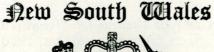
I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGIS-LATIVE ASSEMBLY of NEW SOUTH WALES.

> I. P. K. VIDLER, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 26 November, 1970.





# ANNO UNDEVICESIMO ELIZABETHÆ II REGINÆ

### Act No. 93, 1970.

An Act to make further provisions with respect to the registration of the births of illegitimate children; for this and other purposes to amend the Registration of Births Deaths and Marriages Act 1899; and for purposes connected therewith. [Assented to, 9th December, 1970.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

> L. A. PUNCH, Chairman of Committees of the Legislative Assembly.

### Act No. 93, 1970.

### Registration of Births Deaths and Marriages (Amendment).

**B**<sup>E</sup> it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows : —

Short title.

1. This Act may be cited as the "Registration of Births Deaths and Marriages (Amendment) Act, 1970".

Amendment 2. The Registration of Births Deaths and Marriages Act of Act No. 1899 is amended— 17, 1899.

Sec. 19. (Notice of births.) (a) (i) by inserting in section nineteen after the word "purpose" the words ": Provided that where the person acknowledging himself to be the father of an illegitimate child informs the district registrar of the birth of the child and of all required particulars within the time referred to and the Registrar-General approves of a sole request made by him under subsection three of section 19B of this Act being given effect to, the mother of the child shall not be guilty of an offence against this Act by reason of her failure so to inform the district registrar";

 (ii) by omitting from the same section the words "In default of a parent so informing the district registrar" and by inserting in lieu thereof the words "If the district registrar is not so informed";

Sec. 19B. (Saving for father of illegitimate child.) (b) (i) by omitting from subsection one of section 19B the words "the name of any person as father of such child unless at the joint request of the mother and of the person acknowledging himself to be the father of such child, and such person shall in such case sign the register together with the mother" and by inserting in lieu

lieu thereof the words "the name of and any other particulars relating to any person as father of that child except in accordance with this section";

(ii) by inserting at the end of the same section the following new subsections : —

(3) Subject to subsection four of this section, a district registrar, when registering the birth of an illegitimate child, shall—

- (a) at the joint request, verified by statutory declaration, of the mother and the person acknowledging himself to be the father of the child; or
- (b) at the sole request, verified by statutory declaration, of the person acknowledging himself to be the father of the child,

enter in the register the name of and other relevant particulars relating to that person as father of the child.

(4) An entry shall not be made under subsection three of this section at the sole request of the person acknowledging himself to be the father of an illegitimate child unless the Registrar-General—

- (a) is satisfied that the mother of the child is dead or that her whereabouts are unknown or that she is unable to join in a request and declaration referred to in paragraph (a) of that subsection; and
- (b) approves of the request being given effect to.

### Act No. 93, 1970.

### Registration of Births Deaths and Marriages (Amendment).

(5) Where the birth of an illegitimate child has (whether before or after the commencement of the Registration of Births Deaths and Marriages (Amendment) Act, 1970) been registered and the name of and other relevant particulars relating to a person as father of the child were not required by this Act to be included in the entry (in this section referred to as the "birth entry") made at the time of that registration, the Registrar-General may, subject to subsection seven of this section—

- (a) where the birth entry is contained in his register—amend the birth entry; or
- (b) where the birth entry is contained in a register other than his register—amend the copy of the birth entry kept in the General Registry,

by making, signing and dating, in the margin adjoining the birth entry or copy of the birth entry, as the case may be, an entry containing that name and those particulars.

(6) Where the Registrar-General amends the copy of a birth entry under paragraph (b) of subsection five of this section, he shall direct the district registrar who has custody of the register in which the birth entry was made to amend the birth entry by making, signing and dating, in the margin adjoining the birth entry, an entry containing that name and those particulars, and the district registrar shall carry out that direction.

(7) The Registrar-General shall not amend the birth entry relating to an illegitimate child, or the copy of such an entry, under subsection five of this section unless-

- (a) at the joint request, verified by statutory declaration, of the mother and the person acknowledging himself to be the father of the child; or
- (b) at the sole request, verified by statutory declaration, of the person acknowledging himself to be the father of the child.

and, in the case of a sole request referred to in paragraph (b) of this subsection, unless the Registrar-General is satisfied that the mother of the child is dead or that her whereabouts are unknown or that she is unable to join in a request and declaration referred to in paragraph (a) of this subsection.

(8) Every certified copy of a birth entry amended in accordance with subsection five or six of this section shall include the matter contained in that entry and the entry in the margin.

(i) by omitting from subsection one of section Sec. 20. (c) twenty the words "within six months next after (Registrathe birth";

tion after sixty days after

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(ii) by inserting next after subsection two of the birth.) same section the following new subsection : ---

(2A) Notwithstanding anything in the foregoing provisions of this section, where the person acknowledging himself to be the father of an illegitimate child makes, after the expiration of sixty days following the birth of the

child,

child, such a declaration as is referred to in subsection one of this section, and the Registrar-General approves of a sole request made by him under subsection three of section 19B of this Act being given effect to, the district registrar shall register the birth.

- (iii) by omitting from subsection three of the same section the words "such declaration" and by inserting in lieu thereof the words "a declaration under this section";
- (iv) by inserting next after the same subsection the following new subsection : —

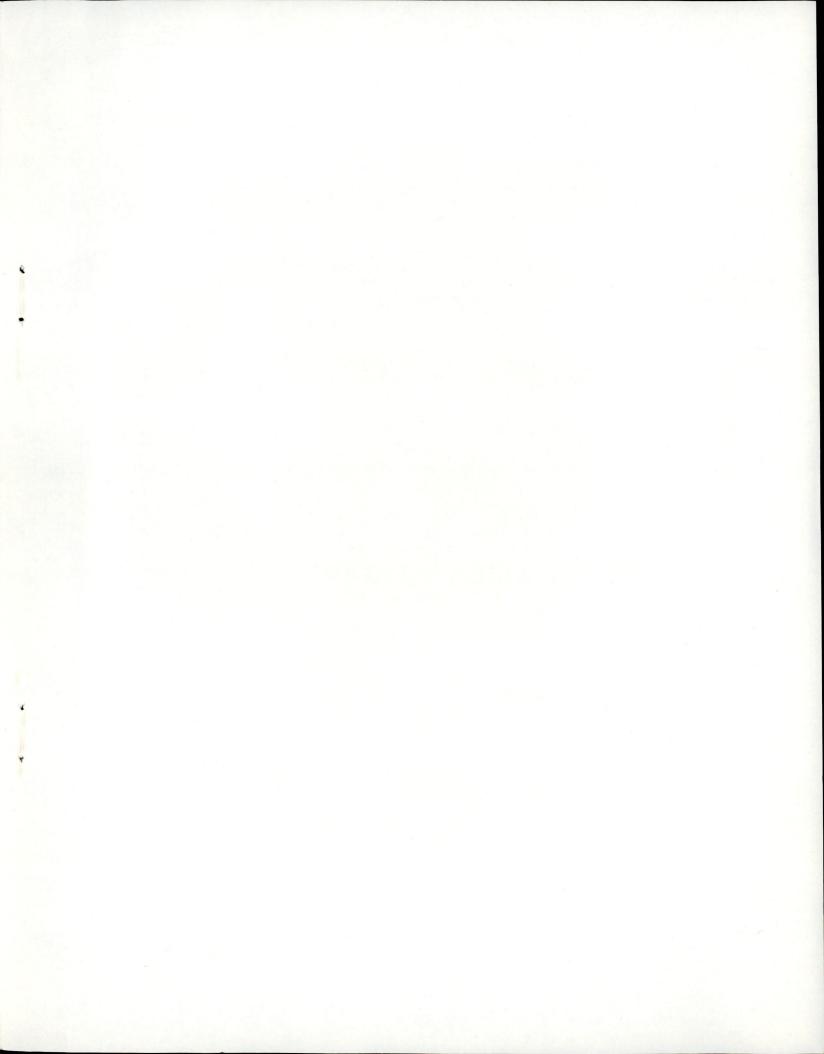
(4) The provisions of this section have effect subject to the provisions of section twenty-two of this Act.

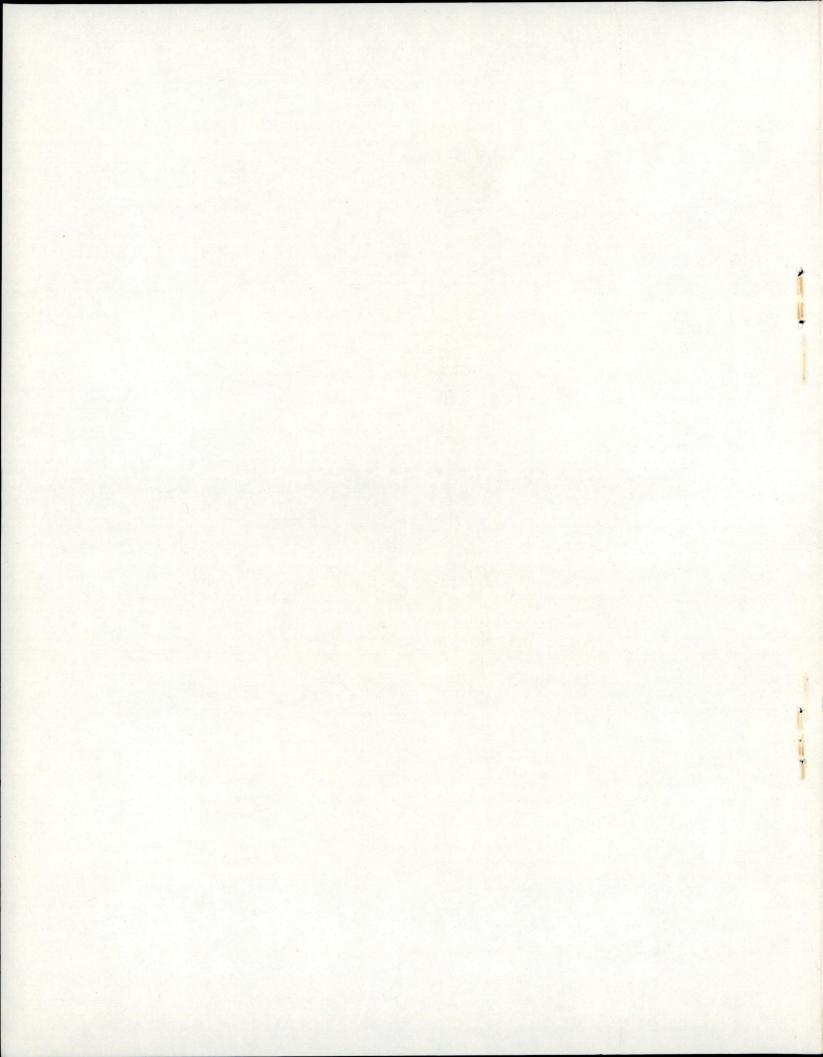
Sec. 22. (Special provisions as to registration after six months after birth, etc.) (d) by omitting from subsection one of section twentytwo the words "the declaration to found the registration may be made at any time, or if such declaration" and by inserting in lieu thereof the words "if a declaration, referred to in subsection one or (2A) of that section, to found the registration".

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER, Governor.

Government House, Sydney, 9th December, 1970.

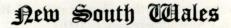




This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

> I. P. K. VIDLER, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 26 November, 1970.





# ELIZABETHÆ II REGINÆ

### Act No. , 1970.

An Act to make further provisions with respect to the registration of the births of illegitimate children; for this and other purposes to amend the Registration of Births Deaths and Marriages Act 1899; and for purposes connected therewith.

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Act No. 99, 1970. Act March 1970.

Registration of Births Deaths and Marriages (Amendment).

**B**<sup>E</sup> it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 ollows: —

1. This Act may be cited as the "Registration of Births Short title. Deaths and Marriages (Amendment) Act, 1970".

2. The Registration of Births Deaths and Marriages Act Amendment 1899 is amended— 17, 1899.

(a) (i) by inserting in section nineteen after the word Sec. 19. "purpose" the words ": Provided that where (Notice of the person acknowledging himself to be the births.) father of an illegitimate child informs the district registrar of the birth of the child and of all required particulars within the time referred to and the Registrar-General approves of a sole request made by him under subsection three of section 19B of this Act being given effect to, the mother of the child shall not be guilty of an offence against this Act by reason of her failure so to inform the district registrar";

 (ii) by omitting from the same section the words "In default of a parent so informing the district registrar" and by inserting in lieu thereof the words "If the district registrar is not so informed";

(b) (i) by omitting from subsection one of section 19B Sec. 19B. the words "the name of any person as father (Saving for of such child unless at the joint request of the father of illegitimate mother and of the person acknowledging him-child.) self to be the father of such child, and such person shall in such case sign the register together with the mother" and by inserting in lieu

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lieu thereof the words "the name of and any other particulars relating to any person as father of that child except in accordance with this section";

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(ii) by inserting at the end of the same section the following new subsections : —

(3) Subject to subsection four of this section, a district registrar, when registering the birth of an illegitimate child, shall—

- (a) at the joint request, verified by statutory declaration, of the mother and the person acknowledging himself to be the father of the child; or
- (b) at the sole request, verified by statutory declaration, of the person acknowledging himself to be the father of the child,

enter in the register the name of and other relevant particulars relating to that person as father of the child.

(4) An entry shall not be made under subsection three of this section at the sole request of the person acknowledging himself to be the father of an illegitimate child unless the Registrar-General—

- (a) is satisfied that the mother of the child is dead or that her whereabouts are unknown or that she is unable to join in a request and declaration referred to in paragraph (a) of that subsection; and
- (b) approves of the request being given effect to.
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(5) Where the birth of an illegitimate child has (whether before or after the commencement of the Registration of Births Deaths and Marriages (Amendment) Act, 1970) been registered and the name of and other relevant particulars relating to a person as father of the child were not required by this Act to be included in the entry (in this section referred to as the "birth entry") made at the time of that registration, the Registrar-General may, subject to subsection seven of this section—

- (a) where the birth entry is contained in his register—amend the birth entry; or
- (b) where the birth entry is contained in a register other than his register—amend the copy of the birth entry kept in the General Registry,

by making, signing and dating, in the margin adjoining the birth entry or copy of the birth entry, as the case may be, an entry containing that name and those particulars.

(6) Where the Registrar-General amends the copy of a birth entry under paragraph (b) of subsection five of this section, he shall direct the district registrar who has custody of the register in which the birth entry was made to amend the birth entry by making, signing and dating, in the margin adjoining the birth entry, an entry containing that name and those particulars, and the district registrar shall carry out that direction.

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(7) The Registrar-General shall not amend the birth entry relating to an illegitimate child, or the copy of such an entry, under subsection five of this section unless—

- (a) at the joint request, verified by statutory declaration, of the mother and the person acknowledging himself to be the father of the child; or
- (b) at the sole request, verified by statutory declaration, of the person acknowledging himself to be the father of the child,

and, in the case of a sole request referred to in paragraph (b) of this subsection, unless the Registrar-General is satisfied that the mother of the child is dead or that her whereabouts are unknown or that she is unable to join in a request and declaration referred to in paragraph (a) of this subsection.

(8) Every certified copy of a birth entry amended in accordance with subsection five or six of this section shall include the matter contained in that entry and the entry in the margin.

(c) (i) by omitting from subsection one of section Sec. 20. twenty the words "within six months next after (Registrathe birth":

sixty days after birth.)

(ii) by inserting next after subsection two of the <sup>birth.)</sup> same section the following new subsection :---

(2A) Notwithstanding anything in the foregoing provisions of this section, where the person acknowledging himself to be the father of an illegitimate child makes, after the expiration of sixty days following the birth of the

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child,

5	child, such a declaration as is referred to in subsection one of this section, and the Regis- trar-General approves of a sole request made by him under subsection three of section 19B of this Act being given effect to, the district registrar shall register the birth.	62
0	<ul> <li>(iii) by omitting from subsection three of the same section the words "such declaration" and by inserting in lieu thereof the words "a declara- tion under this section";</li> </ul>	01
	(iv) by inserting next after the same subsection the following new subsection : —	
5	(4) The provisions of this section have effect subject to the provisions of section twenty-two of this Act.	15
:0	<ul> <li>(d) by omitting from subsection one of section twenty- Sec. 22.</li> <li>two the words "the declaration to found the regis- (Special tration may be made at any time, or if such as to reg declaration" and by inserting in lieu thereof the tration words "if a declaration, referred to in subsection after six months one or (2A) of that section, to found the after</li> </ul>	l ons gis-O£
	registration".	25

BY AUTHORITY: V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES-1970 [5c]

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### Act No. 1970

#### Registration of Birche Deaths and Marriages (Amendment);

child, such a declaration as is referred to in subsection one of this action, and the Regisran-General approves of a sole request made by him under subsection three of section 19a of this Act being giver effect to, the district registrar shall resistor the birth.

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### No. , 1970.

# A BILL

To make further provisions with respect to the registration of the births of illegitimate children; for this and other purposes to amend the Registration of Births Deaths and Marriages Act 1899; and for purposes connected therewith.

[MR MADDISON—24 November, 1970.]

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 $\mathbf{B}^{\mathrm{E}}$  it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 follows:—

1. This Act may be cited as the "Registration of Births Short title. Deaths and Marriages (Amendment) Act, 1970".

2. The Registration of Births Deaths and Marriages Act Amendment 1899 is amended— 17, 1899.

(a) (i) by inserting in section nineteen after the word Sec. 19. "purpose" the words ": Provided that where (Notice of the person acknowledging himself to be the <sup>births.</sup>) father of an illegitimate child informs the district registrar of the birth of the child and of all required particulars within the time referred to and the Registrar-General approves of a sole request made by him under subsection three of section 19B of this Act being given effect to, the mother of the child shall not be guilty of an offence against this Act by reason of her failure so to inform the district registrar";

 (ii) by omitting from the same section the words "In default of a parent so informing the district registrar" and by inserting in lieu thereof the words "If the district registrar is not so informed";

 (b) (i) by omitting from subsection one of section 19B Sec. 19B. the words "the name of any person as father (Saving for of such child unless at the joint request of the illegitimate mother and of the person acknowledging him- child.) self to be the father of such child, and such person shall in such case sign the register together with the mother" and by inserting in lieu

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lieu thereof the words "the name of and any other particulars relating to any person as father of that child except in accordance with this section";

(ii) by inserting at the end of the same section the following new subsections : —

(3) Subject to subsection four of this section, a district registrar, when registering the birth of an illegitimate child, shall—

- (a) at the joint request, verified by statutory declaration, of the mother and the person acknowledging himself to be the father of the child; or
- (b) at the sole request, verified by statutory declaration, of the person acknowledging himself to be the father of the child,

enter in the register the name of and other relevant particulars relating to that person as father of the child.

(4) An entry shall not be made under subsection three of this section at the sole request of the person acknowledging himself to be the father of an illegitimate child unless the Registrar-General—

- (a) is satisfied that the mother of the child is dead or that her whereabouts are unknown or that she is unable to join in a request and declaration referred to in paragraph (a) of that subsection; and
- (b) approves of the request being given effect to.

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(5) Where the birth of an illegitimate child has (whether before or after the commencement of the Registration of Births Deaths and Marriages (Amendment) Act, 1970) been registered and the name of and other relevant particulars relating to a person as father of the child were not required by this Act to be included in the entry (in this section referred to as the "birth entry") made at the time of that registration, the Registrar-General may, subject to subsection seven of this section-

- (a) where the birth entry is contained in his register-amend the birth entry; or
- (b) where the birth entry is contained in a register other than his register-amend the copy of the birth entry kept in the General Registry,

by making, signing and dating, in the margin adjoining the birth entry or copy of the birth entry, as the case may be, an entry containing that name and those particulars.

(6) Where the Registrar-General amends the copy of a birth entry under paragraph (b) of subsection five of this section, he shall direct the district registrar who has custody of the register in which the birth entry was made to amend the birth entry by making, signing and dating, in the margin adjoining the birth entry, an entry containing that name and those particulars, and the district registrar shall carry out that direction.

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(7)

(7) The Registrar-General shall not amend the birth entry relating to an illegitimate child, or the copy of such an entry, under subsection five of this section unless-

- (a) at the joint request, verified by statutory declaration, of the mother and the person acknowledging himself to be the father of the child; or
- (b) at the sole request, verified by statutory declaration, of the person acknowledging himself to be the father of the child,

and, in the case of a sole request referred to in paragraph (b) of this subsection, unless the Registrar-General is satisfied that the mother of the child is dead or that her whereabouts are unknown or that she is unable to join in a request and declaration referred to in paragraph (a) of this subsection.

(8) Every certified copy of a birth entry amended in accordance with subsection five or six of this section shall include the matter contained in that entry and the entry in the margin.

(i) by omitting from subsection one of section Sec. 20. (c) twenty the words "within six months next after (Registrathe birth";

tion after sixty days after

birth.) (ii) by inserting next after subsection two of the same section the following new subsection :-

(2A) Notwithstanding anything in the foregoing provisions of this section, where the person acknowledging himself to be the father of an illegitimate child makes, after the expiration of sixty days following the birth of the

child.

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child, such a declaration as is referred to in subsection one of this section, and the Registrar-General approves of a sole request made by him under subsection three of section 19B of this Act being given effect to, the district registrar shall register the birth.

- (iii) by omitting from subsection three of the same section the words "such declaration" and by inserting in lieu thereof the words "a declaration under this section";
- (iv) by inserting next after the same subsection the following new subsection : ---

(4) The provisions of this section have effect subject to the provisions of section twenty-two of this Act.

(d) by omitting from subsection one of section twenty- sec. 22. two the words "the declaration to found the regis- (Special tration may be made at any time, or if such provisions as to regisdeclaration" and by inserting in lieu thereof the tration words "if a declaration, referred to in subsection after six months one or (2A) of that section, to found the after birth, etc.) registration".

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BY AUTHORITY: V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES-1970

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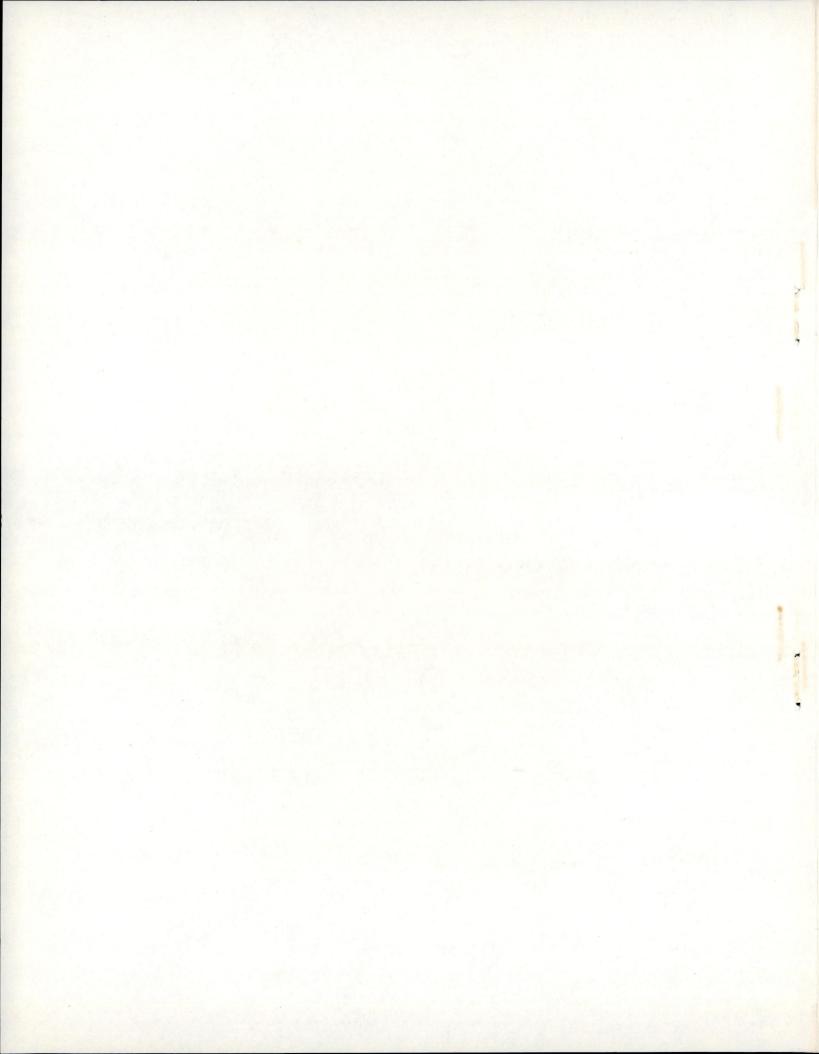
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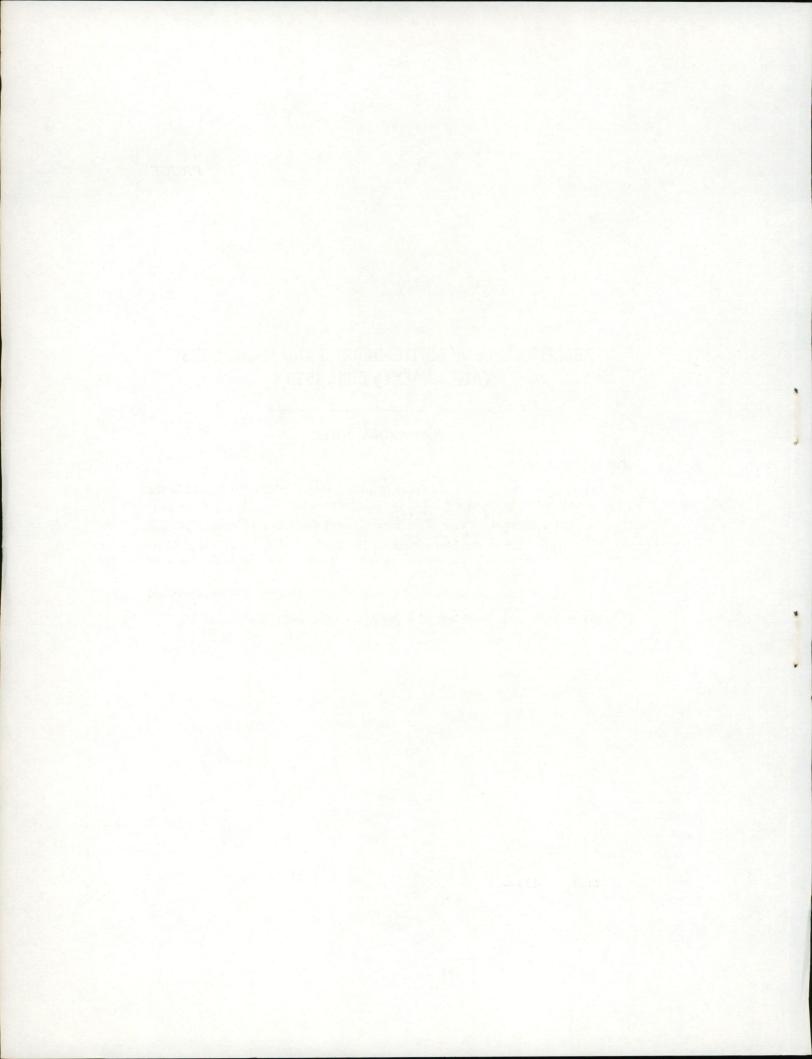


## REGISTRATION OF BIRTHS DEATHS AND MARRIAGES (AMENDMENT) BILL, 1970

### **EXPLANATORY NOTE**

THE objects of this Bill are-

- (a) to enable the name of the father of an illegitimate child to be entered in the register of births as the father of the child—
  - (i) either at the time of the registration of the birth or subsequently;
  - (ii) either at the joint request of the mother and father of the child or at the sole request of the father if the mother is dead, absent or unable to join in a request; and
  - (iii) without the necessity of his signing the register with the mother; and
- (b) to make other provisions of a consequential or ancillary character.



PROOF

No. , 1970.

# A BILL

To make further provisions with respect to the registration of the births of illegitimate children; for this and other purposes to amend the Registration of Births Deaths and Marriages Act 1899; and for purposes connected therewith.

[MR MADDISON—24 November, 1970.]

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**B**<sup>E</sup> it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 follows : -

1. This Act may be cited as the "Registration of Births Short title. Deaths and Marriages (Amendment) Act, 1970".

2. The Registration of Births Deaths and Marriages Act Amendment of Act No. 17, 1899. 1899 is amended—

- (a) (i) by inserting in section nineteen after the word Sec. 19. "purpose" the words ": Provided that where (Notice of the person acknowledging himself to be the births.) father of an illegitimate child informs the district registrar of the birth of the child and of all required particulars within the time referred to and the Registrar-General approves of a sole request made by him under subsection three of section 19B of this Act being given effect to, the mother of the child shall not be guilty of an offence against this Act by reason of her failure so to inform the district registrar";
  - (ii) by omitting from the same section the words "In default of a parent so informing the district registrar" and by inserting in lieu thereof the words "If the district registrar is not so informed";
  - (b) (i) by omitting from subsection one of section 19B Sec. 19B. the words "the name of any person as father (Saving for of such child unless at the joint request of the father of illegitimate mother and of the person acknowledging him- child.) self to be the father of such child, and such person shall in such case sign the register together with the mother" and by inserting in lieu

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lieu thereof the words "the name of and any other particulars relating to any person as father of that child except in accordance with this section";

(ii) by inserting at the end of the same section the following new subsections : —

(3) Subject to subsection four of this section, a district registrar, when registering the birth of an illegitimate child, shall—

(a) at the joint request, verified by statutory declaration, of the mother and the person acknowledging himself to be the father of the child; or

(b) at the sole request, verified by statutory declaration, of the person acknowledging himself to be the father of the child,

enter in the register the name of and other relevant particulars relating to that person as father of the child.

(4) An entry shall not be made under subsection three of this section at the sole request of the person acknowledging himself to be the father of an illegitimate child unless the Registrar-General—

- (a) is satisfied that the mother of the child is dead or that her whereabouts are unknown or that she is unable to join in a request and declaration referred to in paragraph (a) of that subsection; and
- (b) approves of the request being given effect to.

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(5) Where the birth of an illegitimate child has (whether before or after the commencement of the Registration of Births Deaths and Marriages (Amendment) Act, 1970) been registered and the name of and other relevant particulars relating to a person as father of the child were not required by this Act to be included in the entry (in this section referred to as the "birth entry") made at the time of that registration, the Registrar-General may, subject to subsection seven of this section—

- (a) where the birth entry is contained in his register—amend the birth entry; or
- (b) where the birth entry is contained in a register other than his register—amend the copy of the birth entry kept in the General Registry,

by making, signing and dating, in the margin adjoining the birth entry or copy of the birth entry, as the case may be, an entry containing that name and those particulars.

(6) Where the Registrar-General amends the copy of a birth entry under paragraph (b) of subsection five of this section, he shall direct the district registrar who has custody of the register in which the birth entry was made to amend the birth entry by making, signing and dating, in the margin adjoining the birth entry, an entry containing that name and those particulars, and the district registrar shall carry out that direction.

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	or the copy of such an entry, under subsection	
	(a) at the joint request, verified by statu- tory declaration, of the mother and the person acknowledging himself to be the father of the child; or	
	(b) at the sole request, verified by statu- tory declaration, of the person acknow- ledging himself to be the father of the child,	
	paragraph (b) of this subsection, unless the Registrar-General is satisfied that the mother of the child is dead or that her whereabouts are unknown or that she is unable to join in a request and declaration referred to in	
	six of this section shall include the matter contained in that entry and the entry in the	
1	twenty the words "within six months next after the birth";	(Registra- tion after sixty days after
(ii)	by inserting next after subsection two of the same section the following new subsection : —	birth.)
1	person acknowledging himself to be the father of an illegitimate child makes, after the expira-	
	child,	
	(i) 1 (ii)	<ul> <li>the birth entry relating to an illegitimate child, or the copy of such an entry, under subsection five of this section unless— <ul> <li>(a) at the joint request, verified by statutory declaration, of the mother and the person acknowledging himself to be the father of the child; or</li> <li>(b) at the sole request, verified by statutory declaration, of the person acknowledging himself to be the father of the child,</li> </ul> </li> <li>and, in the case of a sole request referred to in paragraph (b) of this subsection, unless the Registrar-General is satisfied that the mother of the child is dead or that her whereabouts are unknown or that she is unable to join in a request and declaration referred to in paragraph (a) of this subsection.</li> <li>(8) Every certified copy of a birth entry amended in accordance with subsection five or six of this section shall include the matter contained in that entry and the entry in the margin.</li> <li>(i) by omitting from subsection one of section twenty the words "within six months next after the birth";</li> <li>(ii) by inserting next after subsection two of the same section the following new subsection :—         <ul> <li>(2A) Notwithstanding anything in the foregoing provisions of this section, where the person acknowledging himself to be the father of an illegitimate child makes, after the expiration of sixty days following the birth of the</li> </ul> </li> </ul>

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child, such a declaration as is referred to in subsection one of this section, and the Registrar-General approves of a sole request made by him under subsection three of section 19B of this Act being given effect to, the district registrar shall register the birth.

- (iii) by omitting from subsection three of the same section the words "such declaration" and by inserting in lieu thereof the words "a declaration under this section";
- (iv) by inserting next after the same subsection the following new subsection : —

(4) The provisions of this section have effect subject to the provisions of section twenty-two of this Act.

(d) by omitting from subsection one of section twenty- Sec. 22. two the words "the declaration to found the regis- (Special provisions as to regis-declaration" and by inserting in lieu thereof the tration words "if a declaration, referred to in subsection after six months one or (2A) of that section, to found the after birth, etc.)

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES-1970

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