# REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES (AMENDMENT) ACT, 1979, No. 2

# New South Wales



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Act No. 2, 1979.

An Act to amend the Registration of Births, Deaths and Marriages Act, 1973, in relation to the recording of particulars of parents of exnuptial children. [Assented to, 22nd March, 1979.]

BE 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, 1979".

Amendment of Act No. 1973, is amended in the manner set forth in Schedule 1.

Sec. 2.

#### SCHEDULE 1.

Amendments to the Registration of Births, Deaths and Marriages Act, 1973.

(1) Section 40 (2) (b) (i)—

Omit "42A (2) (e) or (3) (c) or 42B (1) (b)", insert instead "42A (2) (d) (ii), (2) (e), (3) (b) (ii) or (3) (c) or 42B (1) (a) (ii) or (1) (b)".

(2) (a) Section 42A (2) (c) (ii)—

Omit the subparagraph, insert instead:-

### SCHEDULE 1—continued.

AMENDMENTS TO THE REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT, 1973—continued.

(b) Section 42A (2) (d)—

Omit the paragraph, insert instead:—

- (d) a copy of an order referred to in section 12 (1) or (2) of the Children (Equality of Status) Act, 1976, being an order in which a man is named as being the father of the child—
  - (i) is transmitted to the Principal Registrar pursuant to section 12 (4) of that Act; or
  - (ii) is otherwise lodged with the Principal Registrar;
- (c) Section 42A (2) (e), (2) (g), (3) (c), (3) (e)—

Omit "by a person who, in the opinion of the Principal Registrar, has a proper interest in making the lodgment" wherever occurring.

(d) Section 42A (3) (a) (ii)—

Omit the subparagraph, insert instead:—

#### SCHEDULE 1—continued.

AMENDMENTS TO THE REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT, 1973—continued.

(e) Section 42A (3) (b)—

Omit the paragraph, insert instead:-

- (b) a copy of an order referred to in section 12
   (1) or (2) of the Children (Equality of Status) Act, 1976, being an order in which a man is named as being the father of the child—
  - (i) is transmitted to the Principal Registrar pursuant to section 12 (4) of that Act; or
  - (ii) is otherwise lodged with the Principal Registrar;

# (3) (a) Section 42B (1) (a)—

Omit the paragraph, insert instead :-

- (a) a copy of an order referred to in section 14
   (1) or (2) of the Children (Equality of Status) Act, 1976, being an order in which a woman is named as being the mother of a child—
  - (i) is transmitted to the Principal Registrar pursuant to section 14 (4) of that Act; or
  - (ii) is otherwise lodged with the Principal Registrar;

### SCHEDULE 1—continued.

Amendments to the Registration of Births, Deaths and Marriages Act, 1973—continued.

(b) Section 42B (1) (b), (1) (d), (2) (b)—

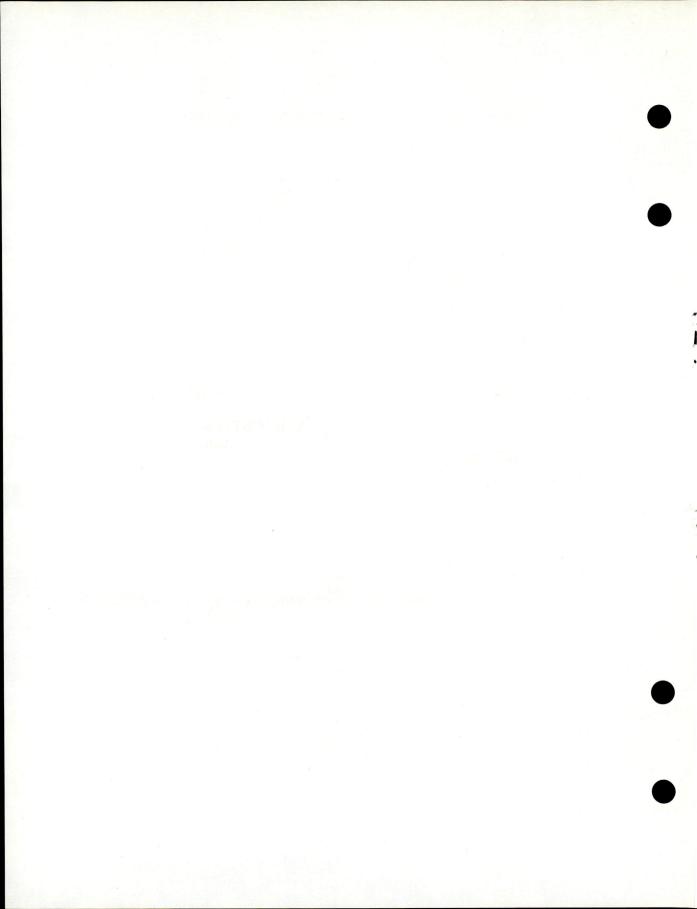
Omit "by a person who, in the opinion of the Principal Registrar, has a proper interest in making the lodgment" wherever occurring.

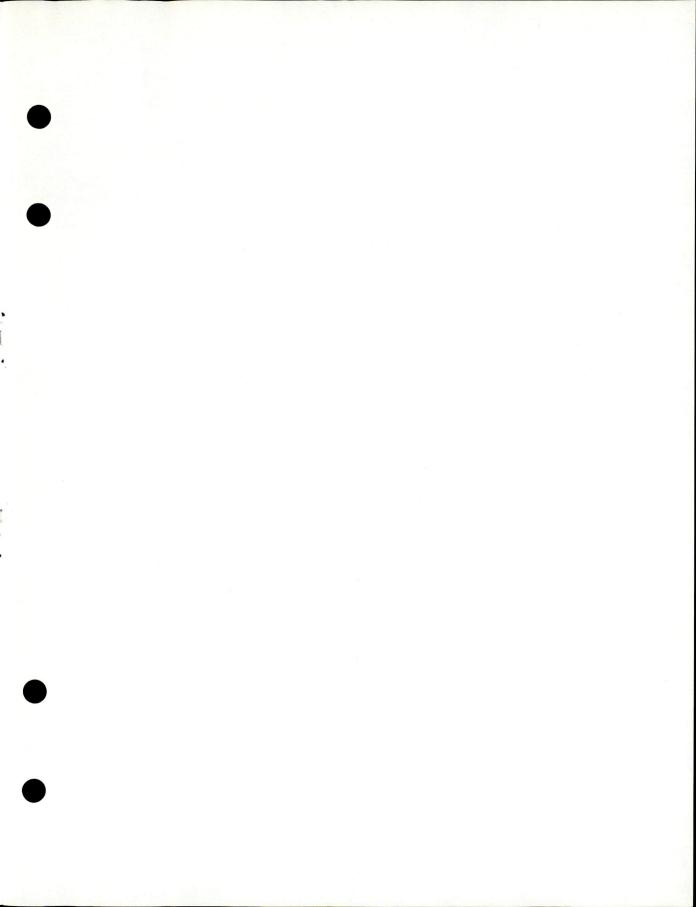
In the name and on behalf of Her Majesty I assent to this Act.

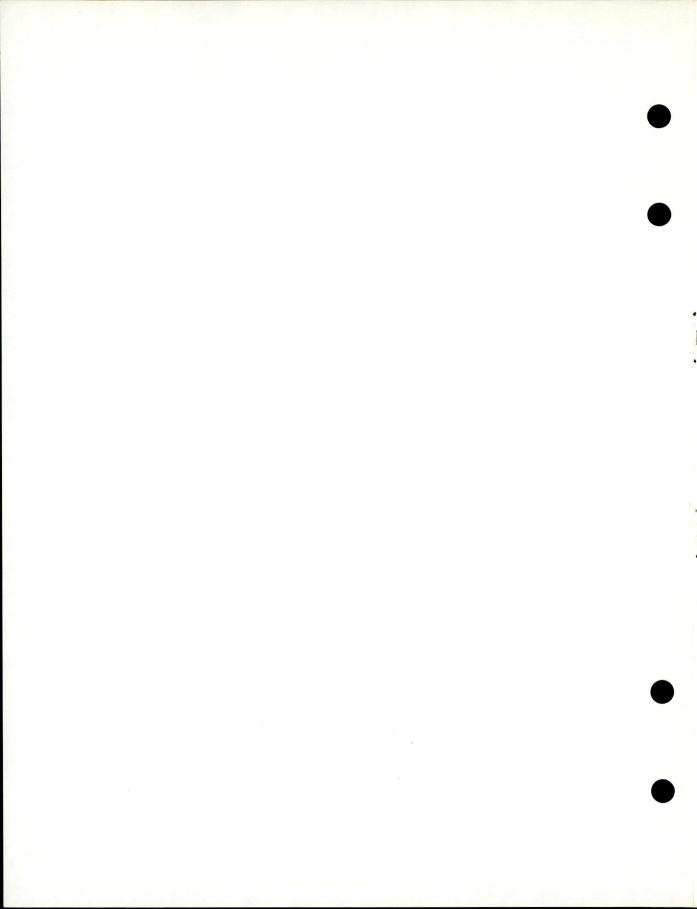
A. R. CUTLER, *Governor*.

Government House, Sydney, 22nd March, 1979.

**BY AUTHORITY**D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1979







# REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES (AMENDMENT) BILL, 1979

#### **EXPLANATORY NOTE**

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Children (Equality of Status) Amendment Bill, 1979.

THE objects of this Bill are-

- (a) to provide for the recording in the registers kept under the Registration of Births, Deaths and Marriages Act, 1973, of particulars of parents of exnuptial children named in orders made under Part II of the Maintenance Act, 1964, and Part XII of the Child Welfare Act, 1939, before the commencement of the Children (Equality of Status) Act, 1976 (at present only particulars in those orders made after that commencement can be so recorded) (Schedule 1 (2) (b), (2) (e) and (3) (a));
- (b) to remove the requirement for the Principal Registrar of Births, Deaths and Marriages to be of the opinion that a person has a proper interest in lodging certain documents relating to the paternity or maternity of exnuptial children before he accepts them for recording (Schedule 1 (2) (a), (2) (c) and (3) (b)); and
- (c) to make other provisions of a minor, consequential or ancillary nature.

# WINDSTRATION OF BURNEY DEATHS AND MARRIAGES

### REPORT THE PLANT OF STREET

(This limplements Note relative to this will as introduced and Parliament)

This Bill is cognate with the Children (Lequille of Signa) Amendment Blill,

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- a) to ployide for the localdiag in the egister's Rept under the Registration of Births, Eigenba and Markinges A.A., 1972 of particular of particular transported children region of the Marking reads and the Mainten-ange Act, 1964, and the Mill of the Libil's Weights, vor, 1979, bullers the government of the Children retiqually of Status, Act, 1976 (at passent only particulars in those orders made affect that communicate and he so recorded) (Schedule 12) (b), (l) (c) and (3) (s));
- (b) to retained the resultences for the Principal Registrary of States, Dentilla, and Marriages to be of the epinion for a person has a preparation of the relating for the patents, or materially of energies challeng before before he accepts them for recording (Schedule 1 (2) (2), (2), (4), and (3), (b) appear.
  - (c) to make chief provisions of a same consequential or encillary patent.

# REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES (AMENDMENT) BILL, 1979

No. 1979.

# A BILL FOR

An Act to amend the Registration of Births, Deaths and Marriages Act, 1973, in relation to the recording of particulars of parents of exnuptial children.

[MR F. J. WALKER-21 February, 1979.]

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**BE** 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:—

- 5 1. This Act may be cited as the "Registration of Births, Deaths Short title. and Marriages (Amendment) Act, 1979".
  - 2. The Registration of Births, Deaths and Marriages Act, Amendment 1973, is amended in the manner set forth in Schedule 1.

    of Act No. 87, 1973.

### SCHEDULE 1.

Sec. 2.

- 10 Amendments to the Registration of Births, Deaths and Marriages Act, 1973.
  - (1) Section 40 (2) (b) (i)—

Omit "42A (2) (e) or (3) (c) or 42B (1) (b)", insert instead "42A (2) (d) (ii), (2) (e), (3) (b) (ii) or (3) (c) or 42B (1) (a) (ii) or (1) (b)".

(2) (a) Section 42A (2) (c) (ii)—

Omit the subparagraph, insert instead:-

#### SCHEDULE 1—continued.

Amendments to the Registration of Births, Deaths and Marriages Act, 1973—continued.

(b) Section 42A (2) (d)—

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- 5 Omit the paragraph, insert instead:—
  - (d) a copy of an order referred to in section 12 (1) or (2) of the Children (Equality of Status) Act, 1976, being an order in which a man is named as being the father of the child—
    - (i) is transmitted to the Principal Registrar pursuant to section 12 (4) of that Act; or
    - (ii) is otherwise lodged with the Principal Registrar;
  - (c) Section 42A (2) (e), (2) (g), (3) (c), (3) (e)—

Omit "by a person who, in the opinion of the Principal Registrar, has a proper interest in making the lodgment" wherever occurring.

20 (d) Section 42A (3) (a) (ii)—

Omit the subparagraph, insert instead :-

### SCHEDULE 1—continued.

AMENDMENTS TO THE REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT, 1973—continued.

- (e) Section 42A (3) (b)—
- 5 Omit the paragraph, insert instead:—
  - (b) a copy of an order referred to in section 12 (1) or (2) of the Children (Equality of Status) Act, 1976, being an order in which a man is named as being the father of the child—
    - (i) is transmitted to the Principal Registrar pursuant to section 12 (4) of that Act; or
    - (ii) is otherwise lodged with the Principal Registrar;

# (3) (a) Section 42B (1) (a)—

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Omit the paragraph, insert instead:—

- (a) a copy of an order referred to in section 14
   (1) or (2) of the Children (Equality of Status) Act, 1976, being an order in which a woman is named as being the mother of a child—
  - (i) is transmitted to the Principal Registrar pursuant to section 14 (4) of that Act; or
  - (ii) is otherwise lodged with the Principal Registrar;

### SCHEDULE 1—continued.

AMENDMENTS TO THE REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT, 1973—continued.

(b) Section 42B (1) (b), (1) (d), (2) (b)—

Omit "by a person who, in the opinion of the Principal Registrar, has a proper interest in making the lodgment" wherever occurring.

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