

EXPLANATORY STATEMENT

Issued by the Authority of the Attorney-General

Marriage Act 1961

Marriage (Recognised Denominations) Amendment Proclamation 2010 (No. 1)

Section 26 of the *Marriage Act 1961* (the Act) provides that the Governor-General may, by Proclamation, declare a religious body or a religious organisation to be a recognised denomination for the purposes of the Act.

Religious bodies or organisations declared by the Governor-General to be recognised denominations under section 26 of the Act are permitted to nominate their ministers of religion directly to the state and territory Registrars of Births, Deaths and Marriages for authorisation as marriage celebrants. There were 109 denominations recognised by virtue of the *Marriage (Recognised Denominations) Proclamation 2007* (the 2007 Proclamation).

The last substantive recognised denomination Proclamation was made by the Governor-General on 2 March 2006 (the *Marriage (Recognised Denominations) Proclamation 2006*) (the 2006 Proclamation). The 2006 Proclamation added nine organisations to the previous Proclamation.

The Governor-General made the 2007 Proclamation to correct the inadvertent omission of an organisation from the 2006 Proclamation.

The *Marriage (Recognised Denominations) Amendment Proclamation 2010 (No. 1)* (the 2010 Proclamation) amended the 2007 Proclamation to add the following 14 organisations, which had sought recognised denomination status since 2006:

- Australian Unitarian Druze;
- Chinese Methodist Church in Australia;
- Connexions Ltd;
- Cook Islands Christian Church;
- Federation of Australian Buddhist Councils;
- Fellowship of Independent Evangelical Churches;
- Holy Apostolic Catholic Assyrian Church of the East;
- Iglesia ni Cristo;
- OzReach;
- Pacific LMS Church Australia Incorporated;
- Power of the Spirit Ltd;
- United Church of God – Australia;
- Victory Life Centre Incorporated; and
- Worship Centre Christian Churches Worldwide (Australia) Ltd.

The 2010 Proclamation also amended the 2007 Proclamation to reflect that the following recognised denominations, that were all included in the 2007 Proclamation, had since officially changed name:

- Goshen Ministry International Outreach, which was previously proclaimed as Torres United Pentecostal Outreach Association Incorporated;
- Rhema Family Churches Australia, which was previously proclaimed as National Ministries of the Church of God Australia; and
- C3 Church Global, which was previously proclaimed as Christian City Church.

The 2010 Proclamation also amended a typographical error in the name of ‘Baha’I Faith’ (an organisation included in the 2007 Proclamation) to ‘Baha’i Faith’.

The Act specifies no conditions that need to be satisfied before the power to make the Proclamation may be exercised.

The Proclamation is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

Pursuant to section 17 of the *Legislative Instruments Act 2003* consultation was undertaken with the 14 organisations given recognised denomination status by the 2010 Proclamation.

Authority: Section 26 of the *Marriage Act 1961*