

## Form 16 (Version 3)

# Written notice setting out the legal effect of a civil partnership

Effective as of 22/03/2016

Civil Partnerships Act 2011 (Section 10)

## This notice

The Registry of Births, Deaths and Marriages is responsible for the administration of the *Civil Partnerships Act 2011*.

This notice gives you general information about how a civil partnership can benefit and affect you—this is not legal advice. You should get independent legal and/or other professional advice before registering a civil partnership or relying only on any of the contents of this notice.

## What is a civil partnership

A civil partnership is a legally recognised committed relationship that may be entered into by 2 eligible adults, regardless of their sex.

A civil partnership is not a marriage. Marriage is governed by the *Marriage Act 1961 (Cth)*.

## What is the legal effect of registering a civil partnership

Registration of your civil partnership will provide you and your partner with proof of your relationship.

As a civil partner you will not have to provide any further proof that your relationship exists. This will make it easier for you to prove your relationship for things like superannuation, tax and government payments.

A civil partnership is recognised in other Queensland and Commonwealth laws. A Queensland civil partnership may not necessarily be recognised in other Australian jurisdictions. This will depend on whether the State or Territory have laws that recognise civil partnerships registered in Queensland.

## Registration without a declaration ceremony

If you apply to register your relationship as a civil partnership without a ceremony, the Registry of Births, Deaths and Marriages (RBDM) must not register your relationship before the end of the cooling-off period. The cooling-off period is defined as the period ending 10 days after the application to register a civil partnership and supporting documents are submitted to RBDM.

## Registration with a declaration ceremony

If you decide to have a civil partnership declaration ceremony as part of registering your relationship as a civil partnership, you must provide notice of your intention to your choice of civil partnership notary (and RBDM). A declaration ceremony cannot be

performed earlier than 10 days or later than 12 months after you lodge the notice of intention. RBDM in Queensland or a number of Queensland Magistrates Courts can perform declaration ceremonies.

Your civil partnership does not have any effect until it is registered by RBDM.

## Termination of a civil partnership

A civil partnership is terminated on:

- the death of either partner, or
- the marriage of either partner, or
- by application to RBDM.

To terminate a civil partnership one or both partners may submit an application to RBDM in the approved application form with a statutory declaration and the application fee. The application will be decided as soon as practicable after the 90 day termination period.

## Official certificates

A standard civil partnership certificate may be purchased from RBDM. Only a standard civil partnership certificate can be used for official purposes.

Commemorative civil partnership certificate packages include a standard civil partnership certificate. Your civil partnership notary may give you a ceremonial certificate on the day of your ceremony. This cannot be used for official purposes.

## Offences

A person commits an offence under the Act if they make a declaration of civil partnership before a person who is not a civil partnership notary, knowing that that person is not a civil partnership notary and the person's partner reasonably believed that person was a civil partnership notary.

It is also an offence to give false and misleading information to a person exercising a function under a State law or making false statements in a statutory declaration—such as an application to register a civil partnership.

## Contact Details

**Office hours:** Monday - Friday; 8.30am - 4.30pm

**Phone:** 13 GOV (13 74 68) (local call charge within Australia, mobiles charged at applicable rates)  
International callers: +61 7 3022 6100

**Website:** [www.qld.gov.au/rbdm](http://www.qld.gov.au/rbdm)

