



Queensland

Relationships (Civil Partnerships) and Other Legislation Amendment Regulation (No. 1) 2016

Subordinate Legislation 2016 No. 15

made under the

Births, Deaths and Marriages Registration Act 2003

Relationships Act 2011

Personal Injuries Proceedings Act 2002

Queensland Civil and Administrative Tribunal Act 2009

Rural and Regional Adjustment Act 1994

Workers' Compensation and Rehabilitation Act 2003

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Relationships (Civil Partnerships) and Other Legislation Amendment Regulation (No. 1) 2016*.

2 Commencement

This regulation commences on 22 March 2016.

Part 2 Amendment of Births, Deaths and Marriages Registration Regulation 2015

3 Regulation amended

This part amends the *Births, Deaths and Marriages Registration Regulation 2015*.

4 Amendment of s 14 (Information and documents for registering events in register—Act, ss 41, 41D and 41E)

Section 14(1)(d), ‘registered relationship’—
omit, insert—
civil partnership

5 Amendment of s 15 (Particulars for registration of registered relationship—Act, s 25B)

(1) Section 15, heading, ‘registered relationship’—
omit, insert—

civil partnership

- (2) Section 15(a), ‘registered relationship’—

omit, insert—

civil partnership

- (3) Section 15—

insert—

- (f) for a civil partnership entered into under the
Civil Partnerships Act 2011, section 6(b)—

(i) the date and place the parties made the
declaration of civil partnership; and

(ii) the name and registration number of
the civil partnership notary before
whom the parties made the declaration.

**6 Amendment of s 18 (Information that may be obtained
from register—Act, s 44)**

- (1) Section 18(3)(e) and (5)(a), ‘registered relationship’—

omit, insert—

civil partnership

- (2) Section 18(3)(f)—

omit.

**7 Amendment of s 19 (Information to be contained in
commemorative birth certificate)**

Section 19(1), ‘time’—

omit, insert—

date

8 Amendment of s 22 (Information to be contained in commemorative registered relationship certificate)

(1) Section 22, heading, ‘registered relationship’—

omit, insert—

civil partnership

(2) Section 22(1), ‘registered relationship’—

omit, insert—

civil partnership

(3) Section 22(1), from ‘, to the extent’ to ‘entry in the register’—

omit.

(4) Section 22(2)—

omit, insert—

(2) For a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b), the following information is to be contained in a commemorative civil partnership certificate in addition to the information mentioned in subsection (1)—

(a) the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect;

(b) the place the parties made the declaration of civil partnership;

(c) the name of the civil partnership notary before whom the parties made the declaration.

(3) Subsections (1) and (2) apply to information to the extent the information is recorded in, or able to be worked out from, the entry in the register.

9 Amendment of s 24 (Information to be contained in registered relationship extract)

- (1) Section 24, heading, ‘registered relationship’—

omit, insert—

civil partnership

- (2) Section 24(1), ‘registered relationship’—

omit, insert—

civil partnership

- (3) Section 24(1)(d), ‘*Relationships*’—

omit, insert—

Civil Partnerships

- (4) Section 24(2)—

omit, insert—

- (2) For a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b), the following information is to be contained in a civil partnership extract in addition to the information mentioned in subsection (1)—

- (a) the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect;
- (b) the place the parties made the declaration of civil partnership;
- (c) the name of the civil partnership notary before whom the parties made the declaration.

10 Amendment of pt 8, hdg (Transitional provision)

Part 8, heading, ‘provision’—

omit, insert—

provisions

11 Insertion of new pt 8, div 1, hdg

Before section 29—

insert—

**Division 1 Transitional provision for
Births, Deaths and
Marriages Regulation 2015
SL No. 81**

12 Insertion of new pt 8, div 2

After section 29—

insert—

**Division 2 Transitional provision for
Relationships (Civil
Partnerships) and Other
Legislation Amendment
Regulation (No. 1) 2016**

30 Civil partnerships under former provisions

- (1) A reference in section 15, 22 or 24 or schedule 1 or 2 to the *Civil Partnerships Act 2011*, section 6(b) or 13(2) includes a reference to the provision as in force immediately before the commencement of the *Civil Partnerships and Other Legislation Amendment Act 2012*.
- (2) A reference in schedule 1 or 2 to the *Civil Partnerships Act 2011*, section 6(a) includes—
 - (a) a reference to the provision as in force immediately before the commencement of the *Civil Partnerships and Other Legislation Amendment Act 2012*; and

- (b) a reference to the *Civil Partnerships Act 2011*, section 6 as in force immediately before the commencement of the *Relationships (Civil Partnerships) and Other Acts Amendment Act 2015*.

13 Amendment of sch 1 (Application information)

- (1) Schedule 1, part 1, items 3, 4, 5 and 8 and part 3, items 1, 2 and 5, ‘time’—

omit, insert—

date

- (2) Schedule 1, part 1, item 7—

omit, insert—

7 If the child’s parents are in a civil partnership with each other—

- (a) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(a)—the date and place the civil partnership was registered; or

- (b) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—

- (i) the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect; and

- (ii) the place the parents made the declaration of civil partnership; or

- (c) for a civil partnership taken to be to be registered as a civil partnership under the *Civil Partnerships Act 2011*, section 33—the date and place the civil partnership was entered into under the relevant corresponding law.

- (3) Schedule 1, part 3, item 3, ‘registered relationship’—

omit, insert—

civil partnership

- (4) Schedule 1, part 3, item 3(a), ‘registered partner’—

omit, insert—

civil partner

- (5) Schedule 1, part 3, items 3(b) and (c)—

omit, insert—

- (b) the deceased person's age at—

(i) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(a)—the date the civil partnership was registered; or

(ii) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect; or

(iii) for a relationship taken to be registered as a civil partnership under the *Civil Partnerships Act 2011*, section 33—the date the civil partnership was entered into under the relevant corresponding law; and

- (c) the place—

(i) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(a)—the civil partnership was registered; or

(ii) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—the deceased person made the declaration of civil partnership; or

(iii) for a relationship taken to be registered as a civil partnership under the *Civil Partnerships Act 2011*, section 33—the civil partnership was entered into under the relevant corresponding law.

- (6) Schedule 1, part 4, heading, 'Registered relationships'—

omit, insert—

Civil partnerships

- (7) Schedule 1, part 4, item 1(e), 'registered relationship'—

omit, insert—

civil partnership

14 Amendment of sch 2 (Information for certificates)

- (1) Schedule 2, part 1, items 3 to 6 and part 4, items 1, 2, and 5, ‘time’—
omit, insert—
date
- (2) Schedule 2, part 4, item 1(h), ‘registered relationship’—
omit, insert—
civil partnership
- (3) Schedule 2, part 4, item 3, ‘registered relationship’—
omit, insert—
civil partnership
- (4) Schedule 2, part 4, item 3(a), ‘registered partner’—
omit, insert—
civil partner
- (5) Schedule 2, part 4, items 3(b) and (c)—
omit, insert—
 - (b) the deceased person’s age at—
 - (i) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(a)—the date the civil partnership was registered; or
 - (ii) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect; or
 - (iii) for a relationship taken to be registered as a civil partnership under the *Civil Partnerships Act 2011*, section 33—the date the civil partnership was entered into under the relevant corresponding law; and
 - (c) the place—

- (i) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(a)—the civil partnership was registered; or
 - (ii) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—the deceased person made the declaration of civil partnership; or
 - (iii) for a relationship taken to be registered as a civil partnership under the *Civil Partnerships Act 2011*, section 33—the civil partnership was entered into under the relevant corresponding law.
- (6) Schedule 2, part 5, heading, ‘Registered relationships’—
omit, insert—

Civil partnerships

- (7) Schedule 2, part 5, item 1(e), ‘registered relationship’—
omit, insert—
civil partnership
- (8) Schedule 2, part 5—
insert—

- 8 For a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—
- (a) the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect; and
 - (b) the place the parties made the declaration of civil partnership; and
 - (c) the name of the civil partnership notary before whom the parties made the declaration.

18 Amendment of s 4 (Registered relationships under corresponding laws—Act, s 33)

(1) Section 4, heading, ‘Registered relationships’—

omit, insert—

Civil partnerships

(2) Section 4(1), ‘the Act, section 33(2)’—

omit, insert—

section 33(2) of the Act

(3) Section 4(1)(d)—

omit, insert—

(d) *Domestic Relationships Act 1994* (ACT).

(4) Section 4(2), ‘the Act, section 33(1)’—

omit, insert—

section 33(1) of the Act

(5) Section 4(2), ‘as a registered relationship’—

omit, insert—

as a civil partnership

(6) Section 4(2)(d), ‘*Civil Partnerships Act 2008*’—

omit, insert—

Domestic Relationships Act 1994

19 Insertion of new pt 3, hdg

After section 4—

insert—

Part 3

**Fees and annual
returns**

20 Amendment of s 5 (Fee for application for termination—Act, s 15)

- (1) Section 5, heading, ‘application for termination’—

omit, insert—

termination application

- (2) Section 5, ‘the Act, section 15(2)(b)’—

omit, insert—

section 15(2)(b) of the Act

21 Insertion of new ss 6 and 7

After section 5—

insert—

6 Application fee for registration of civil partnership notary—Act, s 20

For section 20(2)(b) of the Act, the application fee prescribed is \$140.

7 Annual registration fee and annual return for civil partnership notary—Act, s 20A

- (1) For section 20A(1)(a) of the Act—

(a) the annual registration fee prescribed is \$140; and

(b) the day prescribed for giving the registrar the annual registration fee is the anniversary day of the person’s registration.

- (2) For section 20A(1)(b) of the Act, the day prescribed for giving the registrar an annual return is the anniversary day of the person’s registration.

- (3) In this section—

anniversary day, of a person’s registration, means the day in each year that is the anniversary of the

person's registration under section 20 of the Act.

Part 4 Consequential amendments

22 Regulations amended in sch 1

Schedule 1 amends the regulations it mentions.

Schedule 1 Consequential amendments

section 22

Personal Injuries Proceedings Regulation 2014

1 Section 3(7)(a)(iii)(B)—

omit, insert—

- (B) if the claimant and the injured person were in a civil partnership—the date the civil partnership had effect and the place of registration; or

2 Section 3(7)(b)(ii)(B), ‘registered relationship’—

omit, insert—

civil partnership

Queensland Civil and Administrative Tribunal Regulation 2009

1 Schedule 1, part 1, ‘Relationships’—

omit, insert—

Civil Partnerships

Rural and Regional Adjustment Regulation 2011

1 Schedule 25, part 1, section 4(2)(a), ‘registered relationship’—

omit, insert—

civil partnership

Workers’ Compensation and Rehabilitation Regulation 2014

1 Section 124(2), definition *relevant date*, paragraph (b)—

omit, insert—

(b) the date the civil partnership had effect; or

2 Section 124(2), definition *relevant place*, paragraphs (b) and (c)—

omit, insert—

(b) the place of registration of the civil partnership; or

3 Section 124(2), definition *relevant place*, paragraph (d)—

renumber as paragraph (c).

ENDNOTES

- 1 Made by the Governor in Council on 10 March 2016.
- 2 Notified on the Queensland legislation website on 11 March 2016.
- 3 The administering agency is the Department of Justice and Attorney-General.

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