



**FOREIGN
AFFAIRS AND
TRADE**

International Organisations and
Legal Division

26 February 2004

RECEIVED
- 4 MAR 2004

BY:.....

*Italian
Republic
marriage*
TT Dec 03.
Submission No: 7

Ms. Julia Morris
Joint Standing Committee on Treaties
R1 Suite 109
Parliament House
Canberra ACT 2600

Dear Ms. Morris *Julia*

Please find enclosed the response of the Department of Foreign Affairs and Trade to JSCOT's questions on notice at its 13 February 2004 public hearing in relation to the Exchange of Letters Constituting an Agreement between the Government of Australia and the Government of the Italian Republic on the Civil Registry Documentation to be Submitted by Australian Citizens Wishing to Marry in Italy.

Yours sincerely,

Alan Fewster
Executive Director
Treaties Secretariat
Legal Branch
International Organisations and Legal Division
Department of Foreign Affairs and Trade

DEPARTMENT OF FOREIGN AFFAIRS AND TRADE

JOINT STANDING COMMITTEE ON TREATIES

Exchange of Letters Constituting an Agreement between the Government of Australia and the Government of the Italian Republic on the Civil Registry Documentation to be Submitted by Australian Citizens Wishing to Marry in Italy

The Deputy Chair of the Joint Standing Committee on Treaties, Mr Wilkie, asked the Department of Foreign Affairs and Trade upon notice on 13 February 2004:

- (1) Are there any qualifications for the witnesses to the sworn statement? Do they have to say that the applicant is in a position to make the statement? Would it be difficult to obtain four such witnesses?

The Department of Foreign Affairs and Trade - the answer to the question is as follows:

The witnesses must be known to the applicant and have no "direct interest" in the marriage. No other eligibility criteria apply.

The statements can be made at an Italian Embassy or Consulate in Australia (or anywhere else in the world) prior to the applicant's arrival in Italy. In such a case, it would not be difficult to obtain four such witnesses. Of course, the statement can also be made at a registrar's office in Italy.

Senator Andrew Bartlett asked the Department of Foreign Affairs and Trade upon notice on 13 February 2004:

- (2) Does the Agreement apply to registering same sex relationships in any way?

The Department of Foreign Affairs and Trade - the answer to the question is as follows:

No. Italy does not recognise same sex marriages.