

Queensland



STATUS OF CHILDREN ACT 1978

**Reprinted as in force on 23 August 1994
(includes amendments up to Act No. 64 of 1988)**

Reprint No. 1

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

Information about this reprint

This Act is reprinted as at 23 August 1994. The reprint—

- shows the law as amended by all amendments that commenced on or before that day
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind.

The reprint includes a reference to the law by which each amendment was made—see List of legislation and List of annotations in Endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- update citations and references (Pt 4, Div 2)
- express gender specific provisions in a way consistent with current legislative drafting practice (s 24)
- correct spelling and use different spelling consistent with current legislative drafting practice (s 26)
- use standard punctuation consistent with current legislative drafting practice (s 27)
- use conjunctives and disjunctives consistent with current legislative drafting practice (s 28)
- use expressions consistent with current legislative drafting practice (s 29)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current legislative drafting practice (s 35)
- omit provisions that are no longer required (ss 36, 39 and 40)
- omit historical notes (s 42)
- omit the enacting words (s 42A)
- number and renumber certain provisions and references (s 43).

Also see Endnotes for information about—

- **when provisions commenced**
- **provisions that have not commenced and are not incorporated in the reprint**
- **editorial changes made in the reprint, including—**
 - **Table of obsolete and redundant provisions**
 - **Table of renumbered provisions**
 - **Table of comparative legislation.**

Queensland



STATUS OF CHILDREN ACT 1978

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title, commencement and application	3
PART 2—STATUS OF CHILDREN		
2	Interpretation	3
3	All children to be of equal status	3
4	Instruments executed and intestacies that take place before the commencement of this Act	4
5	Presumption as to parenthood	4
6	Protection of executors, administrators and trustees	5
7	Recognition of paternity	5
8	Evidence and proof of paternity	6
9	Filing of certain instruments with Registrar-General	7
10	Declaration of paternity	9
11	Order requiring evidence concerning paternity to be given	10
12	Inadmissibility of acknowledgment of paternity or certified copy as evidence in criminal proceedings	12
PART 3—PARENTAGE OF CHILDREN		
13	Interpretation	13
14	Application	13
15	Artificial insemination—Presumption as to status	14
16	Implantation procedure—Presumption as to status where donor semen used	15
17	Implantation procedure—Presumption as to status where donor ovum used	15
18	Donor of semen used in artificial insemination of certain women	16

PART 4—MISCELLANEOUS PROVISIONS

19	Regulations	17
----	-----------------------	----

ENDNOTES

1	Index to Endnotes	18
2	Date to which amendments incorporated	18
3	List of legislation	18
4	List of annotations	19
5	Table of obsolete and redundant provisions	20
6	Table of renumbered provisions	20
7	Table of comparative legislation	21

STATUS OF CHILDREN ACT 1978

[as amended by all amendments that commenced on or before 23 August 1994²]

An Act to remove the legal disabilities of children born out of wedlock and to declare with respect to the parentage of children artificially conceived

PART 1—PRELIMINARY

Short title, commencement and application

1.(1) This Act may be cited as the *Status of Children Act 1978*³⁻⁷.

(2) This Act shall commence on 1 January 1979.

(3) This Act binds the Crown not only in right of the State of Queensland but also, so far as the legislative power of Parliament permits, the Crown in all its other capacities.

PART 2—STATUS OF CHILDREN

Interpretation

2. For the purposes of this Part—

“**marriage**” includes a void marriage and a voidable marriage that has been annulled by a court.

All children to be of equal status

3.(1) For all the purposes of the law of the State, the relationship between

every person and the person's father and mother shall be determined irrespective of whether the father and mother are or have been married to each other and all other relationships shall be determined accordingly.

(2) The rule of construction whereby in any instrument, in the absence of a contrary expression of intention, words of relationship signify only legitimate relationship is abolished.

(3) For the purpose of construing any instrument, the use, with reference to relationship of a person, of the word 'legitimate' or 'lawful' shall not of itself prevent the relationship from being determined in accordance with the provisions of subsection (1).

(4) This section shall apply in respect of every person, whether born before or after the commencement of this Act, whether or not born in the State and whether or not the person's father or mother has ever been domiciled in the State.

Instruments executed and intestacies that take place before the commencement of this Act

4.(1) All instruments executed before the commencement of this Act shall be governed by the enactments, rules of construction and law that would have applied to them if this Act had not been passed.

(2) Where an instrument to which subsection (1) applies creates a special power of appointment, nothing in this Act shall extend the class of persons in whose favour the appointment may be made or cause the exercise of the power to be construed so as to include any person who is not a member of that class.

(3) The estate of a person who dies intestate as to the whole or any part of the person's estate before the commencement of this Act shall be distributed in accordance with the enactments and rules of law that would have applied to the estate if this Act had not been passed.

Presumption as to parenthood

5. A child born to a woman during her marriage or within 10 months after the marriage has been dissolved by death or otherwise shall, in the

absence of proof to the contrary, be presumed to be the child of its mother and her husband or, as the case may be, former husband.

Protection of executors, administrators and trustees

6.(1) For the purposes of the administration or distribution of an estate or of property held on trust or of an application under Part 4 of the *Succession Act 1981* or for any other purposes, an executor, administrator or trustee is not under any obligation to inquire as to the existence of any person who could claim an interest in the estate or the property by reason only of the provisions of this Act.

(2) Action shall not lie against an executor of the will or administrator or trustee of the estate of any person or the trustee under an instrument by any person who could claim an interest in the estate or property by reason only of any of the provisions of this Act to enforce a claim arising by reason of the executor, administrator or trustee having made any distribution of the estate or of the property held upon trust or otherwise acted in the administration of the estate or property held on trust disregarding the claims of that person where at the time of making the distribution or otherwise so acting the executor, administrator or trustee had no notice of the relationship on which the claim is based.

Recognition of paternity

7.(1) The relationship of father and child and any other relationship traced in any degree through that relationship shall, for any purpose related to succession to property or to the construction of a will or other testamentary disposition or of an instrument creating a trust or for the purpose of an application under Part 4 of the *Succession Act 1981*, be recognised only if—

- (a) the father and mother of the child were married to each other at the time of its conception or at some subsequent time; or
- (b) paternity has been admitted (expressly or by implication) by or established against the father in his lifetime (whether by 1 or more of the means specified by section 8 or otherwise) and, if that purpose is for the benefit of the father, paternity has been so admitted or established while the child was living; or
- (c) a declaration of paternity has been made under section 10 after the

death of the father of the child.

(2) In a case where by reason of the provisions of subsection (1) the relationship of father and child is not recognised at the time the child is born, the occurrence of any act, event or conduct that enables that relationship and any other relationship traced in any degree through it to be recognised shall not affect any estate, right or interest in real or personal property to which any person has become absolutely entitled, whether beneficially or otherwise, before the act, event or conduct occurred.

(3) Where the event that enables a relationship to be recognised under subsection (1) is a declaration of paternity made under section 10 after the death of the father, the declaration shall, for the purposes of subsection (2), be taken to have been made immediately before the death of the father if the declaration is made in consequence of an application therefor made before the death of the father or within 6 months (or such further time as the Supreme Court or a Judge thereof upon application duly made in that behalf allows) after the death of the father.

Evidence and proof of paternity

8.(1) Where the name of the father of a child is entered in the register of births in relation to the child, a certified copy of the entry purporting to be made or given under section 22 of the *Registration of Births, Deaths and Marriages Act 1962* shall be evidence and, in the absence of evidence to the contrary, conclusive evidence that the person named as the father—

- (a) is the father of the child; and
- (b) in the case of a child whose parents were not married to each other at the time of its conception and have not since married each other—has admitted that he is the father of the child.

(2) An instrument signed by the mother of a child and by any person acknowledging that he is the father of the child shall, if executed as a deed or by each of those persons (whether at the same time or different times) in the presence of a solicitor (whether the same solicitor or different solicitors), be evidence and, in the absence of evidence to the contrary, conclusive evidence that the person named as the father—

- (a) is the father of the child; and
- (b) has admitted that he is the father of the child.

(3) An order in respect of a child against a person under section 14 or 16 of the *Maintenance Act 1965* shall, in subsequent proceedings whether or not between the same parties, be evidence and, in the absence of evidence to the contrary, conclusive evidence that that person is the father of the child.

(4) Subject to section 7 and subsections (4A) and (4B), a declaration made under section 10 shall for all purposes be conclusive evidence of the matters contained in it.

(4A) A declaration made under section 10 in respect of a child in proceedings to which the child was not a party shall be evidence and, in the absence of evidence to the contrary, conclusive evidence against the child of the matters contained in it.

(4B) For the purposes of criminal proceedings a declaration made under section 10 shall be evidence and, in the absence of evidence to the contrary, conclusive evidence of the matters contained in it.

(5) An order made outside the State declaring or adjudging a person to be the father of a child, being an order to which this subsection applies pursuant to subsection (6) or (7), shall be evidence and, in the absence of evidence to the contrary, conclusive evidence that the person declared or adjudged to be the father is the father of the child.

(6) For the purposes of this section, an order made outside the State in another State or a Territory or in New Zealand has, so long as it has not been rescinded under the law in force in that State, Territory or country, the same effect as the like order made in the State.

(7) The Governor in Council may by order in council declare that subsection (5) applies with respect to orders made by a court or public authority in a specified country outside the Commonwealth or by a specified court or public authority in that country.

(8) In this section—

“order” includes a declaration.

Filing of certain instruments with Registrar-General

9.(1) An instrument of the kind described in section 8(2) or a copy thereof certified as prescribed may, in the prescribed manner and on payment of the prescribed fee (if any), be filed in the office of the

Registrar-General.

(2) The Registrar-General shall cause indexes of all instruments and copies filed with the Registrar-General under subsection (1) to be made and kept in the Registrar-General's office and shall, upon request made by or on behalf of a party to an instrument so filed or a child referred to therein or a guardian or relative of that child, cause a search of any such index to be made and shall, if the Registrar-General is satisfied that the person making the request has a proper interest in the matter, permit that person to inspect any instrument or copy so filed.

(3) Where the Supreme Court or a Judge thereof makes a declaration of paternity under section 10 or revokes a declaration so made or a court makes an order under section 14 or 16 of the *Maintenance Act 1965* or annuls an order so made, the registrar of the Supreme Court or clerk of the court shall forward to the Registrar-General an office copy or, as the case requires, a certified copy of the declaration, revocation, order or annulment and upon receipt thereof the Registrar-General shall file the copy as if it were an instrument of the kind referred to in section 8(2).

(4) Where the Registrar-General refuses a request—

- (a) to cause to be made a search of any index made and kept in accordance with subsection (2); or
- (b) to permit a person to inspect any instrument or copy filed in accordance with subsection (1);

the person aggrieved by such refusal may make an application to a Judge of the Supreme Court sitting in chambers for an order calling upon the Registrar-General to show cause why the request should not be granted.

(4A) The application shall be supported by an affidavit of the facts.

(4B) An order made pursuant to subsection (4) shall be returnable before the Judge on the date and at the time specified therein and shall be served upon the Registrar-General.

(4C) Upon the return of the order the Judge may, if the Registrar-General fails to show good cause against it, make the order absolute but otherwise may discharge the order and in either case may make such other orders including an order as to costs as the Judge thinks fit, but an order for costs shall not be made against the Registrar-General if the Judge is satisfied that at the time of the refusal of the request, the

Registrar-General had reasonable grounds therefor.

(4D) The Registrar-General shall comply with the terms of an order absolute made in accordance with subsection (4C).

(5) In this section—

“**Registrar-General**” means the Registrar-General within the meaning of the *Registration of Births, Deaths and Marriages Act 1962*.

Declaration of paternity

10.(1) A person who—

- (a) alleges that any named person is the father of her child; or
- (b) alleges that the relationship of father and child exists between him and another named person; or
- (c) having a proper interest in the result, wishes to have determined the question whether the relationship of father and child exists between 2 named persons;

may apply by way of originating summons to the Supreme Court or a Judge thereof for a declaration of paternity and that Court or Judge may, if it is proved to its, his or her satisfaction that the relationship exists, make such declaration whether the father or the child or both of them is or are living or dead.

(2) Where a declaration is made under subsection (1) after the death of the father or child, the Court or Judge may at the same or a subsequent time make a declaration determining for the purposes of section 7(2) whether any and if so which of the requirements of section 7(1)(b) have been satisfied.

(3) Where a declaration is made under subsection (1) and it is made to appear to the Court or Judge that new facts or circumstances have arisen that have not previously been disclosed to the Court or Judge and could not by the exercise of reasonable diligence have previously been known or if for any other reason the Court or Judge thinks it desirable so to do, the Court or Judge may revoke the declaration and thereupon that declaration shall cease to have any force or effect.

(4) The Court or Judge shall not make or revoke a declaration under this

section unless the Court or Judge is satisfied that, so far as is reasonably practicable, all persons whose interests are or may be affected by the declaration or revocation are represented before or have been given the opportunity of making representations to the Court or Judge upon the subject matter of the proceedings.

Order requiring evidence concerning paternity to be given

11.(1) The Court or Judge may, in proceedings upon an application under section 10, make an order upon such terms and conditions as the Court or Judge thinks fit—

- (a) requiring a person named therein to give evidence material to any question in issue in those proceedings;
- (b) directing a person named therein to submit himself or another person of whom he has the care and control within the time specified therein to the performance of such medical tests on him or, as the case requires, that other person as the Court or Judge determines.

(2) A medical test shall not be performed on a person pursuant to an order made under subsection (1)(b) unless—

- (a) in the case of a person who is capable of giving consent—he consents to the performance thereof;
- (b) in the case of a person who is not capable of giving consent—the person having the care and control of him consents to the performance thereof.

(2A) For the purposes of subsection (2), the consent of a person who has attained the age of 16 years to the performance on him of a medical test shall be as effective as if he were of full age.

(3) A person shall not perform a medical test for the purpose of giving effect to an order pursuant to this section unless the person is qualified as prescribed and performs the test under such conditions (if any) as are prescribed.

(3A) A person performs a medical test for the purpose of giving effect to an order pursuant to this section if the person or another person acting under the person's direction (whether in his or her presence or not) performs the

test or does any act in connection with the performance of the test.

(4) A person who performs medical tests for the purpose of giving effect to an order pursuant to this section shall make to the Court or Judge by which or whom the order was made a report in the prescribed form in which the person shall state—

- (a) his or her full name and particulars of his or her qualifications; and
- (b) whether the tests have been performed under the prescribed conditions (if any); and
- (c) the full names of the persons on whom the tests were performed and the means used to identify those persons; and
- (d) the description of any tissue or fluid sample taken for scientific examination from the body of a person on whom the tests were performed; and
- (e) particulars of information given about any matter that may affect the accuracy of the tests; and
- (f) the nature and results of the tests; and
- (g) whether a person to whom the report relates is or is not excluded by the results from being the father of the person whose paternity is being determined; and
- (h) if a person to whom the report relates is not so excluded, the value (if any) of the results in determining whether that person is the father of the person whose paternity is being determined.

(4A) A person who makes a report pursuant to subsection (4) may include therein a statement explaining or amplifying any matter stated in the report relevant to any test performed.

(4B) A report purporting to have been made pursuant to subsection (4) shall be evidence in the proceedings of the matters stated therein.

(5) Where a report has been made to the Court or Judge pursuant to subsection (4), a party to the proceedings may with leave of the Court or Judge and shall, if the Court or Judge so directs, request from the person who made the report a written statement explaining or amplifying any statement made in the report.

(5A) A person to whom a request is made pursuant to subsection (5) shall comply therewith and a statement given in compliance with the request shall, for the purposes of this section, form part of the report made to the Court or Judge.

(6) A party to the proceedings shall not, unless the Court or Judge otherwise directs, be entitled to call as a witness the person who performed the tests for the purpose of giving effect to an order made pursuant to subsection (1) or any person by whom anything necessary for the purpose of enabling those tests to be performed was done unless, within 14 days after receiving a copy of the report, the party gives notice in writing to the other parties to the proceedings, or to such of them as the Court or Judge directs, of the party's intention to call that person as a witness.

(7) Where a person fails to take any step required of the person for the purpose of giving effect to an order of the Court or Judge made pursuant to subsection (1)(b), the Court or Judge may draw such inferences (if any) from that fact as appear proper in the circumstances.

(8) A person named in an order made by the Court or Judge pursuant to subsection (1)(b) who fails to consent to the performance of a medical test on him or a person named in the order of whom the person has the care and control shall be deemed for the purposes of subsection (7) to have failed to take a step required of him for the purpose of giving effect to the order.

(9) Subject to subsection (7), a person who fails to consent to the performance of a medical test on him or a person of whom the person has the care and control for the purpose of giving effect to an order made pursuant to subsection (1)(b) shall not be liable to any sanction.

(10) In this section—

“medical test” means a physical or other test performed on a person involving the application of medical science with a view to affording evidence as to paternity and includes the taking of tissue or fluid samples from the body of a person and the scientific examination of samples so taken.

Inadmissibility of acknowledgment of paternity or certified copy as evidence in criminal proceedings

12.(1) An acknowledgment by a person that he is the father of a child

made for the purposes of section 25 of the *Registration of Births, Deaths and Marriages Act 1962* or section 8(2) of this Act shall not be admissible in criminal proceedings against that person as evidence to show that he has had or has attempted to have carnal knowledge of the mother of the child.

(2) Notwithstanding section 18 of the *Registration of Births, Deaths and Marriages Act 1962* and section 8(1) of this Act, a certified copy of an entry of the name of the father of a child purporting to be made or given under section 22 of the *Registration of Births, Deaths and Marriages Act 1962* shall not be admissible in criminal proceedings against the person whose name is so entered as evidence to show that he has had or has attempted to have carnal knowledge of the mother of the child.

PART 3—PARENTAGE OF CHILDREN

Interpretation

13.(1) A reference in this Part to a married woman includes reference to a woman who is living with a man as his wife on a bona fide domestic basis although not married to him.

(2) A reference (however expressed) in this Part to the husband or wife of a person—

- (a) is, in the case where the person is living with another person of the opposite sex as his or her spouse on a bona fide domestic basis although not married to that other person, a reference to that other person; and
- (b) does not, in that case, include reference to the spouse (if any) to whom the person is actually married.

Application

14.(1) The provisions of this Part apply—

- (a) in respect of a pregnancy referred to in section 15, 16 or 17, whether the pregnancy occurred before or after the passing of the *Status of Children Act Amendment Act 1988* and whether or not it

resulted from a procedure carried out in Queensland; and

- (b) in respect of any child born as a result of a pregnancy referred to in section 15, 16 or 17, whether or not the child was born before or after the passing of the *Status of Children Act Amendment Act 1988*.

(2) Nothing in any provision of this Part affects the vesting in possession or in interest of any property that occurred before the passing of the *Status of Children Act Amendment Act 1988*.

Artificial insemination—Presumption as to status

15.(1) A reference in this section to a fertilisation procedure is a reference to the artificial insemination of a woman where the semen used for the artificial insemination—

- (a) was produced by a man other than her husband; or
- (b) was a mixture of semen, part of which was produced by a man other than her husband and part of which was produced by her husband.

(2) Where a married woman, in accordance with the consent of her husband, has undergone a fertilisation procedure as a result of which she has become pregnant—

- (a) the husband shall be presumed, for all purposes, to have caused the pregnancy and to be the father of any child born as a result of the pregnancy; and
- (b) any man, not being her husband, who produced semen used for the procedure shall, for all purposes, be presumed not to have caused the pregnancy and not to be the father of any child born as a result of the pregnancy.

(3) A presumption of law that arises by virtue of subsection (2) is irrebuttable.

(4) In any proceedings in which the operation of subsection (2) is relevant, a husband's consent to the carrying out of a fertilisation procedure in respect of his wife shall be presumed but that presumption is rebuttable.

Implantation procedure—Presumption as to status where donor semen used

16.(1) A reference in this section to a fertilisation procedure is a reference to the procedure of implanting in the womb of a woman an embryo derived from an ovum produced by her and fertilised outside her body by semen produced by a man other than her husband.

(2) Where a married woman, in accordance with the consent of her husband, has undergone a fertilisation procedure as a result of which she has become pregnant—

- (a)** the husband shall be presumed, for all purposes, to have produced the semen used for the fertilisation of the ovum used in the procedure and to be the father of any child born as a result of the pregnancy; and
- (b)** the man who produced the semen used for the fertilisation of the ovum used in the procedure shall, for all purposes, be presumed not to have produced the semen and not to be the father of any child born as a result of the pregnancy.

(3) A presumption of law that arises by virtue of subsection (2) is irrebuttable.

(4) In any proceedings in which the operation of subsection (2) is relevant, a husband's consent to the carrying out of a fertilisation procedure in respect of his wife shall be presumed but that presumption is rebuttable.

Implantation procedure—Presumption as to status where donor ovum used

17.(1) A reference in this section to a fertilisation procedure is a reference to the procedure of implanting in the womb of a woman an embryo derived from an ovum produced by another woman and fertilised by—

- (a)** semen produced by the husband of the first mentioned woman; or
- (b)** semen produced by a man other than the husband of the first mentioned woman.

(2) Where a married woman, in accordance with the consent of her husband, has undergone a fertilisation procedure as a result of which she

has become pregnant—

- (a) the married woman shall be presumed, for all purposes, to have become pregnant as a result of the fertilisation of an ovum produced by her and to be the mother of any child born as a result of the pregnancy; and
- (b) the woman who produced the ovum from which the embryo used in the procedure was derived shall be presumed, for all purposes, not to be the mother of any child born as a result of the pregnancy; and
- (c) where the semen used for the fertilisation of the ovum from which the embryo used in the procedure was derived was produced by the husband of the married woman, the husband shall be presumed, for all purposes, to be the father of any child born as a result of the pregnancy; and
- (d) where the semen used for the fertilisation of the ovum from which the embryo used in the procedure was derived was produced by a man other than the husband of the married woman—
 - (i) the husband shall be presumed, for all purposes, to have produced the semen and to be the father of any child born as a result of the pregnancy; and
 - (ii) the man who produced the semen shall be presumed, for all purposes, not to have produced the semen and not to be the father of any child born as a result of the pregnancy.

(3) A presumption of law that arises by virtue of subsection (2) is irrebuttable.

(4) In any proceedings in which the operation of subsection (2) is relevant, a husband's consent to the carrying out of a fertilisation procedure in respect of his wife shall be presumed but that presumption is rebuttable.

Donor of semen used in artificial insemination of certain women

18.(1) Where semen is used in a procedure of artificial insemination of a woman who is not married or of a married woman otherwise than in accordance with the consent of her husband, the man who produced the

semen has no rights or liabilities in respect of a child born as a result of a pregnancy occurring by reason of the use of semen unless, at any time, he becomes the husband of the child's mother.

(2) The rights and liabilities of a man who becomes the husband of the mother of a child born as a result of a pregnancy referred to in subsection (1) are the rights and liabilities of a father of a child but, in the absence of agreement to the contrary, are restricted to rights and liabilities that arise after the man becomes the husband of the child's mother.

PART 4—MISCELLANEOUS PROVISIONS

Regulations

19. The Governor in Council may make regulations not inconsistent with this Act for or with respect to all matters required or permitted by this Act to be prescribed and all matters that are necessary or convenient for the proper administration of this Act and to achieve the objects and purposes of this Act.

ENDNOTES**1 Index to Endnotes**

	Page
2 Date to which amendments incorporated	18
3 List of legislation	18
4 List of legislation	19
5 Table of obsolete and redundant provisions	20
6 Table of renumbered provisions	20
7 Table of comparative legislation	21

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 23 August 1994. Future amendments of the Status of Children Act 1978 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 List of legislation**Status of Children Act 1978 No. 30**

date of assent 8 June 1978

commenced 1 January 1979 (see s 1(2))

as amended by—

Status of Children Act Amendment Act 1988 No. 64

date of assent 6 October 1988

commenced on date of assent

4 List of annotations

Key to abbreviations in list of annotations

amd	=	amended
Ch	=	Chapter
cl	=	clause
def	=	definition
Div	=	Division
hdg	=	heading
ins	=	inserted
om	=	omitted
prec	=	preceding
pres	=	present
prev	=	previous
(prev)	=	previously
prov	=	provision
Pt	=	Part
R1	=	Reprint No. 1
RA	=	Reprints Act 1992
renum	=	renumbered
Sdiv	=	Subdivision
sub	=	substituted

Provisions not included in reprint, or amended by amendments not included in reprint, are underlined

Long title amd 1988 No. 64 s 3

PART 1—PRELIMINARY

Pt hdg ins 1988 No. 64 s 4

Arrangement

s 1A ins 1988 No. 64 s 5
om R1 (see RA s 36)

PART—STATUS OF CHILDREN

Pt hdg ins 1988 No. 64 s 6

Interpretation

s 2 amd 1988 No. 64 s 7

Protection of executors, administrators and trustees

s 6 amd 1988 No. 64 s 8

Recognition of paternity

s 7 amd 1988 No. 64 s 8

PART 3—PARENTAGE OF CHILDREN

Pt hdg ins 1988 No. 64 s 9

Interpretation

s 13 prev s 13 renum as s 19 1988 No. 64 s 11
pres s 13 ins 1988 No. 64 s 9

Application

s 14 prev s 14 renum as s 20 1988 No. 64 s 11
pres s 14 ins 1988 No. 64 s 9

Artificial insemination—Presumption as to status

s 15 ins 1988 No. 64 s 9

Implantation procedure—Presumption as to status where donor semen used

s 16 ins 1988 No. 64 s 9

Implantation procedure—Presumption as to status where donor ovum used

s 17 ins 1988 No. 64 s 9

Donor of semen used in artificial insemination of certain women

s 18 ins 1988 No. 64 s 9

PART 4—MISCELLANEOUS PROVISIONS

Pt hdg ins 1988 No. 64 s 10

Regulations

s 19 pres s 19 (prev s 13) renum 1988 No. 64 s 11

Amendment of certain Acts

s 20 pres s 20 (prev s 14) renum 1988 No. 64 s 11
om R1 (see RA 40)

SCHEDULE

om R1 (see RA 40)

5 Table of obsolete and redundant provisions

TABLE OF OBSOLETE AND REDUNDANT PROVISIONS
under the Reprints Act 1992 s 39

Omitted provision	Provision making omitted provision obsolete/redundant
references to Commonwealth	Acts Interpretation Act 1954 s 36 def “Commonwealth”

6 Table of renumbered provisions

TABLE OF RENUMBERED PROVISIONS
under the Reprints Act 1992 s 43

Previous	Renumbered as
7(2), 2nd sentence	7(3)
8(4), 2nd sentence	8(4A)

8(4), 3rd sentence	8(4B)
9(4), 2nd sentence	9(4A)
9(4), 3rd sentence	9(4B)
9(4), 4th sentence	9(4C)
9(4), 5th sentence	9(4D)
11(2), 2nd sentence	11(2A)
11(3), 2nd sentence	11(3A)
11(4), 2nd sentence	11(4A)
11(4), 3rd sentence	11(4B)
11(5), 2nd sentence	11(5A)

7 Table of comparative legislation

Key to abbreviations in table of comparative legislation

Cwth	=	Family Law Act 1975 (Commonwealth)
Eng	=	Family Law Reform Act 1969 (United Kingdom)
NZ	=	Status of Children Act 1969 (New Zealand)
SA	=	Family Relationships Act 1975 (South Australia)
Tas	=	Status of Children Act 1974 (Tasmania)
Vic	=	Status of Children Act 1974 (Victoria)

s 2	Cf NZ s 2; Tas s 2; Vic s 2
s 3	NZ s 3; Tas s 3; Vic s 3
s 4	NZ s 4; Tas s 4; Vic s 4
s 5	Cf NZ s 5; SA s 8; Vic s 5
s 6	NZ s 6; Tas s 6; Vic s 6
s 7	Cf NZ s 7; SA s 7; Tas s 7; Vic s 7
s 8	Cf NZ s 8; Tas s 8; Vic s 8
s 9	Cf NZ s 9; Tas s 9; Vic s 9
s 10	Cf NZ s 10; SA s 9; Tas s 10; Vic s 10
s 11	Cf Cwth s 99; Eng ss 21, 23; Tas s 10