



**Legislative Council  
Standing Committee on Social Issues**

**INQUIRY INTO SAME SEX MARRIAGE LAW FINDS NSW CAN  
LEGISLATE BUT EQUAL MARRIAGE RIGHTS ARE BEST  
ACHIEVED THROUGH COMMONWEALTH LAW**

**FOR IMMEDIATE RELEASE  
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The Legislative Council's Standing Committee on Social Issues has today tabled its Report into a possible same-sex marriage law in New South Wales. It found that while New South Wales can legislate on same-sex marriage, that law could be subject to challenge in the High Court and as such, equal marriage rights would best be achieved by amendment to Commonwealth legislation.

The Hon Niall Blair, MLC, Chair of the Social Issues Committee said: "This Report seeks to clarify the law, including in particular the question as to whether New South Wales can legislate on the topic of same-sex marriage; there is no doubt that it can. But whether the law would stand up to a challenge in the High Court is unpredictable and something that even leading experts in constitutional law disagree about."

Mr Blair continued: "The question of whether New South Wales should legislate is ultimately one for the Parliament and it is my sincere hope that our Report helps to inform that debate. The Report does not pass judgment on the merits of same-sex marriage but provides a platform for the contrasting voices in our community. It gives a measured and accessible account of the legal issues associated with a possible state-based same-sex marriage law."

The Inquiry received a record number of submissions for a Legislative Council Committee with more than 7,500 responses received. Mr Blair acknowledged that: "The volume of public responses highlights the strength of feeling in the community about same-sex marriage. The responses were characterised by moral and belief-based opinions about sexual orientation and the fundamental meaning of marriage."

The Inquiry was referred to the Committee by the Premier, the Hon Barry O'Farrell MP.

Copies of the Report can be printed from the Committee's website: [www.parliament.nsw.gov.au/samesexmarriage](http://www.parliament.nsw.gov.au/samesexmarriage).

For further comment please call the Chair, the Hon Niall Blair MLC on (02) 9230 2467.