

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

**Same-Sex Relationships (Equal Treatment in Commonwealth Laws—
General Law Reform) Bill 2008**

SCHEDULE A

Schedule of the requests by the Senate for amendments

- (1) Schedule 2, page 20 (after line 3), after item 52, insert:

Family Law Act 1975

52A Subsection 4(1) (paragraphs (b) and (c) of the definition of *step-parent*)

Repeal the paragraphs, substitute:

- (b) is, or has been, married to or a de facto partner (within the meaning of section 60EA) of, a parent of the child; and
- (c) treats, or at any time while married to, or a de facto partner of, the parent treated, the child as a member of the family formed with the parent.

52B Paragraph 66M(3)(b)

After “marriage to”, insert “, or relationship with,”.

52C Application to the *Child Support (Registration and Collection) Act 1988*

To the extent that the amendment of the *Family Law Act 1975* made by this Schedule affects the definition of *step-parent* in subsection 4(1) of the *Child Support (Registration and Collection) Act 1988*, it applies in relation to that definition on and after 1 July 2009.

- (2) Schedule 6, page 58 (after line 4), after item 22, insert:

Child Support (Assessment) Act 1989

22A Subsection 5(1) (paragraph (b) of the definition of *member of a couple*)

Repeal the paragraph, substitute:

- (b) a person who is living with another person as the partner of the other person on a genuine domestic basis although not legally married to the other person; or
- (c) a person whose relationship with another person (whether of the same sex or a different sex) is registered under a law of a State or Territory prescribed for the purposes of section 22B of the *Acts Interpretation Act 1901* as a kind of relationship prescribed for the purposes of that section, and is not living separately and apart from the other person on a permanent or indefinite basis.

22B Subsection 5(1) (definition of *parent*)

Repeal the definition, substitute:

parent:

- (a) when used in relation to a child who has been adopted—means an adoptive parent of the child; and
- (b) when used in relation to a child born because of the carrying out of an artificial conception procedure—means a person who is a parent of the child under section 60H of the *Family Law Act 1975*; and
- (c) when used in relation to a child born because of a surrogacy arrangement—includes a person who is a parent of the child under section 60HB of the *Family Law Act 1975*.

22C Subsection 5(1)

Insert:

relative has a meaning affected by subsection (4).

22D At the end of section 5

Add:

Relatives

- (4) For the purposes of section 26A and subparagraph 150(4E)(b)(ii), the relatives of a person are taken to include the following (without limitation):
 - (a) a partner of the person;
 - (b) someone who is a parent of the person, or someone of whom the person is a parent, because of the definition of *parent* in this section;
 - (c) anyone else who would be a relative of the person if someone mentioned in paragraph (a) or (b) is taken to be a relative of the person.

22E Paragraph 29(2)(d)

Omit “the father or mother”, substitute “a parent”.

22F At the end of subsection 29(2)

Add:

; or (i) that the person is a parent of the child under section 60H or section 60HB of the *Family Law Act 1975*.

22G Sub-subparagraph 163A(2)(b)(v)(B)

Repeal the sub-subparagraph, substitute:

(B) in a de facto relationship with each other;

22H Subsection 163A(5)

Repeal the subsection, substitute:

(5) In this section:

de facto relationship means:

- (a) a relationship between 2 persons (whether of the same sex or different sexes) who, although not legally married to each other, live with each other on a genuine domestic basis in a relationship as a couple; or

- (b) a relationship between 2 persons (whether of the same sex or different sexes) that is registered under a law of a State or Territory prescribed for the purposes of section 22B of the *Acts Interpretation Act 1901* as a kind of relationship prescribed for the purposes of that section.

Child Support (Registration and Collection) Act 1988

22J Subsection 4(1)

Insert:

relative has a meaning affected by subsection (5).

22K At the end of section 4

Add:

- (5) For the purposes of this Act, the relatives of a person are taken to include the following (without limitation):
 - (a) a partner (within the meaning of the Assessment Act) of the person;
 - (b) someone who is the parent of the person, or someone of whom the person is a parent, because of the definition of *parent* in the Assessment Act;
 - (c) anyone else who would be a relative of the person if someone mentioned in paragraph (a) or (b) is taken to be a relative of the person.

The Senate
24 November 2008

HARRY EVANS
Clerk of the Senate

SCHEDULE B

Amendments made by the Senate

- (1) Clause 2, page 2 (table item 3), omit the table item.
- (2) Clause 2, page 3 (table item 17), omit the table item.
- (3) Clause 2, pages 3 and 4 (table item 18), omit the table item.
- (4) Clause 2, page 4 (table item 19), omit the table item.
- (5) Clause 2, page 4 (table item 20), omit the table item.
- (6) Clause 2, page 4 (table item 21), omit the table item.
- (7) Schedule 2, Part 1, page 8 (line 3) to page 9 (line 36), omit the Part.
- (8) Schedule 2, item 4, page 10 (lines 23 to 30), omit the definition of ***child***, substitute:

child: without limiting who is a child of a person for the purposes of paragraph (a) of the definition of ***near relative*** in this subsection, someone is the ***child*** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.
- (9) Schedule 2, item 9, page 12 (lines 2 to 8), omit the definition of ***child***, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the ***child*** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.
- (10) Schedule 2, item 11, page 12 (lines 19 to 25), omit all the words from and including “is the product” to and including “relationship.”, substitute “is a child of the person within the meaning of the *Family Law Act 1975*.”.
- (11) Schedule 2, item 34, page 15 (lines 7 to 13), omit the definition of ***child***, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the ***child*** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.
- (12) Schedule 2, item 36, page 15 (line 20) to page 16 (line 9), omit the definition of ***parent***, substitute:

parent: without limiting who is a parent of a person for the purposes of this Act, someone (the ***adult***) is the ***parent*** of a person if:

 - (a) the adult is legally entitled to, and has, custody of the person; or
 - (b) the adult is legally responsible for the day-to-day care, welfare and development of the person and has the person in his or her care.

- (13) Schedule 2, item 41, page 17 (lines 19 to 25), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of this section, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

- (14) Schedule 2, item 43, page 18 (lines 5 to 11), omit all the words from and including “is the product” to and including “relationship.”, substitute “is a child of the person within the meaning of the *Family Law Act 1975*.”.

- (15) Schedule 2, item 61, page 21 (lines 24 to 30), omit all the words from and including “is the product” to and including “relationship.”, substitute “is a child of the person within the meaning of the *Family Law Act 1975*.”.

- (16) Schedule 2, item 67, page 22 (line 27) to page 23 (line 2), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

- (17) Schedule 2, item 73, page 23 (lines 24 to 30), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

- (18) Schedule 2, item 76, page 24 (lines 25 to 31), omit all the words from and including “is the product” to and including “relationship.”, substitute “is a child of the person within the meaning of the *Family Law Act 1975*.”.

- (19) Schedule 2, item 85, page 27 (line 31) to page 28 (line 2), omit the definition of **parent**, substitute:

parent: without limiting who is a parent of anyone for the purposes of this Act, a person is the **parent** of another person if the other person is a child of the person within the meaning of the *Family Law Act 1975*.

- (20) Schedule 3, item 2, page 30 (lines 23 to 28), omit all the words from and including “is the product” to and including “relationship.”, substitute “is a child of the person within the meaning of the *Family Law Act 1975*.”.

- (21) Schedule 3, item 6, page 31 (lines 9 to 15), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

- (22) Schedule 3, item 12, page 32 (lines 17 to 24), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of Part 2A and this Schedule, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

- (23) Schedule 4, item 1, page 35 (lines 5 and 6), omit the item.

- (24) Schedule 4, item 2, page 35 (lines 13 to 15), omit subparagraph (a)(ii) of the definition of **child**, substitute:
- (ii) a child of the person within the meaning of the *Family Law Act 1975*; and
- (25) Schedule 4, item 2, page 35 (line 19), omit the note.
- (26) Schedule 4, item 9, page 36 (lines 12 to 17), omit the item.
- (27) Schedule 4, item 47, page 41 (lines 14 to 20), omit the definition of **child**, substitute:
- child**: without limiting who is a child of a person for the purposes of subsection (3), someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.
- (28) Schedule 4, item 51, page 42 (lines 22 to 29), omit the definition of **parent**, substitute:
- parent**: without limiting who is a parent of anyone for the purposes of this Act, a person is the **parent** of another person if the other person is a child of the person within the meaning of the *Family Law Act 1975*.
- (29) Schedule 5, item 2, page 44 (lines 11 to 17), omit the definition of **child**, substitute:
- child**: without limiting who is a child of a person for the purposes of this section, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.
- (30) Schedule 5, item 9, page 45 (line 31) to page 46 (line 4), omit subclause (3) of Schedule 1, substitute:
- (3) For the purposes of paragraph (2)(b), one person is the **child** of another person because of this subclause if he or she is a child of the other person within the meaning of the *Family Law Act 1975*.
- (31) Schedule 5, item 11, page 46 (lines 15 to 21), omit the definition of **child**, substitute:
- child**: without limiting who is a child of a person for the purposes of this Act, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.
- (32) Schedule 5, item 27, page 49 (lines 17 to 23), omit the definition of **child**, substitute:
- child**: without limiting who is a child of a person for the purposes of this Act, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.
- (33) Schedule 5, item 40, page 52 (lines 10 to 16), omit the definition of **child**, substitute:
- child**: without limiting who is a child of a person for the purposes of this section, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.
- (34) Schedule 6, item 1, page 53 (lines 9 to 15), omit the definition of **child**, substitute:
- child**: without limiting who is a child of a person for the purposes of this Act, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(35) Schedule 6, item 7, page 54 (lines 24 to 30), omit the definition of *child*, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the *child* of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(36) Schedule 6, items 13 to 16, page 56 (lines 12 to 28), omit the items.

(37) Schedule 6, item 18, page 57 (lines 8 to 13), omit subsection 23(6), substitute:

- (6) If a child (other than an adopted child) is a relationship child of a person because he or she is a child of the person, and of another person, within the meaning of the *Family Law Act 1975*, the person and the other person are taken to be the child's only parents for the purposes of paragraph (c) of the definition of *qualifying period* in subsection (5).

(38) Schedule 6, item 35, page 59 (lines 24 to 30), omit the definition of *child*, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the *child* of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(39) Schedule 6, item 45, page 61 (lines 10 to 19), omit the item.

(40) Schedule 6, item 68, page 64 (line 30) to page 65 (line 2), omit subsection 993(3), substitute:

- (3) If a young person (other than an adopted child) is a relationship child of a person because he or she is a child of the person, and of another person, within the meaning of the *Family Law Act 1975*, the person and the other person are taken to be the young person's only parents for the purposes of this section.

(41) Schedule 6, item 70, page 65 (lines 7 to 11), omit subsection 994(2), substitute:

- (2) If a young person (other than an adopted child) is a relationship child of a person because he or she is a child of the person, and of another person, within the meaning of the *Family Law Act 1975*, the person and the other person are taken to be the young person's only parents for the purposes of this section.

(42) Schedule 6, item 71, page 65 (lines 14 to 18), omit subsection 995(3), substitute:

- (3) If a young person (other than an adopted child) is a relationship child of a person because he or she is a child of the person, and of another person, within the meaning of the *Family Law Act 1975*, the person and the other person are taken to be the young person's only parents for the purposes of this section.

(43) Schedule 6, item 73, page 65 (lines 25 to 30), omit subsection 1061PL(8), substitute:

- (8) If a person (other than a person who is an adopted child) is a relationship child of another person because he or she is a child of the other person, and of a third person, within the meaning of the *Family Law Act 1975*, the other person and the third person are taken to be the person's only parents for the purposes of subsections (3), (4), (5), (6) and (7).

- (44) Schedule 6, item 85, page 67 (lines 3 to 8), omit subsection 1067A(13), substitute:
- (13) If a person (other than a person who is an adopted child) is a relationship child of another person because he or she is a child of the other person, and of a third person, within the meaning of the *Family Law Act 1975*, the other person and the third person are taken to be the person's only parents for the purposes of subsections (5), (6), (7), (8), (9) and (11).
- (45) Schedule 6, item 88, page 67 (lines 16 to 20), omit subsection 1067B(2), substitute:
- (2) If a person (other than a person who is an adopted child) is a relationship child of another person because he or she is a child of the other person, and of a third person, within the meaning of the *Family Law Act 1975*, the other person and the third person are taken to be the person's only parents for the purposes of paragraph (1)(b).
- (46) Schedule 6, item 101, page 69 (lines 10 to 14), omit subsection 1067D(4), substitute:
- (4) If a person (other than a person who is an adopted child) is a relationship child of another person because he or she is a child of the other person, and of a third person, within the meaning of the *Family Law Act 1975*, the other person and the third person are taken to be the person's only parents for the purposes of paragraph (1)(b).
- (47) Schedule 6, items 104 to 106, page 69 (line 20) to page 70 (line 4), omit the items.
- (48) Schedule 6, item 110, page 70 (lines 14 to 18), omit subsection 1067J(2), substitute:
- (2) If a person (other than a person who is an adopted child) is a relationship child of another person because he or she is a child of the other person, and of a third person, within the meaning of the *Family Law Act 1975*, the other person and the third person are taken to be the person's only parents for the purposes of subsection (1).
- (49) Schedule 6, item 118, page 71 (lines 8 to 13), omit the item.
- (50) Schedule 6, item 125, page 72 (lines 5 to 11), omit all the words from and including "is the product" to and including "relationship.", substitute "is a child of the person within the meaning of the *Family Law Act 1975*."
- (51) Schedule 6, item 127, page 72 (lines 23 to 29), omit all the words from and including "is the product" to and including "relationship.", substitute "is a child of the beneficiary within the meaning of the *Family Law Act 1975*."
- (52) Schedule 7, item 1, page 73 (lines 7 to 12), omit all the words from and including "who is the product" to and including "relationship.", substitute "of the person within the meaning of the *Family Law Act 1975*."
- (53) Schedule 7, item 9, page 74 (lines 22 to 28), omit the definition of **child**, substitute:
- child**: without limiting who is a child of a person for the purposes of this Part, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.
- (54) Schedule 7, items 49 and 50, page 83 (lines 12 to 18), omit the items.
- (55) Schedule 7, item 52, page 83 (line 23) to page 84 (line 21), omit the item.

(56) Schedule 7, heading to Part 2, page 85 (line 2), omit the heading, substitute:

Part 2—Superannuation amendments

(57) Schedule 7, page 85 (after line 6), after item 53, insert:

53A At the end of section 51

Add:

- (7) The reference in paragraph (6)(a) to the birth of a child of the person includes a reference to the birth of a child who is a child of the person within the meaning of the *Family Law Act 1975*.

(58) Schedule 7, page 85 (after line 9), after item 54, insert:

54A At the end of section 51A

Add:

- (8) The reference in subparagraph (1)(b)(i) to the birth of a child of a person includes a reference to the birth of a child who is a child of the person within the meaning of the *Family Law Act 1975*.

(59) Schedule 7, item 55, page 85 (line 13), omit “(whether Part 2, 3 or 4)”.

(60) Schedule 7, Part 3, page 86 (lines 2 to 21), omit the Part.

(61) Schedule 7, Part 4, page 87 (line 2) to page 88 (line 7), omit the Part.

(62) Schedule 8, item 7, page 90 (lines 23 to 30), omit the definition of *child*, substitute:

child: without limiting who is a child of an individual for the purposes of this Act, someone is the *child* of an individual if he or she is a child of the individual within the meaning of the *Family Law Act 1975*.

(63) Schedule 8, item 14, page 92 (lines 12 to 18), omit the definition of *child*, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the *child* of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(64) Schedule 9, item 4, page 94 (lines 9 to 15), omit the item.

(65) Schedule 9, item 6, page 94 (line 20) to page 95 (line 9), omit the item.

(66) Schedule 9, item 8, page 95 (lines 20 to 22), omit paragraph (b) of the definition of *child*, substitute:

- (b) someone who is a child of the person within the meaning of the *Family Law Act 1975*.

(67) Schedule 9, item 8, page 95 (lines 23 to 25), omit the note.

- (68) Schedule 9, item 14, page 96 (lines 16 to 21), omit the definition of *parent* (including the note), substitute:
- parent*: without limiting who is a parent of a child for the purposes of this Part, a person is the *parent* of a child if the child is a child of the person within the meaning of the *Family Law Act 1975*.
- (69) Schedule 9, item 18, page 97 (lines 8 to 14), omit the item.
- (70) Schedule 9, item 19, page 97 (lines 23 to 25), omit paragraph (c) of the definition of *parent*, substitute:
- (c) the child is a child of the person within the meaning of the *Family Law Act 1975*.
- (71) Schedule 9, item 19, page 97 (lines 26 to 28), omit the note.
- (72) Schedule 9, item 21, page 98 (lines 8 to 10), omit paragraph 84(3B)(c), substitute:
- (c) someone who is a child of the person within the meaning of the *Family Law Act 1975*.
- (73) Schedule 9, item 21, page 98 (lines 11 and 12), omit the note.
- (74) Schedule 9, items 23 and 24, page 98 (lines 15 to 34), omit the items.
- (75) Schedule 9, item 26, page 99 (lines 2 to 23), omit the item.
- (76) Schedule 9, item 30, page 101 (lines 12 to 14), omit paragraph (c) of the definition of *child*, substitute:
- (c) someone who is a child of the person within the meaning of the *Family Law Act 1975*;
- (77) Schedule 9, item 30, page 101 (lines 18 to 21), omit all the words from and including “For the purposes” to and including “relationship.”.
- (78) Schedule 9, items 36 and 37, page 102 (lines 18 to 32), omit the items.
- (79) Schedule 10, item 1, page 104 (lines 9 to 15), omit all the words from and including “is the product” to and including “relationship.”, substitute “is a child of the person within the meaning of the *Family Law Act 1975*.”.
- (80) Schedule 10, item 7, page 105 (lines 7 to 18), omit section 8, substitute:

8 Children born as a result of artificial conception procedures or surrogacy arrangements

- (1) This section applies if a child is:
- (a) a child of a person under section 60H or 60HB of the *Family Law Act 1975*; and
 - (b) either:
 - (i) a child of the person’s spouse or de facto partner under that section; or
 - (ii) a biological child of the person’s spouse or de facto partner.
- (2) The child is taken for the purposes of this Act:
- (a) to be the child of the person and the spouse or de facto partner; and
 - (b) not to be the child of anyone else.

(81) Schedule 10, page 107 (before line 5), before item 13, insert:

12A Subsection 5(1)

Insert:

adoption has the same meaning as in the regulations.

(82) Schedule 10, item 20, page 108 (lines 9 to 18), omit subsection 5CA(1), substitute:

(1) Without limiting who is a child of a person for the purposes of this Act, each of the following is the *child* of a person:

(a) someone who is a child of the person within the meaning of the *Family Law Act 1975* (other than someone who is an adopted child of the person within the meaning of that Act);

(b) someone who is an adopted child of the person within the meaning of this Act.

(83) Schedule 10, item 79, page 120 (lines 6 to 13), omit the definition of *parent*, substitute:

parent: without limiting who is a parent of anyone for the purposes of this Act, a person is the *parent* of another person if the other person is a child of the person within the meaning of the *Family Law Act 1975*.

(84) Schedule 11, item 3, page 122 (lines 7 to 13), omit the definition of *child*, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the *child* of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(85) Schedule 11, item 8, page 124 (lines 7 to 13), omit the definition of *child*, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the *child* of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(86) Schedule 11, page 125 (after line 21), after item 13, insert:

13A Paragraph 15(d)

After “spouse” (wherever occurring), insert “, de facto partner”.

(87) Schedule 11, Part 3, page 125 (after line 35), at the end of the Part, add:

14A Paragraph 38(d)

After “spouse” (wherever occurring), insert “, de facto partner”.

(88) Schedule 11, item 16, page 126 (lines 8 to 15), omit the definition of *child*, substitute:

child: without limiting who is a child of a person for the purposes of Part 3 and this Schedule, someone is the *child* of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(89) Schedule 11, item 23, page 129 (lines 4 to 10), omit the definition of *child*, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the *child* of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(90) Schedule 12, item 4, page 133 (lines 16 to 22), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of this section, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(91) Schedule 13, item 1, page 135 (lines 20 to 26), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of subsection (10), someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(92) Schedule 13, item 3, page 136 (lines 3 to 9), omit all the words from and including “is the product” to and including “relationship.”, substitute “is a child of the individual within the meaning of the *Family Law Act 1975*.”.

(93) Schedule 14, item 91, page 152 (lines 9 to 15), omit all the words from and including “is the product” to and including “relationship.”, substitute “is a child of the individual within the meaning of the *Family Law Act 1975*.”.

(94) Schedule 14, item 98, page 154 (lines 8 to 14), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(95) Schedule 14, item 110, page 157 (lines 6 to 12), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(96) Schedule 14, item 113, page 158 (lines 16 to 22), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(97) Schedule 14, item 125, page 160 (lines 15 to 21), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(98) Schedule 14, item 130, page 162 (lines 6 to 12), omit the definition of **child**, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the **child** of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(99) Schedule 15, item 6, page 165 (lines 23 to 30), omit the definition of **parent**, substitute:

parent: without limiting who is a parent of anyone for the purposes of this Act, a person is the **parent** of another person if the other person is a child of the person within the meaning of the *Family Law Act 1975*.

(100) Schedule 15, item 34, page 168 (lines 21 to 27), omit the definition of *child*, substitute:

child: without limiting who is a child of a person for the purposes of this Act, someone is the *child* of a person if he or she is a child of the person within the meaning of the *Family Law Act 1975*.

(101) Schedule 15, item 68, page 175 (lines 3 to 8), omit subsection 5Q(5), substitute:

- (5) For the purposes of this Act, if under a provision of this Act one person is the child of another person because the person is a child of the other person within the meaning of the *Family Law Act 1975*, relationships traced to or through the person are to be determined on the basis that the person is the child of the other person.

(102) Schedule 15, item 68, page 175 (lines 9 to 13), omit the note, substitute:

Note: Paragraph 10(1)(b) and paragraph (b) of the definition of *child* in section 52ZO are examples of provisions under which one person may be the child of another person because the person is a child of the other person within the meaning of the *Family Law Act 1975*.

(103) Schedule 15, item 70, page 175 (lines 26 to 28), omit paragraph 10(1)(b), substitute:

- (b) a child who is a child of the veteran within the meaning of the *Family Law Act 1975*; or

(104) Schedule 15, item 70, page 175 (lines 32 to 35), omit subsection 10(2).

(105) Schedule 15, item 73, page 176 (lines 8 to 15), omit subsection 10A(1), substitute:

- (1) Without limiting who is a parent of anyone for the purposes of this Act, a person is the *parent* of another person (other than an adopted child) if the other person is a child of the person within the meaning of the *Family Law Act 1975*.

(106) Schedule 15, item 90, page 178 (lines 6 to 12), omit all the words from and including “is the product” to and including “relationship.”, substitute “is a child of the person within the meaning of the *Family Law Act 1975*.”.

(107) Schedule 15, item 92, page 178 (lines 24 to 30), omit all the words from and including “is the product” to and including “relationship.”, substitute “is a child of the person within the meaning of the *Family Law Act 1975*.”.

(108) Schedule 15, item 93, page 179 (lines 1 to 3), omit paragraph (ba) of the definition of *child*, substitute:

- (ba) someone who was a child of the deceased within the meaning of the *Family Law Act 1975*; or

(109) Schedule 15, items 94 and 95, page 179 (lines 4 to 14), omit the items.

HARRY EVANS
Clerk of the Senate

The Senate
24 November 2008