

South Australia

# Family Relationships Regulations 2010

under the *Family Relationships Act 1975*

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### 1—Short title

These regulations may be cited as the *Family Relationships Regulations 2010*.

### 3—Interpretation

In these regulations—

*Act* means the *Family Relationships Act 1975*.

### 3A—Requirements for Section 10C declarations

- (1) A woman and her partner may make a declaration that they have elected to have the parentage of a child birthed by the woman as a result of a fertilisation procedure determined in accordance with section 10C(3a) of the Act (a ***Section 10C declaration***).
- (2) For the purposes of section 10C(3a)(c) of the Act, the following requirements are prescribed in relation to a Section 10C declaration:
  - (a) the declaration must be made in writing;
  - (b) the woman and her partner must each declare that, for the purposes of the law of the State, they have elected that—
    - (i) the partner will be conclusively presumed to have caused the pregnancy; and
    - (ii) the partner will be taken to be the father or co-parent (as the case may be) of the child;
  - (c) the declaration must be signed by each party to the declaration;
  - (d) the signatures must be made in the presence of a justice of the peace or another person authorised under the *Oaths Act 1936* to take declarations or attest the execution of instruments.

## Legislative history

### Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2010	249	<i>Gazette 2.12.2010 p5496</i>	2.12.2010: r 2
2016	226	<i>Gazette 15.9.2016 p3744</i>	23.9.2016: r 2
2016	252	<i>Gazette 27.10.2016 p4271</i>	27.2.2017: r 2
<b>2020</b>	<b>214</b>	<b><i>Gazette 18.6.2020 p3417</i></b>	<b>1.9.2020: r 2</b>

### Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
r 2	omitted under the <i>Legislation Revision and Publication Act 2002</i>	23.9.2016
r 3A	inserted by 226/2016 r 4	23.9.2016
<i>rr 3B and 3C</i>	<i>inserted by 252/2016 r 4</i>	<i>27.2.2017</i>
	<b><i>deleted by 214/2020 r 4</i></b>	<b>1.9.2020</b>
<b>r 4</b>	<b><i>deleted by 214/2020 r 4</i></b>	<b>1.9.2020</b>

### Historical versions

23.9.2016  
27.2.2017