

Legal Affairs, Police, Corrective Services and Emergency Services Committee

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Your Ref:

Our Ref: 11.1.8.c

31 October 2011

Hon Ms Anna Bligh MP
Premier and Minister for Reconstruction
PO Box 15185
CITY EAST QLD 4002

Dear Premier

Civil Partnerships Bill 2011

Committee examination of Private Member's Bill

The Civil Partnerships Bill 2011 (the Bill) was presented to the House on 25 October 2011 and referred to the Legal Affairs, Police, Corrective Services and Emergency Services Committee (the committee) on 26 October 2011.

In accordance with sections 92 and 93 of the *Parliament of Queensland Act 2001*, one of committee's roles is to consider legislation and proposed legislation. In particular, where a Bill has been referred by the Legislative Assembly, the committee is to consider:

- the policy to be given effect by the Bill; and
- the application to the Bill of the fundamental legislative principles (as set out in section 4 of the *Legislative Standards Act 1992*).

The committee must examine the Bill and report to Parliament by 21 November 2011.

Purpose of the Bill

The Bill is a private member's bill introduced by Hon. Andrew Fraser MP. The Bill proposes to provide for the legal recognition and registration of civil partnerships, regardless of gender, and to allow couples to make a declaration of their intention to enter into civil partnerships before a civil partnership notary prior to the registration of their civil partnership. The Bill also provides for the termination of civil partnerships, the recognition of interstate civil partnerships and to create a registration process for civil partnership notaries. The Bill also makes consequential amendments to a number of Acts.

The Hansard transcript of the second reading speech for the Bill can be found at (page 3361) http://www.parliament.qld.gov.au/documents/hansard/2011/2011_10_25_DAILY.pdf.

Invitation to make submission

The committee invites the Government to make a written submission on the Bill. Given that the Bill would amend spousal relationship provisions across a range of legislation, it would assist the committee if the submission encompassed a whole-of-government perspective.

Schedule 8 to the Standing Orders, which sets out the *Code of Practice for Public Service employees assisting or appearing before Parliamentary Committee* (the Code), provides relevant guidance (**attached**). A number of sections in the Code have particular relevance in this context:

- ♦ Section 38 provides that the Government or a Department may choose to make a submission to a parliamentary committee on a Private Member's Bill, particular when such Bills affect the interests of the State.
- ♦ Section 37 provides that committees may request assistance with Private Members' Bills. Even when the Government is opposed to the policy in a Bill, it may make public service employees available to assist committees because of the public interest involved in producing good quality legislation.
- ♦ Section 5 provides that public service employees may have dealings with committees as either an assistant or a witness.

In this case, the committee contemplates that any written submission would constitute evidence, and any public service employee appearing to present a submission would appear as a witness, in the first instance. However, it is possible that, subsequent to receiving and hearing any submission from the Government, the committee may consider requesting the assistance of departmental officials as advisers.

The committee would be grateful if any written submission, and the contact details of a nominated departmental officer for that submission, could be provided by **Wednesday 2 November 2011**.

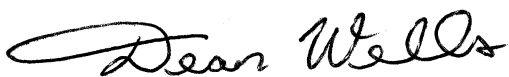
Public submissions on the Bill

The committee has called for written submissions on the Bill by writing to stakeholder groups and by media release. The closing date for submissions is Friday 4 November 2011.

The committee intends to publish those submissions that are suitable for tabling on the Parliament of Queensland website as soon as practicable after the closing date.

If there are any queries about this letter or the committee's work, please do not hesitate to contact the committee's Principal Research Officer, Amanda Honeyman on 3406 7174 or lapcsesc@parliament.qld.gov.au.

Yours sincerely



Hon Dean Wells MP
Acting Chair

Enc.

cc. Hon Andrew Fraser MP, Deputy Premier, Treasurer and Minister for State Development and Trade
Hon Paul Lucas MP, Attorney-General and Minister for Local Government and Special Minister of State
Hon Karen Struthers MP, Minister for Community Services and Housing and Minister for Women
Mr John Bradley, Director-General, Department of the Premier and Cabinet
Mr Philip Reed, Director-General, Department of Justice and Attorney-General
Ms Linda Apelt, Director-General, Department of Communities