Office of the Minister of Internal Affairs  
Cabinet Economic Growth and Infrastructure Committee  

Proposed changes to Birth, Death, Marriage, and Civil Union fees – Public Consultation results  

Proposal  

1. This paper reports back to Cabinet on the results of the recent public consultation, on proposed changes to products and services fees under the: Births, Deaths, Marriages, and Relationships Registration Act (BDMRRA) 1995; Marriage Act 1955; and Civil Union Act 2004. Approval is sought to introduce new fees for birth, death, marriage, and civil union (BDMCU) products and services, and to issue drafting instructions for new fee regulations to be given effect on or after 1 April 2017.

Executive summary  

2. On 17 October 2016, Cabinet invited me to report back to the Cabinet Economic Growth and Infrastructure Committee (EGI) on the outcome of the consultation on proposed changes to BDMCU products and services fees [EGI-16-MIN-0255]. Cabinet also invited me to seek approval for new fee regulations, if appropriate. This paper seeks agreement to approve new BDMCU fees (Appendix A).

3. The Department of Internal Affairs (the Department) maintains the registration of births, deaths, marriages, and civil unions in New Zealand, and is empowered to set fees for BDMCU products and services under a cost recovery model. Fees were last set in 2003.

4. At the end of the 2015/16 financial year, the two associated memorandum accounts were in deficit by $1.148 million and by $0.716 million respectively. Current costs to provide BDMCU products and services exceed the revenue generated, and deficits are forecasted to increase if fees are not adjusted.

5. Business efficiencies have been obtained since 2003 through upskilling staff, procedural reviews, and the provision of online services. However, increased demand for online services cannot be adequately supported by the Department’s ageing information technology system (introduced in 1998 and now fully depreciated).

6. The Department reviewed current fee levels, using a new comprehensive funding model developed by PriceWaterhouseCoopers (PWC), to analyse the recovery of costs in line with memorandum account rules, and to ensure fees appropriately meet costs. A number of options were considered and three options were presented to Cabinet in September 2016:

- Status quo: no change to current fee levels;
- Option one: an equal increase of twenty-seven per cent across all BDMCU products and services fees and a new fee for celebrant registrations; and
• **Option two** (preferred option): a simplified fee structure where similar products and services have identical pricing with fee increases ranging from zero – forty per cent, and a new fee for celebrant registrations.

7. On 17 October 2016, Cabinet gave approval for the Department to publicly consult on the proposed changes to BDMCU products and services fees [EGI-16-MIN-0255]. The document *Consultation: Proposed changes to Birth, Death, Marriage and Civil Union Fees* was issued on 18 October 2016 subject to a four week consultation period. It followed an open book approach in disclosing cost structures and drivers in order to be transparent about costs and fees.

8. The Department received thirty-seven submissions. The key findings are:
  • Seventy-nine per cent of submitters agreed that celebrants should pay an initial appointment and annual renewal fee;
  • Sixty-two per cent of submitters thought that certificate and printout fees should be increased; and
  • Seventy per cent of submitters who provided their preferred option preferred Option two (the Department’s preferred option).

9. I therefore propose that new fees be introduced in line with the Department’s and the submitter’s preferred option (Option two). This will enable the Department to recover its costs, address the growing deficits in its memorandum accounts, and continue to invest in better services for the public. It is intended that the new BDMCU fee regulations would come into effect on or after 1 April 2017.1

Background

10. The Department is responsible for the registration of life events under the BDMRRA. The BDMRRA requires the recording and verification of information relating to births, deaths, marriages, civil unions, name changes, adoption, sexual assignments and reassignments. The Marriage Act 1955 and Civil Union Act 2004 allow for eligible couples to enter into a marriage or civil union, and for an official record of this to be made and kept by the Registrar-General, with appropriate disclosure and access provisions. To carry out these functions the Department receives Crown Funding.

11. The Department also provides a number of related BDMCU products and services to the public. These are funded under a cost recovery model through the fees paid by the customer who obtains or benefits from the product and/or service (third party funding).

12. Demand for BDMCU products and services has been relatively static over a number of years. While business costs have increased since 2003 and services to the public have broadened, fees have been held for many years as a result of:
  • **procedural reviews**: ensuring methods are fit for purpose and streamlined as much as possible without reducing product integrity;

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1 Pending legislative approval.
• development of online capabilities: birth notification (now 74 per cent online) and birth registration (now 90 per cent online); death notification (now 94 per cent online); initial application and annual renewal of marriage and civil union celebrants (now 95 per cent online); enabling online and phone orders for certificates;
• upskilling staff; and
• improved customer information: facilitating customers to resolve issues without contacting the Department directly.

13. Despite these business process changes, the two associated memorandum accounts – Issue of Birth, Death and Marriage Certifications and other Products (BDM Other) memorandum account and Marriage and Civil Union Products (Marriages) memorandum account – are now both in deficit by $1.148 million and by $0.716 million respectively (as at 30 June 2016).

Fee Review

14. In 2016, the Department reviewed current fee levels for all BDMCU products and services, using a new comprehensive funding model developed by PWC, and analysed the recovery of costs in line with memorandum account rules.

15. The conclusion of the review was that the revenue derived from current fees is no longer sufficient to cover the current or forecasted costs of providing BDMCU products and services. Both memorandum account deficits are forecast to increase sharply over the next few years if there is no adjustment in fee levels.

Objectives

16. The Department considered a number of options when reviewing fee levels, with the objectives of ensuring that the proposed fees:
• appropriately meet the production, supply, and maintenance costs of BDMCU products and services;
• ensure costs fall more directly on those using services e.g. those using independent celebrants or choosing to access other services or products;
• reduce the memorandum account deficits by 2019/20 when fees are next due to be reviewed;
• meet the Department’s costs in maintaining a register of active celebrants;
• encourage relatively inactive celebrants to withdraw from the market with the introduction of registration and renewal fees;
• maintain the separation of Crown-funded services (e.g. the registration of life events) and user-pay products; and
• continue to allow the Department to support current services and invest in technology to improve digital services, reducing the compliance costs for those services in the future.
17. The proposed fees (attached at Appendix A) have been prepared in accordance with the Office of the Auditor General’s (the OAG) principles for setting fees and the Treasury Guidelines for Setting Charges in the Public Sector.\(^2\) The OAG notes that authority, efficiency and accountability are the three principles to be incorporated in fee-setting decisions. The Treasury guidelines focus on: efficient resource allocation; minimising transaction costs; equity among those that give rise to costs; and reducing costs.

18. The cost to replace the IT systems will be recovered by including the associated depreciation and capital charge costs in the costs to recover from the fee review. This is in line with the OAG and the Treasury’s guidelines for setting fees and charges in the public sector.

### Options

19. Three options were subsequently evaluated in detail by the Department:
   - **Status quo**: no change to current fee levels;
   - **Option one**: an equal increase of twenty-seven per cent across all BDMCU products and services fees and a new fee for celebrant registrations;
   - **Option two** (preferred option): a simplified fee structure where similar products and services have identical pricing with fee increases ranging from zero – forty per cent, and a new fee for celebrant registrations.

20. The Department considered that the fee increases proposed under both Options one and two strike a reasonable balance in attempting to fairly cover costs and reduce memorandum account deficits.

21. It was noted that the BDM Other memorandum account does not reach a positive balance under Option one. Whereas under Option two, individual fees more accurately reflect the differences in the cost of producing individual products. As Option two also simplifies the pricing structure for customers, and enables some products to be priced so that they are affordable for all customers, this was the Department’s preferred option.

### Public consultation results

22. On 17 October 2016, Cabinet approved consultation with key stakeholders and the public on the proposed changes to fees. The document *Consultation: Proposed changes to Birth, Death, Marriage and Civil Union Fees* was issued to interested parties and members of the public on 18 October 2016.

23. The consultation period ended on 18 November 2016, with the Department receiving a total of thirty-seven submissions on the proposed changes. Thirty of these submissions (eighty-one per cent) were received from marriage/civil union celebrants.\(^3\) Six submissions were received from genealogists,\(^4\) and one submission was received from a private sector organisation.

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\(^3\) This includes a submission from [redacted].
24. The consultation asked submitters to provide feedback on whether:
   • celebrants should be required to pay an initial appointment and renewal fee;
   • certificate and print out fees should be increased;
   • the Department should consider other options for funding; and
   • they had a preferred option of the three proposed options.

25. Submitters were also encouraged to provide the rationale for their answers.

Celebrant fees

26. The majority of submitters (twenty-six) were in favour of the introduction of initial appointment and renewal fees for celebrants. A variety of reasons were included in the feedback: the most common reasons were that the proposed fees were appropriate as they recognised celebrants as providing a professional service (twelve respondents); and that a fee would discourage inactive celebrants from retaining their celebrant registration status (eight respondents).

27. Seven submitters did not agree with the introduction of celebrants fees, largely because they stated celebrants are providing a public service.

Certificate and Printout fees

28. Twenty-three submitters agreed that certificate and printout fees should be increased. The majority of submitters noted that certificate and printout costs need to cover production costs, and that current fees have not accurately reflected the increase in production costs over time.

29. Fourteen submitters did not agree that certificate and printout fees should be increased. Some of these submitters thought the current fees are sufficient as production processes should be less labour intensive and that technology and system improvements should allow for minimal manual handling.

Options for funding

30. Twelve submitters provided suggestions on other options for funding such as a higher renewal fee for inactive celebrants, and a mandatory requirement for celebrants to be members of the Celebrants’ Association of New Zealand (CANZ).

Submitters agreed with the Department’s preferred Option

31. Thirty-three submitters indicated their preferred option from the three proposed options. Generally, these submitters agreed with the Department’s preferred option, with twenty-three submitters identifying Option two – a simplified fee structure – as their preferred option also. The most common reasons provided were that:

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4 This includes a submission from
this option seemed fair, appropriate, and reasonable as it takes into account the
different effort and costs to deliver various products and services;

• the simple nature of the simplified fee structure is a positive factor; and

• the simplified approach will make it easier for customers to understand.

32. Four submitters preferred the Status Quo option, four submitters chose ‘Other’ as
their preferred option, and two submitters preferred Option one – an equal increase
in all fees.

33. The full submission analysis is available at Appendix B.

34. Taking into account consultation feedback, I propose that the fee increases set out in
Option two be introduced. This was the preferred option of the Department and also
that of submitters to the consultation paper. A summary of proposed fees, compared
to current fees, is available at Appendix A.

Departmental consultation

35. The following agencies were consulted on the content of this Cabinet paper and the
accompanying Regulatory Impact Statement: Accident Compensation Corporation;
The Treasury; Inland Revenue; Ministry of Justice; Statistics NZ; Ministry of Business,
Innovation, and Employment (Immigration); Ministry of Social Development; Ministry
of Health; Ministry of Education; and Te Puni Kōkiri.

36. The Department of the Prime Minister and Cabinet (DPMC) was informed.

37. Agency feedback included agreement that the approach to fees complied with the
Treasury and Auditor-General’s guidelines on fee setting. It was also noted that fee
increases could have a greater impact on low income groups. However, the Ministry of
Social Development expect that the current level of grants is sufficient to meet the
proposed increase in fees.

Financial implications

38. The new schedule of fees is modelled using a simplified fee structure with fee
increases ranging from zero – forty per cent, and the introduction of fees for celebrant
registrations and renewals. Products requiring similar levels of effort to produce, and
holding similar value, have identical fees so that fee levels more accurately reflect the
cost of individual products or services. This option enables the Department to recover
costs, whilst ensuring the individuals are paying the most appropriate fee relative to
the cost of the service provided.

Examples of fee impacts on key products

39. A key product that the Department provides are certificates of BDMCU events which
are often used for evidentiary purposes. Under Option 2:

• fees\(^5\) for certificates would increase from $26.50 to $33.00; and

• fees for decorative certificates would increase from $26.50 to $35.00.

\(^5\) All fees covered in this section are inclusive of GST.
40. The decorative certificate has a slightly higher fee to account for additional design and paper costs.

41. The proposed fee for a printout of any document has been set below cost, as this information is predominately used for family research purposes (not evidentiary purposes). Customers seeking this product tend to be returning customers often ordering multiple printouts for genealogy purposes. For example:

- fees for printouts would change from $20.40 - $26.50, depending on the year of the event on the record, to a standardised fee of $25.00.\(^6\)

42. The proposed fees also give consideration to customers who may otherwise be disproportionately disadvantaged. For example, some products, such as change of name applications and certificates of no impediment, have fees set below cost because the new fees already represent an increase of 40 per cent (with rounding to nearest $5). The products still cost more than the proposed fee, but the Department believes it would not be desirable to increase these further in one step:

- fees for a change of name application would increase from $127.50 to $170.00; and
- fees for applying for a certificate of no impediment for a marriage or a civil union would increase from $122.60 to $170.00.

\textit{Impact on memorandum accounts}

43. Tables 1 and 2 below provide the forecasted revenue and expenditure for BDMCU products and services, and the impacts on the memorandum accounts based on the proposed new schedule of fees.

\textbf{Table 1: Projected impact of the proposed new fees on the BDM Other memorandum account deficit ($million)}

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<tbody>
<tr>
<td>Memo account opening</td>
<td>-0.359</td>
<td>-1.148</td>
<td>-1.969</td>
<td>-0.742</td>
<td>0.283</td>
<td>0.409</td>
</tr>
<tr>
<td>Change in memo a/c bal.</td>
<td>-0.789</td>
<td>-0.821</td>
<td>1.227</td>
<td>1.026</td>
<td>0.126</td>
<td>0.120</td>
</tr>
<tr>
<td>Memo a/c closing balance</td>
<td>-1.148</td>
<td>-1.969</td>
<td>-0.742</td>
<td>0.283</td>
<td>0.409</td>
<td>0.529</td>
</tr>
</tbody>
</table>

\(^6\) Current fees for printouts are $26.50 for records between the years 1848 – 1874, and $20.40 for records where the event occurred post 1874.

\(^7\) Including overheads.
Table 2: Projected impact of the proposed new fees on the Marriages memorandum account deficit ($million)

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<tr>
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</thead>
<tbody>
<tr>
<td>Memo account opening</td>
<td>-0.609</td>
<td>-0.716</td>
<td>-1.108</td>
<td>-0.698</td>
<td>-0.101</td>
<td>0.019</td>
</tr>
<tr>
<td>Revenue</td>
<td>3.156</td>
<td>3.034</td>
<td>3.792</td>
<td>3.777</td>
<td>3.762</td>
<td>3.747</td>
</tr>
<tr>
<td>Expenditure(^{a})</td>
<td>3.263</td>
<td>3.426</td>
<td>3.382</td>
<td>3.180</td>
<td>3.642</td>
<td>3.622</td>
</tr>
<tr>
<td>Change in memo a/c bal.</td>
<td>-0.106</td>
<td>-0.392</td>
<td>0.410</td>
<td>0.597</td>
<td>0.120</td>
<td>0.125</td>
</tr>
<tr>
<td>Memo a/c closing balance</td>
<td>-0.716</td>
<td>-1.108</td>
<td>-0.698</td>
<td>-0.101</td>
<td>0.019</td>
<td>0.144</td>
</tr>
</tbody>
</table>

Legislative implications

44. I seek agreement to issue drafting instructions to Parliamentary Counsel to set the new schedules of fees under the three affected fee regulations: Births, Deaths, Marriages, and Relationships Registration (Fees) Regulations 1995; Marriage (Fees) Regulations 1995; and Civil Union (Prescribed Information, Fees and Forms) Regulations 2005.

45. These regulations are associated with the following Acts: the Births, Deaths, Marriages, and Relationships Registration Act 1995; Marriage Act 1955; and Civil Union 2004. The regulations will not come into effect until 28 days after they have been notified in the New Zealand Gazette.

Regulatory Impact Analysis

46. Regulatory Impact Analysis requirements apply to the proposal in this paper. A Regulatory Impact Statement (RIS) has been prepared and is attached to this paper. The Department’s RIS panel has reviewed the RIS prepared by the Department and found that it meets the quality assurance criteria.

Publicity and engagement

47. Subject to gaining Cabinet approval, I intend to make a timely announcement about the setting of new BDMCU products and services fees in regulations to support a transparent and efficient transition to the new fee schedule. The Department will also engage with key stakeholders and those individuals and groups who engaged in the consultation process to ensure they are aware of future fee changes.

48. The Department will also monitor the impact of the introduction of celebrant registration and renewal fees on the number of registered celebrants, which may affect future fee levels. Regularly reviewing of fee levels on a three yearly cycle, using an open book approach, will also provide transparency to the public and key stakeholders and allow for future adjustments to fee levels if required.

49. It is intended that the proposed new fees regulations would come into effect on or after 1 April 2017, subject to the timing of the drafting of relevant regulations.

50. I intend to proactively release this Cabinet paper, subject to any redactions that would be justified as if the information had been requested under the Official Information Act 1982 [CO Notice (09) 5]. This release would be timed to align with the public announcement of new BDMCU fees.

\(^{a}\) Including overheads.
Human rights

Recommendations

52. The Minister of Internal Affairs recommends that the Cabinet Economic Growth and Infrastructure Committee:

1. note that Cabinet invited me to report back to the Cabinet Economic Growth and Infrastructure Committee on the outcome of the public consultation on proposed changes to births, deaths, marriages, and civil union (BDMCU) products and services fees; and also invited me to seek approval for new fee regulations, if appropriate [EGI-16-Min-0255];

2. note that the Department received thirty-seven submissions on the proposed changes during the consultation period (18 October – 18 November 2016);

3. note that the majority of the submitters supported the fee increases and new fees for celebrants with:

   3.1 Seventy-nine per cent of submitters agreeing that celebrants should pay an initial appointment and annual renewal fee;

   3.2 Sixty-two per cent of submitters supporting an increase in BDMCU fees; and

   3.3 Seventy per cent of submitters, who provided a preferred option, preferring Option two (the Department’s preferred option);

4. approve the new schedules of proposed BDMCU fees in the table at Appendix A to be set in regulation;

5. note it is intended for the new births, deaths, marriages, and civil union products and services fees to come into effect on or after 1 April 2017;

6. invite the Minister of Internal Affairs to issue drafting instructions for setting the BDMCU fees in Appendix A in regulations under the: Births, Deaths, Marriages, and Relationships Registration Act (BDMRRA) 1995; Marriage Act 1955; and Civil Union Act 2004;

7. note that I intend to make an announcement about the setting of new BDMCU products and services fees in regulations to support a transparent and efficient transition to the new schedules;

8. note the Department intends to publish a summary of the results of the consultation based on the information at Appendix B; and

9. note that I intend to proactively release this Cabinet paper subject to consideration of any redaction that would be justified if the information had been requested under the Official Information Act 1982.

Authorised for lodgement

Hon Peter Dunne
Minister of Internal Affairs
## Appendix A: Schedules of current and proposed fees (GST inclusive)

<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>Fees under Births, Deaths, Marriages, and Relationships Registration (Fees) Regulations 1995</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Search in respect of event under 1 name for a given year (plus year either side)</td>
<td>15.30</td>
<td>25.00</td>
</tr>
<tr>
<td>2. Continuation of search at the same time for each event under 1 name for each additional year</td>
<td>1.00</td>
<td>1.00</td>
</tr>
<tr>
<td>3. Inspection of any document</td>
<td>20.40</td>
<td>25.00</td>
</tr>
<tr>
<td>4. Copy of any document</td>
<td>20.40</td>
<td>25.00</td>
</tr>
<tr>
<td>5. Electronic printout of any document –</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• From years 1848 to 1874</td>
<td>26.50</td>
<td>25.00</td>
</tr>
<tr>
<td>• Post 1874</td>
<td>20.40</td>
<td>25.00</td>
</tr>
<tr>
<td>6. Certificate other than a decorative certificate</td>
<td>26.50</td>
<td>33.00</td>
</tr>
<tr>
<td>7. Decorative certificate</td>
<td>26.50</td>
<td>35.00</td>
</tr>
<tr>
<td>8. Certificate and decorative certificate (if available) for the same birth, death, marriage, or civil union if both certificates are requested in the same application</td>
<td>39.80</td>
<td>55.00</td>
</tr>
<tr>
<td>9. Certified copy of deed poll</td>
<td>20.40</td>
<td>25.00</td>
</tr>
<tr>
<td>10. Change of child’s name within 2 years of birth</td>
<td>51.10</td>
<td>55.00</td>
</tr>
<tr>
<td>11. Change of name</td>
<td>127.70</td>
<td>170.00</td>
</tr>
<tr>
<td>12. Change of name in relation to marriage or civil union</td>
<td>46.00</td>
<td>55.00</td>
</tr>
<tr>
<td>13. Recording additional information in relation to sexual assignment or reassignment</td>
<td>51.10</td>
<td>55.00</td>
</tr>
<tr>
<td>14. Verification of death of adopted person, adoptive parents, or adopted person’s natural parents</td>
<td>81.70</td>
<td>55.00</td>
</tr>
<tr>
<td>15. Deposit of overseas death certificate</td>
<td>50.00</td>
<td>55.00</td>
</tr>
<tr>
<td>16. Statement of recorded information about an overseas death</td>
<td>26.50</td>
<td>25.00</td>
</tr>
<tr>
<td>17. Verification when correct year given of information contained in an entry</td>
<td>26.50</td>
<td>25.00</td>
</tr>
<tr>
<td><strong>Fees under the Marriage (Fees) Regulations 1995</strong></td>
<td></td>
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</tr>
<tr>
<td>18. For every notice of a marriage (to be solemnised by a marriage celebrant)</td>
<td>122.60</td>
<td>150.00</td>
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<tr>
<td>--------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>19. For every notice of a marriage and solemnisation of marriage by a registrar</td>
<td>173.70 GST Incl.</td>
<td>240.00 GST Incl.</td>
</tr>
<tr>
<td>20. Applying for a certificate of no impediment to marry⁹</td>
<td>122.60 GST Incl.</td>
<td>170.00 GST Incl.</td>
</tr>
<tr>
<td>21. Additional fee in respect of a marriage celebrated by a registrar outside normal hours</td>
<td>51.10 GST Incl.</td>
<td>55.00 GST Incl.</td>
</tr>
<tr>
<td>22. Lodgement of caveat</td>
<td>51.40 GST Incl.</td>
<td>55.00 GST Incl.</td>
</tr>
<tr>
<td>23. Application for appointment as an independent celebrant (unless a fee to be appointed as a civil union celebrant has already been paid)</td>
<td>n/a GST Incl.</td>
<td>220.00 GST Incl.</td>
</tr>
<tr>
<td>24. Application for appointment as a celebrant of an approved organisation</td>
<td>n/a GST Incl.</td>
<td>150.00 GST Incl.</td>
</tr>
<tr>
<td>25. Application to renew registration as an independent celebrant (unless a fee has already been paid to renew registration as a civil union celebrant)</td>
<td>n/a GST Incl.</td>
<td>60.00 GST Incl.</td>
</tr>
<tr>
<td>26. Application to renew registration as a celebrant of an approved organisation (unless a fee has already been paid to renew registration as a civil union celebrant)</td>
<td>n/a GST Incl.</td>
<td>30.00 GST Incl.</td>
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**Fees under Civil Union (Prescribed Information, Fees, and Forms) Regulations 2005**

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<tr>
<td>27. Giving notice of intended civil union (including change of form of relationship from marriage) to be solemnised by a celebrant or exempt body</td>
<td>122.60 GST Incl.</td>
<td>150.00 GST Incl.</td>
</tr>
<tr>
<td>28. Giving notice of intended civil union (including change of form of relationship from marriage) and solemnisation of civil union by Registrar</td>
<td>173.70 GST Incl.</td>
<td>240.00 GST Incl.</td>
</tr>
<tr>
<td>29. Applying for a certificate of no impediment to civil union</td>
<td>122.60 GST Incl.</td>
<td>170.00 GST Incl.</td>
</tr>
<tr>
<td>30. Additional fee for a Registry Office civil union solemnised outside normal hours</td>
<td>51.10 GST Incl.</td>
<td>55.00 GST Incl.</td>
</tr>
<tr>
<td>31. Lodging notice of objection to proposed civil union (including a notice lodged together with a caveat against the marriage of the person)</td>
<td>51.10 GST Incl.</td>
<td>55.00 GST Incl.</td>
</tr>
<tr>
<td>32. Application for appointment as a civil union celebrant (unless a fee to be appointed as independent or approved organisational celebrant has already been paid)</td>
<td>n/a GST Incl.</td>
<td>220.00 GST Incl.</td>
</tr>
<tr>
<td>33. Application to renew registration as a civil union celebrant (unless a fee has already been paid to renew registration as a civil union or approved organisational celebrant)</td>
<td>n/a GST Incl.</td>
<td>60.00 GST Incl.</td>
</tr>
</tbody>
</table>

⁹This product was previously called ‘For every notice under section 41 of the Act (overseas marriage)’. Wording has been changed for consistency with the matching product that is offered for civil unions (No. 29, Appendix A).
Appendix B: Submission analysis results of consultation on increases to fees

Proposed changes to Birth, Death, Marriage and Civil Union fees: Submission analysis

The Department released the discussion document “Consultation: Proposed changes to birth, death, marriage and civil union fees” on 18 October 2016 which outlined the proposed changes to birth, death, marriage, and civil union (BDMCU) products and services fees. The discussion document set out the rationale for the fee changes, and asked submitters the following questions:

1. How will these proposals affect you?
2. Do you think that celebrants should be required to pay a fee for their initial appointment and annual renewal, rather than these costs being covered by those applying for marriage/civil union licences? Why should or shouldn’t celebrants be required to pay a fee?
3. Do you think certificate and printout fees should be increased? Tell us the reason for your answer.
4. Are there other options for funding that we have not considered? If so, what are they?
5. Of the three proposed options, which do you prefer? Why do you prefer that option?
6. Any other comments?

Submissions were made through the Government Online E-Consultation System between 18 October and 18 November 2016. A total of thirty-seven submissions were received. The majority of submissions were made by marriage/civil union celebrants (see Table 1) who would be impacted by the proposal to introduce new appointment and renewal fees. Further analysis and commentary on specific questions is provided below.

Table 1: Type of submitter

<table>
<thead>
<tr>
<th>Group</th>
<th>Total responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Genealogist</td>
<td>6</td>
</tr>
<tr>
<td>Marriage / civil union celebrant</td>
<td>30</td>
</tr>
<tr>
<td>Other</td>
<td>1</td>
</tr>
</tbody>
</table>

Some individual submitters associate themselves with more than one group and the submitters’ primary identification has been included in the table.
1. How will these proposals affect you?

All submitters acknowledged that the proposed changes would have a financial effect on them.

<table>
<thead>
<tr>
<th>2. Do you think that celebrants should be required to pay a fee for their initial appointment and annual renewal, rather than these costs being covered by those applying for marriage/civil union licences?</th>
<th>Yes</th>
<th>No</th>
<th>Not specified</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>26</td>
<td>7</td>
<td>4</td>
<td>37</td>
<td></td>
</tr>
</tbody>
</table>

- Generally, submitters were in favour of the introduction of fees for marriage and civil union celebrants, for both the initial appointment and annual renewal. A variety of reasons were included in the feedback from twenty-six responses:
  - Twelve submitters in favour of the introduction of fees indicated the proposed fees as appropriate and overdue as it recognises celebrants as providing a professional service and that many celebrants currently charge for their services;
  - Eight submitters in favour of the introduction of fees thought the proposed fees would discourage inactive celebrants to retain their celebrant registration and be a deterrent for those applying for one-off ceremonies;
  - Six submitters in favour of the introduction of fees thought the proposed fees should be covered by service users (the couple themselves);
  - Two submitters in favour of the introduction of fees thought the proposed fees are too low; and
  - Two submitters in favour of the introduction of fees thought that proposed fees would cover costs.

- Two submitters provided additional suggestions:
  - That the proposed fees for approved organisations should be the same as those proposed for independent celebrants; and

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11 Responses included more than one reason for why the submitter thought that celebrants should be required to pay an initial appointment and annual renewal fee.
That there should be a remission of renewal fees in cases of hardship or ill health.

- Seven submitters did not agree with the introduction of celebrant fees:
  - Three submitters noted that celebrants are providing a public service. They stated that they are not charging to provide their celebrant service or they are charging a nominal fee to help couples on low incomes, and incur the additional cost of paying for their professional development;
  - Two submitters indicated that celebrants should charge a fee and that fees to the couples would increase consequently. (One submitter being concerned that an increase in fees for couples will mean they will choose cheaper and ‘less professional’ options);
  - One submitter noted the cost of celebrant administration should be covered by couples applying for marriage or civil union licences; and
  - One submitter indicated that celebrants are providing a service on behalf of the Department and should therefore be paid by the Department.

### 3. Do you think certificate and printout fees should be increased?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Not specified</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>23</td>
<td>14</td>
<td>0</td>
<td>37</td>
</tr>
</tbody>
</table>

Tell us the reason for your answer.

- Twenty-three of the thirty seven submitters agreed that certificate and printout fees should be increased.
  - The majority noted that certificate and printout costs need to cover production costs, and that current fees have not accurately reflected the increase in production costs over time. Of those, five submitters specifically mention that users should pay for these services; and two submitters specifically cite that costs need to match inflation;
  - Three submitters recommended that regular reviews and gradual increases would be appropriate; and
  - One submitter noted that the proposed costs are reasonable and would allow for future service upgrades.

- A total of fourteen submitters did not agree with an increase to certificate and printout fees. Some commonalities included that the process would not be any more labour intensive in the future, and that technology and system improvements should allow for minimal manual handling.
  - Three submitters did not agree with the increase in fees as they identified that the current fees were already expensive and customers with a limited income cannot afford an increase;
o Three submitters did not agree with the increase in fees as they were unsure of the justification, but would support a proposed increase in fees if production costs have increased; and

o One submitter did not agree with an increase in fees as although certificate fees could increase, the cost of print-outs should decrease.

- Additionally, three submitters recommended that customers should receive a certificate as part of the marriage licence fee.

<table>
<thead>
<tr>
<th>4. Are there other options for funding that we have not considered?</th>
<th>Genealogists</th>
<th>Marriage / civil union celebrants</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>If so, what are they?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Response provided</td>
<td>1</td>
<td>10</td>
<td>1</td>
<td>12</td>
</tr>
<tr>
<td>Not specified</td>
<td>5</td>
<td>20</td>
<td>0</td>
<td>25</td>
</tr>
<tr>
<td>Total</td>
<td>6</td>
<td>30</td>
<td>1</td>
<td>37</td>
</tr>
</tbody>
</table>

- There were twelve responses to this question, which included suggestions such as:
  o Introducing a realistic charge for registry office marriages and civil union ceremonies;
  o A higher renewal fee for inactive celebrants;
  o Introducing a fee for specified religious bodies and approved organisations in addition to individual celebrant appointment fees;
  o Mandatory requirement for all celebrants to be members of CANZ;
  o A subsidised celebrant fee for CANZ members;
  o Regular and formal training for celebrants; and
  o For the Department to monitor regular training of celebrants.

<table>
<thead>
<tr>
<th>5. Of the three proposed options, which do you prefer?</th>
<th>Status quo</th>
<th>Option one</th>
<th>Option two (the Department’s preferred option)</th>
<th>Other</th>
<th>Not specified</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Why do you prefer that option?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>2</td>
<td>23</td>
<td>4</td>
<td>4</td>
<td>37</td>
</tr>
</tbody>
</table>
## Preferred option based on submitter group

<table>
<thead>
<tr>
<th>Preferred option based on submitter group</th>
<th>Status quo</th>
<th>Option one</th>
<th>Option two (the Department’s preferred option)</th>
<th>Other</th>
<th>Not specified</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Genealogists</td>
<td>1</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Marriage / civil union celebrants</td>
<td>3</td>
<td>2</td>
<td>19</td>
<td>4</td>
<td>2</td>
<td>30</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>4</td>
<td>2</td>
<td>23</td>
<td>4</td>
<td>4</td>
<td>37</td>
</tr>
</tbody>
</table>

- Generally, submitters agreed with the Department’s preferred option, with twenty-three submissions identifying Option two – a simplified fee structure – as their preferred option also.\(^\text{12}\)

- The majority of submitters who prefer the status quo option did so on the grounds that the proposed increase in fees was not justified. Their reasons included that celebrants have a modest and uncertain income, celebrants provide a service for the Department, and the Department is already funded by taxes.

- The most common reason provided by submitters who preferred Option two was that this option seemed fair, appropriate, and reasonable as it takes into account the different effort and costs to deliver various products and services.
  - Six submitters commented that the simple nature of the simplified fee structure is a positive factor; and
  - Five identified that the simplified approach will make it easier for customers to understand.

- Three of the four submitters who preferred ‘Other’ as an option, did not agree with the proposed celebrant fees as these were either not justified, not high enough, or the annual renewal (and associated renewal fee) is too frequent. The fourth submitter recommended raising the certificate fee only for certificates less than fifty years old.

The Department has considered all feedback and has noted the submitters’ concerns.

\(^{12}\) Seventy per cent of submitters, who provided their preferred option, preferred Option two (twenty-three of thirty-three submitters).