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All You Need to Know about Victoria's New Relationships Register



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Can I register my relationship?¹

You **can** register your relationship if you are:

- 2 persons aged 18 or over **and**
- you are a couple (same-sex **or** heterosexual) but are not married **and**
- at least one of you provides personal or financial commitment and support of a domestic nature for the benefit of the other **and**
- both of you live in Victoria or both of you regard Victoria as your permanent home.

You can register your relationship even if you don't live together!

But you **cannot** register your relationship if:

- either of you are already **married or**
- either of you are already in another relationship which is **either** registered **or** could be registered.

(NB If you have been married and since divorced you may apply to register a relationship)

If you support or care for someone for a fee or reward or on behalf of another person or organisation – you can forget all about registering that relationship!

What is the relationships register?

The relationships register is essentially a register of relationships maintained by Victoria's Registrar of Births, Deaths and Marriages ("Registrar"). It contains particulars of each registered relationship (including the names of each partner and the date of registration) and any other information deemed relevant by the Registrar. The Registrar has the power to amend or correct the register and to add, alter or delete particular details.² The Registrar will endeavour to protect the privacy of the people whose details are contained in the register.³

When can I register my relationship?

The system for registration of relationships in Victoria will be operational no later than 1 December 2008.

Where can I register my relationship?

The Registry of Births, Deaths and Marriages

Customer Service Centre: Ground floor,
595 Collins St, Melbourne, Victoria

Postal Address: PO Box 4332,
Melbourne Vic 3001

Phone: 1300 369 367 (8.30 am – 4.30 pm,
Monday to Friday except public holidays)

Website: www.bdm.vic.gov.au

Why should I register my relationship?

Registration of your relationship will provide '**conclusive proof**' that you are in a 'domestic relationship'. This could be useful in various situations. For example, it will automatically (without the need for further proof of your relationship) enable you to consent to emergency medical treatment for your partner. It will generally allow you to be treated in the same way as a spouse for most legal purposes. The legislation also provides for symbolic gestures such as the provision of a decorative certificate.

If you do not register your relationship it still may be legally recognised - you will be no worse off than before the introduction of the relationships register.

How do I register my relationship?

Follow these 5 easy steps to register your relationship:

- 1 Fill in the appropriate form⁴ (forms will be available on the Registry's website: www.bdm.vic.gov.au).
- 2 Provide the required documentation including proof of your identity and proof that you are at least 18 years old.⁵ For example: a copy of your driver licence or your passport.
- 3 Both of you must sign the declaration (application) in the presence of a witness.
- 4 Include the required application fee of \$180.⁶
- 5 Send everything in to the Registrar (this is called lodging the application).

You may be asked for more info! For example: proof that you are divorced.

Oops! What if you change your mind?

You are not locked into this relationship forever. Procedures exist to bring the registration to an end.

- Either of you can withdraw the application within 28 days of lodging it. The appropriate form must be completed. This will also be available on the Registry's website.
- The registration is automatically revoked if either of you die or get married.
- Either of you can apply to have the registration revoked. If only one party applies the procedure is a little complex as documents must be served on the other party and a fee must be paid. Consult a lawyer or a community legal centre.

The information provided in this booklet is a general guide only. You should obtain advice from a solicitor or a community legal centre to be sure of your rights and responsibilities.

1 Relationships Act 2008 (Vic) ss 5, 6.

2 Relationships Act 2008 (Vic) s 19.

3 Relationships Act 2008 (Vic) s 20.

4 Relationships Act 2008 (Vic) s 6.

5 Relationships Act 2008 (Vic) s 7.

6 Relationships Act 2008 (Vic) ss 7, 75(1). This amount may change with the passing of regulations.

7 Relationships Act 2008 (Vic) ss 9, 11, 12.