

The legislation that is being viewed is valid for Sessional.

Relationships (Miscellaneous Amendments) Act 2009 (No. 73 of 2009)

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Relationships (Miscellaneous Amendments) Act 2009

An Act to amend the Adoption Act 1988 and the Status of Children Act 1974

[Royal Assent 7 December 2009]

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

### 1. Short title

This Act may be cited as the Relationships (Miscellaneous Amendments) Act 2009.

### 2. Commencement

This Act commences on a day to be proclaimed.

### 3. Miscellaneous amendments

The legislation specified in Schedule 1 is amended as specified in that Schedule.

#### SCHEDULE 1 - Miscellaneous Amendments

##### Section 3

#### Adoption Act 1988

1. Section 29 is amended by inserting after subsection (4) the following subsection:

(4A) In the case of a child whose mother was in a significant relationship, within the meaning of the Relationships Act 2003, with a woman at the time of the child's birth or at or after the time of its conception but before its birth and the child has not previously been adopted, the appropriate persons are the parties to that relationship if

(a) the child was born as a result of a fertilization procedure to which the female partner in the significant relationship with the mother had given consent; or

(b) there is no man required to give consent under subsection (3).

#### Status of Children Act 1974

1. Section 10C is amended by inserting after subsection (1) the following subsections:

(1A) Where a woman is in a significant relationship, within the meaning of the Relationships Act 2003, with another woman and, with the consent of that other woman, undergoes a fertilization procedure as a result of which she becomes pregnant, the consenting woman is, for the purposes of the law of the State, to be treated as if she were the parent of any child born as a result of that pregnancy.

(1B) Subsection (1A) is taken to have commenced on the day on which the Relationships Act 2003 commenced.

[Second reading presentation speech made in:

House of Assembly on 18 AUGUST 2009

Legislative Council on 28 OCTOBER 2009]