

APPENDIX 1

TABLE SUMMARISING PROPOSED MARRIAGE EQUALITY LEGISLATION¹

	Marriage Equality Amendment Bill 2010 (Hanson-Young Bill)	Marriage Equality Amendment Bill 2012 (Bandt/Wilkie Bill)	Marriage Amendment Bill 2012 (Jones Bill)
Definition of 'marriage' (subsection 5(1))	Repeal the definition, substitute: marriage means the union of two people, regardless of their sex, sexual orientation or gender identity, to the exclusion of all others, voluntarily entered into for life. (cl 1)	Repeal the definition, substitute: marriage means the union of two people, regardless of their sex, sexual orientation or gender identity, to the exclusion of all others, voluntarily entered into for life. (cl 1)	Repeal the definition, substitute: marriage means the union of two people, regardless of their sex, to the exclusion of all others, voluntarily entered into for life. (cl 1)
Subsection 45(2)	After "or husband", insert ", or partner". (cl 2)	After "or husband", insert ", or partner". (cl 2)	
Subsection 46(1)	Omit "a man and a woman", substitute "two people". (cl 3)	Omit "a man and a woman", substitute "two people". (cl 3)	Omit "a man and a woman", substitute "two people". (cl 2)
Section 47		After "Part", insert "or in any other law". (cl 4) To avoid doubt, the amendments made by this Schedule do not limit the effect of section 47 (ministers of religion not bound to solemnise marriage etc.) of the Marriage Act 1961. (cl 8)	After paragraph (a), insert: (aa) imposes an obligation on an authorised celebrant, being a minister of religion, to solemnise a marriage where the parties to the marriage are of the same sex; or (cl 3)
Subsection 72(2)	After "or husband", insert ", or partner". (cl 4)	After "or husband", insert ", or partner". (cl 5)	
Section 88EA	Repeal the section. (cl 5)	Repeal the section (cl 6)	Repealed (cl 4)
Part III of the Schedule (table item 1)		Omit "a husband and wife", substitute "two people". (cl 7)	Omit "a husband and wife", substitute "two people". (cl 5)
Consequential amendments		(1) The Governor-General may make regulations amending Acts (other than the <i>Marriage Act 1961</i>) being amendments that are consequential on, or that otherwise relate to, the enactment of this Act. (2) For the purposes of the <i>Amendments Incorporation Act 1905</i> , amendments made by regulations for the purposes of this item are to be treated as if they had been made by an Act. (cl 9)	

¹ Source: Lawyers and academics from Deakin University School of Law, *Submission 189*, p. 9.

