The Parliament of the Commonwealth of Australia

THE SENATE

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

(Amendments to be moved by Senator Hanson-Young on behalf of the Australian Greens in committee of the whole)

Amendments relating to the Acts Interpretation Act

(1) Schedule 2, item 1, page 8 (lines 8 to 16), omit section 22A, substitute:

22A References to couple relationships

For the purposes of a provision of an Act that is a provision in which couple relationship has the meaning given by this Act, a person is a partner of a couple relationship with another person (whether of the same sex or a different sex) if:

(a) the person is in a registered relationship with the other person under section 22B; or
(b) the person is in a de facto relationship with the other person under section 22C.

[umbrella term: couple relationship]

Note: Other items in the General Law Reform Bill will require consequential amendments to omit ‘de facto partner’ and substitute ‘partner of a couple relationship’.

(2) Schedule 2, item 1, page 8 (lines 17 to 21), omit section 22B, substitute:

22B Registered relationships

For the purposes of paragraph 22A(a), a person is in a registered relationship with another person if the relationship between the persons is:

(a) registered under a prescribed law of a State or Territory as a prescribed kind of relationship; or
(b) registered in a foreign country where, under the local law, the relationship was, at the time when it was registered, recognised as valid.

[extended meaning of registered relationships]
Amendments relating to the Sex Discrimination Act

(3) Schedule 2, page 24 (before line 20), before item 76, insert:

75A Title
   After ‘marital’, insert ‘or couple’.

75B Preamble
   After ‘marital’ (twice occurring), insert ‘or couple’.

75C Subsection 3(b)
   After ‘marital’, insert ‘or couple’.

75D Subsection 4(1) (definition of de facto spouse)
   Repeal the definition.

75E Subsection 4(1) (definition of marital status)
   Repeal the definition, substitute:

   **marital or couple status** means the status or condition of being:
   
   (a) single; or
   (b) married; or
   (c) married but living separately and apart from one’s spouse; or
   (d) divorced; or
   (e) widowed; or
   (f) in a registered relationship, in accordance with section 22B of the Acts Interpretation Act 1901; or
   (g) in a de facto relationship, in accordance with section 22C of the Acts Interpretation Act 1901.

75F Subsection 4(1) (definition of near relative)
   Omit paragraph (b), substitute:
   
   (b) the spouse of the first-mentioned person or of a person referred to in paragraph (a); or
   (c) a person who is a partner of the first-mentioned person or of a person referred to in paragraph (a):
      
      (i) in a registered relationship, in accordance with section 22B of the Acts Interpretation Act 1901, or
      (ii) in a de facto relationship, in accordance with section 22C of the Acts Interpretation Act 1901.

(4) Schedule 2, page 25 (after line 25), after item 80, insert:

80A Section 6
   After ‘marital’ (wherever occurring), insert ‘or couple’.

Note: The heading to section 6 is altered by omitting “marital status” and substituting “marital or couple status”.

80B Paragraph 7D(b)
(5) Schedule 2, page 26 (after line 20), after item 83, insert:

**83A Subsection 11(2)**

After ‘marital’, insert ‘or couple’.

(6) Schedule 2, page 27 (after line 27), after item 84, insert:

**84A Sections 14 to 27, 35, 38, 41A, 41B, 42 and 48**

After ‘marital’ (wherever occurring), insert ‘or couple’.