



Gay and Lesbian Rights Lobby

Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

Via Email: lacsc@parliament.qld.gov.au

19 October 2015

Dear Research Director

Re: Relationships (Civil Partnerships) and Other Acts Amendment Bill 2015 Public Review

Thank you for the opportunity to make a submission to the Legal Affairs and Community Safety Committee's inquiry into the Relationships (Civil Partnerships) and Other Acts Amendment Bill 2015 ("the Bill").

Established in 1988, the NSW Gay & Lesbian Rights Lobby (GLRL) is the leading organisation for lesbian and gay rights in NSW. Our mission is to achieve legal equality and social justice for lesbians, gay men and their families. The GLRL has a strong history in legislative reform in the area of relationship and marriage recognition. We have advocated at the Commonwealth and State level for the recognition of gay and lesbian relationships and have been involved in similar inquiries in NSW.

Whilst GLRL is a NSW based organisation, the recognition of gay and lesbian relationships is a fundamental human rights issue that potentially affects all gay and lesbian individuals, regardless of their location in Australia. Further, many couples in NSW relocate to Queensland, and vice-versa. Allowing for the mutual recognition of relationships and the operation of complementary schemes means there is a continuity of recognition of a couple's relationship regardless of where they live in Australia.

GLRL supports any legislative reform that removes discrimination or barriers to the recognition of gay and lesbian relationships. We maintain a position that same-sex marriage should be enacted at the Commonwealth level; however, we also support the unilateral move of State and Territory jurisdictions to provide greater recognition of gay and lesbian relationships within the parameters of the Australian Constitution.¹

The Bill provides recognition of partnerships between two adults and allows state-sanctioned ceremonies to be conducted prior to the registration of the relationship.² This expands the current scheme³ of relationship recognition to include gay and lesbian relationships.

¹ In *Commonwealth v Australian Capital Territory* [2013] HCA the High Court unanimously confirmed that the Commonwealth has the power to enact marriage equality under s 51(xxii) of the Constitution.

² Relationships (Civil Partnerships) and Other Acts Amendment Bill 2015 cl.10.

³ As established by the *Relationship Act 2011* (QLD).



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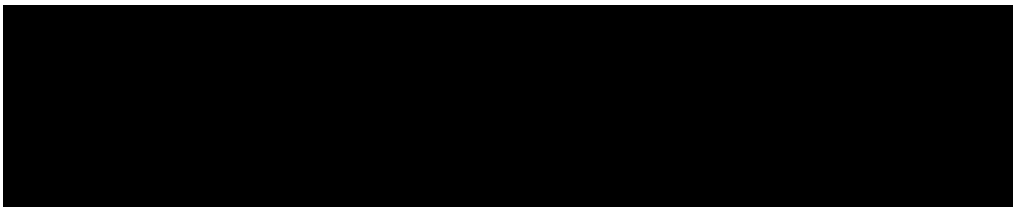
The GLRL supports the scheme as proposed as a step forward in the recognition of gay and lesbian relationships in Australia. Notably, we support:

- the change of terminology from ‘registered relationship’ to ‘civil partnership’;
- provisions allowing a declaration between couples to be made prior to relationship registration and allowing flexibility for couples to choose either a private ceremony or no ceremony;
- transitional provisions recognising relationships previously registered to be recognised under the new scheme;
- removing the previous scheme’s requirement that an application to dissolve the relationship’s recognition be made in the District Court, allowing for the Registry of Births Deaths and Marriages (RBDM) to provide this function.

In NSW, the *Relationships Register Act 2010* (NSW) established the NSW Relationship Register, which provides for a similar scheme as proposed by this Bill. As a result, many gay and lesbian relationships have now been formally recognised. We would welcome the introduction of a similar scheme in Queensland with the features outlined above; particularly in light of the continuing delays at the Commonwealth level to legislate for marriage equality.

Please don’t hesitate to contact us if we can be of any further assistance.

Yours sincerely



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