



New South Wales

Relationships Register Regulation 2020

under the

Relationships Register Act 2010

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Relationships Register Act 2010*.

MARK SPEAKMAN, MP
Attorney General, and Minister for the Prevention of Domestic Violence

Explanatory note

The object of this Regulation is to repeal and remake, with minor amendments, the *Relationships Register Regulation 2015*, which would otherwise be repealed on 1 September 2020 by section 10(2) of the *Subordinate Legislation Act 1989*.

This Regulation—

- (a) prescribes laws of the Australian Capital Territory, Queensland, Tasmania and Victoria as corresponding laws for the purposes of the *Relationships Register Act 2010* and declares certain classes of relationships under those laws as interstate registered relationships for the purposes of that Act and other New South Wales laws, and
- (b) prescribes fees for applications to register relationships or to revoke the registrations of relationships, and
- (c) prescribes the method of service of notice of applications to revoke registrations of relationships and the means of proving service (which is required before an application can be granted), and
- (d) enables the Registrar of Births, Deaths and Marriages to provide information about the registration of relationships to interstate registration authorities.

This Regulation is made under the *Relationships Register Act 2010*, including the definition of **corresponding law** in section 4(1) and sections 6(c), 11(2)(c), 16 and 17 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

Contents

| | Page |
|--|------|
| 1 Name of Regulation | 3 |
| 2 Commencement | 3 |
| 3 Definition | 3 |
| 4 Recognition of interstate legislation and registrations | 3 |
| 5 Fees | 4 |
| 6 Service of notice of revocation application | 4 |
| 7 Notification of registration to authorities of other jurisdictions | 4 |
| 8 Repeal and saving | 4 |

Relationships Register Regulation 2020

under the

Relationships Register Act 2010

1 Name of Regulation

This Regulation is the *Relationships Register Regulation 2020*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Note. This Regulation repeals and replaces the *Relationships Register Regulation 2015*, which would otherwise be repealed on 1 September 2020 by section 10(2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation—

the Act means the *Relationships Register Act 2010*.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Recognition of interstate legislation and registrations

(1) The following laws are prescribed as corresponding laws for the purpose of the definition of *corresponding law* in section 4(1) of the Act—

- (a) the *Civil Unions Act 2012* of the Australian Capital Territory,
- (b) the *Domestic Relationships Act 1994* of the Australian Capital Territory,
- (c) the *Civil Partnerships Act 2011* of Queensland,
- (d) the *Relationships Act 2003* of Tasmania,
- (e) the *Relationships Act 2008* of Victoria.

(2) The following classes of relationships are declared to be interstate registered relationships for the purposes of the Act—

- (a) civil unions entered into and in force under the *Civil Unions Act 2012* of the Australian Capital Territory,
- (b) civil partnerships entered into and in force under the *Domestic Relationships Act 1994* of the Australian Capital Territory,
- (c) relationships for which registration as a civil partnership is in force under the *Civil Partnerships Act 2011* of Queensland,
- (d) significant relationships for which deeds of relationship have been registered, and are in force, under the *Relationships Act 2003* of Tasmania,
- (e) registered domestic relationships within the meaning of the *Relationships Act 2008* of Victoria.

5 Fees

- (1) The fee for an application for registration of a relationship is \$163.
- (2) The fee for an application to revoke the registration of a relationship is \$82.
- (3) The Registrar may, in appropriate cases, waive or refund the whole or part of a fee for an application.

6 Service of notice of revocation application

- (1) A notice of an application to revoke the registration of a relationship, made by one person in a registered relationship, is to be served on the other person in the registered relationship by serving a copy of the application—
 - (a) personally in accordance with rule 10.21 of the *Uniform Civil Procedure Rules 2005*, or
 - (b) by sending it by registered post, addressed to the person, to the person's business or residential address, or
 - (c) by transmitting an electronic copy of the document to the person's email address.
- (2) Proof of service of the notice is to be provided to the Registrar by way of a statutory declaration by the person who served the notice personally, or caused it to be sent by registered post or by email, setting out the person's name, the method of service and the date and time of service.

7 Notification of registration to authorities of other jurisdictions

The Registrar may provide information about the registration of relationships in this State to the registration authorities under corresponding laws.

8 Repeal and saving

- (1) The *Relationships Register Regulation 2015* is repealed.
- (2) An act, matter or thing that, immediately before the repeal of the *Relationships Register Regulation 2015* had effect under that Regulation continues to have effect under this Regulation.