



Civil Partnerships Act 2011

Current as at 22 March 2016—revised version

Reprint note

Sections 10 to 12 were incorrectly omitted from an earlier version of this reprint due to an incorrect code that set the status of the provisions as repealed.

This version was corrected on 2 November 2018.

© State of Queensland 2021



This work is licensed under a Creative Commons Attribution 4.0 International License.



Queensland

Civil Partnerships Act 2011

Contents

		Page
Part 1	Preliminary	
1	Short title	5
2	Commencement	5
3	Definitions	5
Part 2	Civil partnerships	
Division 1	General	
4	Civil partnerships—general	5
Division 2	Eligibility	
5	Eligibility criteria	6
Division 3	Entering into civil partnerships	
6	How civil partnership is entered into	6
7	Application for registration	7
8	Cooling-off period—application for registration	8
9	Decision on application	8
10	Notice of intention to enter into civil partnership	8
11	Declaration of civil partnership	9
12	Registration of relationship after declaration of civil partnership	10
13	When civil partnership has effect	10
Division 4	Termination	
14	How civil partnership is terminated	11
15	Application for termination	11
16	Service of termination application	12
17	Termination application period and withdrawal of termination application 12	
18	Decision on termination application	13
19	When termination of civil partnership takes effect	13
Part 3	Civil partnership notaries	

Contents

Division 1	Registration	
20	Registration of civil partnership notary	13
20A	Annual registration fee and annual return	15
21	Register of civil partnership notaries	15
Division 2	Cancellation	
22	Application of div 2	16
22A	Registrar may seek further information	16
23	Show cause notice	16
24	Representations about show cause notice	17
25	Ending show cause process without further action	17
26	Cancellation of relevant authority	17
Part 4	Notification and review of decisions	
27	Definition for pt 4	18
28	Reviewable decision notices	18
29	Applications for review	18
Part 5	Miscellaneous	
30	Void civil partnerships	19
31	Noncompliance with certain requirements	19
32	Ways in which termination application to be served	20
33	Civil partnerships under corresponding laws	21
34	Offences	21
35	Approved forms	22
36	Regulation-making power	22
Part 6	Savings and transitional provisions for Civil Partnerships and Other Legislation Amendment Act 2012	
37	Definitions for pt 6	22
38	Existing civil partnerships	23
39	Civil partnerships under corresponding laws	23
40	Existing applications under former s 7	23
41	Existing notices of intention under former s 10	24
42	Declaration under former s 11	25
43	Review of decisions made before commencement	25
44	Void civil partnerships	26
45	Noncompliance with particular requirements under former ss 10 and 11 26	
46	References in Acts and documents to civil partnership	27

Part 7	Savings and transitional provisions for Relationships (Civil Partnerships) and Other Acts Amendment Act 2015	
47	Definitions for pt 7	27
48	Existing registered relationships	28
49	Registered relationships under corresponding laws	28
50	Existing applications under former s 7	28
51	Review of particular decisions	29
52	References in Acts and documents	29
Schedule 1	Reviewable decisions	30
Schedule 2	Dictionary	31

Civil Partnerships Act 2011

An Act to provide for civil partnerships

Part 1 Preliminary

1 Short title

This Act may be cited as the *Civil Partnerships Act 2011*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

3 Definitions

The dictionary in schedule 2 defines particular words used in this Act.

Part 2 Civil partnerships

Division 1 General

4 Civil partnerships—general

- (1) A civil partnership is a legally recognised relationship that, subject to this Act, may be entered into by any 2 adults, regardless of their sex.
- (2) A civil partnership terminates only as provided by division 4.

Note—

Division 4 provides for termination by death, marriage or registration of a termination application.

Division 2 Eligibility

5 Eligibility criteria

A person may enter into a civil partnership only if—

- (a) the person is not married or in a civil partnership; and
- (b) the person does not have any of the following relationships (a *prohibited relationship*) with the person's proposed civil partner—
 - (i) lineal ancestor;
 - (ii) lineal descendent;
 - (iii) sister;
 - (iv) half-sister;
 - (v) brother;
 - (vi) half-brother; and
- (c) the person or the person's proposed civil partner lives in Queensland.

Division 3 Entering into civil partnerships

6 How civil partnership is entered into

Two adults who are in a relationship as a couple, regardless of their sex, and who meet the eligibility criteria mentioned in section 5, may enter into a civil partnership by—

- (a) having their relationship registered under section 9; or

-
- (b) making a declaration of civil partnership under section 11 and having their relationship registered under section 12.

Note—

The registrar must enter particulars of a civil partnership entered into under this Act in the register under the *Births, Deaths and Marriages Registration Act 2003*, part 5A.

7 Application for registration

- (1) Two persons who wish to enter into a civil partnership as mentioned in section 6(a) may apply to the registrar for registration of their relationship as a civil partnership.
- (2) The application must be in the approved form and accompanied by—
- (a) a statutory declaration made by each person stating—
- (i) that the person wishes to enter into a civil partnership with the other person; and
 - (ii) that the person is not married or in a civil partnership; 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
- (b) the documents prescribed by regulation to prove each person's identity and age; and
- (c) anything else prescribed by regulation.
- (3) The registrar may require 1 or both of the applicants to give the registrar additional information or documents the registrar reasonably needs to decide the application.
- (4) If a requirement under subsection (3) is not complied with, the registrar may refuse to consider the application further.

8 Cooling-off period—application for registration

- (1) The registrar must not register a relationship under section 9(1)(a) before the end of the cooling-off period for the application made under section 7.
- (2) One or both of the persons who have made the application under section 7 may withdraw the application during the cooling-off period by giving the registrar a withdrawal notice in the approved form.

9 Decision on application

- (1) On application under section 7, and as soon as practicable after the end of the cooling-off period for the application, the registrar must—
 - (a) register the relationship as a civil partnership and make an endorsement to that effect on the application; or
 - (b) refuse to register the relationship as a civil partnership.
- (2) The registrar must register the relationship as a civil partnership unless satisfied that—
 - (a) 1 or both of the persons do not meet the eligibility criteria mentioned in section 5; or
 - (b) 1 or both of the persons has withdrawn the application under section 8(2).

Note—

The registrar must enter particulars of a civil partnership in the register under the *Births, Deaths and Marriages Registration Act 2003*, part 5A.

10 Notice of intention to enter into civil partnership

- (1) Before 2 persons enter into a civil partnership as mentioned in section 6(b), they must give notice in the approved form of their intention to enter into a civil partnership to—
 - (a) a civil partnership notary; and
 - (b) if the civil partnership notary mentioned in paragraph (a) is not the registrar—the registrar.

Note—

The notice must be given not earlier than 12 months and not later than 10 days before the declaration of civil partnership is made—see section 11(2).

- (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 partnership with the other person; and
 - (ii) that the person is not married or in a civil partnership; 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
 - (b) the documents prescribed by regulation to prove each person's identity and age; and
 - (c) anything else prescribed by regulation.
- (3) The notice must state the day on which the 2 persons intend to make a declaration of civil partnership under section 11.
- (4) As soon as practicable after receiving the notice and statutory declarations, the civil partnership notary must give each person a written notice in the approved form setting out the legal effect of a civil partnership.

11 Declaration of civil partnership

- (1) Two persons who have given notice to a civil partnership notary, and the registrar if required under section 10(1)(b), may make a declaration of civil partnership before the civil partnership notary and at least 1 other adult witness.
- (2) The declaration must be made not earlier than 10 days, and not later than 12 months, after the day the notice was given to the civil partnership notary.
- (3) The declaration must be made by each person to the other and must contain a clear statement that—

- (a) names both persons; and
- (b) acknowledges that they are freely entering into a civil partnership with each other.

12 Registration of relationship after declaration of civil partnership

- (1) As soon as practicable after the registrar becomes aware, under the *Births, Deaths and Marriages Registration Act 2003*, section 25B(3) or otherwise, of the day that 2 persons have made a declaration of civil partnership under section 11, the registrar must—
 - (a) register the relationship as a civil partnership and make an endorsement to that effect on the notice they gave the registrar under section 10; or
 - (b) refuse to register the relationship as a civil partnership.
- (2) The registrar must register the relationship as a civil partnership unless satisfied that the 2 persons have not made a declaration of civil partnership under section 11.
- (3) The endorsement must state the day on which the registration has effect, which must be—
 - (a) the day stated in the notice under section 10(3); or
 - (b) if the registrar is satisfied that the declaration of civil partnership was made on another day—the day that the registrar considers appropriate in the circumstances.

13 When civil partnership has effect

- (1) A civil partnership entered into as mentioned in section 6(a) has effect when the registrar registers the relationship under section 9(1)(a).
- (2) A civil partnership entered into as mentioned in section 6(b) has effect on the day stated by the registrar under section 12(3).

Division 4 Termination

14 How civil partnership is terminated

- (1) A civil partnership is terminated on—
 - (a) the death of either party; or
 - (b) the marriage of either party.
- (2) A civil partnership may also be terminated under section 19.

15 Application for termination

- (1) One or both parties to a civil partnership may apply to the registrar to terminate the partnership (a *termination application*).
- (2) The termination application must be in the approved form and accompanied by—
 - (a) a statutory declaration by the applicant or, if more than 1 applicant, each of the applicants stating that the person making the declaration wishes to terminate the civil partnership; and
 - (b) any fee prescribed by regulation; and
 - (c) any other document prescribed by regulation.
- (3) If the termination application is made by 1, but not both, of the parties to the civil partnership, the application must also be accompanied by a statutory declaration by the applicant stating—
 - (a) that the other party to the partnership has been served under section 16; and
 - (b) the method by which service was effected under section 16.

16 Service of termination application

If a termination application is made by 1, but not both, of the parties to a civil partnership, the applicant must—

- (a) arrange for the other party to the partnership to be personally served with a copy of—
 - (i) the termination application; and
 - (ii) the statutory declaration mentioned in section 15(2)(a); or

Note—

Section 32(2) sets out the ways in which documents mentioned in paragraph (a) may be personally served.

- (b) send a copy of the documents mentioned in paragraph (a), addressed to the other party, by registered post to the other party's last known residential address.

17 Termination application period and withdrawal of termination application

- (1) The registrar must not register the termination of a civil partnership under section 18 before the end of the termination application period for the application.
- (2) A termination application may be withdrawn during the termination application period for the application—
 - (a) if the application is made by 1, but not both, of the parties to the civil partnership—by the party who made the application giving the registrar a withdrawal notice in the approved form; or
 - (b) if the application is made by both parties—by both parties giving the registrar a withdrawal notice in the approved form.

18 Decision on termination application

- (1) The registrar must, as soon as practicable after the end of the termination application period for the termination application—
 - (a) register the termination of the civil partnership and make an endorsement to that effect on the application; or
 - (b) refuse to register the termination of the civil partnership.
- (2) The registrar must register the termination of the civil partnership unless satisfied that the termination application has been withdrawn under section 17(2).

19 When termination of civil partnership takes effect

Termination of a civil partnership takes effect when the registrar registers the termination application under section 18.

Part 3 Civil partnership notaries

Division 1 Registration

20 Registration of civil partnership notary

- (1) A person may apply to the registrar to be registered as a civil partnership notary.
- (2) The application must be—
 - (a) in the approved form; and
 - (b) accompanied by the application fee prescribed by regulation.

- (3) The approved form may require specified information or documents about the applicant's relevant criminal history to be included in, attached to or given with the form.
- (4) The approved form may require the form, or information or documents included in, attached to or given with the form, to be verified by a statutory declaration.
- (5) On application by a person under this section, the registrar may register the applicant if satisfied that—
 - (a) the applicant—
 - (i) is an adult; and
 - (ii) is appropriately qualified to exercise the functions of a civil partnership notary; and
 - (iii) is a suitable person to be registered as a civil partnership notary; or
 - (b) the applicant is registered as a marriage celebrant under the *Marriage Act 1961* (Cwlth).
- (6) In deciding under subsection (5)(a)(iii) whether a person is a suitable person to be registered as a civil partnership notary—
 - (a) the registrar must have regard to the relevant criminal history of the person; and
 - (b) the registrar may have regard to anything else the registrar considers relevant.
- (7) If the registrar is not satisfied under subsection (5), the registrar must refuse to register the applicant.
- (8) In this section—

relevant criminal history, of a person, means a recorded conviction, other than a spent conviction, for—
 - (a) any offence against a law of the State, another State or the Commonwealth that is punishable by imprisonment for 1 year or more; or
 - (b) any offence against this Act.

spent conviction means a conviction—

- (a) for which the rehabilitation period under the *Criminal Law (Rehabilitation of Offenders) Act 1986* has expired under that Act; and
- (b) that is not revived as prescribed by section 11 of that Act.

20A Annual registration fee and annual return

- (1) A person registered as a civil partnership notary under section 20 must—
 - (a) give the registrar the annual registration fee prescribed by regulation by the day prescribed by regulation; and
 - (b) by the day prescribed by regulation, give the registrar an annual return, in the approved form, about the information given for the application for the registration.
- (2) The approved form may require the form, or information or documents included in, attached to or given with the form, to be verified by a statutory declaration.

21 Register of civil partnership notaries

- (1) The registrar must keep a register of persons registered as civil partnership notaries under this Act.
- (2) The register may be kept in any form, including electronically, that the registrar decides.
- (3) The register must include the following information for each person registered as a civil partnership notary—
 - (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 otherwise ends—the date the registration ends.
- (4) The register must be published on the department's website.

- (5) However, information mentioned in subsection (3)(b) may be published on the department's website only if the civil partnership notary consents.

Division 2 Cancellation

22 Application of div 2

This division applies if the registrar considers that a person registered as a civil partnership notary—

- (a) is not, or is no longer, a suitable person to be registered as a civil partnership notary; or
- (b) has not complied with section 20A.

22A Registrar may seek further information

To decide under section 22(a) whether a person is not, or is no longer, a suitable person to be registered as a civil partnership notary, the registrar may ask the person to provide further information.

23 Show cause notice

- (1) The registrar must give the person a notice under this section (a *show cause notice*).
- (2) The show cause notice must state the following—
 - (a) that the registrar proposes to cancel the person's registration as a civil partnership notary (the *proposed action*);
 - (b) the ground for the proposed action;
 - (c) an outline of the facts and circumstances forming the basis for the ground;
 - (d) an invitation to the person to show within a stated period (the *show cause period*) why the proposed action should not be taken.

- (3) The show cause period must end at least 30 days after the show cause notice is given to the person.

24 Representations about show cause notice

- (1) The person may make written representations about the show cause notice to the registrar in the show cause period.
- (2) The registrar must consider all written representations (the *accepted representations*) made under subsection (1).

25 Ending show cause process without further action

If, after considering the accepted representations for the show cause notice, the registrar no longer considers the ground exists to cancel the registration, the registrar—

- (a) must not take further action about the show cause notice; and
- (b) must, as soon as practicable, give notice to the person that no further action will be taken about the show cause notice.

26 Cancellation of relevant authority

- (1) This section applies if, after considering the accepted representations for the show cause notice, the registrar—
 - (a) still considers the ground exists to cancel the registration; and
 - (b) considers cancellation of the registration is warranted.
- (2) This section also applies if there are no accepted representations for the show cause notice.
- (3) The registrar may decide to cancel the registration.
- (4) The decision does not take effect until—
 - (a) the last day to apply to QCAT for a review of the decision; or

Note—

See the QCAT Act, section 33 (Making an application) for the last day to apply to QCAT.

- (b) if an application for review by QCAT is made—the day the review is decided or the application for review otherwise ends.
- (5) The registrar may refund the whole, or a part, of an annual registration fee paid by the person.
- (6) In this section—

annual registration fee means the fee prescribed under section 20A(1)(a).

Part 4 Notification and review of decisions

27 Definition for 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.

28 Reviewable decision notices

If the registrar makes a reviewable decision, the registrar must, within 10 days after making the decision, give an information notice for the decision to each entity mentioned in schedule 1, column 4 in relation to the decision.

29 Applications for review

The following may apply to QCAT 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.

Part 5 Miscellaneous

30 **Void civil partnerships**

A civil partnership is void if—

- (a) either party did not meet the eligibility criteria in section 5 when the relationship was registered as a civil partnership; or
- (b) either party did not freely enter into the civil partnership because—
 - (i) the party's agreement to enter into the civil partnership 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 11; or
 - (iii) the party did not have the capacity within the meaning of the *Guardianship and Administration Act 2000* to enter into the civil partnership.

31 **Noncompliance with certain requirements**

- (1) A civil partnership is not invalid only because a requirement about the form of the notice given under section 10 was not complied with.
- (2) A civil partnership is not invalid only because the person to whom the parties gave notice under section 10, or before whom the parties made the declaration under section 11, was not a civil partnership notary if either party believed, when

giving the notice or making the declaration, that the person was a civil partnership notary.

32 Ways in which termination application to be served

- (1) This section applies to a document that is required under section 16 to be served on a party to a civil partnership.
- (2) To serve the document personally on the party, the person serving it must—
 - (a) give the party a copy of the document; 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 the document is; or
 - (c) if the person serving the copy is prevented from approaching the party by a reasonable fear of violence—put the copy down as near as practicable to, but in the sight of, the party.
- (3) It is not necessary under subsection (2) to show the original of the document to the person served.
- (4) If a person who is required to serve a document under section 16 is unable to serve the document as mentioned in section 16(a) or (b), the person may ask the registrar for approval to serve the document by another method.
- (5) The registrar may give approval if satisfied that—
 - (a) it is impracticable, for any reason, for the document to be served as mentioned in section 16(a) or (b); and
 - (b) the alternative way is reasonably likely to bring the termination application to the other party’s attention.
- (6) If the registrar gives the approval—
 - (a) the applicant must comply with any conditions imposed on the approval by the registrar; and
 - (b) for section 16, if a document is served on a party in accordance with the approval, the document is taken to have been served on the party.

33 Civil partnerships under corresponding laws

(1) A regulation may provide that a relationship under a corresponding law is taken to be registered as a civil partnership under this Act.

(2) In this section—

corresponding law means a law of another State or country prescribed by regulation to be a corresponding law for this Act.

34 Offences

(1) A civil partnership notary commits an offence if—

(a) the notary allows a declaration of civil partnership, or a purported declaration, to be made before the notary; and

(b) the notice required under section 10 (including the statutory declaration and anything else required under that section) for the civil partnership—

(i) has not been given to the notary; or

(ii) was not given to the notary within the period allowed under section 11(2).

Maximum penalty—50 penalty units or 6 months imprisonment.

(2) A civil partnership notary commits an offence if—

(a) the notary allows a declaration of civil partnership, or a purported declaration, to be made before the notary; and

(b) the notary has reasonable grounds to believe that the civil partnership would be void under section 30.

Maximum penalty—50 penalty units or 6 months imprisonment.

(3) A person commits an offence if—

(a) the person makes a declaration mentioned in section 11 with the intention of entering into a civil partnership with someone else (the *person's partner*); and

- (b) the declaration is made before a person (the *third person*) who is not a civil partnership notary; and
- (c) the person knows the third person is not a civil partnership notary; and
- (d) the person has reasonable grounds to believe that the person's partner believes that the third person is a civil partnership notary.

Maximum penalty—50 penalty units or 6 months imprisonment.

35 Approved forms

The chief executive may approve forms for use under this Act.

36 Regulation-making power

- (1) The Governor in Council may make regulations under this Act.
- (2) Without limiting subsection (1), a regulation may—
 - (a) prescribe fees payable under this Act; or
 - (b) provide for the refunding or waiving of fees payable under this Act.

Part 6 Savings and transitional provisions for Civil Partnerships and Other Legislation Amendment Act 2012

37 Definitions for pt 6

In this part—

amending Act means the *Civil Partnerships and Other Legislation Amendment Act 2012*.

civil partnership notary means—

- (a) a person registered as a civil partnership notary under the Act as in force immediately before the commencement; or
- (b) the registrar.

commencement means the day on which this section commences.

former, in relation to a provision, means as in force immediately before the amendment or repeal of the provision by the amending Act.

38 Existing civil partnerships

- (1) A civil partnership in effect immediately before the commencement is taken, on the commencement, to be a registered relationship under this Act.
- (2) To remove any doubt, it is declared that subsection (1) applies to a civil partnership registered under former section 9 or former section 12.

39 Civil partnerships under corresponding laws

- (1) This section applies to a relationship under a corresponding law that was, immediately before the commencement, taken to be registered as a civil partnership under former section 33.
- (2) The civil partnership is, on and from the commencement, taken to be registered as a registered relationship under this Act.

40 Existing applications under former s 7

- (1) This section applies if—

- (a) before the commencement, 2 persons applied under former section 7 for registration of their relationship as a civil partnership; and
 - (b) immediately before the commencement, the registrar had not decided the application under former section 9.
- (2) On and from the commencement, the application is taken to be an application under section 7 for registration of the relationship as a registered relationship.

41 Existing notices of intention under former s 10

- (1) This section applies if—
- (a) before the commencement, 2 persons (the *applicants*) gave a notice (a *notice of intention*) under former section 10 of their intention to enter into a civil partnership; and
 - (b) immediately before the commencement, the applicants had not made a declaration of civil partnership under former section 11.
- (2) On and from the commencement, the notice of intention is taken to be an application under section 7 for registration of the applicants' relationship as a registered relationship.
- (3) As soon as practicable after the commencement, the registrar must give each of the applicants a written notice (the *registrar's notice*) stating that—
- (a) the notice of intention is taken to be an application for registration under section 7; and
 - (b) 1 or both of the applicants may withdraw the application during the period ending 90 days after the day stated in the registrar's notice (the *notice period*) by giving the registrar a withdrawal notice in the approved form.
- (4) The applicants may, at any time during the notice period, give the registrar a notice (a *renewed intention notice*) that they intend to enter into a registered relationship.
- (5) A renewed intention notice must be signed by both applicants.

- (6) For section 8, the registration period is taken to be the notice period.
- (7) Section 8(1) applies subject to subsection (8)(b).
- (8) Despite section 9, the registrar must register the relationship under section 9(1)(a) or refuse to register the relationship under section 9(1)(b)—
 - (a) as soon as practicable after the end of the notice period;
or
 - (b) if the parties give the registrar a renewed intention notice during the notice period—within 10 days after the day on which the registrar receives the notice.

42 Declaration under former s 11

- (1) This section applies if—
 - (a) before the commencement, 2 persons—
 - (i) gave notice under former section 10 of their intention to enter into a civil partnership; and
 - (ii) made a declaration of civil partnership under former section 11; and
 - (b) immediately before the commencement, the registrar had not registered the relationship as a civil partnership under former section 12.
- (2) As soon as practicable after the commencement, the registrar must register the relationship as a registered relationship under section 9(1)(a) or refuse to register the relationship as a registered relationship under section 9(1)(b).

43 Review of decisions made before commencement

- (1) This section applies if—
 - (a) before the commencement—

- (i) a person has applied for the review of a reviewable decision mentioned in former schedule 1, item 1; and
 - (ii) the review has not been completed; or
 - (b) on the commencement, the period within which a person may apply for the review of a reviewable decision mentioned in former schedule 1, item 1 has started but not finished.
- (2) The Act as it was in force immediately before the commencement continues to apply for the purpose of completion of the review of the reviewable decision.
- (3) If QCAT makes an order setting aside the reviewable decision, the relationship is taken to be registered as a registered relationship under this Act.

44 Void civil partnerships

- (1) This section applies to a civil partnership that—
- (a) was entered into as mentioned in former section 6(b); and
 - (b) is taken, on and from the commencement, to be a registered relationship under section 38.
- (2) To remove any doubt, it is declared that the registered relationship is void if either party did not freely enter into it because the party was mistaken about the nature of the declaration made under former section 11.

45 Noncompliance with particular requirements under former ss 10 and 11

- (1) This section applies to a civil partnership that—
- (a) was entered into as mentioned in former section 6(b); and
 - (b) is taken, on and from the commencement, to be a registered relationship under section 38.

- (2) On and from the commencement, the registered relationship is not invalid only because—
- (a) a requirement about the form of the notice given under former section 10 was not complied with; or
 - (b) the person to whom the parties gave notice under former section 10 was not a civil partnership notary, if either party believed at the time the notice was given that the person was a civil partnership notary; or
 - (c) the person before whom the parties made the declaration under former section 11 was not a civil partnership notary, if either party believed at the time of making the declaration that the person was a civil partnership notary.

46 References in Acts and documents to civil partnership

A reference in an Act or document to a civil partnership or a civil partner is, on and from the commencement and if the context permits, taken to be a reference to a registered relationship or registered partner.

Part 7 Savings and transitional provisions for Relationships (Civil Partnerships) and Other Acts Amendment Act 2015

47 Definitions for pt 7

In this part—

amending Act means the *Relationships (Civil Partnerships) and Other Acts Amendment Act 2015*.

former, in relation to a provision, means the provision as in force immediately before the amendment or repeal of the provision by the amending Act.

48 Existing registered relationships

A registered relationship in effect immediately before the commencement is taken, on the commencement, to be a civil partnership under this Act.

49 Registered relationships under corresponding laws

- (1) This section applies to a relationship under a corresponding law that was, immediately before the commencement, taken to be registered as a registered relationship under former section 33.
- (2) The registered relationship is, on and from the commencement, taken to be registered as a civil partnership under this Act.
- (3) In this section—
corresponding law see section 33(2).

50 Existing applications under former s 7

- (1) This section applies if—
 - (a) before the commencement, 2 persons applied under former section 7 for registration of their relationship as a registered relationship; and
 - (b) immediately before the commencement, the registrar had not decided the application under former section 9.
- (2) On and from the commencement, the application is taken to be an application under section 7 for registration of the relationship as a civil partnership.

51 Review of particular decisions

- (1) This section applies if—
 - (a) before the commencement—
 - (i) a person has applied for the review of a reviewable decision mentioned in former schedule 1; and
 - (ii) the review has not been completed; or
 - (b) on the commencement, the period within which a person may apply for the review of a reviewable decision mentioned in former schedule 1 has started but not finished.
- (2) This Act as it was in force immediately before the commencement continues to apply for the purpose of completion of the review of the reviewable decision.
- (3) If QCAT makes an order setting aside the reviewable decision mentioned in former schedule 1, item 1, the registered relationship is taken to be registered as a civil partnership under this Act.
- (4) If QCAT makes an order setting aside the reviewable decision mentioned in former schedule 1, item 2, the termination of the registered relationship is taken to be registered as the termination of the civil partnership under this Act.

52 References in Acts and documents

- (1) A reference in an Act or document to a registered relationship or a registered partner is, from the commencement and if the context permits, taken to be a reference to a civil partnership or civil partner.
- (2) A reference in an Act or document to the *Relationships Act 2011* is, from the commencement and if the context permits, taken to be a reference to the *Civil Partnerships Act 2011*.

Schedule 1 Reviewable decisions

sections 27 to 29

Column 1 Item	Column 2 Section	Column 3 Decision	Column 4 Entity
1	9(1)(b) or 12 (1)(b)	refuse to register a relationship as a civil partnership	parties to the relationship
2	18(1)(b)	refuse to register the termination of a civil partnership	the applicant
3	20(7)	refuse to register a person as a civil partnership notary	the applicant for registration
4	26(3)	cancel a person's registration as a civil partnership notary	person whose registration is cancelled

Schedule 2 Dictionary

section 3

civil partnership notary means—

- (a) a person registered as a civil partnership notary under this Act; or
- (b) the registrar.

cooling-off period, for an application made under section 7, means the period ending 10 days after the application and accompanying documents under section 7(2) are given to the registrar.

information notice means a notice complying with the QCAT Act, section 157(2).

prohibited relationship see section 5(b).

registrar means the registrar-general appointed under the *Births, Deaths and Marriages Registration Act 2003*.

reviewable decision, for part 4, see section 27.

show cause notice see section 23(1).

show cause period see section 23(2)(d).

termination application see section 15(1).

termination application period, for a termination application, means the period ending 90 days after the termination application and accompanying documents mentioned in section 15 are given to the registrar.