

Same Sex Couples

Up until 1 July 2009, same sex partners were recognised as being *interdependent partners* in *interdependent relationships for migration purposes*.

From 1 July 2009, same sex partners are recognised as being de facto partners for migration purposes and the changes have the following affects:

- Same sex and opposite sex de facto couples in a genuine and continuing relationship are recognised as de facto partners.
- Opposite sex married couples in a genuine and continuing relationship are recognised as spouses.
- The terms interdependent partner and de facto spouse are no longer used for new visa applications.
- Spouses and de facto partners may be jointly referred to as partners.
- Same sex de facto partners and their children are recognised as family members when their partner is a primary visa applicant.
- Parent-child relationships including biological children, adopted children, children born via artificial conception procedures and children born into prescribed surrogacy arrangements can be recognised for migration purposes.
- Children of de facto partners (including same sex partners) are recognised as step children.

Please contact David Stratton, Ryan Curtis-Griffiths or Helen Zheng, Lawyers in our Migration Law Work Group, if you require further information in relation to this issue, or if you require legal advice regarding any other migration law matter.

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