



THE LAW SOCIETY
OF NEW SOUTH WALES

Our ref: HumanRightsGUvk:1070821

6 January 2016

Mr Andrew Cappie-Wood
c/- Ms Jennifer Mar Young
Director
Civil Law and Cabinet
NSW Department of Justice
Locked Bag 5111
PARRAMATTA NSW 2124

By email: jennifer.mar.young@justice.nsw.gov.au

Dear Mr Cappie-Wood,

Statutory Review of the *Relationships Register Act (2010) NSW*

I am writing on behalf of the Human Rights Committee of the Law Society of NSW ("Committee"), which is responsible for considering, and monitoring, Australia's obligations under international law in respect of human rights; considering reform proposals and draft legislation with respect to issues of human rights; and advising the Law Society accordingly.

Thank you for the invitation to provide submissions to the statutory review of the *Relationships Register Act 2010* (NSW) ("Act"), which is required under s 21 of that Act.

The Act was passed into law in NSW on 1 July 2010. The Act provides a framework for adults in de facto or coupled relationships to have their relationship officially recognised in the state of NSW. This facilitates the recognition of rights available to other couples in relationships recognised at law. For example, the Committee understands that the registration of relationships under the Act greatly assists in the application process for Australian partner visas (subclasses 820 and 801).

The Act permits the registration (and therefore recognition) of relationships between two adults who are in a relationship as a couple (s 5(1)). Such recognition under the Act does not discriminate between heterosexual and homosexual relationships. In the absence of any legislative protection of marriage between same sex couples, it is widely considered that the relationship register most benefits same sex couples.

In the Committee's experience, the Act is generally operating well, and the Committee commends the NSW Parliament for having enacted legislation to provide equal recognition of relationships between adults in NSW. However, the Committee raises for consideration two matters that, in the Committee's view, would improve the operation of the Act if amended in this review process.

The Committee thanks you for the opportunity to provide comments. Questions should be directed to Vicky Kuek, policy lawyer for the Committee on (02) 9926 0354 or victoria.kuek@lawsociety.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Gary Ulman', followed by a period.

Gary Ulman
President