

9 July 2010

Celebrants Association of New Zealand (Inc).doc
PO Box 27192
Marion Square
Wellington

Dear Sir or Madam:

RE: CHANGE TO MARRIAGE CELEBRANT APPOINTMENT CRITERIA

This letter is to advise your organisation of an amendment to the independent marriage celebrant appointment criteria that came into effect on 7 July 2010.

The legislation change removes the “locality” constraint and instead allows applicants to prove to the satisfaction of the Registrar-General that it is in the interests of the public generally, or of a particular community (defined by the applicant) that they be appointed as a marriage celebrant.

I expect that persons declined under the old criteria may reapply in the hope that they will now be appointed. While it is true that some may be successful, and without discouraging applicants, many may find that their applications are still declined if they are unable to satisfy the Registrar-General that the interests of the public generally, or of a particular community (whether defined by geography, interest, belief, or some other factor) are not already being met by current marriage celebrants.

Section 11 of the Marriage Act 1955 previously read:

Justices of the Peace, etc, may be marriage celebrants

Where the Registrar-General is satisfied that for geographical, administrative, or other reasons it would be convenient for the residents of any locality for a Justice of the Peace or other person of good character residing in that locality, who wishes to be a marriage celebrant, to be able to solemnise marriages, the Registrar-General may enter that person's name in the list.

As amended by the Marriage Amendment Act 2010, as of 7 July 2010 section 11 states:

Other persons may be marriage celebrants

- (1) Any person may apply to the Registrar-General to have his or her name entered on the list.
- (2) The application must—
 - (a) be made in a form approved for the purpose by the Registrar-General; and
 - (b) contain, or be accompanied by, such information as the Registrar-General requires; and
 - (c) be accompanied by the prescribed fee (if any).
- (3) The Registrar-General may approve an application made under subsection (1) and enter the applicant's name on the list if the Registrar-General is satisfied that—
 - (a) the applicant is—
 - (i) a Justice of the Peace; or

- (ii) a person who is otherwise of good character; and
- (b) the applicant will conscientiously perform the duties of a marriage celebrant under this Act and under the Births, Deaths, Marriages, and Relationships Registration Act 1995; and
- (c) it is in the interests of the public generally, or of a particular community (whether defined by geography, interest, belief, or some other factor) that the person be a marriage celebrant.

You will notice that the appointment criterion is similar to that of civil union celebrant applications.

Please note that there are no current plans to prescribe a fee to apply to be listed as a marriage celebrant.

Please contact Vaughan Millar if you have any questions on Call free 0800 22 52 52 or email vaughan.millar@dia.govt.nz

Yours sincerely

Ross McPherson
Acting Registrar-General
Births, Deaths and Marriages