



Australian Capital Territory

# **Civil Unions Act 2012**

**A2012-40**

**Republication No 1**

**Effective: 11 September 2012 – 11 September 2012**

Republication date: 11 September 2012

Act not amended

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Civil Unions Act 2012* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 11 September 2012. It also includes any commencement, repeal or expiry affecting this republished law.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$110 for an individual and \$550 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Civil Unions Act 2012

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Australian Capital Territory

# Civil Unions Act 2012

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An Act to provide for civil unions, and for other purposes

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## Part 1 Preliminary

### 1 Name of Act

This Act is the *Civil Unions Act 2012*.

### 3 Dictionary

The dictionary at the end of this Act is part of this Act.

*Note 1* The dictionary at the end of this Act defines certain terms used in this Act, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition '*daily care responsibility*—see the *Children and Young People Act 2008*, section 19 (1).' means that the term 'daily care responsibility' is defined in that section and the definition applies to this Act.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

### 4 Notes

A note included in this Act is explanatory and is not part of this Act.

*Note* See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.



## 5 Offences against Act—application of Criminal Code etc

Other legislation applies in relation to offences against this Act.

*Note 1 Criminal Code*

The Criminal Code, ch 2 applies to all offences against this Act (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg **conduct**, **intention**, **recklessness** and **strict liability**).

*Note 2 Penalty units*

The Legislation Act, s 133 deals with the meaning of offence penalties that are expressed in penalty units.

## Part 2 Civil unions

### Division 2.1 General

#### 6 Civil unions—general

- (1) A civil union is a legally recognised relationship entered into under this Act.
- (2) A civil union is different to a marriage but is to be treated for all purposes under territory law in the same way as a marriage.

*Note 1* **Marriage** is defined in the *Marriage Act 1961* (Cwlth), s 5 to mean the union of a man and a woman to the exclusion of all others, voluntarily entered into for life.

*Note 2* **Territory law** includes the common law (see *Legislation Act*, dict pt 1, def *law*).

### Division 2.2 Eligibility for entering into civil union

#### 7 Eligibility criteria

A person may enter into a civil union only if—

- (a) the person is an adult; and
- (b) the person is not—
  - (i) married; or
  - (ii) in a civil union; or
  - (iii) in a civil partnership with someone other than the person's proposed civil union partner; and

*Note* A civil partnership ends if the parties to the civil partnership enter into a civil union with each other (see *Domestic Relationships Act 1994*, s 37H (1) (c)).

- (c) the person cannot marry the person's proposed civil union partner under the *Marriage Act 1961* (Cwlth); and
- (d) the person does not have any of the following relationships (a *prohibited relationship*) with the person's proposed civil union partner:
  - (i) lineal ancestor;
  - (ii) lineal descendent;
  - (iii) sister;
  - (iv) half-sister;
  - (v) brother;
  - (vi) half-brother; and
- (e) the person, or the person's proposed civil union partner, or both of them, live in the ACT.

## **Division 2.3            Entering into civil union**

### **8            Notice of intention to enter into civil union**

- (1) Before 2 people enter into a civil union, they must give notice to a civil union celebrant of their intention to enter into the civil union.

*Note 1*    If a form is approved under s 29 for a notice, the form must be used.

*Note 2*    The notice must be given not earlier than 18 months and not later than 1 month before the civil union is entered into (see s 9 (3)).

- (2) The notice must be accompanied by—
  - (a) a statutory declaration made by each person stating—
    - (i) that the person wishes to enter into a civil union with the other person; and

- (ii) that the person is not—
  - (A) married; or
  - (B) in a civil union; or
  - (C) in a civil partnership with someone other than the other person; and
- (iii) that the person believes the person and the other person do not have a prohibited relationship; and
- (iv) where the person lives; and

*Note 1* The *Statutory Declarations Act 1959* (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 2* The Criminal Code includes an offence for making false statements in statutory declarations (see s 336A).

- (b) the evidence required under section 23 of each person's identity and age; and
  - (c) anything else prescribed by regulation.
- (3) As soon as practicable after receiving the notice and statutory declarations, the civil union celebrant must give each person a written notice setting out the nature and effect of a civil union.

*Note* If a form is approved under s 29 for a notice, the form must be used.

## **9 How civil union is entered into**

- (1) This section applies if 2 people have, under section 8, given notice to a civil union celebrant of their intention to enter into a civil union with each other.
- (2) The people may enter into the civil union by making a declaration before the civil union celebrant and at least 1 other witness.
- (3) The declaration must be made not earlier than 1 month, and not later than 18 months, after the day the notice was given to the civil union celebrant.

- (4) The declaration must be made by each person to the other and must contain a clear statement that—
- (a) names both parties; and
  - (b) acknowledges that they are freely entering into a civil union with each other.

*Note 1* For registration requirements see the *Births, Deaths and Marriages Registration Act 1997*, pt 5A (Civil unions).

*Note 2* The *Discrimination Act 1991*, provides for exceptions from pt 3 (Unlawful discrimination) for religious bodies doing (or failing or refusing to do) certain acts (see that Act, s 4A and s 32).

## **10 When civil union has effect**

A civil union entered into under this part has effect when the parties to the civil union make a declaration under section 9.

## **Division 2.4 Ending civil union**

### **11 How civil union ends**

- (1) A civil union ends on—
- (a) the death of either party; or
  - (b) the marriage of either party.
- (2) A civil union also ends if it is ended by—
- (a) a party (or both parties) under section 12; or
  - (b) a court order under section 14.

## 12 Ending civil union by parties

- (1) If a party to a civil union wishes, or both parties to a civil union wish, to end the civil union, the party (or parties) may give the registrar-general a written notice of intention to end the civil union (a **termination notice**).

*Note 1* If a form is approved under s 29 for a notice, the form must be used.

*Note 2* A fee may be determined under s 28 for this provision.

- (2) However, if a termination notice is given by only 1 party, the notice is effective only if—
- (a) a copy of the notice has been served personally on the other party; and
  - (b) a statutory declaration is given to the registrar-general with the notice that—
    - (i) is made by the person who served the notice; and
    - (ii) states that the notice was served personally by the person on the other party on the date stated in the statutory declaration.

*Note 1* For provision about service of notices, see s 24 and s 25.

*Note 2* The *Statutory Declarations Act 1959* (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 3* The Criminal Code includes an offence for making false statements in statutory declarations (see s 336A).

- (3) A termination notice may, within 12 months after the day it was given to the registrar-general, be withdrawn by written notice (a **withdrawal notice**) given to the registrar by the party (or parties) who gave the termination notice.

*Note 1* If a form is approved under s 29 for a notice, the form must be used.

*Note 2* A fee may be determined under s 28 for this provision.

- (4) However, if a withdrawal notice is given by only 1 party, the notice is effective only if—
- (a) a copy of the notice has been served personally on the other party; and
  - (b) a statutory declaration is given to the registrar-general with the notice that—
    - (i) is made by the person who served the notice; and
    - (ii) states that the notice was served personally by the person on the other party on the date stated in the statutory declaration.
- Note 1* For provision about service of notices, see s 24 and s 25.
- Note 2* The *Statutory Declarations Act 1959* (Cwlth) applies to the making of statutory declarations under ACT laws.
- Note 3* The Criminal Code includes an offence for making false statements in statutory declarations (see s 336A).
- (5) A civil union ends 12 months after the day the termination notice is given to the registrar-general in accordance with this section, unless—
- (a) the notice has been withdrawn under this section; or
  - (b) the Supreme Court makes an order under section 13 (2); or
  - (c) the operation of the notice is stayed under section 13 (3); or
  - (d) the civil union has already ended under section 11 (1).

**13 Order that termination notice not effective**

- (1) This section applies if a party (or parties) to a civil union give the registrar-general a termination notice.
- (2) On application by a party to the civil union, the Supreme Court may make an order that the termination notice is not effective if the court considers that it is not the intention, or is no longer the intention, of the party (or parties) who gave the notice to end the civil union.
- (3) If an application mentioned in subsection (2) has been made but not decided within 12 months after the day the termination notice is given, the application stays the operation of the notice until the application is decided.
- (4) If the Supreme Court makes an order under this section, the court must give a copy of the order to the registrar-general.

**14 Ending civil union by court order**

- (1) On application by a party to a civil union, the Supreme Court may make an order ending the civil union if the court considers that—
  - (a) the civil union cannot be ended under section 12; but
  - (b) it is not the intention, or is not longer the intention, of both parties to be in the civil union.
- (2) If the Supreme Court makes an order under subsection (1), the court must give a copy of the order to the registrar-general not later than 28 days after the day the order is made.



## Part 3 Civil union celebrants

### 15 Registration of civil union celebrants

- (1) A person may apply, in writing, to the registrar-general to be registered as a civil union celebrant.

*Note 1* If a form is approved under s 29 for this provision, the form must be used.

*Note 2* A fee may be determined under s 28 for this provision.

- (2) On application by a person under subsection (1), the registrar-general may register the applicant as a civil union celebrant.
- (3) However, the registrar-general must only register a person as a civil union celebrant if satisfied that the applicant—
- (a) is an adult; and
  - (b) has the knowledge and the skills or experience necessary to exercise the functions of a civil union celebrant under this Act; and
  - (c) is a suitable person to be registered as a civil union celebrant.
- (4) In deciding whether a person is a suitable person to be registered as a civil union celebrant, the registrar-general must take into account the following:
- (a) whether the person has been convicted, or found guilty, in Australia of an offence punishable by imprisonment for 1 year or longer;
  - (b) whether the person has been convicted, or found guilty, outside Australia of an offence that, if it had been committed in the ACT, would have been punishable by imprisonment for 1 year or longer;

- (c) whether the person has been convicted, or found guilty, of an offence against, or otherwise contravened, this Act or the *Births, Deaths and Marriages Registration Act 1997*, part 5A (Civil unions);
  - (d) whether the person is or has been bankrupt or personally insolvent;
  - (e) whether the person has a physical or mental incapacity that may affect the exercise of the person's functions as a civil union celebrant.
- (5) In deciding whether a person is a suitable person to be registered as a civil union celebrant, the registrar-general may take into account anything else the registrar-general considers relevant.

## **16 Register of civil union celebrants**

- (1) The registrar-general must keep a register of people registered as civil union celebrants under this Act.
- (2) The register may be kept in any form, including electronically, that the registrar-general decides.
- (3) The register must include the following information for each person registered as a civil union celebrant:
  - (a) the person's full name;
  - (b) the person's address and contact details;
  - (c) the date the person was registered;
  - (d) if the person's registration is cancelled or the person otherwise stops being registered—the date the registration stops.
- (4) The register may also include any other information the registrar-general considers appropriate.
- (5) The register must be available for public inspection at reasonable times.

- (6) However, a person's address and contact details and any other information included in the register about the person under subsection (4) must only be available for public inspection if the person consents.

## **17 Cancellation of registration**

The registrar-general may cancel a person's registration as a civil union celebrant if the registrar-general is satisfied that the person does not meet, or no longer meets, the registration criteria under section 15 (3).

## Part 4 Notification and review of decisions

### 18 Meaning of *reviewable decision*—pt 4

In this part:

*reviewable decision* means a decision mentioned in schedule 1, column 3 under a provision of this Act mentioned in column 2 in relation to the decision.

### 19 Reviewable decision notices

If the registrar-general makes a reviewable decision, the registrar must give a reviewable decision notice to each entity mentioned in schedule 1, column 4 in relation to the decision.

*Note 1* The registrar-general must also take reasonable steps to give a reviewable decision notice to any other person whose interests are affected by the decision (see *ACT Civil and Administrative Tribunal Act 2008*, s 67A).

*Note 2* The requirements for reviewable decision notices are prescribed under the *ACT Civil and Administrative Tribunal Act 2008*.

### 20 Applications for review

The following may apply to the ACAT for review of a reviewable decision:

- (a) an entity mentioned in schedule 1, column 4 in relation to the decision;
- (b) any other person whose interests are affected by the decision.

*Note* If a form is approved under the *ACT Civil and Administrative Tribunal Act 2008* for the application, the form must be used.

## Part 5                      Miscellaneous

### 21            **Void civil unions**

A civil union is void if—

- (a) either party did not meet the eligibility criteria under section 7 when the declaration for the civil union was made under section 9; or
- (b) either party did not freely enter into the civil union because—
  - (i) the party's agreement to enter into the civil union was obtained by duress or fraud; or
  - (ii) the party was mistaken about the identity of the other party or the nature of the declaration under section 9; or
  - (iii) the party was mentally incapable of understanding the nature and effect of the civil union.

### 22            **Noncompliance with certain requirements**

- (1) A civil union is not invalid only because a requirement of section 8 (Notice of intention to enter into civil union) was not complied with.
- (2) A civil union is not invalid only because the person to whom the parties gave notice under section 8, or before whom the parties made the declaration under section 9, was not a civil union celebrant if either party believed, when giving the notice or making the declaration, that the person was a civil union celebrant.

### 23            **Evidence of identity and age**

- (1) For section 8 (2) (b) (Notice of intention to enter into civil union), the evidence of identity and age required for each person is—
  - (a) the person's birth certificate; or
  - (b) the person's citizenship certificate; or

- (c) the person's current passport; or
- (d) a statutory declaration made by the person stating—
  - (i) that it is impracticable to obtain a document mentioned in paragraph (a), (b) or (c); and
  - (ii) to the best of the person's knowledge and belief, and as accurately as the person has been able to find out, when and where the person was born.

*Note 1* The *Statutory Declarations Act 1959* (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 2* The Criminal Code includes an offence for making false statements in statutory declarations (see s 336A).

- (2) In this section:

***birth certificate***, for a person, means the person's birth certificate, or a certified extract about the person's birth from the register, under the *Births, Deaths and Marriages Registration Act 1997* or a corresponding law of a State, external territory or foreign country.

***citizenship certificate***, for a person, means a certificate, declaration, notice or other instrument of a person's nationality under the *Australian Citizenship Act 2007* (Cwlth) or the *Australian Citizenship Act 1948* (Cwlth) (repealed).

## 24 Personal service of termination and withdrawal notices

- (1) This section applies if a termination notice or withdrawal notice must be served personally on a party to a civil union under section 12 (Ending civil union by parties).
- (2) To serve the notice personally on the party, the person serving the notice must—
  - (a) give the party a copy of the notice; or

- (b) if the party does not accept the copy—put the copy down in the party's presence and tell the party in general terms what it is; or
- (c) if the person serving the notice is prevented from approaching the party by violence or threat of violence—put the copy down as near as practicable to, but in the sight of, the party.

## **25 If personal service impracticable or impossible**

- (1) This section applies if—
  - (a) a termination notice or withdrawal notice must be served personally on a party to a civil union under section 12; and
  - (b) personal service of the notice is not practicable.
- (2) The person serving the notice may apply to the Supreme Court for an order allowing the notice to be served in another way (the *alternative way*).
- (3) The Supreme Court may make an order if satisfied that—
  - (a) it is not practicable, for any reason, for the notice to be served personally under section 24; and
  - (b) the alternative way is reasonably likely to bring the notice to the attention of the party.
- (4) If the Supreme Court makes an order, the court may, in the order, provide that the notice is taken to have been served on the happening of a stated event, at a stated time or at the end of a stated period.
- (5) The Supreme Court may make an order under subsection (3) even though the party is not in the ACT or Australia.
- (6) For section 12, if a notice is served on a party in accordance with an order under subsection (3), the notice is taken to have been served personally on the party.

**26 Offences**

- (1) A civil union celebrant commits an offence if—
- (a) the celebrant allows a civil union, or purported civil union, to be entered into before the celebrant; and
  - (b) the notice required under section 8 (including the statutory declaration and anything else required under that section) for the civil union—
    - (i) has not been given to the celebrant; or
    - (ii) was not given to the celebrant within the period allowed by section 9 (3).

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) A civil union celebrant commits an offence if the celebrant—
- (a) allows a civil union, or purported civil union, to be entered into before the celebrant; and
  - (b) has reasonable grounds to believe that the civil union would be void under section 21.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (3) A person commits an offence if the person—
- (a) is not registered as a civil union celebrant; and
  - (b) knows he or she is not registered as a civil union celebrant; and
  - (c) performs a function of a civil union celebrant under this Act.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.



- (4) A person commits an offence if—
- (a) the person makes a declaration mentioned in section 9 with the intention of entering into a civil union with someone else (the person's *partner*); and
  - (b) the declaration is made before a person (the *celebrant*) who is not a civil union celebrant; and
  - (c) the person knows the celebrant is not a civil union celebrant; and
  - (d) the person has reasonable grounds to believe that the person's partner believes that the celebrant is a civil union celebrant.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

*Note* The Criminal Code includes offences for—

- giving false or misleading information etc to a person exercising a function under a territory law (see pt 3.4 (False or misleading statements, information and documents)); and
- making false statements in statutory declarations (see s 336A).

## 27 Civil unions under corresponding laws

- (1) A regulation may provide that a relationship under a law of a State, external territory or foreign country (a *corresponding law*) is a civil union for territory law.
- (2) However, a regulation must not provide that a relationship under a corresponding law is a civil union for territory law unless, under the corresponding law, the relationship—
  - (a) must be between 2 people; and
  - (b) must be entered into consensually; and
  - (c) must not be entered into by people who are in a prohibited relationship with each other; and

- (d) must not be entered into by people who may marry each other under the *Marriage Act 1961* (Cwlth) or a law of an external territory or foreign country if the marriage can be recognised under that Act.

## 28 Determination of fees

- (1) The Minister may determine fees for this Act.

*Note* The Legislation Act contains provisions about the making of determinations and regulations relating to fees (see pt 6.3).

- (2) A determination is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

## 29 Approved forms

- (1) The registrar-general may approve forms for this Act.

- (2) If the registrar-general approves a form for a particular purpose, the approved form must be used for that purpose.

*Note* For other provisions about forms, see the Legislation Act, s 255.

- (3) An approved form is a notifiable instrument.

*Note* A notifiable instrument must be notified under the Legislation Act.

## 30 Regulation-making power

The Executive may make regulations for this Act.

*Note* A regulation must be notified, and presented to the Legislative Assembly, under the Legislation Act.

**31 Domestic Relationships Regulation 2012—sch 2**

- (1) The provisions set out in schedule 2 are taken, on the commencement of this section, to be a regulation made under the *Domestic Relationships Act 1994*, section 41 (Regulation-making power).
- (2) To remove any doubt and without limiting subsection (1), the provisions set out in schedule 2 may be amended or repealed as if they had been made as a regulation by the Executive under the *Domestic Relationships Act 1994*, section 41.
- (3) To remove any doubt, the regulation mentioned in subsection (1) is taken—
  - (a) to have been notified under the Legislation Act on the day this Act is notified; and
  - (b) to have commenced on the commencement of this Act; and
  - (c) not to be required to be presented to the Legislative Assembly under the Legislation Act, section 64 (1).
- (4) This section expires on the day it commences.

*Note* A transitional provision is repealed on its expiry but continues to have effect after its repeal (see Legislation Act, s 88).

## Part 6 Transitional

### 100 Definitions—pt 6

In this part:

*commencement day* means the day this Act commences.

*repealed Act* means the *Civil Partnerships Act 2008*.

### 101 Existing civil partnerships

- (1) This section applies to a civil partnership that—
  - (a) was entered into before the commencement day; and
  - (b) immediately before the commencement day, had not terminated.
- (2) The civil partnership is taken to be a civil partnership under the *Domestic Relationships Act 1994*.

### 102 Application for registration of civil partnership not decided before commencement day

- (1) This section applies if—
  - (a) before the commencement day, an application under the repealed Act, section 7 (Application for registration) was made; and
  - (b) immediately before the commencement day, the application had not been decided under the repealed Act, section 8 (Decision on application).
- (2) The application is taken to be an application under the *Domestic Relationships Act 1994*, section 37E.

**103 Declaration of civil partnership not made before commencement day**

- (1) This section applies if—
  - (a) before the commencement day, a notice of intention to enter into a civil partnership was given to a civil partnership notary under the repealed Act, section 8A (Notice of intention to enter into civil partnership); and
  - (b) immediately before the commencement day, the parties to the proposed civil partnership had not made a declaration of civil partnership under the repealed Act, section 8B (Declaration of civil partnership).
- (2) The repealed Act, section 8B continues to apply for making the declaration of civil partnership.

**104 Declared civil partnership not registered before commencement day**

- (1) This section applies if—
  - (a) before the commencement day, 2 people made a declaration of a civil partnership under the repealed Act, section 8B; and
  - (b) immediately before the commencement day, the registrar-general had not registered the relationship under the repealed Act, section 8BA.
- (2) The repealed Act, section 8BA continues to apply for registering the application.

**105 Application for termination of civil partnership not decided before commencement day**

- (1) This section applies if—
  - (a) before the commencement day, a termination notice was given to the registrar-general under the repealed Act, section 10 (Termination by parties); and
  - (b) none of the events mentioned in the repealed Act, section 10 (5) (a) to (d) have happened; and
  - (c) immediately before the commencement day, the civil partnership had not terminated.
- (2) The termination notice is taken to be a termination notice under the *Domestic Relationships Act 1994*, section 37I.

**106 Applications made but not decided before commencement day**

- (1) This section applies if—
  - (a) before the commencement day, a party to a civil partnership applied to—
    - (i) the Supreme Court to make an order that a termination notice is not effective under the repealed Act, section 10 (6); or
    - (ii) the Supreme Court to terminate a civil partnership under the repealed Act, section 11; or
    - (iii) the ACAT for review of a reviewable decision under the repealed Act; and
  - (b) immediately before the commencement day, the application had not been decided.
- (2) The repealed Act continues to apply for deciding the application.

**107 Existing civil partnership notaries**

- (1) This section applies to a person who was registered as a civil partnership notary under the repealed Act, section 11A immediately before the commencement day.
- (2) The civil partnership notary is taken to be registered as a civil union celebrant under this Act, section 15.

**108 Transitional regulations**

- (1) A regulation may prescribe transitional matters necessary or convenient to be prescribed because of the enactment of this Act.
- (2) A regulation may modify this part (including in relation to another territory law) to make provision in relation to anything that, in the Executive's opinion, is not, or is not adequately or appropriately, dealt with in this part.
- (3) A regulation under subsection (2) has effect despite anything else in this Act or another territory law.

**109 Expiry—pt 6**

This part expires 1 year after the commencement day.

*Note* Transitional provisions are kept in the Act for a limited time. A transitional provision is repealed on its expiry but continues to have effect after its repeal (see Legislation Act, s 88).

## Schedule 1      Reviewable decisions

(see pt 4)

column 1 item	column 2 section	column 3 decision	column 4 entity
1	15	refuse to register person as civil union celebrant	applicant for registration
2	17	cancel a person's registration as civil union celebrant	person whose registration is cancelled



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## Dictionary

(see s 3)

*Note 1* The Legislation Act contains definitions and other provisions relevant to this Act.

*Note 2* For example, the Legislation Act, dict, pt 1, defines the following terms:

- ACAT
- adult
- bankrupt or personally insolvent
- Minister (see s 162)
- registrar-general
- statutory declaration.

***civil union celebrant*** means—

- (a) the registrar-general; or
- (b) a person who is registered under this Act as a civil union celebrant.

***prohibited relationship***—see section 7.

***reviewable decision***, for part 4 (Notice and review of decisions)—see section 18.

***termination notice*** means a notice given under section 12 (1).

***withdrawal notice*** means a notice given under section 12 (3).

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

### 3 Legislation history

#### **Civil Unions Act 2012 A2012-40**

notified LR 4 September 2012

s 1, s 2 commenced 4 September 2012 (LA s 75 (1))

remainder commenced 11 September 2012 (s 2)

### 4 Amendment history

#### **Commencement**

s 2 om LA s 89 (4)

#### **Domestic Relationships Regulation 2012—sch 2**

s 31 exp 11 September 2012 (s 31 (4))

#### **Legislation amended—sch 3**

s 32 om LA s 89 (3)

#### **Legislation repealed**

s 33 om LA s 89 (3)

#### **Transitional**

pt 6 hdg exp 11 September 2013 (s 109)

#### **Definitions—pt 6**

s 100 exp 11 September 2013 (s 109)

def **commencement day** exp 11 September 2013 (s 109)

def **repealed Act** exp 11 September 2013 (s 109)

#### **Existing civil partnerships**

s 101 exp 11 September 2013 (s 109)

#### **Application for registration of civil partnership not decided before commencement day**

s 102 exp 11 September 2013 (s 109)

#### **Declaration of civil partnership not made before commencement day**

s 103 exp 11 September 2013 (s 109)

#### **Declared civil partnership not registered before commencement day**

s 104 exp 11 September 2013 (s 109)

#### **Application for termination of civil partnership not decided before commencement day**

s 105 exp 11 September 2013 (s 109)

#### **Applications made but not decided before commencement day**

s 106 exp 11 September 2013 (s 109)

#### **Existing civil partnership notaries**

s 107 exp 11 September 2013 (s 109)

## Endnotes

4 Amendment history

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### **Transitional regulations**

s 108 [exp 11 September 2013 \(s 109\)](#)

### **Expiry—pt 6**

s 109 [exp 11 September 2013 \(s 109\)](#)

### **New Domestic Relationships Regulation 2012**

sch 2 om R1 (see s 31)

### **Consequential amendments**

sch 3 om LA s 89 (3)

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