



**Mark Speakman**  
Attorney General

## **MEDIA RELEASE**

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### **NSW FIRST TO HARMONISE WITH AMENDED COMMONWEALTH *MARRIAGE ACT***

NSW has today become the first state or territory to harmonise comprehensively its laws with the amended Commonwealth *Marriage Act 1961*.

The State Parliament has today passed legislation changing 53 NSW Acts and Regulations, bringing NSW laws into line with the amended Commonwealth Act, said Attorney General Mark Speakman.

“Since same-sex marriage was legalised in Australia six months ago, the NSW Government has been working hard to identify and amend its laws relating to marriage and address any hurdles that have arisen for same-sex couples,” Mr Speakman said.

“The reforms include incorporating gender-inclusive or gender-neutral language into NSW legislation so our laws don’t exclude any married couples due to their sex,” Mr Speakman said.

“Importantly, the government is removing a requirement that a married person divorce before they register a change of sex.”

All Australian jurisdictions had introduced this provision to prevent a marriage between a man and a woman becoming a same-sex marriage at a time when those unions were not legally recognised.

From 9 December 2018, an exemption that allowed a state official to refuse to change the sex of a married person will be deleted from Commonwealth *Sex Discrimination Act 1984*.

The changes to NSW Acts and Regulations to facilitate marriage regardless of the sex of the partners are predominantly technical, with amendments to definitions and terminology.

More than 850 same-sex couples have been married in NSW since 9 December 2017. Commonwealth law now also recognises the unions of same-sex couples who wed overseas.

“Almost 62 per cent of Australians voted in support of same-sex marriage and the NSW Government has acted quickly to ensure our laws reflect the will of the popular vote,” Mr Speakman said.

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