

South Australia

Family Relationships Variation Regulations 2016

under the *Family Relationships Act 1975*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Family Relationships Variation Regulations 2016*.

2—Commencement

These regulations will come into operation on 23 September 2016.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Family Relationships Regulations 2010*

4—Insertion of regulation 3A

After regulation 3 insert:

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.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 15 September 2016

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