



The Gazette

The Official Newsletter of the
GAY AND LESBIAN IMMIGRATION TASK FORCE QUEENSLAND INC.
PO Box 378 Paddington QLD 4064



Trevor Robinson's
Membership # 767

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MAY 2008

In This Issue

AGM

PRIDE

MANY STORIES

OF INTEREST

GLITF

Migration

Consultant

Trevor

Ph 33670731

MARA Reg. # 9683596

Email

info@glitf-powerup.com.au

Website

www.glitf-powerup.com.au

Meetings

Second Thursday
of month at
Sportsman Hotel
130 Leichardt St,
Spring Hill starting
at 7:30 PM

ANNUAL GENERAL MEETING

26 May 2008 at Sportsman Hotel

Formal meeting commencing 7:30pm

Refreshments: from 6:30

Neil and his staff will be circulating with a delicious selection of refreshments food, together with red or white wine and orange juice. Our grateful thanks to Neil McLucas who has reserved the main dining room for the GLITF AGM.

Please come along and meet our VIP guests.

For GLITF Qld to continue to assist future Gays and Lesbians who fall in love with someone from Overseas it is vital we have your continued moral and financial support. Several other State GLITF's only just continue or have closed!!

Note:

To have full voting rights at the AGM you must be a financial member before the meeting comes to order. Appointed members will be at the entry to the dining room to receipt membership renewals.

The current membership renewal fees are set at \$50 for a couple and \$35 for a single.

Donations are appreciated and always very welcome.

Our Funds are the lowest they have been for several years.

GLITF Qld is a voluntary organisation. Our Registered Migration Agent and your Com'tee are all volunteers. GLITF monthly meetings, Immigration advice, guest speakers is all achieved by volunteers. Your Subscriptions are needed. Please renew for 2008-09! Remember those who like you in future will need advice and a support group. Help organise our General Meetings, an idea for a raffle; would you like to help with a particular social or cultural event, or could you help us reach out to couples who may need our help. You are most welcome to lend a hand.

Please

Join in on the march behind our banner to Musgrave Park to **Pride in the Park** on Saturday 14 June. Email John Turner omto77@bigpond.net.au so you can be given details or read the Gay Press articles on the assembly point.



DO WE NEED TO UPDATE OUR RECORDS?

Has your address/e-mail changed? To ensure you get newsletters and urgent e-mails, GLITF Qld needs your current email and regular mail addresses. If your details have changed please help us update the records by sending us the new information.

Gay & Lesbian Immigration Task Force of Qld Inc.

Membership Renewal Form – 2008

Please hand in on the night or post to PO Box 378 Paddington Qld 4064

(a) Australian partner

(b) Overseas partner

Address: street

Suburb & Post code

Ph: home

Mobiles

E-mail (please print)

E-mail (please print)

I/we the undersigned hereby apply for 2008 membership of the Gay & Lesbian Immigration Task Force of Qld Inc. (GLITF) and agree to abide by the Constitution of GLITF. Please find enclosed:

\$ Being a fee of \$50 for a couple's membership or \$35 for a single

\$ Donation

Signatures (a) date

(b) date

Please find enclosed _____

OR

I have transferred to Gay & Lesbian Task Force at Commonwealth Bank of Australia, Wacol BSB 064 160 Account # 100 35935

AGENDA – GLITF Qld Inc

Annual General meeting – 26 May 2008

Convened at the Sportsman Hotel, Leichhardt St, Brisbane

1. Welcome: President John Turner
Guests: Rod Goodbun and Chris Pye.
2. Apologies
3. Minutes of 2007 AGM
4. Business arising from minutes
5. Treasurer's report
6. Migration Consultants Report
7. Presidents Report
8. Election of the new office bearers
Neil McLucas Conducts Elections
 - a). President
 - b). Vice President and Migration Consultant
 - c). Secretary
 - d). Treasurer
 - e). Internet Tech Officer
9. President – Introduce guest speakers in turn:
 - Rod Goodbun - HEROC
 - Chris Pye – Relationships Australia
10. Raffle draw
11. Closing remarks – President.

Form of Proxy

I being a member of GLITF Qld (Organisation Number IA16258) hereby appoint

.....
 as my proxy to vote me on my behalf at the Annual General Meeting of GLITF to be held at the Sportsman Hotel, 130 Leichhardt St, Springhill, Brisbane on 26 May 2008 and any adjournment thereof.

Signed Date

Nomination Form – Committee 2008

I/we
 please print name in full being financial members of the Gay & Lesbian Immigration Task Force Qld, Inc, (GLITF)

Nominate (please print full name) as a candidate for the position of

Signed: Date:

Signed: Date:
 Nominee’s acceptance signature Date

Friday, March 28, 2008

Islam 'recognizes homosexuality'

Abdul Khalik , The Jakarta Post , Jakarta | Fri, 03/28/2008 1:38 AM | Headlines

Homosexuals and homosexuality are natural and created by God, thus permissible within Islam, a discussion concluded here Thursday.

Moderate Muslim scholars said there were no reasons to reject homosexuals under Islam, and that the condemnation of homosexuals and homosexuality by mainstream ulema and many other Muslims was based on narrow-minded interpretations of Islamic teachings.

Siti Musdah Mulia of the Indonesia Conference of Religions and Peace cited the Koran's al-Hujurat (49:3) that one of the blessings for human beings was that all men and women are equal, regardless of ethnicity, wealth, social positions or even sexual orientation.

"There is no difference between lesbians and non lesbians. In the eyes of God, people are valued based on their piety," she told the discussion organized by nongovernmental organization Arus Pelangi.

"And talking about piety is God's prerogative to judge," she added.

"The essence of the religion (Islam) is to humanize humans, respect and dignify them."

Musdah said homosexuality was from God and should be considered natural, adding it was not pushed only by passion.

Mata Air magazine managing editor Soffa Ihsan said Islam's acknowledgement of heterogeneity should also include homosexuality.

He said Muslims needed to continue to embrace *ijtihad* (the process of making a legal decision by independent interpretation of the Koran and the Sunnah) to avoid being stuck in the old paradigm without developing open-minded interpretations.

Another speaker at the discussion, Nurofiah of the Nahdlatul Ulama (NU), said the dominant notion of heterogeneity was a social construction, leading to the banning of homosexuality by the majority.

"Like gender bias or patriarchy, heterogeneity bias is socially constructed. It would be totally different if the ruling group was homosexuals," she said.

Other speakers said the magnificence of Islam was that it could be blended and integrated into local culture.

"In fact, Indonesia's culture has accepted homosexuality. The homosexual group in Bugis-Makassar tradition called Bissu is respected and given a high position in the kingdom.

"Also, we know that in Ponorogo (East Java) there has been acknowledgement of homosexuality," Arus Pelangi head Rido Triawan said.

Condemnation of homosexuality was voiced by two conservative Muslim groups, the Indonesian Ulema Council (MUI) and Hizbut Thahir Indonesia (HTI).

"It's a sin. We will not consider homosexuals an enemy, but we will make them aware that what they are doing is wrong," MUI deputy chairman Amir Syarifuddin said.

Rokhmat, of the hardline HTI, several times asked homosexual participants in attendance to repent and force themselves to gradually return to the right path.

Law-abiding, well-educated people need not apply

The British Govt employs some confused logic when it comes to Gay asylum seekers.

Should Britain afford Iranian homosexuals political asylum or send them back to be hanged in their home country? Surely not many people still cleave to such a view, although we ought to remember that within my lifetime homosexuality was illegal in Britain.

This point is made frequently by lefties who wish to draw some sought of equivalence between the Muslim world and Britain see, we persecuted the poofs too. Yes, we did, unforgivably, but we didn't actually hang them, or whip them. Or indeed, as they do in Iran hang and Saudi Arabia, whip them first then hang them.

Two gay kids were hanged in 2005 in Mashhad. They were 16 yrs old at the time of their offence, but this cut no ice with the Iranians. The whole business has re-emerged with the case of Mehdi Kazemi, a gay Iranian teenage whom the British Govt wishes to send back to Iran. Kazemi's boyfriend was hanged there and he fears, reasonably enough that the same fate awaits him. In the 29yrs since Iran experienced its joyful and uplifting Islamic revolution, an estimated 4000 homosexuals have been put to death.

Peter Tatchell the boss of the radical gay organisation Outrage, is the chap who has, predictably and laudably, led the campaign against Kazemi's deportation. Tatchell has stood as a Green party candidate in Oxford and is presumably still a party member. The Greens recently threw their lot in with Ken Livingstone in his bid to become re-elected as Mayor of London. Livingstone is not a homophobe as far as I know, but he continues to invite to London Muslim clerics who support the murder of homosexuals and defends them for their views. In other words he promotes fascistic and homophobic Islamic speakers.

But still, the question remains should Britain allow Iranian homosexuals asylum? Given the general warp and weft of the Govt's policy towards asylum seekers, the answer is a clear no. People who seem to the public to have either a historic right to stay in Britain, either because of their own valour on behalf of our country or because of some ghastly malefaction occasioned by the close of our empire are always barred: Gurkha's, Hong Kong Chinese, black Zimbabweans.

Algerians, Libyans, Pakistanis, and so on who want to kill us all, and even tell the courts they wish to kill us all, are allowed to remain. The Govt's policy and the law of the land on this sort of thing is, you have to say, beguilingly counter-intuitive. based on the rationale, you might expect the Govt to say no to someone of blameless countenance whose only crime is to have been born with a genetic disposition at odds with the medieval beliefs of his or her home country. And indeed that is exactly what the Govt is saying.

The case against allowing Iranian homosexuals to stay becomes even stronger when you consider that, on average, homosexuals are an extremely law-abiding community, better educated than the norm and tend to be more economically productive. Further, they, are less of a drain on the state for dependents because, homosexuality being what it is, they tend not to have many dependents. Given all these points you would expect the Govt to be utterly averse. Genuinely persecuted back home and potentially useful members of our society: they don't stand a chance, do they?

Iranian President Mahmoud Ahmadinejad announced last Sept that there were no homosexuals whatsoever in Iran, so I suppose we shall have to take his word for it. Perhaps we should let Kazemi stay here, then, for the simple reason that he does not exist! Rod Liddle, The Spectator

Domestic Violence definition and associated terms amended

The term domestic violence has been replaced with “family violence”, which has a new definition, to reflect the family Law Act 1975. Amendments have also been made to various provisions regarding evidence of family violence. Almost 50% are men.

SOK v Minister for Immigration & Anor [2007] FMCA 1525

Mr Sok was an applicant for a spouse visa. His relationship ended and he sought to rely on the domestic violence provisions of the Migration Regulations. The Migration Review Tribunal (Tribunal) affirmed the Department of Immigration decision to refuse Mr Sok the spouse visa. The Tribunal referred the question of whether the applicant had suffered relevant domestic violence to a Centrelink social worker. The social worker gave an opinion that the applicant was not the victim of relevant domestic violence.

Findings made by the Federal Magistrates Court included the following:

1. The Centrelink expert was “independent” (despite being an employee of Centrelink, an agency of the Commonwealth Govt).

2. Regulation 1.23 is not invalid. The applicant had argued that Regulation 1.23 was invalid because it rendered ineffectual the applicant’s right to a hearing under s.360 of the Migration Act. The Court found that Regulation 1.23 does not render the right to a hearing illusory. However the Tribunal committed an error in referring the matter to the expert without having a hearing first.

The Tribunal is required to determine that it is not satisfied that domestic violence took place before it refers the matter. Once the expert’s opinion is formed it is binding on the Tribunal and any hearing after that any hearing becomes a “pointless charade”. It was on this point that the matter was remitted to the Tribunal

3. The relevant domestic violence needs to have occurred during the currency of the relationship. [It seems likely that this will be subject to further argument in another case.]

4. The Tribunal is not required to give the applicant reasons for referring the matter to an “independent expert” – this was a subsidiary decision, not a “reason for its decision”. (a failure to provide reasons for referral does not constitute bias).

5. The PAM3 (departments policy) disclosed a bias against male applicants; The PAM3 was found to be not in accordance with the Regulations. However it was found that the Tribunal had not relied on the PAM in referring the matter to the expert.



Statistics on Migration Agents

Do you know that on 30 June 2007:

- there were 3495 registered Migration Agents (‘RMA’s);
- 1035 of whom held a legal practising certificate;
- 1599 of whom were members of the MIA;
- about 7% of all the RMA were “no-fee” agents;
- half of all RMA’s had been registered for less than 3 years;
- 14% of all RMA’s had been registered for 10 years or more.

Deterrence factor in character refusal of Chinese women

In *Scorgie and the Minister* [2007] AATA 1654 the AAT affirmed a spouse visa refusal on character grounds. The visa applicant, a woman from China, did not have a good immigration history in summary, she had entered Australia on a Business (short stay) visa obtained on false grounds. She then engaged a migration agent who lodged a protection visa based on false claims. It is unclear whether the RRT application was made with the applicant’s knowledge, but this was ultimately unsuccessful. The visa applicant was in Australia unlawfully for 6 weeks before she departed.

During her time in Australia she married an Australian man. They lived in China together for 21 months before lodging an offshore spouse visa application. Her information to DIAC and the AAT in relation to her spouse visa application contained various inconsistencies regarding her immigration history. However, the genuineness of the relationship was not disputed.

The AAT assessed the visa applicant against the character test, specifically s501(6)(c)(ii) which refers to the past and present general conduct of the person. Based on her poor immigration history, the AAT found that she did not pass the character test. The AAT, after considering the relevant factors listed in Direction No 21, decided that the visa should be refused.

The decision is interesting for its discussion of the question of general deterrence. The DIAC delegate had stated

that decisions such as this one are passed around the within segments of the Chinese community in Australia and described a “*well trodden path*” of failed Chinese asylum seekers marrying Australian sponsors, often to later divorce their sponsor, “reconcile” with their original spouse and sponsor that original spouse to Australia. On the issue of deterrence, the AAT stated “granting a visa in the present case would send entirely the wrong message to those contemplating acts violating Australian Migration law”.

STUDENT VISAS

All student visas cancelled from 2000 to the present for failure to meet satisfactory academic performance under condition 8202[1] are and were illegal!! This is the outcome of the Full Federal Court decision in *Dai v MIAC* [2007] FCAFC 199 (20.12 2007), where the Court found that condition 8202 is unworkable for the purpose of cancelling a student visa for failure to meet satisfactory academic performance. It means that all decisions by DIAC to cancel student visas relating to purported breaches of condition 8202 (where the purported breach occurred before 1.7.07) have no legal effect. Such cancellations are automatically overturned by force of law. Below I set out the practical consequences of this. But first, here is what the Court said:

17 Following from the language of clause 2.43(2), the Minister must cancel the visa holder's visa if satisfied "that the visa holder has not complied with condition 8202." Thus, the visa holder is the subject of the condition and it is the visa holder who must comply. Yet, when one turns to the condition about which the Minister had to be satisfied one sees that the condition required certification by the education provider that the academic result of the visa holder was at least satisfactory. The requirement imposed by the condition was certification of the academic result. This was to be the act of the education provider. The visa holder had no role to play in providing the certification.

*18 The education provider is obliged to keep a record of a student's academic performance (paragraph 34 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students established under s 33 of the Education Services for Overseas Students Act 2000), and this record may be required by the Department as evidence that the student satisfies visa requirements relating to academic performance (paragraph 36 of the Code). A breach of paragraph 34 is an offence punishable by a fine (reg 4.01 of the Education Services for Overseas Students Regulations 2001 (Statutory Rule SR 2001 No. 96). But there is no statutory right conferred on the visa holder allowing the visa holder to compel the education provider to furnish certification for the purpose of condition 8202. This circumstance highlights the fact that the visa holder is given no role to play in the certification referred to in reg 8202. In *Tian v MIMIA* [2004] FCAFC 238, the Full Court recognised that compliance with the condition is dependent alone on certification by the education provider and no act of the visa holder was involved. At [56] the Full Court said "if there is no certificate, compliance with Condition 8202 has not been achieved." Similarly, even if the first respondent was correct in the contention that the education provider keeping records constitutes certification, there is no role for the visa holder in compliance or non-compliance and no apparent trigger for cancellation.*

19 There was no act of the visa holder which could satisfy the requirement of condition 8202. The achievement of the academic result was irrelevant unless certified. No matter what the student did or did not do, the absence of a certificate would be fatal.

20 Thus, there was no way in which the visa holder could not comply with the condition 8202. It follows that it was not possible for the Minister to be satisfied that the visa holder had not complied with condition 8202. It further follows that the power of the Minister to cancel the appellant's visa under s 116(3) was not engaged.

Here are the practical consequences of this. Say a student had his or her visa cancelled in October 2007 for allegedly failing to meet the satisfactory academic requirements of 8202. But for the cancellation the student visa would have expired in March 2009. The effect of the court decision in *Dai* is that that student visa was never cancelled and now remains in force. Students must now insist that this legal situation be administratively recognised by DIAC. If students have already left Australia then condition 4014 will not apply – there is no 3 year ban on that student returning[2]. Indeed if a student is overseas then based on the decision in *Dai* that student can return to Australia if the student visa that was purportedly cancelled has not otherwise expired. Such students however must ensure they are enrolled in a course before they return.

Some students have been fighting their student visa cancellations in either the Migration Review Tribunal or the courts. In some of these cases the term of the student visa may have by now expired but this does not mean that all is lost. The student can still validly apply for another student visa onshore The purported student visa cancellation

a legal nullity and does not prevent the student lodging a valid student visa application.

[2] PIC 4014 is complex & needs to be read in full, the essential requirement of condition 4014 is that the person left Australia within 28 days after holding a substantive visa or within 28 days of being granted a bridging visa which was granted within 28 days after a substantive visa expired.

Assuming the student is applying for a subclass 573 visa the student probably will not be granted the visa because the student will fall foul of paragraph 573.211(3) which reads:

- (3) *An applicant meets the requirements of this subclause if:*
- (a) *the applicant is not the holder of a substantive visa; and*
 - (b) *the last substantive visa held by the applicant was:*
 - (i) *a student visa;... and*
 - (c) *the application is made within 28 days after:*
 - (i) *the day when that last substantive visa ceased to be in effect;*

The ultimate strategy, then is to appeal against the refusal to the MRT and if one loses there then the student applies for ministerial discretion. This should be granted. MSI 387: MINISTER'S PUBLIC INTEREST POWERS in paragraph 4.2.1 identifies these 2 circumstances when the power should be properly exercised :

Clearly unintended consequences of legislation.

Circumstances where application of relevant legislation leads to unfair or unreasonable results in a particular case.

A student being in a situation of not having a substantive visa mainly because of the illegal cancellation of the student's visa would easily fit into those circumstances.

The writer has a matter where he will be running a substantial compliance argument about this 28 day requirement but this is a complex argument and space would not permit the exposition of it here. Nevertheless the writer is keen to take on clients caught in this legal limbo.

Visa cancellations generally

It is opportune to point out what should always be the strategy in visa cancellation cases.

In *Sukhera v MIMIA* [2004] FCA 1427 (8.11.04), the Federal Court determined that when the MRT overturns a visa cancellation, it is as if the visa was never cancelled and always existed. The court said:

Nevertheless, the ordinary consequence of setting aside a decision by a review tribunal is to void it ab initio: BHP v Trade Practices Tribunal (1980) 31 ALR 401, 410-11 per Bowen CJ.

Sukhera is an interesting case to look at in detail. *Sukhera* initially had a student visa valid until 30.7.2002. Wrongly in September 1999, DIMIA purportedly cancelled this visa. Subsequently the MRT overturned that cancellation but by that time his visa had expired. On 30.7.02 *Sukhera* went to DIMIA to lodge a further visa application but the officer refused to accept the application and handed it back to him. On 10.11.03 the MRT overturned the cancellation.

The Federal Court determined that the application lodged on 30.7.02 was a valid application and concluded:

If the Minister, through the Department, has acted without statutory authority, and if a purported decision was ineffective to affect legal rights as at July 2002, that should be declared and the Minister should be ordered to deal with the applicant on the basis of the rights and obligations provided for by Parliament.

Although the visa application lodged on 30.7.02 had been lost, the Federal Court had no difficulty making appropriate orders:

After the applicant was told by the Departmental officer on 30.7.02 that his visa had been cancelled and as a consequence the application that he was making was not valid under the Act, the document which the applicant was attempting to file was handed back to him. He took it away. In the meantime it has been lost. Thus, it is said, the application that was made needs to be reconstructed and there is no power in the Court to order another document to be considered. I reject these submissions. One needs to understand what has happened. On 30.7.02 an officer of the Cwth wrongly asserted to the applicant that his application was not otherwise valid for a reason which was incorrect. At that time (and now) the applicant was (and is) entitled to an order that the valid application he made be considered: see s 47 of the Act. The application was not

voluntarily withdrawn. It was rejected at the counter. The application was manifested in a piece of paper. However, the application was the request being made at the time for the visa, manifested as it was in a piece of paper. The Minister had a statutory obligation at that time which was not complied with. There is still an application before the Department. The wrongful rejection of it does not gainsay the proposition that the request was never withdrawn; it was wrongly rejected.

30 It would plainly be within the power of the executive deriving from s 61 of the Constitution to take steps to reconstruct, as best it could, the information within an application in circumstances where the document had been accidentally destroyed while in the Department's possession.

31 In my view, it is not a question of an absence of power for an order such as order 5, but the proper framing of it. There could be little doubt that the Minister would be entitled to take all reasonably practicable steps to inform herself of the nature and content of the application made on 30.7.02 and to consider that application. That being within her power it is open to this Court to order that those steps be taken in order to give efficacy to the valid application otherwise made on 30.7.02.

It is interesting therefore to set out the Court's orders:

- 1. Declares that the purported cancellation of the applicant's visa on 15 September 1999 was of no effect and had no effect in law on the then existing visa held by the applicant.*
- 2. Declares that the respondent Minister was not in July 02 or thereafter precluded by s 47 of the Migration Act from considering and determining the student visa application lodged by the applicant on 30.7.02.*
- 3. Orders that an order in the nature of mandamus issue requiring the Minister to consider and determine the student visa application made by the applicant on 30.7.02.*
- 4. Orders that the Minister take such steps as are reasonably practicable to inform herself of the nature and content of the application made by the applicant on 30.7.02 in order to comply with order 3.*

Thus the correct strategy in student visa cancellation cases is to identify the date when the student visa would have expired in any event and make sure before that some other visa application is lodged. It is best to do this by post or fax, always retaining a copy. DIAC will inevitably reject the application as invalid but the student will have protected his or her position consistent with the court decided in *Sukhera*.



Hi All,

Some good some bad news about the Summit. The main advantage I think to the Summit was the access to politicians without having to go through the red tape of trying to organise meetings.

The good.

I met Anthony Albanese on Sat. evening at the reception and spoke with him about the legislation and if/when it will go through parliament. I met Anthony at the Labor Caucus last year and he then assured me the removal of economic discrimination would happen and so I was keen to meet with him again, which I did.

He reassured me that it will go through at the end of the year
That the writing of the legislation is like the workplace legislation
If it goes through before July it will be lost in the Senate because of the Liberal overload.
He assured me cost isn't an issue
He also stated there are 105 pieces of legislation to be altered and of course this a huge task.

In Communities and social inclusion the issue of same sex parenting arose and I took the opportunity when Kevin Rudd was sitting directly behind me to point out the issues that s/s parents struggle with and how change of legislation would alter this.

So at least I know I was heard, but unfortunately I didn't get the opportunity to speak to him one to one.

The bad:

At the final session when there was discussion about the main priorities to be addressed one was same sex civil union. And I have to tell you I was elated. BUT when the official presentation of our ideas was presented not only was it not mentioned, but it wasn't in the written summary presented to the 1002 delegates as we left parliament house. I WAS ANGRY

So if you have more diverse issues to contend with, you wouldn't have been heard at all. Racism and homelessness just to mention 2 weren't adequately addressed either.

The one hope I have is that I felt that I would have been a lone voice (except for Wendell Rosevaar), but generally the response of the group was very positive about same sex relationships and others initiated ideas and general support.

However, we were told at the beginning that everything written down would go into our final report. But, my "gripe" is by removing it from the list of top priorities it will be hidden and certainly not considered the top priority that was decided by the group.

Shelley Argent — PFLAG

30 April 2008

Government's move on same sex discrimination welcomed by HREOC

Human Rights Commissioner Graeme Innes welcomes today's announcement that discrimination against same-sex couples and their children will be removed from federal legislation.

This reform follows the Human Rights and Equal Opportunity Commission's (HREOC's) 2007 *Same-Sex: Same Entitlements* report which recommended the amendment of 58 laws that discriminate against same-sex couples and their children in areas of financial and workplace benefits.

The Government's announcement also includes amendment of more than 40 additional laws which discriminate in other areas.

"I am delighted that the Government is acting on the recommendations of our report within a year of its publication," said Commissioner Innes.

Legislation will be introduced in the winter session of Parliament. If passed, it will be fully in effect by mid-2009. The Government has announced that discrimination will be removed in a number of areas, including taxation, superannuation, medicare and pharmaceutical benefits, aged care, veteran's entitlements, workers compensation, and employment entitlements.

"I welcome these changes, which will provide economic equality for same sex couples throughout Australia," said Commissioner Innes.

"I look forward to seeing the legislation, and I am hopeful that it will pass through Parliament quickly," he said.

"I congratulate the Rudd Government for honouring its election commitment to removing discrimination against people simply because of who they love."

As this discrimination also affects the children of same sex couples, Mr Innes said he was particularly pleased that these children will now receive the same benefits as all other Australian children.

Media contacts: Brinsley Marlay (02) 9284 9656 or 0430 366 529