



Marriage Amendment Act 2004

No. 126, 2004

An Act to amend the *Marriage Act 1961*, and for related purposes

Note: An electronic version of this Act is available in SCALEplus
(<http://scaleplus.law.gov.au/html/comact/browse/TOCN.htm>)

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No. 126, 2004

An Act to amend the *Marriage Act 1961*, and for related purposes

[Assented to 16 August 2004]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Marriage Amendment Act 2004*.

2 Commencement

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

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendment of the Marriage Act 1961

1 Subsection 5(1)

Insert:

marriage means the union of a man and a woman to the exclusion of all others, voluntarily entered into for life.

2 At the end of section 88B

Add:

- (4) To avoid doubt, in this Part (including section 88E) *marriage* has the meaning given by subsection 5(1).

3 After section 88E

Insert:

88EA Certain unions are not marriages

A union solemnised in a foreign country between:

- (a) a man and another man; or
- (b) a woman and another woman;

must not be recognised as a marriage in Australia.

*[Minister's second reading speech made in—
House of Representatives on 24 June 2004
Senate on 13 August 2004]*

(143/04)