

FACT SHEET

Justice and Related Legislation (Marriage Amendments) Bill 2018

This Bill makes a number of consequential amendments to various Tasmanian Acts as a result of the Commonwealth *Marriage Amendment (Definition and Religious Freedoms) Act 2017*.

This Bill amends –

- a) The *Adoption Act 1988* to extend the relevant consent provisions to women in a same-sex marriage;
- b) The *Anti-Discrimination Act 1998* to allow a minister for religion or a religious marriage celebrant to refuse to solemnise a marriage if the circumstances mentioned in section 47 or 47A of the *Commonwealth Marriage Act 1961* apply to that refusal;
- c) Sections 28A and 28C of the *Births, Deaths and Marriages Registration Act 1999* to remove the requirement that a person applying to register a change of sex 'not be married';
- d) The following Tasmanian Acts to ensure the terminology is consistent with the recent amendments to the *Marriage Act 1961*:
 - *Births, Deaths and Marriages Registration Act 1999*;
 - *Civil Liability Act 2002*;
 - *Conveyancing and Law of Property Act 1884*;
 - *Criminal Code Act 1924*; and
- e) The *Status of Children Act 1974* to extend the presumption of parentage to recognise parentage arising from same-sex marriage.