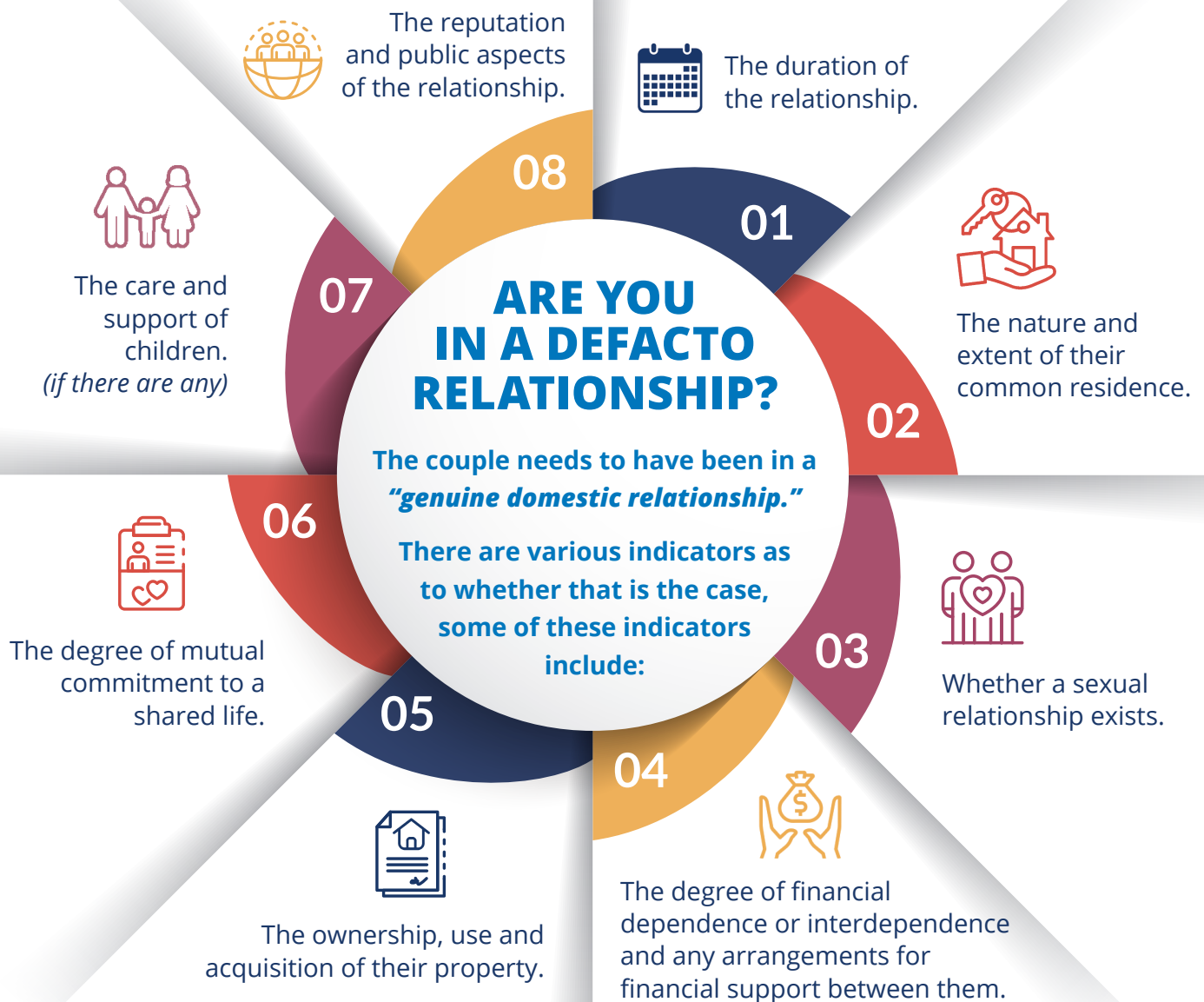


Defacto Relationship



If there is a "genuine domestic relationship", then one of the following needs to exist:

- The couple had been in the relationship for at least 2 years; *or*
- There is a child of the relationship (in which case there is no time requirement); *or*
- It would be unjust not to recognise a defacto spouse's financial or non-financial contribution.

TIME LIMITS:

If an Application to the Court for property settlement in a defacto relationship is to be made, it must be filed in Court within **2 years** of the date of separation.

SEPARATION:

For separation to have occurred there needs to have been a communicated intention to separate. Separation can then be effected by either a physical separation (one party moves out) or separation under one roof (the parties continue to live in the same house).
A **'date of separation'** is the same for a defacto relationship as for a marriage.

GETTING TO 'YES':

Amicable outcomes are always best. Mediation provides an alternative to going to Court. It involves you and your former partner sitting down with an independent third party. For more details, please refer to our **'Resolution Pathways Infosheet'**.