



Queensland

# **Civil Partnerships and Other Legislation Amendment Bill 2012**





Queensland

# Civil Partnerships and Other Legislation Amendment Bill 2012

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25	Powers of Attorney Act 1998 .....	42
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# 2012

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## A Bill

for

**An Act to amend the *Civil Partnerships Act 2011*, the *Civil Partnerships Regulation 2012*, the *Births, Deaths and Marriages Registration Act 2003*, the *Births, Deaths and Marriages Registration Regulation 2003*, the *Corrective Services Act 2006*, the *Duties Act 2001*, the *Governors (Salary and Pensions) Act 2003* and the *Succession Act 1981* for particular purposes, and to make consequential amendments of the legislation mentioned in the schedule**

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[s 1]

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**The Parliament of Queensland enacts—** 1

**Part 1 Preliminary** 2

**Clause 1 Short title** 3

This Act may be cited as the *Civil Partnerships and Other  
Legislation Amendment Act 2012*. 4  
5

**Part 2 Amendment of Civil Partnerships Act 2011** 6  
7

**Clause 2 Act amended** 8

This part amends the *Civil Partnerships Act 2011*. 9

**Clause 3 Amendment of long title** 10

Long title, ‘civil partnerships’— 11

*omit, insert—* 12

‘registered relationships’. 13

**Clause 4 Amendment of s 1 (Short title)** 14

Section 1, ‘*Civil Partnerships*’— 15

*omit, insert—* 16

‘*Relationships*’. 17

**Clause 5 Replacement of pt 2, hdg (Civil partnerships)** 18

Part 2, heading— 19

---

*omit, insert—*

1

**‘Part 2 Registered relationships’.**

2

**Clause 6 Amendment of s 4 (Civil partnerships—general)**

3

(1) Section 4, heading, ‘Civil partnerships’—

4

*omit, insert—*

5

**‘Registered relationships’.**

6

(2) Section 4, ‘civil partnership’—

7

*omit, insert—*

8

‘registered relationship’.

9

(3) Section 4(2), note, ‘court order’—

10

*omit, insert—*

11

‘registration of a termination application’.

12

**Clause 7 Amendment of s 5 (Eligibility criteria)**

13

(1) Section 5, ‘civil partnership’—

14

*omit, insert—*

15

‘registered relationship’.

16

(2) Section 5, ‘civil partner’—

17

*omit, insert—*

18

‘registered partner’.

19

**Clause 8 Amendment of pt 2, div 3, hdg (Entering into civil partnerships)**

20

21

Part 2, division 3, heading, ‘civil partnerships’—

22

*omit, insert—*

23

**‘registered relationships’.**

24

[s 9]

---

<b>Clause 9</b>	<b>Replacement of s 6 (How civil partnership is entered into)</b>	1
	Section 6—	2
	<i>omit, insert—</i>	3
<b>‘6</b>	<b>How registered relationship is entered into</b>	4
	‘Two adults who are in a relationship as a couple, regardless of their sex, and who meet the eligibility criteria mentioned in section 5, may enter into a registered relationship by having their relationship registered under section 9(1)(a).’	5 6 7 8
	<i>Note—</i>	9
	The registrar must enter particulars of a registered relationship entered into under this Act in the register under the <i>Births, Deaths and Marriages Registration Act 2003</i> , part 5A.’.	10 11 12
<b>Clause 10</b>	<b>Amendment of s 7 (Application for registration)</b>	13
	(1) Section 7(1) and (2), ‘civil partnership’—	14
	<i>omit, insert—</i>	15
	‘registered relationship’.	16
	(2) Section 7(1), ‘section 6(a)’—	17
	<i>omit, insert—</i>	18
	‘section 6’.	19
<b>Clause 11</b>	<b>Amendment of s 8 (Cooling-off period—application for registration)</b>	20 21
	(1) Section 8, heading, ‘Cooling-off’—	22
	<i>omit, insert—</i>	23
	<b>‘Registration’.</b>	24
	(2) Section 8, ‘cooling-off’—	25
	<i>omit, insert—</i>	26
	‘registration’.	27

---

<b>Clause 12</b>	<b>Amendment of s 9 (Decision on application)</b>	1
	(1) Section 9(1), ‘cooling-off’—	2
	<i>omit, insert—</i>	3
	‘registration’.	4
	(2) Section 9, ‘civil partnership’—	5
	<i>omit, insert—</i>	6
	‘registered relationship’.	7
	(3) Section 9(2), note, ‘pt 5A’—	8
	<i>omit, insert—</i>	9
	‘part 5A’.	10
<b>Clause 13</b>	<b>Omission of ss 10-12</b>	11
	Sections 10 to 12—	12
	<i>omit.</i>	13
<b>Clause 14</b>	<b>Replacement of s 13 (When civil partnership has effect)</b>	14
	Section 13—	15
	<i>omit, insert—</i>	16
<b>‘13</b>	<b>When registered relationship takes effect</b>	17
	‘A registered relationship takes effect when the registrar registers the relationship under section 9(1)(a).’.	18
		19
<b>Clause 15</b>	<b>Amendment of s 14 (How civil partnership is terminated)</b>	20
	(1) Section 14, heading, ‘civil partnership’—	21
	<i>omit, insert—</i>	22
	<b>‘registered relationship’.</b>	23
	(2) Section 14, ‘civil partnership’—	24
	<i>omit, insert—</i>	25

[s 16]

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‘registered relationship’.

(3) Section 14(2)—

*omit, insert—*

‘(2) A registered relationship may also be terminated under section 19.’.

**Clause 16 Replacement of ss 15–19**

Sections 15 to 19—

*omit, insert—*

**‘15 Application for termination**

‘(1) One or both parties to a registered relationship may apply to the registrar to terminate the relationship (a ***termination application***).

‘(2) The termination application must be in the approved form and accompanied by—

(a) a statutory declaration by the applicant or, if more than 1 applicant, each of the applicants stating that the person making the declaration wishes to terminate the registered relationship; and

(b) any fee prescribed under a regulation; and

(c) any other document prescribed under a regulation.

‘(3) If the termination application is made by 1, but not both, of the parties to the registered relationship, the application must also be accompanied by a statutory declaration by the applicant stating—

(a) that the other party to the relationship has been served under section 16; and

(b) the method by which service was effected under section 16.

---

<b>‘16</b>	<b>Service of termination application</b>	1
	‘If a termination application is made by 1, but not both, of the parties to a registered relationship, the applicant must—	2 3
	(a) arrange for the other party to the relationship to be personally served with a copy of—	4 5
	(i) the termination application; and	6
	(ii) the statutory declaration mentioned in section 15(2)(a); or	7 8
	<i>Note—</i>	9
	Section 32(2) set out the ways in which documents mentioned in paragraph (a) may be personally served.	10 11
	(b) send a copy of the documents mentioned in paragraph (a), addressed to the other party, by registered post to the other party’s last known residential address.	12 13 14
<b>‘17</b>	<b>Termination application period and withdrawal of termination application</b>	15 16
	‘(1) The registrar must not register the termination of a registered relationship under section 18 before the end of the termination application period for the application.	17 18 19
	‘(2) A termination application may be withdrawn during the termination application period for the application—	20 21
	(a) if the application is made by 1, but not both, of the parties to the registered relationship—by the party who made the application giving the registrar a withdrawal notice in the approved form; or	22 23 24 25
	(b) if the application is made by both parties—by both parties giving the registrar a withdrawal notice in the approved form.	26 27 28

[s 17]

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<b>‘18</b>	<b>Decision on termination application</b>	1
	‘(1) The registrar must, as soon as practicable after the end of the termination application period for the termination application—	2 3 4
	(a) register the termination of the registered relationship and make an endorsement to that effect on the application; or	5 6 7
	(b) refuse to register the termination of the registered relationship.	8 9
	‘(2) The registrar must register the termination of the registered relationship unless satisfied that the termination application has been withdrawn under section 17(2).	10 11 12
<b>‘19</b>	<b>When termination of registered relationship takes effect</b>	13
	‘Termination of a registered relationship takes effect when the registrar registers the termination application under section 18.’.	14 15 16
<b>Clause 17</b>	<b>Omission of pt 3 (Civil partnership notaries)</b>	17
	Part 3—	18
	<i>omit.</i>	19
<b>Clause 18</b>	<b>Amendment of s 30 (Void civil partnerships)</b>	20
	(1) Section 30, heading, ‘civil partnerships’—	21
	<i>omit, insert—</i>	22
	<b>‘registered relationships’.</b>	23
	(2) Section 30, ‘civil partnership’—	24
	<i>omit, insert—</i>	25
	<b>‘registered relationship’.</b>	26
	(3) Section 30(b)(ii), ‘or the nature of the declaration under section 11’—	27 28



---

*omit.*

1

**Clause 19 Omission of s 31 (Noncompliance with certain requirements)**

2

3

Section 31—

4

*omit.*

5

**Clause 20 Replacement of s 32 (Personal service of court documents)**

6

7

Section 32—

8

*omit, insert—*

9

**‘32 Ways in which termination application to be served**

10

‘(1) This section applies to a document that is required under section 16 to be served on a party to a registered relationship.

11

12

‘(2) To serve the document personally on the party, the person serving it must—

13

14

(a) give the party a copy of the document; or

15

(b) if the party does not accept the copy—put the copy down in the party’s presence and tell the party in general terms what the document is; or

16

17

18

(c) if the person serving the copy is prevented from approaching the party by a reasonable fear of violence—put the copy down as near as practicable to, but in the sight of, the party.

19

20

21

22

‘(3) It is not necessary under subsection (2) to show the original of the document to the person served.

23

24

‘(4) If a person who is required to serve a document under section 16 is unable to serve the document as mentioned in section 16(a) or (b), the person may ask the registrar for approval to serve the document by another method.

25

26

27

28

‘(5) The registrar may give approval if satisfied that—

29

[s 21]

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- (a) it is impracticable, for any reason, for the document to be served as mentioned in section 16(a) or (b); and 1  
2
- (b) the alternative way is reasonably likely to bring the termination application to the other party's attention. 3  
4
- '(6) If the registrar gives the approval— 5
  - (a) the applicant must comply with any conditions imposed on the approval by the registrar; and 6  
7
  - (b) for section 16, if a document is served on a party in accordance with the approval, the document is taken to have been served on the party.'. 8  
9  
10

**Clause 21 Amendment of s 33 (Civil partnerships under corresponding laws)** 11  
12

- (1) Section 33, heading, 'Civil partnerships'— 13
  - omit, insert—* 14
  - 'Registered relationships'.** 15
- (2) Section 33(1), 'civil partnership'— 16
  - omit, insert—* 17
  - 'registered relationship'.** 18

**Clause 22 Omission of s 34 (Offences)** 19

- Section 34— 20
- omit.* 21

**Clause 23 Replacement of s 36 (Regulation-making power)** 22

- Section 36— 23
- omit, insert—* 24

**'36 Regulation-making power** 25

- '(1) The Governor in Council may make regulations under this Act. 26  
27

- 
- ‘(2) Without limiting subsection (1), a regulation may— 1
- (a) prescribe fees payable under this Act; or 2
  - (b) provide for the refunding or waiving of fees payable 3  
under this Act.’. 4

**Clause 24**      **Insertion of new pt 6** 5  
After section 36— 6  
*insert—* 7

**‘Part 6**                      **Savings and transitional 8**  
   **provisions for Civil 9**  
   **Partnerships and Other 10**  
   **Legislation Amendment Act 11**  
   **2012** 12

**‘37**      **Definitions for pt 6** 13  
            ‘In this part— 14  
            *amending Act* means the *Civil Partnerships and Other* 15  
            *Legislation Amendment Act 2012*. 16  
            *civil partnership notary* means— 17  
            (a) a person registered as a civil partnership notary under 18  
                the Act as in force immediately before the 19  
                commencement; or 20  
            (b) the registrar. 21  
            *commencement* means the day on which this section 22  
            commences. 23  
            *former*, in relation to a provision, means as in force 24  
            immediately before the amendment or repeal of the provision 25  
            by the amending Act. 26

[s 24]

---

<b>‘38</b>	<b>Existing civil partnerships</b>	1
‘(1)	A civil partnership in effect immediately before the commencement is taken, on the commencement, to be a registered relationship under this Act.	2 3 4
‘(2)	To remove any doubt, it is declared that subsection (1) applies to a civil partnership registered under former section 9 or former section 12.	5 6 7
<b>‘39</b>	<b>Civil partnerships under corresponding laws</b>	8
‘(1)	This section applies to a relationship under a corresponding law that was, immediately before the commencement, taken to be registered as a civil partnership under former section 33.	9 10 11
‘(2)	The civil partnership is, on and from the commencement, taken to be registered as a registered relationship under this Act.	12 13 14
<b>‘40</b>	<b>Existing applications under former s 7</b>	15
‘(1)	This section applies if—	16
(a)	before the commencement, 2 persons applied under former section 7 for registration of their relationship as a civil partnership; and	17 18 19
(b)	immediately before the commencement, the registrar had not decided the application under former section 9.	20 21
‘(2)	On and from the commencement, the application is taken to be an application under section 7 for registration of the relationship as a registered relationship.	22 23 24
<b>‘41</b>	<b>Existing notices of intention under former s 10</b>	25
‘(1)	This section applies if—	26
(a)	before the commencement, 2 persons (the <i>applicants</i> ) gave a notice (a <i>notice of intention</i> ) under former section 10 of their intention to enter into a civil partnership; and	27 28 29 30

- 
- (b) immediately before the commencement, the applicants had not made a declaration of civil partnership under former section 11. 1  
2  
3
- ‘(2) On and from the commencement, the notice of intention is taken to be an application under section 7 for registration of the applicants’ relationship as a registered relationship. 4  
5  
6
- ‘(3) As soon as practicable after the commencement, the registrar must give each of the applicants a written notice (the *registrar’s notice*) stating that— 7  
8  
9
- (a) the notice of intention is taken to be an application for registration under section 7; and 10  
11
- (b) 1 or both of the applicants may withdraw the application during the period ending 90 days after the day stated in the registrar’s notice (the *notice period*) by giving the registrar a withdrawal notice in the approved form. 12  
13  
14  
15
- ‘(4) The applicants may, at any time during the notice period, give the registrar a notice (a *renewed intention notice*) that they intend to enter into a registered relationship. 16  
17  
18
- ‘(5) A renewed intention notice must be signed by both applicants. 19
- ‘(6) For section 8, the registration period is taken to be the notice period. 20  
21
- ‘(7) Section 8(1) applies subject to subsection (8)(b). 22
- ‘(8) Despite section 9, the registrar must register the relationship under section 9(1)(a) or refuse to register the relationship under section 9(1)(b)— 23  
24  
25
- (a) as soon as practicable after the end of the notice period; or 26  
27
- (b) if the parties give the registrar a renewed intention notice during the notice period—within 10 days after the day on which the registrar receives the notice. 28  
29  
30
- ‘42 **Declaration under former s 11** 31
- ‘(1) This section applies if— 32
-

[s 24]

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(a)	before the commencement, 2 persons—	1
(i)	gave notice under former section 10 of their intention to enter into a civil partnership; and	2 3
(ii)	made a declaration of civil partnership under former section 11; and	4 5
(b)	immediately before the commencement, the registrar had not registered the relationship as a civil partnership under former section 12.	6 7 8
‘(2)	As soon as practicable after the commencement, the registrar must register the relationship as a registered relationship under section 9(1)(a) or refuse to register the relationship as a registered relationship under section 9(1)(b).	9 10 11 12
<b>‘43</b>	<b>Review of decisions made before commencement</b>	13
‘(1)	This section applies if—	14
(a)	before the commencement—	15
(i)	a person has applied for the review of a reviewable decision mentioned in former schedule 1, item 1; and	16 17 18
(ii)	the review has not been completed; or	19
(b)	on the commencement, the period within which a person may apply for the review of a reviewable decision mentioned in former schedule 1, item 1 has started but not finished.	20 21 22 23
‘(2)	The Act as it was in force immediately before the commencement continues to apply for the purpose of completion of the review of the reviewable decision.	24 25 26
‘(3)	If QCAT makes an order setting aside the reviewable decision, the relationship is taken to be registered as a registered relationship under this Act.	27 28 29
<b>‘44</b>	<b>Void civil partnerships</b>	30
‘(1)	This section applies to a civil partnership that—	31

- 
- (a) was entered into as mentioned in former section 6(b);  
and
- (b) is taken, on and from the commencement, to be a  
registered relationship under section 38.
- ‘(2) To remove any doubt, it is declared that the registered  
relationship is void if either party did not freely enter into it  
because the party was mistaken about the nature of the  
declaration made under former section 11.
- ‘45 Noncompliance with particular requirements under  
former ss 10 and 11**
- ‘(1) This section applies to a civil partnership that—
- (a) was entered into as mentioned in former section 6(b);  
and
- (b) is taken, on and from the commencement, to be a  
registered relationship under section 38.
- ‘(2) On and from the commencement, the registered relationship is  
not invalid only because—
- (a) a requirement about the form of the notice given under  
former section 10 was not complied with; or
- (b) the person to whom the parties gave notice under former  
section 10 was not a civil partnership notary, if either  
party believed at the time the notice was given that the  
person was a civil partnership notary; or
- (c) the person before whom the parties made the declaration  
under former section 11 was not a civil partnership  
notary, if either party believed at the time of making the  
declaration that the person was a civil partnership  
notary.
- ‘46 References in Acts and documents to civil partnership**
- ‘A reference in an Act or document to a civil partnership or a  
civil partner is, on and from the commencement and if the

[s 24]

---

context permits, taken to be a reference to a registered  
relationship or registered partner. 1  
2

**‘47 Effect of regulation amendment 3**

‘The amendment of a regulation by the amending Act does  
not affect the power of the Governor in Council to further  
amend the regulation or to repeal it. 4  
5  
6

**‘48 Transitional regulation-making power 7**

- ‘(1) A regulation (a *transitional regulation*) may make provision  
of a saving or transitional nature for which— 8  
9
- (a) it is necessary to make provision to allow or facilitate  
the doing of anything to achieve the transition from the  
operation of the pre-amended Act to the operation of the  
amended Act; and 10  
11  
12  
13
- (b) this Act does not make provision or sufficient provision. 14
- ‘(2) Without limiting subsection (1), a transitional regulation may  
continue the operation of a provision as it was in force  
immediately before the commencement of the amending Act. 15  
16  
17
- ‘(3) A transitional regulation may have retrospective operation to a  
day that is not earlier than the day on which this section  
commences. 18  
19  
20
- ‘(4) A transitional regulation must declare it is a transitional  
regulation. 21  
22
- ‘(5) This section and any transitional regulation expire 1 year after  
the day on which this section commences. 23  
24
- ‘(6) In this section— 25
- amended Act* means this Act as amended by the amending  
Act. 26  
27
- pre-amended Act* means this Act as in force before the  
commencement of the amending Act.’. 28  
29



- Clause 25 Amendment of sch 1 (Reviewable decisions)** 1
- (1) Schedule 1, item 1, column 2, ‘or 12(1)(b)’— 2  
*omit.* 3
- (2) Schedule 1, item 1, column 3, ‘civil partnership’— 4  
*omit, insert—* 5  
 ‘registered relationship’. 6
- (3) Schedule 1, items 2 and 3— 7  
*omit, insert—* 8

2	18(1)(b)	refuse to register a termination application	the applicant
---	----------	--	---------------

- Clause 26 Amendment of sch 2 (Dictionary)** 9
- (1) Schedule 2, definitions *accepted representations, civil partnerships notary, cooling-off period, show cause notice* 10  
*and show cause period—* 11  
*omit.* 12
- (2) Schedule 2— 14  
*insert—* 15  
 ‘**registration period**, for a application made under section 7, 16  
 means the period ending 10 days after the application and 17  
 accompanying documents under section 7(2) are given to the 18  
 registrar. 19
- termination application** see section 15(1). 20
- termination application period**, for a termination application, 21  
 means the period ending 90 days after the termination 22  
 application and accompanying documents mentioned in 23  
 section 15 are given to the registrar.’ 24

[s 27]

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**Part 3** **Amendment of Civil Partnerships Regulation 2012** 1  
2

**Clause 27** **Regulation amended** 3

This part amends the *Civil Partnerships Regulation 2012*. 4

**Clause 28** **Amendment of s 1 (Short title)** 5

Section 1, ‘*Civil Partnerships*’— 6

*omit, insert—* 7

‘*Relationships*’. 8

**Clause 29** **Amendment of s 3 (Documents to prove identity etc.—Act, ss 7 and 10)** 9  
10

(1) Section 3, heading, ‘and 10’— 11

*omit, insert—* 12

‘**and 15**’. 13

(2) Section 3(1), ‘and 10’— 14

*omit, insert—* 15

‘and 15’. 16

(3) Section 3(1)(a), ‘and 10(2)(b)’— 17

*omit, insert—* 18

‘and 15(2)(c)’. 19

(4) Section 3(1)(b), ‘and 10(2)(c)’— 20

*omit, insert—* 21

‘and 15(2)(c)’. 22

**Clause 30** **Amendment of s 4 (Civil partnerships under corresponding laws—Act, s 33)** 23  
24

(1) Section 4, heading ‘Civil partnerships’— 25

---

*omit, insert—* 1

**‘Registered relationships’.** 2

(2) Section 4(2), ‘civil partnership under the Act’— 3

*omit, insert—* 4

‘registered relationship under the Act’. 5

**Clause 31 Insertion of new s 5** 6

After section 4— 7

*insert—* 8

**‘5 Fee for application for termination—Act, s 15** 9

‘For the Act, section 15(2)(b), the fee prescribed is \$31.00.’. 10

**Part 4 Amendment of Births, Deaths and Marriages Registration Act 2003** 11  
12  
13

**Clause 32 Act amended** 14

This part amends the *Births, Deaths and Marriages Registration Act 2003*. 15  
16

**Clause 33 Replacement of pt 5A, hdg (Civil partnerships)** 17

Part 5A, heading— 18

*omit, insert—* 19

**‘Part 5A Registered relationships’.** 20

**Clause 34 Amendment of s 25A (Registration of civil partnership)** 21

(1) Section 25A, heading, ‘civil partnership’— 22

[s 35]

---

*omit, insert—* 1

**‘registered relationship’.** 2

(2) Section 25A, ‘civil partnership’— 3

*omit, insert—* 4

**‘registered relationship’.** 5

(3) Section 25A(1), ‘*Civil Partnerships Act 2011*, section 9 or 12.’— 6  
7

*omit, insert—* 8

*‘Relationships Act 2011*, section 9(1)(a).’ 9

**Clause 35 Amendment of s 25B (How civil partnerships are registered)** 10  
11

(1) Section 25B, heading, ‘civil partnerships’— 12

*omit, insert—* 13

**‘registered relationships’.** 14

(2) Section 25B(1) and (2), ‘civil partnership’— 15

*omit, insert—* 16

**‘registered relationship’.** 17

(3) Section 25B(1), ‘*Civil Partnerships Act 2011*, section 9 or 12.’— 18  
19

*‘Relationships Act 2011*, section 9(1)(a).’ 20

(4) Section 25B(3) and (4)— 21

*omit.* 22

**Clause 36 Amendment of s 25C (Civil partnership—particulars of termination)** 23  
24

(1) Section 25C, heading ‘Civil partnership’— 25

*omit, insert—* 26

**‘Registered relationship’.** 27

- 
- (2) Section 25C(1) ‘civil partnership’— 1  
*omit, insert—* 2  
‘registered relationship’. 3
- (3) Section 25C(1), ‘*Civil Partnerships Act 2011*’— 4  
*omit, insert—* 5  
‘*Relationships Act 2011*’. 6

**Clause 37**      **Insertion of new pt 9, div 6** 7  
After section 64— 8  
*insert—* 9

**‘Division 6**                      **Transitional provision for Civil** 10  
   **Partnerships and Other Legislation** 11  
   **Amendment Act 2012** 12

**‘65**      **References in documents to civil partnership** 13

- ‘(1) A reference in a document issued under this Act to a civil 14  
partnership is, on and from the commencement and if the 15  
context permits, taken to be a reference to a registered 16  
relationship. 17
- ‘(2) In this section— 18  
*commencement* means the commencement of this section.’. 19

**Part 5**                              **Amendment of Births, Deaths** 20  
   **and Marriages Registration** 21  
   **Regulation 2003** 22

**Clause 38**      **Regulation amended** 23  
This part amends the *Births, Deaths and Marriages* 24  
*Registration Regulation 2003*. 25

[s 39]

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<b>Clause 39</b>	<b>Amendment of s 13 (Information and documents for registering events in register—Act, ss 41, 41D or 41E)</b>	1 2
	Section 13(1)(d), ‘civil partnership’—	3
	<i>omit, insert—</i>	4
	‘registered relationship’.	5
<b>Clause 40</b>	<b>Replacement of s 13A (Particulars for registration of civil partnership—Act, s 25B)</b>	6 7
	Section 13A—	8
	<i>omit, insert—</i>	9
<b>‘13A</b>	<b>Particulars for registration of registered relationship—Act s 25B</b>	10 11
	‘For the Act, section 25B(2), the following particulars are prescribed for a registered relationship entered into as mentioned in the <i>Relationships Act 2011</i> , section 6—	12 13 14
	(a) each party’s—	15
	(i) full name; and	16
	(ii) date of birth; and	17
	(iii) place of birth; and	18
	(iv) sex; and	19
	(v) relationship status before entering into the registered relationship; and	20 21
	(vi) usual residential address;	22
	(b) the full name of each parent of each party;	23
	(c) the registrar’s name;	24
	(d) the registration number;	25
	(e) the date and place of registration.’.	26

---

<b>Clause 41</b>	<b>Replacement of s 13B (Particulars of termination to be included in register—Act, s 25C)</b>	1 2
	Section 13B—	3
	<i>omit, insert—</i>	4
<b>‘13B</b>	<b>Particulars of termination to be included in the register—Act, s 25C</b>	5 6
	‘For the Act, section 25C(2), the following particulars are prescribed—	7 8
	(a) the registrar’s name;	9
	(b) the date and place of termination.’.	10
<b>Clause 42</b>	<b>Amendment of s 15 (Information that may be obtained from the register—Act, s 44)</b>	11 12
	(1) Section 15(3)(e) and (5)(a), ‘civil partnership’—	13
	<i>omit, insert—</i>	14
	‘registered relationship’.	15
	(2) Section 15(3)—	16
	<i>insert—</i>	17
	‘(f) for a civil partnership registered under section 12 of the <i>Relationships Act 2011</i> as in force immediately before the commencement of the <i>Civil Partnerships and Other Legislation Amendment Act 2012</i> , the following information in addition to the information mentioned in schedule 2, part 5—	18 19 20 21 22 23
	(i) the date on which the parties made the declaration mentioned in section 11 of the <i>Relationships Act 2011</i> as in force immediately before the commencement of the <i>Civil Partnerships and Other Legislation Amendment Act 2012</i> ;	24 25 26 27 28
	(ii) the place where the parties made the declaration.’.	29

[s 43]

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<b>Clause 43</b>	<b>Replacement of s 17B (Information for commemorative civil partnership certificate)</b>	1 2
	Section 17B—	3
	<i>omit, insert—</i>	4
<b>‘17B</b>	<b>Information for commemorative registered relationship certificate</b>	5 6
	‘(1) The following information is prescribed for a commemorative registered relationship certificate, to the extent that the information is recorded in, or able to be worked out from, the entry in the register—	7 8 9 10
	(a) the current full name in the register of each party to the registered relationship;	11 12
	(b) the date and place of registration;	13
	(c) the registration number.	14
	‘(2) For a registered relationship that was registered as a civil partnership under section 12 of the <i>Relationships Act 2011</i> as in force immediately before the commencement of the <i>Civil Partnerships and Other Legislation Amendment Act 2012</i> , the following information is prescribed in addition to the information mentioned in subsection (1)—	15 16 17 18 19 20
	(a) the date on which the parties made the declaration mentioned in section 11 of the <i>Relationships Act 2011</i> as in force immediately before the commencement of the <i>Civil Partnerships and Other Legislation Amendment Act 2012</i> ; and	21 22 23 24 25
	(b) the place where the parties made the declaration.’.	26
<b>Clause 44</b>	<b>Replacement of s 18A (Information to be contained in civil partnership extract)</b>	27 28
	Section 18A—	29
	<i>omit, insert—</i>	30



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<b>‘18A</b>	<b>Information to be contained in registered relationship extract</b>	1
		2
‘(1)	The following information is prescribed for a registered relationship extract—	3
		4
(a)	the current full name in the register of each party to the registered relationship;	5
		6
(b)	the date and place of registration;	7
(c)	the registration number;	8
(d)	if the registered relationship has been terminated under the <i>Relationships Act 2011</i> , section 19—the particulars of the termination recorded in the register under the Act, section 25C(2).	9
		10
		11
		12
‘(2)	For a registered relationship that was registered as a civil partnership under section 12 of the <i>Relationships Act 2011</i> as in force immediately before the commencement of the <i>Civil Partnerships and Other Legislation Amendment Act 2012</i> , the following information is prescribed in addition to the information mentioned in subsection (1)—	13
		14
		15
		16
		17
		18
(a)	the date on which the parties made the declaration mentioned in section 11 of the <i>Relationships Act 2011</i> as in force immediately before the commencement of the <i>Civil Partnerships and Other Legislation Amendment Act 2012</i> ;	19
		20
		21
		22
		23
(b)	the place where the parties made the declaration.’.	24
<b>Clause 45</b>	<b>Amendment of sch 1 (Application information)</b>	25
(1)	Schedule 1, part 1, item 7—	26
	<i>omit, insert—</i>	27
‘7	If the child’s parents are in a registered relationship with each other—	28
		29
(a)	if the parents’ relationship is a relationship that is taken to be registered as a registered relationship under the <i>Relationships Act 2011</i> , section 33—the date and place	30
		31
		32

---

[s 46]

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	where the registered relationship was entered into under the relevant corresponding law; or	1 2
	(b) otherwise—the date and place of registration.’.	3
(2)	Schedule 1, part 3, item 3— <i>omit, insert—</i>	4 5
‘3	If the deceased person was ever in a registered relationship—	6
	(a) the name of each registered partner; and	7
	(b) the deceased person’s age at the time each registered relationship was registered; and	8 9
	(c) the place where—	10
	(i) for a relationship that is taken to be registered as a registered relationship under the <i>Relationships Act 2011</i> , section 33—the relationship was entered into under the relevant corresponding law; or	11 12 13 14
	(ii) otherwise—the relationship was registered.’.	15
(3)	Schedule 1, part 4, heading, ‘Civil partnerships’— <i>omit, insert—</i>	16 17
	‘ <b>Registered relationships</b> ’.	18
(4)	Schedule 1, part 4, item 1(e), ‘civil partnership’— <i>omit, insert—</i>	19 20
	‘registered relationship’.	21
<b>Clause 46</b>	<b>Amendment of sch 2 (Information for certificates)</b>	22
(1)	Schedule 2, part 4, item 1(h), ‘civil partnership’— <i>omit, insert—</i>	23 24
	‘registered relationship’.	25
(2)	Schedule 2, part 4, item 3— <i>omit, insert—</i>	26 27
‘3	If the deceased person was ever in a registered relationship—	28

- 
- (a) the name of each registered partner; and 1
- (b) the deceased person's age at the time each registered 2  
relationship was registered; and 3
- (c) the place where— 4
- (i) for a relationship that is taken to be registered as a 5  
registered relationship under the *Relationships Act* 6  
*2011*, section 33—the relationship was entered 7  
into under the relevant corresponding law; or 8
- (ii) otherwise—the relationship was registered.'. 9
- (3) Schedule 2, part 5, heading, 'Civil partnerships'— 10  
*omit, insert—* 11  
'Registered relationships'. 12
- (4) Schedule 2, part 5, item 1(e), 'civil partnership'— 13  
*omit, insert—* 14  
'registered relationship'. 15
- (5) Schedule 2, part 5, item 5— 16  
*omit.* 17
- (6) Schedule 2, part 5, items 6 to 8— 18  
*renumber* as items 5 to 7. 19

**Part 6** **Amendment of Corrective** 20  
**Services Act 2006** 21

**Clause 47** **Act amended** 22  
This part amends the *Corrective Services Act 2006*. 23

**Clause 48** **Replacement of s 26A (Civil partnerships)** 24  
Section 26A— 25

[s 49]

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*omit, insert—*

**‘26A Registered relationships**

‘A person in the chief executive’s custody must give the chief executive written notice before applying under the *Relationships Act 2011*, section 7 for registration of a relationship as a registered relationship.

Maximum penalty—20 penalty units.’

**Part 7 Amendment of Duties Act 2001**

**Clause 49 Act amended**

This part amends the *Duties Act 2001*.

**Clause 50 Amendment of s 151 (Exemption—particular residences)**

Section 151(1), ‘civil partnership’—

*omit, insert—*

‘registered relationship’.

**Clause 51 Amendment of sch 6 (Dictionary)**

Schedule 6—

*insert—*

‘*spouse* includes de facto partner and registered partner.’

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<b>Part 8</b>	<b>Amendment of Governors (Salary and Pensions) Act 2003</b>	1 2
<b>Clause 52</b>	<b>Act amended</b>	3
	This part amends the <i>Governors (Salary and Pensions) Act 2003</i> .	4 5
<b>Clause 53</b>	<b>Amendment of schedule (Dictionary)</b>	6
	Schedule, definition <i>surviving partner</i> , paragraph (a), after 'married to'—	7 8
	<i>insert</i> —	9
	' , or in a registered relationship with,'.	10
<b>Part 9</b>	<b>Amendment of Succession Act 1981</b>	11 12
<b>Clause 54</b>	<b>Act amended</b>	13
	This part amends the <i>Succession Act 1981</i> .	14
<b>Clause 55</b>	<b>Amendment of s 5AA (Who is a person's spouse)</b>	15
	(1) Section 5AA(1) and (2), 'civil partner'—	16
	<i>omit, insert</i> —	17
	'registered partner'.	18
	(2) Section 5AA(4), definition <i>dependent former husband or wife or civil partner</i> —	19 20
	<i>omit, insert</i> —	21
	' <i>dependent former husband or wife or registered partner</i> , of a deceased person, means—	22 23

[s 56]

---

- (a) a person who— 1
  - (i) was divorced by or from the deceased at any time, 2  
whether before or after the commencement of this 3  
Act; and 4
  - (ii) had not remarried or entered into a registered 5  
relationship with another person before the 6  
deceased's death; and 7
  - (iii) was on the deceased's death receiving, or entitled 8  
to receive, maintenance from the deceased; or 9
- (b) a person who— 10
  - (i) was in a registered relationship with the deceased 11  
that was terminated under the *Relationships Act* 12  
*2011*, section 19; and 13
  - (ii) had not married or entered into another registered 14  
relationship before the deceased's death; and 15
  - (iii) was on the deceased's death receiving, or entitled 16  
to receive, maintenance from the deceased.' 17

**Clause 56**      **Amendment of s 13 (How a will may be revoked)**      18  
Section 13(a) '14 or 15'—      19  
*omit, insert—*      20  
'14, 14A, 15 or 15A'.      21

**Clause 57**      **Amendment of s 14A (Effect of civil partnership on a will)**      22  
(1) Section 14A, heading, 'civil partnership'—      23  
*omit, insert—*      24  
**'registered relationship'**.      25  
(2) Section 14A, 'civil partnership'—      26  
*omit, insert—*      27  
'registered relationship'.      28

<b>Clause 58</b>	<b>Amendment of s 15A (Effect of end of civil partnership on a will)</b>	1 2
(1)	Section 15A, heading, ‘civil partnership’— <i>omit, insert</i> — <b>‘registered relationship’.</b>	3 4 5
(2)	Section 15A(1) and (2), ‘civil partnership’— <i>omit, insert</i> — ‘registered relationship’.	6 7 8
(3)	Section 15A(1), (2) and (4), ‘civil partner’— <i>omit, insert</i> — ‘registered partner’.	9 10 11
(4)	Section 15A(2)(a), ‘civil partner’s’— <i>omit, insert</i> — ‘registered partner’s’.	12 13 14
(5)	Section 15A(5), definitions <i>civil partner, former civil partner, termination</i> and <i>void</i> — <i>omit.</i>	15 16 17
(6)	Section 15A(5)— <i>insert</i> — <b>‘former registered partner</b> , in relation to a testator, means the person who was the registered partner of the testator immediately before the termination of the testator’s registered relationship or the finding that the registered relationship is void. <b>registered partner</b> includes a party to a purported or void registered relationship. <b>termination</b> , of a registered relationship, means termination under the <i>Relationships Act 2011</i> , section 19. <b>void</b> means void under the <i>Relationships Act 2011</i> , section 30.’.	18 19 20 21 22 23 24 25 26 27 28 29 30

[s 59]

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**Part 10** **Other amendments** 1

<b>Clause 59</b>	<b>Schedule amendments</b>	2
(1)	Each provision of an Act or regulation listed in the schedule, part 1 is amended by omitting ' <i>Civil Partnerships Act 2011</i> ' and inserting ' <i>Relationships Act 2011</i> '.	3 4 5
(2)	Each provision of an Act or regulation listed in the schedule, part 2 is amended by omitting 'civil partnership' or 'Civil partnership' and inserting 'registered relationship' or 'Registered relationship'.	6 7 8 9
(3)	Each provision of an Act listed in the schedule, part 3 is amended by omitting 'civil partner' and inserting 'registered partner'.	10 11 12



<b>Schedule</b>	<b>Consequential amendments</b>	1
	section 59	2
<b>Part 1</b>	<b>References to Civil Partnerships Act 2011</b>	3
		4
<b>1</b>	<b>Acts Interpretation Act 1954</b>	5
	• section 36, definition <i>civil partnership</i>	6
<b>2</b>	<b>Guardianship and Administration Act 2000</b>	7
	• section 26(1)(d)	8
<b>3</b>	<b>Powers of Attorney Act 1998</b>	9
	• section 53A(1)(b)	10
<b>4</b>	<b>Queensland Civil and Administrative Tribunal Regulation 2009</b>	11
	• schedule 1, part 1	12
		13
<b>5</b>	<b>Workers' Compensation and Rehabilitation Regulation 2003</b>	14
	• section 111(2)(a)(ii)(C)	15
		16

<b>Part 2</b>	<b>References to civil partnership</b>	1
<b>6</b>	<b>Acts Interpretation Act 1954</b>	2
	• section 36, definitions <i>civil partner</i> and <i>civil partnership</i>	3
<b>7</b>	<b>Body Corporate and Community Management Act 1997</b>	4
	• section 309(2)(a)	5
<b>8</b>	<b>First Home Owner Grant Act 2000</b>	6
	• section 9(3)(ii) and (4)	7
<b>9</b>	<b>Guardianship and Administration Act 2000</b>	8
	• section 26(1)(d)	9
	• schedule 2, part 2, section 3(f) and (g)	10
<b>10</b>	<b>Integrated Resort Development Act 1987</b>	11
	• section 179D(2)(a)	12
<b>11</b>	<b>Judges (Pensions and Long Leave) Act 1957</b>	13
	• section 8(2)(b)	14
<b>12</b>	<b>Personal Injuries Proceedings Regulation 2002</b>	15
	• section 3(7)(a)(iii)(B)	16
<b>13</b>	<b>Powers of Attorney Act 1998</b>	17
	• section 52A	18
	• section 53A, heading	19
	• section 53A(1)(b)	20
	• schedule 2, part 2, section 3(f) and (g)	21

<b>14</b>	<b>Sanctuary Cove Resort Act 1985</b>	1
	• section 104D(2)(a)	2
<b>15</b>	<b>Status of Children Act 1978</b>	3
	• section 8(1)(a)	4
	• section 15(1) and (3)	5
<b>16</b>	<b>Supreme Court Act 1995</b>	6
	• section 23A(7), definition <i>relationship</i> , paragraph (c)	7
<b>17</b>	<b>Workers' Compensation and Rehabilitation Regulation 2003</b>	8
	• section 111(2)(a)	9
		10
<b>Part 3</b>	<b>References to civil partner</b>	11
<b>18</b>	<b>Acts Interpretation Act 1954</b>	12
	• section 36, definitions <i>civil partner</i> and <i>spouse</i>	13
<b>19</b>	<b>Anti-Discrimination Act 1991</b>	14
	• section 31(f)(iii)	15
	• schedule, definition <i>relationship status</i> , paragraph (g)	16
<b>20</b>	<b>Electrical Safety Act 2002</b>	17
	• schedule 2, definition <i>spouse</i>	18
<b>21</b>	<b>First Home Owner Grant Act 2000</b>	19
	• section 9(1)(c)	20

Schedule

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<b>22</b>	<b>Judges (Pensions and Long Leave) Act 1957</b>	1
	• section 8(2)(b)	2
<b>23</b>	<b>Land Tax Act 2010</b>	3
	• schedule 4, definition <i>spouse</i>	4
<b>24</b>	<b>Payroll Tax Act 1971</b>	5
	• section 74D(2), definition <i>spouse</i>	6
<b>25</b>	<b>Powers of Attorney Act 1998</b>	7
	• section 52A	8
	• section 53A(2)	9
<b>26</b>	<b>Public Trustee Act 1978</b>	10
	• section 94(5)(b)	11
	• section 107(5)(b)	12
<b>27</b>	<b>Status of Children Act 1978</b>	13
	• section 19B(b)	14
	• section 20(b) and (d)	15
<b>28</b>	<b>Surrogacy Act 2010</b>	16
	• section 7(2), note 2	17