



ATTORNEY-GENERAL
THE HON ROBERT McCLELLAND MP

AG-MC11/04017

15 APR 2011

The Hon John Murphy MP
Chair
Standing Committee on Petitions
Parliament House
CANBERRA ACT 2600

Dear ^{John}Mr Murphy

Thank you for your letter of 16 March 2011 regarding a petition submitted to the Standing Committee on Petitions about the introduction of a national system of registration and certification of same-sex marriages in Australia.

The Australian Government believes that the current definition of marriage in the *Marriage Act 1961*—‘that marriage is between a man and a woman to the exclusion of all others, voluntarily entered into for life’—is appropriate. A same-sex marriage that takes place overseas is not recognised under Australian law (section 88EA of the Act).

The Government believes that couples who have a mutual commitment to a shared life should be able to have their relationships recognised. The Government supports a nationally consistent framework for relationship recognition to be implemented by the states and territories. New South Wales, Victoria, Tasmania and the Australian Capital Territory have established relationship recognition schemes, where the relationship is legally recognised by the act of registration. The Government will continue to encourage other jurisdictions to develop such schemes. Relationships registered under these schemes are also now recognised in a wide range of Commonwealth laws. Recognition of these relationships abroad is a matter for the foreign jurisdiction.

State and territory Registries of Births, Deaths and Marriages have responsibility for registering marriages that occur under Australian law. There are no plans to change the current marriage registration arrangement.

I hope this information is of assistance to the Committee when considering this petition.

Yours sincerely

Robert McClelland

