

Section 10C Declaration

Section 10C (3a) Family Relationships Act 1975

Pursuant to section 10C(3a) of the *Family Relationships Act 1975*, we seek a declaration of parentage of [name of child], born on[date of birth] who was conceived as the result of a fertilisation procedure.

We declare that in the course of living together in a marriage-like relationship, the mother, with the consent of the partner, underwent a fertilisation procedure that resulted in the conception of the above named child.

Birth Mother's Declaration

I,.....(full name)

of.....(address)

declare that, for the purposes of the law of the State, I elect -

- the partner will be conclusively presumed to have caused the pregnancy; and
- will be taken to be the father/co-parent of the above named child

I make this solemn declaration conscientiously believing the same to be true and correct and by virtue of the provisions of the *Oaths Act 1936*.

Declared at..... on..... [date]

Signature of Birth Mother

Signature of qualified person (JP/Solicitor)

Name and address of qualified person and qualification

.....

Father/Co parent's Declaration

I,.....(full name)

of.....(address)

declare that, for the purposes of the law of the State, I elect -

- that I will be conclusively presumed to have caused the pregnancy; and
- will be taken to be the father/co-parent of the above named child

I make this solemn declaration conscientiously believing the same to be true and correct and by virtue of the provisions of the *Oaths Act 1936*.

Declared at..... on..... [date]

Signature of Father/Co-parent

Signature of qualified person (JP/Solicitor)

Name and address of qualified person and qualification

.....

EXTRACTS FROM FAMILY RELATIONSHIPS ACT 1975

10A—Interpretation

(1) In this Part—

fertilisation procedure means—

- (a) assisted insemination (within the meaning of the *Assisted Reproductive Treatment Act 1988*); or
- (b) assisted reproductive treatment (within the meaning of the *Assisted Reproductive Treatment Act 1988*).

Section 10C - Rules relating to parentage

(3a) If—

- (a) a woman is living with another person (her **partner**) in a marriage-like relationship (whether they are of the same or opposite sex); and
 - (b) the woman undergoes, with the consent of her partner, a fertilisation procedure in consequence of which she becomes pregnant; and
 - (c) the woman and her partner elect, in accordance with the requirements prescribed by the regulations, to have the parentage of any child born (whether before or after that election) as a result of the pregnancy determined in accordance with this subsection,

then, for the purposes of the law of the State, the woman's partner—

- (d) will be conclusively presumed to have caused the pregnancy; and
 - (e) will be taken to be—
 - (i) in the case of a male partner—the father; or
 - (ii) in any other case—a co-parent,
- of any child born as a result of the pregnancy.

Lodging this declaration

Lodge in person at	Post to
Consumer and	GPO Box 1351
Business Services	Adelaide SA 5001
Customer Service Centre	
Street Level – 91 Grenfell St	Telephone 131 882
Adelaide SA 5000	www.cbs.sa.gov.au