



Interpretation Amendment Act 2005

Public Act 2005 No 13
Date of assent 24 March 2005
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Interpretation Amendment Act 2005.
- (2) In this Act, the Interpretation Act 1999 is called “the principal Act”.

2 Commencement

This Act comes into force on 26 April 2005.

3 Definitions

Section 29 of the principal Act is amended by inserting, after the definition of **consular officer**, the following definition:

“**de facto partner** means a person who is a party to a de facto relationship (as defined in section 29A)”.

Compare: 1976 No 166 s 2C

4 New sections 29A and 29B inserted

The principal Act is amended by inserting, after section 29, the following sections:

“29A Meaning of de facto relationship

- “(1) In an enactment, **de facto relationship** means a relationship between 2 people (whether a man and a woman, a man and a man, or a woman and a woman) who—
- “(a) live together as a couple in a relationship in the nature of marriage or civil union; and
 - “(b) are not married to, or in a civil union with, each other; and
 - “(c) are both aged 16 years or older.
- “(2) Despite subsection (1), a relationship involving a person aged 16 or 17 years is not a de facto relationship unless that person has obtained consent for the relationship in accordance with section 46A of the Care of Children Act 2004.
- “(3) In determining whether 2 people live together as a couple in a relationship in the nature of marriage or civil union, the court or person required to determine the question must have regard to—
- “(a) the context, or the purpose of the law, in which the question is to be determined; and
 - “(b) all the circumstances of the relationship.
- “(4) A de facto relationship ends if—
- “(a) the de facto partners cease to live together as a couple in a relationship in the nature of marriage or civil union; or
 - “(b) one of the de facto partners dies.

“29B Meaning of step-parent, etc

For the purposes of an enactment, the relationship of step-parent, stepson, stepdaughter, or any other relationship described by a word containing the prefix ‘step’, may be established by civil union or by de facto relationship as well as by marriage.”

Legislative history

10 March 2005	Divided from Relationships (Statutory References) Bill (Bill 151-2) as Bill 151-3J
15 March 2005	Third reading
24 March 2005	Royal assent

This Act is administered in the Ministry of Justice.
