

Serial 182
De Facto Relationships (Northern Territory Request) Bill 2003
Dr Toyne

**A BILL
for
AN ACT**

to request the Parliament of the Commonwealth to enact legislation in respect of certain financial matters arising out of the breakdown of de facto relationships



NORTHERN TERRITORY OF AUSTRALIA
DE FACTO RELATIONSHIPS (NORTHERN TERRITORY REQUEST) ACT
2003

No. of 2003

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NORTHERN TERRITORY OF AUSTRALIA

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AN ACT

to request the Parliament of the Commonwealth to enact legislation in respect of certain financial matters arising out of the breakdown of de facto relationships

[Assented to 2003]
[Second reading 2003]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *De Facto Relationships (Northern Territory Request) Act 2003*.

2. Commencement

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. Interpretation

(1) In this Act –

"de facto partner" means a person who lives or has lived in a de facto relationship;

"de facto relationship" means a marriage-like relationship (other than a legal marriage) between 2 persons;

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"financial matters", in relation to de facto partners, means any or all of the following matters:

- (a) the maintenance of de facto partners;
- (b) the distribution of the property of de facto partners;
- (c) the distribution of any other financial resources of de facto partners, including prospective superannuation entitlements or other valuable benefits of or relating to de facto partners;

"property" means any legal or equitable estate or interest (whether present or future and whether vested or contingent) in real or personal property of any description and wherever situated, including money and things in action.

(2) For this Act, a de facto relationship exists even if a de facto partner is legally married to someone else or is in another de facto relationship.

(3) In this Act –

- (a) a reference to the property or other financial resources of de facto partners includes a reference to the property or other financial resources of either or both of them; and
- (b) a reference to the distribution of any such property or resources includes a reference to the conferral of rights or obligations in relation to the property or resources.

(4) This Act extends to de facto relationships that ended before the commencement of this Act.

4. Request for Commonwealth legislation

(1) The Legislative Assembly requests the Parliament of the Commonwealth to enact an Act in respect of –

- (a) financial matters relating to de facto partners arising out of the breakdown (other than by reason of death) of de facto relationships between persons of different sexes; and
- (b) financial matters relating to de facto partners arising out of the breakdown (other than by reason of death) of de facto relationships between persons of the same sex.

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(2) The operation of each paragraph of subsection (1) is not affected by the other paragraph.

