

2010-2011-2012

The Parliament of the  
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

*Presented and read a first time*

## **Marriage Amendment Bill 2012**

**No.     , 2012**

*(Mr Stephen Jones)*

**A Bill for an Act to amend the *Marriage Act 1961* to  
establish marriage equality for same-sex couples,  
and for related purposes**



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1     **A Bill for an Act to amend the *Marriage Act 1961* to**  
2     **establish marriage equality for same-sex couples,**  
3     **and for related purposes**

4     The Parliament of Australia enacts:

5     **1 Short title**

6             This Act may be cited as the *Marriage Amendment Act 2012*.

7     **2 Commencement**

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

## Section 3

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1     **3 Objects**

2                     The object of this Act is to amend the *Marriage Act 1961* to ensure  
3                     equal access to marriage for all adult couples irrespective of sex  
4                     who have a mutual commitment to a shared life.

5     **4 Schedule(s)**

6                     Each Act that is specified in a Schedule to this Act is amended or  
7                     repealed as set out in the applicable items in the Schedule  
8                     concerned, and any other item in a Schedule to this Act has effect  
9                     according to its terms.  
10

1  
2 **Schedule 1—Amendment of the Marriage Act**  
3 **1961**  
4

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

6 Repeal the definition, substitute:

7 *marriage* means the union of two people, regardless of their sex, to  
8 the exclusion of all others, voluntarily entered into for life.

9 **2 Subsection 46(1)**

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

11 **3 Section 47**

12 After paragraph (a), insert:

13 (aa) imposes an obligation on an authorised celebrant, being a  
14 minister of religion, to solemnise a marriage where the  
15 parties to the marriage are of the same sex; or

16 **4 Section 88EA**

17 Repeal the section.

18 **5 Part III of the Schedule (table item 1)**

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