

2004-2005-2006

The Parliament of the
Commonwealth of Australia

THE SENATE

Presented and read a first time

Same-Sex Marriages Bill 2006

No. , 2006

(Senators Stott Despoja and Bartlett)

**A Bill for an Act to amend the *Marriage Act 1961* to
provide for same-sex marriages, and for related
purposes**

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1 **A Bill for an Act to amend the *Marriage Act 1961* to**
2 **provide for same-sex marriages, and for related**
3 **purposes**

4 The Parliament of Australia enacts:

5 **1 Short title**

6 This Act may be cited as the *Same-Sex Marriages Act 2006*.

7 **2 Commencement**

8 This Act commences on the day on which it receives the Royal
9 Assent.

3 Schedule(s)

1 **3 Schedule(s)**

2 Each Act that is specified in a Schedule to this Act is amended or
3 repealed as set out in the applicable items in the Schedule
4 concerned, and any other item in a Schedule to this Act has effect
5 according to its terms.

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Schedule 1—Same-sex marriages

Marriage Act 1961

1 After section 2

Insert:

2A Same-sex marriages

To avoid doubt, nothing in this Act is intended to prevent the marriage of two people of the same sex under this Act.

2 Subsection 5(1) (definition of *marriage*)

Repeal the definition.

3 Subsection 45(2)

Omit “wife (*or* husband)”, substitute “spouse”.

4 Subsection 46(1)

Omit “a man and a woman”, substitute “two people”.

5 Subsection 72(2)

Omit “wife (*or* husband)”, substitute “spouse”.

6 Subsection 88B(4)

Repeal the subsection.

7 Section 88EA

Repeal the section.

8 Part III of the Schedule (table item 1)

Omit “a husband and wife”, substitute “two people”.