

## Legislative Council

### Superannuation Legislation Amendment (Same Sex Partners) Bill

Schedule of amendments agreed to in Committee of the Whole  
Friday 1 December 2000

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#### Oppn

No. 1 Page 3, Schedule 1.1 [1], lines 6-13. Omit all words on those lines. Insert instead:

Insert in alphabetical order in section 3 (1):

*de facto partner* of a member, or former member, who has died means, if ~~te~~ member or former member was, at the time of his or her death, in a de facto relationship, within the meaning of the *Property (Relationships) Act 1984*, with a person, that person.

**[2] Section 3 (1)**

Omit the definition of *spouse*. Insert instead:

*spouse* of a member, or former member, who has died means the widow or widower, as the case may be, of the member or former member.

#### Oppn

No. 2 Page 3, Schedule 1. Insert after line 13:

**[3] The whole Act (except section 3 and Schedule 1)**

Insert “or de facto partner” after “spouse” wherever occurring.

**[4] The whole Act (except section 3 and Schedule 1)**

Insert “or de facto partners’ ” after “spouses’ ” wherever occurring.

**[5] The whole Act (except section 3 and Schedule 1)**

Insert “or de facto partners” after “spouses” wherever occurring.

#### Govt

No. 3 Page 4, Schedule 1.2 [1], lines 9-17. Omit all words on those lines. Insert instead:

Insert in alphabetical order in section 2 (1):

*de facto partner* of a prescribed person (within the meaning of section 3) who has died means, if the prescribed person was, at the time of his or her death, in

a de facto relationship, within the meaning of the *Property (Relationships) Act 1984*, with a person, that person.

[2] **Section 2 (1)**

Omit the definition of *spouse*. Insert instead:

*spouse* of a prescribed person (within the meaning of section 3) who has died means the widow or widower, as the case may be, of the prescribed person.

**Govt**

No. 4 Page 4, Schedule 1.2. Insert after line 17:

[2] **The whole Act (except section 2 and Schedule 1)**

Insert “or de facto partner” after “spouse” wherever occurring.

[3] **The whole Act (except section 2 and Schedule 1)**

Insert “or de facto partners’ ” after “spouses’ ” wherever occurring.

**Govt**

No. 5 Page 5, Schedule 1.2 [3], lines 7-10. Omit all words on those lines. Insert instead:

**4 Spouse or de facto partner entitlements**

- (1) The definitions of *de facto partner* and *spouse* inserted by the *Superannuation Legislation Amendment (Same Sex Partners) Act 2000* apply only to or in respect of prescribed persons who die on or after the commencement of the amendment substituting the definition of *spouse*.
- (2) The definition of *spouse*, as in force immediately before its substitution by that Act, applies to or in respect of prescribed persons who die before the commencement of the amendment substituting the definition of *spouse*.

**Govt**

No. 6 Page 6, Schedule 1.3 [1], lines 12-20. Omit all words on those lines. Insert instead:

Insert in alphabetical order in section 1 (2):

*de facto partner* of a member or former member of the police force, who has died means, if the member or former member was, at the time of his or her death, in a de facto relationship, within the meaning of the *Property (Relationships) Act 1984*, with a person, that person.

[2] **Section 1 (2)**

Omit the definition of *spouse*. Insert instead:

*spouse* of a member or former member of the police force who has died means the widow or widower, as the case may be, of the member or former member.

**Govt**

No. 7 Page 6, Schedule 1.3. Insert after line 20:

**[2] The whole Act (except section 1 and Schedule 6)**

Insert “or de facto partner” after “spouse” wherever occurring.

**[3] The whole Act (except section 1 and Schedule 6)**

Insert “or de facto partners’ ” after “spouses’ ” wherever occurring.

**[4] The whole Act (except section 1 and Schedule 6)**

Insert “or de facto partners” after “spouses” wherever occurring.

**Govt**

No. 8 Page 6, Schedule 1.3 [2], line 23. Insert “or de facto partner” after “spouse”.

**Govt**

No. 9 Page 7, Schedule 1.3 [4], lines 22-26. Omit all words on those lines. Insert instead:

**13 Spouse or de facto partner entitlements**

- (1) The definitions of *de facto partner* and *spouse* inserted by the *Superannuation Legislation Amendment (Same Sex Partners) Act 2000* apply only to or in respect of members or former members who die on or after the commencement of the amendment substituting the definition of *spouse*.
- (2) The definition of *spouse*, as in force immediately before its substitution by that Act, applies to or in respect of members or former members who die before the commencement of the amendment substituting the definition of *spouse*.

**Govt**

No. 10 Page 14, Schedule 1.4 [1], lines 4-12. Omit all words on those lines. Insert instead:

Insert in alphabetical order in section 3 (1):

*de facto partner* of a deceased employee or deceased former employee means, if the employee or former employee was, at the time of his or her

death, in a de facto relationship, within the meaning of the *Property (Relationships) Act 1984*, with a person, that person.

[2] **Section 3 (1)**

Omit the definition of *spouse*. Insert instead:

*spouse* of a deceased employee or deceased former employee means the widow or widower, as the case may be, of the employee or former ~~employee~~.

**Govt**

No. 11 Page 14, Schedule 1.4. Insert after line 12:

[2] **The whole Act (except section 3 and Schedule 5)**

Insert “or de facto partner” after “spouse” wherever occurring.

[3] **The whole Act (except section 3 and Schedule 5)**

Insert “or de facto partners’ ” after “spouses’ ” wherever occurring.

**Govt**

No. 12 Page 15, Schedule 1.4 [5], lines 10-15. Omit all words on those lines. Insert instead:

**4 Spouse or de facto partner entitlements**

- (1) The definitions of *de facto partner* and *spouse* inserted by the *Superannuation Legislation Amendment (Same Sex Partners) Act 2000* apply only to or in respect of employees or former employees who die on or after the commencement of the amendment substituting the definition of *spouse*.
- (2) The definition of *spouse*, as in force before its substitution by that Act, applies to or in respect of employees or former employees who die before the commencement of the amendment substituting the definition of *spouse*.

**Govt**

No. 13 Page 16, Schedule 1.5 [1], lines 3-11. Omit all words on those lines. Insert instead:

Insert in alphabetical order in section 3 (1):

*de facto partner* of a deceased contributor or deceased former contributor means, if the contributor or former contributor was, at the time of his or her death, in a de facto relationship, within the meaning of the *Property (Relationships) Act 1984*, with a person, that person.

**[2] Section 3 (1)**

Omit the definition of *spouse*. Insert instead:

*spouse* of a deceased contributor or deceased former contributor means the widow or widower, as the case may be, of the contributor or former contributor.

**Govt**

No. 14 Page 16, Schedule 1.5. Insert after line 11:

**[2] The whole Act (except section 3 and Schedule 6)**

Insert “or de facto partner” after “spouse” wherever occurring.

**[3] The whole Act (except section 3 and Schedule 6)**

Insert “or de facto partners’ ” after “spouses’ ” wherever occurring.

**Govt**

No. 15 Page 16, Schedule 1.5 [3], lines 21-26. Omit all words on those lines. Insert instead:

**8 Spouse or de facto partner entitlements**

- (1) The definitions of *de facto partner* and *spouse* inserted by the *Superannuation Legislation Amendment (Same Sex Partners) Act 2000* apply only to or in respect of contributors or former contributors who die on or after the commencement of the amendment substituting the definition of *spouse*.
- (2) The definition of *spouse*, as in force immediately before its substitution by that Act, applies to or in respect of contributors or former contributors who die before the commencement of the amendment substituting the definition of *spouse*.

**Govt**

No. 16 Page 17, Schedule 1.6, lines 9-20. Omit all words on those lines. Insert instead:

Omit the definitions of *De facto relationship*, *De facto spouse* and *Spouse* from section 3 (1).

**[2] Section 3 (1)**

Insert in alphabetical order in section 3 (1):

*De facto partner* of a deceased contributor or deceased pensioner means, if the contributor or pensioner was, at the time of his or her death, in a de facto relationship, within the meaning of the *Property (Relationships) Act*

1984, with a person, that person.

***De facto relationship*** is a de facto relationship within the meaning of the *Property (Relationships) Act 1984* between a contributor or pensioner and a de facto partner.

***Spouse*** of a contributor or pensioner who has died means the widow or widower, as the case may be, of the contributor or pensioner.

**Govt**

No. 17 Page 17, Schedule 1.6. Insert after line 20:

**[4] The whole Act (except the definition of *Spouse* in section 3 (1) and Schedule 25)**

Insert “or de facto partner” after “spouse” wherever occurring.

**[5] The whole Act (except the definition of *Spouse* in section 3 (1) and Schedule 25)**

Insert “or de facto partner’s” after “spouse’s” wherever occurring.

**[6] The whole Act (except the definition of *Spouse* in section 3 (1) and Schedule 25)**

Insert “or de facto partners’ ” after “spouses’ ” wherever occurring.

**[7] The whole Act (except the definition of *Spouse* in section 3 (1) and Schedule 25)**

Insert “or de facto partners” after “spouses” wherever occurring.

**[8] The whole Act (except section 3 (1) and Schedule 25)**

Omit “de facto spouse” wherever occurring. Insert instead “de facto partner”.

**Govt**

No. 18 Page 17, Schedule 1.6 [4], line 21. Insert “or de facto partners” after “spouses”.

**Govt**

No. 19 Page 17, Schedule 1.6 [4], line 24. Insert “or de facto partner” after “spouse”.

**Govt**

No. 20 Page 17, Schedule 1.6 [4], line 25. Insert “or de facto partner” after “spouse”.

**Govt**

No. 21 Page 17, Schedule 1.6 [5], line 28. Insert “or de facto partner” after “spouse”.

**Govt**

No. 22 Page 17, Schedule 1.6 [5], line 29. Insert “or de facto partner” after “spouse”.

- Govt** No. 23 Page 18, Schedule 1.6 [6], line 3. Insert “or de facto partner” after “spouse”.
- Govt** No. 24 Page 18, Schedule 1.6 [7], line 4. Insert “or de facto partners’ ” after “spouses’ ”.
- Govt** No. 25 Page 18, Schedule 1.6 [7], line 5. Insert “or de facto partner’s” after “spouse’s”.
- Govt** No. 26 Page 18, Schedule 1.6 [8], line 7. Insert “or de facto partner’s” after “spouse’s”.
- Govt** No. 27 Page 19, Schedule 1.6 [10], lines 7-13. Omit all words on those lines. Insert instead:

**28 Spouse or de facto partner entitlements**

- (1) The definitions of *De facto partner*, *De facto relationship* and *Spouse* inserted by the *Superannuation Legislation Amendment (Same Sex Partners) Act 2000* apply only to or in respect of contributors or former contributors who die on or after the commencement of the amendment substituting the definition of *Spouse*.
- (2) The definitions of *De facto spouse*, *De facto relationship* and *Spouse*, as in force immediately before their amendment by that Act, apply to or in respect of contributors or former contributors who die before the commencement of the amendment substituting the definition of *Spouse*.