



Queensland

# Civil Partnerships Regulation 2023

## Subordinate Legislation 2023 No. 112

made under the

*Civil Partnerships Act 2011*

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## 1 Short title

This regulation may be cited as the *Civil Partnerships Regulation 2023*.

## 2 Commencement

This regulation commences on 1 September 2023.

## 3 Documents to prove identity etc.—Act, ss 7, 10 and 15

(1) For sections 7, 10 and 15 of the Act, the following documents are prescribed—

(a) for sections 7(2)(b), 10(2)(b) and 15(2)(c)—

(i) 1 document from each of the following—

(A) a document that shows photographic identification of the person and states the person's date of birth;

(B) a document that verifies the person's identity; or

(ii) 2 documents mentioned in subparagraph (i)(B), at least 1 of which must state the person's date of birth;

(b) for sections 7(2)(c), 10(2)(c) and 15(2)(c)—a document that shows where the person lives.

*Examples for subsection (1)(a)(i)(A)—*

- a driver licence
- a passport
- a photo identification card

*Examples for subsection (1)(a)(i)(B)—*

- a credit card
- a Medicare card
- a birth certificate

*Examples for subsection (1)(b)—*

- a telephone, gas or electricity account statement not more than 6 months old that shows where the person lives

- a statement not more than 6 months old issued by a financial institution that shows where the person lives
- (2) Each document must be either an original document or a certified copy of an original document.

#### **4 Prescribed day for annual registration fee and annual return—Act, s 20A**

- (1) The day prescribed for section 20A(1)(a) and (b) of the Act for a person registered as a civil partnership notary is the anniversary day for the person.
- (2) In this section—  
*anniversary day*, for a person registered as a civil partnership notary, means the day in each year that is the anniversary of the person's registration under section 20 of the Act.

#### **5 Corresponding laws and relationships—Act, s 33**

For section 33 of the Act—

- (a) a law stated in schedule 1, column 1 is prescribed for section 33(2) of the Act, definition *corresponding law*; and
- (b) a relationship under a corresponding law stated opposite the law in schedule 1, column 2 is taken to be registered as a civil partnership for section 33(1) of the Act.

#### **6 Fees**

- (1) Fees payable under the Act are stated in schedule 2.
- (2) The registrar may waive, wholly or partly, payment of a fee stated in schedule 2.
- (3) In deciding whether to wholly or partly waive a fee the registrar may have regard to 1 or more of the following factors—
- (a) whether the person who is to pay the fee is experiencing financial hardship;

[s 7]

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- (b) for an application—whether the provision of the thing applied for would improve the person’s circumstances;
  - (c) whether, in the registrar’s opinion, waiver of the fee is otherwise desirable in the circumstances.
- (4) The registrar may refund all or part of a fee paid.

## **7 Rounding of amounts expressed as numbers of fee units**

- (1) This section applies for working out the amount of a fee expressed in this regulation as a number of fee units.
- (2) For the purpose of the *Acts Interpretation Act 1954*, section 48C(3), the amount is to be rounded—
  - (a) if the result is not more than \$100—to the nearest multiple of 5 cents (rounding one-half upwards); or
  - (b) if the result is more than \$100—to the nearest multiple of 10 cents (rounding one-half upwards).

*Example for paragraph (b)—*

If a fee were 155.10 fee units and the value of a fee unit were \$1.50, the number of dollars obtained by multiplying 155.10 by \$1.50 would be \$232.65. Because \$232.65 is halfway between \$232.60 and \$232.70, it is rounded upwards, so the amount of the fee would be \$232.70.

# Schedule 1 Corresponding laws and relationships

## section 5

Column 1	Column 2
<i>Civil Unions Act 2012</i> (ACT)	a civil union
<i>Domestic Relationships Act 1994</i> (ACT)	a civil partnership
<i>Relationships Act 2003</i> (Tas)	a significant relationship for which a deed of relationship is registered
<i>Relationships Act 2008</i> (Vic)	a registered domestic relationship
<i>Relationships Register Act 2010</i> (NSW)	a registered relationship
<i>Relationships Register Act 2016</i> (SA)	a registered relationship
<i>California Family Code</i> , division 2.5 (United States of America)	a domestic partnership
<i>Civil Code of Quebec</i> , CQLR c CCQ-1991, Book 2 (Canada)	a civil union
<i>Civil Partnership Act 2004</i> (United Kingdom)	a civil partnership
<i>Civil Union Act 2004</i> (New Zealand)	a civil union
<i>Civil Union Act 2006</i> (South Africa)	a civil partnership
<i>Hawaii Revised Statutes</i> , chapter 572B (United States of America)	a civil union
<i>Vital Statistics Act</i> , CCSM, c V60, section 13.1 of Manitoba (Canada)	a registered common-law relationship

**Column 1**

*Vital Statistics Act*, RSNS 1989, c  
494 of Nova Scotia (Canada)

**Column 2**

a domestic partnership

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## Schedule 2      Fees

section 6(1)

	<b>Fee units</b>
1    Application for registration (Act, s 7(2)(c))	150
2    Application for termination (Act, s 15(2)(b))	78.30
3    Application for registration of civil partnership notary (Act, s 20(2)(b))	75.45
4    Annual registration fee for civil partnership notary (Act, s 20A(1)(a))	45.25

ENDNOTES

- 1 Made by the Governor in Council on 24 August 2023.
- 2 Notified on the Queensland legislation website on 25 August 2023.
- 3 The administering agency is the Department of Justice and Attorney-General.

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