



MINISTERIAL STATEMENT

By:

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Minister of Community, Culture and Sports

Matrimonial Causes Amendment Act 2016 and the Civil Union Bill 2016 for Consultation

29th February 2016

Good morning **Mr. Speaker**,

This morning I am tabling a draft consultation copy of the Civil Union Act 2016. Two weeks ago, I also tabled the bill entitled the "Matrimonial Causes Amendment Act 2016."

In essence **Mr. Speaker**, the Matrimonial Causes Amendment Act 2016 *seeks to confirm that notwithstanding the Human Rights Act 1981, marriage remains exclusively a relationship between a man and a woman.*

The consultation draft Civil Union Act 2016, **Mr. Speaker** *seeks to make provision for the formalization and registration of a relationship between same sex couples, to be known as a "civil union".*

Mr. Speaker, I think it's important to highlight the Government's process regarding this important matter.

Mr. Speaker, from receipt of a petition in May of 2015, this Government committed to hearing all sides of the issues related to same-sex marriage and civil unions.

We have taken great care and sensitivity to consult the people of Bermuda and provide them with a forum to share their views.

Mr. Speaker, late last year and up until recently- just two weeks ago in fact- the Government held a series of information sessions to share with the public our extensive research regarding other jurisdictions' approach to same-sex marriage and civil unions.

Mr. Speaker, we also used the opportunity in each of those public sessions to provide an overview and clarity about our international legal obligations arising under the European Convention on Human Rights.

Mr. Speaker, since our meetings last October and subsequent meetings two weeks ago, there have been some passionate, vocal and even heart-wrenching views, opinions and experiences expressed by members of the public and local advocacy groups for and against same sex marriage and civil unions.

Mr. Speaker, also added into this mix is a significant legal ruling which has looming human rights implications and as such, this Government has had to look at this matter with more urgency.

Mr. Speaker, I am referring to the Supreme Court Ruling regarding the *Bermuda Bred Company vs Minister of Home Affairs and Attorney General*.

The ruling issued by the Supreme Court on 27th November 2015 in favour of the Bermuda Bred Company means that the non-Bermudian same-sex partners of Bermudians, who are in permanent relationships, are entitled to live and work in Bermuda free of immigration control.

Mr. Speaker, the Chief Justice's declaration in the "Bermuda Bred" case comes into effect today, 29 February 2016.

Mr. Speaker, as I mentioned earlier, before any decision was taken as a Government, it was necessary to take steps to extensively research how various jurisdictions have sought to approach and reconcile this matter.

We committed to sharing this information with our people and we have genuinely sought to hear from all sectors of the community on this issue and incorporate their views as we take the next steps.

Mr. Speaker, I appreciate that as it relates to same-sex marriage and civil unions, the decisions are complex and difficult for many in our community.

Mr. Speaker, we have had some members of this House in conversation, indicate that while they might support equality for same sex couples, they would not support this bill as the politics are too thorny. We have had others, **Mr. Speaker**, indicate that they do not support equality for same sex couples and some who support full equality.

Nevertheless, **Mr. Speaker**, a Government has an obligation to address issues within our community and, due to significant court rulings and the need for action, we have chosen to table this consultative bill while further consideration is given to feedback from our colleagues and the public at large.

It is important that matters relating to our requirement to provide a framework to ensure right to family life as laid down by the courts is evidenced by our actions and can show the courts that we are looking for the best way to move forward.

Thank you **Mr. Speaker**.