baptist Church
Ruach Ministries Ltd. (Northern Beaches) Beacon Hill, NSW
Russian Molokan Spiritual Christian Church
Russian Orthodox Church Abroad
Russian Orthodox And Chinese Moslem
Samoan Independent Seventh Day Adventist Church
Samoan Presbyterian Church, Minto, New South Wales
Samoan Unity Christian Churches Of Australia
Samoan Unity Christian Churches Of Australia
Sanatan Religious And Cultural Association And Civil
Ceremonies#
Sanctuary House - Moruya
Self Help Ministries And Civil Ceremonies #
Set Free Ministries Australia Ltd
Shalom Community Church
Shambhalla Branch Of Universal Life Church
Shark Bay Christian Fellowship
Sheltering Tree International Church Inc.
Shia Muslim
Shirdi Sai Sansthan Melbourne
Shiv Sati Ramayan Mandali
Shophar Ministries
Shree Sanatan Dharm Pratinidhi Sabha Of Australia
Shree Sanatan Dharm Sabha Of NSW Inc.
Sikh Mission Centre Sydney Inc And Civil Ceremonies #
Sikh Society Of South Australia Inc
Siloam Betesda Christian Church
Slavic Evangelical Pentecostal Church
Sonlife Church
South East Christians
Southside Christian Fellowship
Sovereign Grace Ministries, Australia
Spiritual Christian Russian Molokan Church Of Ingle Farm
Spiritual Churches Of Australia
Sri Venkateswara Temple Association

St Aphrem Syrian Orthodox Church, Melbourne
St Barnabas Broadway Church
St Martin'S Communities Of Faith (Christian) And God'S Squad
Christian Motorcycle Club
St Martins Community Church – Collingwood
St Paul'S Evangelical Lutheran Church
St Thomas Indian Orthodox Church
Street Level Christian Community
Sureway International Christian Ministries
Sutherland Christian Fellowship
Sutherland Spiritual Centre
Sydney Central Presbyterian Church
Sydney Community Church
Sydney Life Church Mosmah Sydney
Sydney Living Stone Church
Sydney Mandarin Christian Church, Hurstville, NSW
Sydney Shin Sung Presbyterian Church
Sydney Woori Church
Sydney Zen Centre
Te Puna Waiora (The Living Waters Spring) Interdenominational
Maori Church Australia Inc.
Te Tapenekara Christian Fellowship
Temple Of Light Spiritualist Church Of WA
Temple Society Australia And Civil Ceremonies #
Temple Society Of Australia
The Agape Church Of Australia Inc
The Albanian Sakie Islamic (Mosque) Society
The Ancient Church Of The East
The Baik Yang Presbyterian Church Inc
The Brisbane Finnish Pentecostal Church
The Christian Church In Melbourne
The Christian Spiritual Fellowship
The Church Of God
The Church Of Pentecost Australia Inc.
The Church Of The Good Shepherd, Mansfield
The Council Of Australian Turks
The Fathers House
The First American Samoan Church
The First Australian Samoan Church Inc
The First Indonesian Pentecostal Church In Australia
The Free Presbyterian Church Of South Australia
The Full Gospel International Church
The General Assembly Of Korean Presbyterian Church In Oceania
The Islamic Association Of Ali Alayhe As-Salam And Civil
Ceremonies #
The Jewish Family Community Centre Inc
The Life Centre Church Broadbeach
The Mandaean Spiritual Council Of Australia & The International
Mandaean Nasoraean Supreme Council
The Miracle Centre Inc. And Grace & Glory
Ministries International
The Open Door Church
The Range Christian Fellowship
The Redeemed Christian Church Of God, WA

The Russian Orthodox Church Of The Holy Trinity- Moscow
Patriarchate (English Speaking)
The Spiritualist Church Of Western Australia
The United Arab Moslems Association, New South Wales
The Vedic Training And Cultural Services Of Western Australia
The White Eagle Lodge Of Australasia Limited, Maleny
Timeline Ministries
Trinity Church Tamworth
True Spiritual Christian Molokan Church
Truth And Liberation Concern
Tuggerah Lakes Church Incorporated
Tulsi Manas Satsang Sanstha And Civil Ceremonies #
Twin Cities Pentecostal Church
Union Churches
United Vietnamese Buddhist Congregation Of South
Eastern Melbourne,
Springvale, Victoria.
Unity School Of Christianity Melbourne Inc
Vedic Pratinidhi Sabha & Arya Samaj Of Australia Inc. & Civil
Ceremonies #
Vedic Sanatan Society Of NSW
Victory Christian Centre Inc
Victory Life International
Vietnamese Evangelical Church In Australia
Vietnamese Evangelical Church In Australia – Melbourne
Vietnamese Evangelical Church In Australia Perth
Vishwa Shanti Ashram Of Australia Inc
Vision Christian Ministries Vcm Woden
Vision Church Tasmania
Vision Fellowship
Vision To All Nations International, Sunnybank, Queensland.
Voice Of Grace Church Inc
Voice Of Victory Church
Waheguru Simran Society Inc. Sydney
Warringah Church Of Christ (Non-Denominational) And Civil
Ceremonies #
Warrnambool Bible Faith Fellowship
Watersprings Faith Church
Williamstown Gospel Mission
Witch, Pagan And Civil Ceremonies #
Without Walls Inc (Prev Phil Howell Ministries)
Word Of Faith Fellowship, Taree, New South Wales
World Christianship Ministries
World Harvest Ministries Incorporated
World Light Fellowship (Australia) Inc And Civil Ceremonies #
Worship And Ministry Centre, Yeppoon
Worship Centre - Carina
Worship Centre Christian Church – Samoa
Yennora Sanatan Dharam Ramayan Mandali
Young Life Australia
Zion Fellowship Inc
Zion Praise Harvest
Zion Praise Harvest – Perth

Attachment 4:

Division 1—Subdivision A—Ministers of recognised religions

Marriage (Recognised Denominations) Proclamation

References: www.ag.gov.au

2007 Proclamation - www.comlaw.gov.au

2013 Proclamation - www.comlaw.gov.au

- Aboriginal Evangelical Fellowship of Australia
- Ananda Marga
- Anglican Catholic Church in Australia, The
- Anglican Church of Australia,
- The Antiochian Orthodox Church
- Apostolic Church (Australia),The
- Apostolic Church of Queensland, The
- Armenian Apostolic Church in Australia, The
- Assemblies of God in Australia
- Associated Christian Ministries
- Associated Christian Spiritual Churches of Australia
- Associated Mission Churches of Australasia Incorporated
- Association of Vineyard Churches Australia, The
- Australian Christadelphian Ecclesia
- Australian Church of Antioch, The
- Australian Fellowship of Biblebelieving Churches
- Australian Fellowship of Mission Centres (Youth with a Mission)
- Australian Indigenous Ministries
- Australian Unitarian Druze
- Autocephalic Greek Orthodox Church of America and Australia
- Baha'i Faith
- Baptist Union of Australia, The
- Belarusian Autocephalous Orthodox Church in Australia and Abroad
- Bethesda Ministries International Incorporated
- Brethren
- C3 Church Global
- Calvary Life Assemblies
- Chinese Methodist Church in Australia
- Christian and Missionary Alliance of Australia, The
- Christian Brethren
- Christian Church in Australia
- Christian Church, The
- Christian Israelite Church
- Christian Life Churches International
- Christian Outreach Centre
- Christian Reformed Churches of Australia
- Churches of Christ in Australia
- Church of God (Australia) Limited
- Church of Jesus Christ of LatterDay Saints
- Church of Scientology Incorporated, The
- Church of the Foursquare Gospel (Australia) Limited
- Church of the Foursquare Gospel in Australia
- Church of the Nazarene
- Church of Tonga in Australia, The
- Churches of Christ in Australia
- Community of Christ
- Congregational Christian Church in Samoa, The
- Congregational Federation of Australia
- Connexions Ltd
- Cook Islands Christian Church
- Coptic Orthodox Church of Australia
- CRC Churches International
- Crosslink Christian Network
- Dream Centre Christian Church Limited
- Evangelical Presbyterian Church of Australia, The
- Federation of Australian Buddhist Councils
- Federation of Reformed Christian Churches of the Pacific Australia Incorporated
- Fellowship of Congregational Churches
- Fellowship of Evangelical Churches in Australia
- Fellowship of Independent Evangelical Churches
- Free Reformed Church of Australia
- Free Serbian Orthodox Church, Diocese for Australia and New Zealand
- Full Gospel Churches of Australia
- German Evangelical Lutheran Church
- Goshen Ministry International Outreach

- Greek Orthodox Archdiocese of Australia
- Hindu Council of Australia, The
- Holy Apostolic Catholic Assyrian Church of the East
- Hungarian Reformed Church of Australia, The
- Iglesia ni Cristo
- Independent Baptist Fellowship
- Independent Baptists of Australia
- Independent Church of Australia, The
- International Council of Spiritualists
- International Society for Krishna Consciousness
- Islam
- Jehovah's Witnesses
- Jerwry
- Latvian Evangelical Lutheran Church in Victoria, The
- Liberal Catholic Church, The
- Lutheran Church of Australia Incorporated, The
- Macedonian-Bulgarian Eastern Orthodox Church
- Macedonian Orthodox Church, Diocese of Australia and New Zealand
- Ministers Fellowship International
- New Apostolic Church in Australia, The
- New Church in Australia, The
- New Life Churches of Australia
- OzReach
- Pacific LMS Church Australia Incorporated
- Potters House Christian Fellowship of Australia, The
- Power of the Spirit Ltd
- Presbyterian Church of Australia, The
- Presbyterian Church of Eastern Australia
- Presbyterian Reformed Church
- Reach Out for Christ Limited
- Reformed Presbyterian Church of Australia, The
- Religious Society of Friends, The
- Revival Centres International
- Revival Fellowship, The
- Rhema Family Churches Australia
- Roman Catholic Church
- Romanian Orthodox Church
- Russian Orthodox Church Outside of Russia
- Salvation Army, The
- Serbian Orthodox Church in Australia and New Zealand, The
- Seventh-day Adventist Church
- Sikh Council of Australia Incorporated, The
- Society of Saint Pius X Limited
- Southern Cross Association of Churches, The
- Strict and Particular Baptist Churches of Australia, The
- Ukrainian Autocephalic Orthodox Church in Diaspora, Diocese of Australia and New Zealand
- Unitarians
- United Aborigines Mission
- United Church of God — Australia
- United Pentecostal Church of Australia
- United Spiritualism of Australia
- Uniting Church in Australia, The
- Victorian Spiritualists' Union
- Victory Life Centre Incorporated
- Welsh Calvinistic Methodist Connexion in Victoria, The
- Wesleyan Methodist Church, The
- Presbyterian Church, The
- Worldwide Church of God
- Worship Centre Christian Churches Worldwide (Australia) Ltd

These five religions were recognised in 2013**

- Caodai Overseas Missionary (Australia) Incorporated
- Korean Presbyterian Reformed Church Incorporated
- Peace Christian Ministries Limited
- Sabian Mandaean Religious Community, and
- Ukrainian Catholic Church in Australia.

Attachment 5

The Coalition of Celebrant Associations (CoCA) is the peak professional celebrant advisory body recognised by the Attorney-General's Department by a Joint Protocol with CoCA (Agreed: 10 December 2010, and confirmed by later exchange of e-mails. Amended: 25 September 2014.)

Reference: <http://www.coalitionofcelebrantassociations.org.au/about-coca/31-about-the-company/220-protocol-between-coca-and-attorney-general-s-department>

The following sections of the protocol explains CoCA's role in relation to the Attorney-General's Department – in particular that CoCA "will work to represent the views of those marriage celebrants who are members of celebrant associations, as well as those who are not". (point 2 below)

Background to the Protocol

- 1) With the support of the Attorney-General, the Coalition of Celebrant Associations (CoCA) was established on 16 October 2008 as the peak representative body for Commonwealth-registered marriage celebrants.
- 2) CoCA's primary aim is to engage effectively with the Attorney-General and the Attorney-General's Department (AGD) to represent the marriage celebrant community on matters relating to the Marriage Celebrants Program (the Program). In doing so, CoCA will work to ensure that it represents the views of those marriage celebrants who are members of celebrant associations, as well as those who are not.
- 3) The relevant area of AGD is the Marriage Celebrants Section, Marriage and Intercountry Adoption Branch, Access to Justice Division.

Purpose of the Protocol

- 4) CoCA and AGD wish to form a productive and collaborative relationship, characterised by constructive and, wherever possible, open communication. To facilitate this relationship, this Protocol has been developed to ensure a clear understanding of how CoCA and AGD will work together, communicate with each other and clarify expectations as to roles.
- 5) While this Protocol is limited to CoCA and AGD, it is acknowledged that the Attorney-General is the final decision-maker in matters relating to the Program and therefore plays an important role in seeking and considering CoCA's feedback or concerns.
- 6) AGD acknowledges that CoCA members provide their valuable time and input on a voluntary basis. CoCA members meet their own expenses for travel and accommodation, noting that CoCA hopes that AGD will be able to make funding available in the future.
- 7) CoCA acknowledges that as an Australian Government department, AGD must prioritise the needs of the Attorney-General and AGD's statutory obligations under the Marriage Act 1961 and Marriage Regulations 1963.

The Coalition of Celebrants Associations (CoCA) Inc. – 10 years Goals

<http://www.coalitionofcelebrantassociations.org.au/about-coca/31-about-the-company/236-2025-goals>

The Marriage Act 1961

- 1) The Marriage Act is reviewed and revised, on a periodic basis, to ensure the basic requirements for legal marriage are present in every wedding ceremony whether the ceremony is a religious or a civil one.
- 2) The Marriage Vows for all marriage couples to be in plain English and modernised from the 1836 version upon which they were based to ensure the parties to the marriage state clearly "— I, A (or B.), take you, B (or A), to be my wife (or husband or spouse) or words to that effect.
- 3) The Marriage Act ensure that all marriage celebrants, whether registered or religious, are treated equally with respect to the regulation of their duties in performing the valid marriage component of the wedding ceremony, whether the ceremony uses the rites of a specific religious group or a Civil ceremony of the couples choice

Celebrant Education and Continuing Professional Development

- 1) Improved professional training and continued education for all independent registered celebrants as outlined in the Explanatory Memorandum for the 2002 changes to the Marriage Act 1961.

- 2) Professional celebrant associations covering independent Subdivision C celebrants having the ability to determine the Continued Education Programs for their own members as is the case for Subdivision A and C celebrants, and other professions.
- 3) Professional certification standards for Independent registered celebrants to be established and used as one of the criteria for appointment as a Commonwealth Marriage Celebrant, and available as continuing education as is the case in other professions.

Cost Recovery for Marriage Celebrants

- 1) Commonwealth marriage celebrant's annual fees for regulation to be used transparently, effectively, and efficiently and not greater than that able to be delivered by a non-government agency, and evidenced by the fees remaining the same annual level (CPI adjusted) or decreased.
- 2) The expertise of marriage celebrant practitioners to be effectively used to ensure that the Attorney-General's department marriage celebrant services are relevant and necessary for the delivery of marriage services to the Australia public by the registered and religious celebrant professionals.
- 3) The State and Territory Registry Offices to ensure that registration of all births, deaths and marriages continue to be their primary role, and the free data-entry services provided by marriage celebrants of Recognised Religions (Subdivision A) and Independent marriage celebrants (Subdivision C) are adequately and effectively supported in return by the Registries.

Child & Forced Marriage

- 1) Every marriage ceremony to include consent by the parties to the marriage in front of an authorised celebrant, whether the celebrant is religious or not.
- 2) Every marriage celebrant to make clear to the parties to the marriage, witnesses and all the guests that a marriage according to Marriage law is being conducted and that they are the celebrant authorised by law to witness and register the marriage.
- 3) Every marriage ceremony to include a definition of marriage according to law.
- 4) If the definition of marriage is changed to include same sex couples, that the new definition be, "marriage means the union of two adults to the exclusion of all others, voluntarily entered into for life."
- 5) Improved education on marriage in Australia by coordination of the efforts all the relevant government departments and community agencies directly involved in delivering marriage services.

Based upon CoCA Constitution Objects that are:

Constitution: (ii) Objects of the Association

1. To raise the standard of the quality of registered marriage and other ceremonies offered to the Australian community by celebrants, especially those appointed under the Marriage Act 1961.
2. To advise the Federal Government on:
 - a) the training, implementation, maintenance and review of the Marriage Act, Regulations and Marriage Celebrant Program, and other appropriate legislation
 - b) the strategies for raising and reviewing standards of services offered by celebrants
 - c) the needs and concerns of registered celebrants and others appointed under the Marriage Act 1961
 - d) related issues that affect registered celebrants.
- (3) To facilitate, develop and review a national co-operative and co-ordinated approach to professional development of celebrants via the services offered by member celebrant associations.
- (4) To facilitate, develop and review national guidelines for public information and education of services offered by celebrants to create consistency of information from member associations in their public interface with the Australian community.