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**Queensland
Government**

Office of the
Director-General

Department of
Justice and Attorney-General

The Honourable Dean Wells MP
Chair
Legal Affairs, Police, Corrective Services and Emergency Services Committee
Parliamentary Annex
George Street
BRISBANE QLD 4000

Dear Mr Wells

I am writing in response to the question taken on notice by me at the public hearing of the Legal Affairs, Police, Corrective Services and Emergency Services Committee (the Committee) on Friday 4 November 2011 regarding the advice given to Cabinet by the Department of Justice and Attorney-General (DJAG) on the resource impacts of implementing the Civil Partnerships Bill 2011 (the Bill) on DJAG.

Schedule 8 to the Standing Rules and Orders of the Legislative Assembly provides for the *Code of practice for public service employees assisting or appearing before parliamentary committees* (the code of practice). By virtue of paragraph 6 of the code of practice, public service employees should not identify considerations leading to Government decisions or possible decisions (such as Cabinet deliberations), unless those considerations are already public or the Minister authorises the department to identify them.

Therefore, I am not in a position to provide to the Committee the details of the advice given by DJAG to Cabinet in relation to the Bill.

However, the Department of Justice and Attorney-General has reviewed the Bill as introduced. As such I am able to advise that the Bill includes the following matters which may have resources implications for DJAG:

- Development and maintenance of a register of civil partnerships at the Births, Deaths and Marriages Registry (BDMR).
- Development and maintenance of a register of civil partnership notaries at the BDMR.
- Application for review to Queensland Civil and Administrative Tribunal (QCAT) regarding a decision by the registrar-general to refuse to register, or to cancel the registration, of a civil partnership notary.

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- Application for review to QCAT regarding a decision by the registrar-general to refuse to register a civil partnership.
- Application to the District Court for a termination of a civil partnership.

It is estimated that the costs associated with developing a register of civil partnerships and civil partnership notaries, including the information technology system, training, change and consultation costs will be approximately \$100,000. It is expected that a registration fee will be levied for both applications when lodged at the Registry of Births, Deaths and Marriages. It is likely that this fee will offset the implementation and operational costs for the Registry of Births, Deaths and Marriages. This user-pay registration system approach is consistent with other applications lodged with BDMR and this fee will help maintain the registers.

Applications for review to QCAT from decisions by the registrar-general currently incur a filing fee. A similar filing fee to accompany review applications to QCAT under the civil partnership legislation may be appropriate to offset the review costs to QCAT.

Applications filed with the District Court would usually attract a filing fee. There is no reason to expect that this would not be the case for applications for termination of a civil partnership. It is difficult to estimate the number of termination applications that will be lodged each year however it is not expected that this will adversely impact on the District Court's ability to manage its workload.

Yours sincerely



Philip Reed
Director-General
15/11/11