

Living Together

What is a de facto relationship?

A couple living together without being legally married is called a de facto relationship.

What about same sex couples?

Under Western Australian law, a de facto same sex relationship is legal.

Are all live-in relationships classified as de facto?

If you are living in a marriage-like relationship with another person, the relationship may be classified as a de facto relationship under Western Australian law. You should seek legal advice before moving in with a partner.

What does this mean in relation to the legal implications of a de facto relationship?

Essentially, this means that de facto relationships for the purposes of the Law are subject to many of the same laws as married relationships, especially in respect to the laws of the Family Court Act 1987 Western Australia. This means that the laws in relation to property settlements, maintenance, parenting orders and child support are the same as those that apply to married relationships. Accordingly, as of 1 December 2002, Western Australians in a de facto relationship can now use the Family Court to resolve disputes arising from the breakdown of the de facto relationship provided that the de facto relationship between the two parties lasted for 2 years.

Why is it so important to understand the legal implications of a de facto relationship?

The status of de facto relationships changed in Western Australia in 2002, thus, it is vitally important for you to understand your rights and responsibilities within such relationships because this may affect your liability in relation to debts, parental responsibility, maintenance, child support, Social Security, income tax, superannuation, and Workers' Compensation, to name a few.

Remember: you should seek legal advice before moving in with a partner.

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Important: This general information is not the same as legal advice. You should speak with a lawyer about your situation.



For assistance contact:

Kids Helpline

1800 551 800

Crisis Care

9223 1111 or 1800 199 008

For help with this and other issues contact:

Youth Legal Service Inc (WA)

(08) 9202 1688 (Perth Metro)

1800 199 006 (Country WA)

www.youthlegalserviceinc.com.au