

DE FACTO RELATIONSHIPS

## **Registration of De Facto Relationships in Victoria – Proposed Changes**

JACKY CAMPBELL, JANUARY 2016

De facto couples can register their relationships in Victoria. This has several consequences, including bringing the relationship within the definition of "de facto relationship" for the purposes of the Family Law Act 1975. The usual jurisdictional hurdles, such as a relationship of two years or having a child, do not apply. The couple will, however, still need to meet the geographical requirements of the Family Law Act.

Changes are proposed to the registration of relationships under the Relationships Act (Vic) 2008. If the Relationships Amendment Bill 2015 is passed by the Victorian Parliament, the residential requirements will be relaxed. An application for registration of a relationship may be made, even if only one member of the couple lives in Victoria. Currently, the legislation requires that both persons in the relationship be domiciled or ordinarily resident in Victoria. There will be no requirement to satisfy a minimum term of residency.

The other major change is to provide that de facto relationships registered or formally recognised under a corresponding law will be taken to be a registered domestic relationship in Victoria. Laws that provide for relationship registration schemes and civil partnerships in other Australian States and Territories as well as laws that provide for same sex marriage and civil unions in countries overseas will be recognised. Relationships registered under these corresponding laws will be recognised in Victoria.

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