



19 October 2015

Mr Mark Furner MP
Chair
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 400

Dear Mr Furner

RELATIONSHIPS (CIVIL PARTNERSHIPS) AND OTHER ACTS AMENDMENT BILL 2015

Thank you the invitation to make a submission to the Inquiry into the Relations (Civil Partnerships) and Other Act Amendment Bill 2015.

When introduced, the *Civil Partnerships Act 2011* provided a mechanism to recognise civil unions for all couples, including same-sex couples, with the option of a civil ceremony. From June 2012 the legislation was amended to provide instead for the registration of relationships, including same-sex relationships, without the option of a civil ceremony, and the name of the legislation was change to the *Relationships Act 2011*.

In the consultation earlier this year by the Australian Human Rights Commission (AHRC) to explore key rights issues affecting lesbian, gay, bisexual, transgender and intersex (LGBTI) people in Australia, we informed the AHRC that recognition of same sex civil partnerships is an issue for LGBTI people in Queensland.

The proposed amendments would:

- provide a couple with the option to hold a civil partnership ceremony, to be officiated by a registered civil partnership notary;
- provide a process for ceremonies similar to that in the original *Civil Partnerships Act*,
- establish a scheme for the registration of civil partnership notaries, including a choice for existing marriage celebrants to register as a civil partnership notary;
- change the name of the legislation back to the *Civil Partnership Act*, and change terminology to civil partnership and civil partner.

The Commission supports the right for all couples to enter into a legally recognised relationship, with the option to have an official civil ceremony. Providing the option for same-sex couples to have their relationship recognised, with or without a civil

STATEWIDE
telephone 1300 130 670
teletypewriter 1300 130 680
www.adcq.qld.gov.au
info@adcq.qld.gov.au

BRISBANE
level 17 53 Albert Street
Brisbane Q 4000
City East Post Shop
PO Box 15565
City East Q 4002
FAX 07 3247 0960

CAIRNS
McLeod Chambers
78 Spence St
PO Box 4699
Cairns Q 4870
FAX 07 4039 8609

TOWNSVILLE
PO Box 1566
Townsville Q 4810
FAX 07 4799 7021

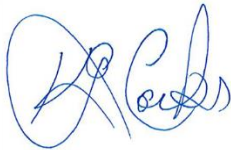
ROCKHAMPTON
level 1 James Larcombe Place
209 Bolsover St
PO Box 1390
Rockhampton Q 4700
FAX 07 4938 4459

ceremony, is consistent with the right to freedom from discrimination on the basis of a person's sexuality. The Bill reflects leadership in supporting equality and non-discrimination.

The legislation would provide marriage celebrants with the choice to become a registered civil ceremony notary, thus respecting any religious or conscientious beliefs of the celebrant. Once registered however, a civil ceremony notary would not be able to decline to perform a civil ceremony because of a couple's sexuality, whether or not the refusal is based on religious beliefs. This is because the *Anti-Discrimination Act 1991* prohibits discrimination on the basis of sexuality in the provision of goods and services, as well as other areas of public life.

The Commission supports the proposed amendments.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'K. Cocks', written in a cursive style.

KEVIN COCKS AM
Anti-Discrimination Commissioner