

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

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

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.]

Registration of Births, Deaths and Marriages (Amendment).

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. 87, 1973. **2.** The Registration of Births, Deaths and Marriages Act, 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 :—

(ii) is otherwise lodged with the Principal Registrar;

Registration of Births, Deaths and Marriages (Amendment).

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 :—

(ii) is otherwise lodged with the Principal Registrar;

Registration of Births, Deaths and Marriages (Amendment).

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;

Registration of Births, Deaths and Marriages (Amendment).

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

EXPLANATORY NOTE

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

This Bill is cognate with the Children (Quality of Status) Amendment Bill,

1979

The object of the Bill is

- (a) to provide for the recording in the registers kept under the Registration of Births, Deaths and Marriages Act, 1953, of particulars of persons of exceptional abilities named in orders made under Part II of the Children Act, 1959, and the Act of the Child Welfare, 1957, and the Act of 1964, and for the recording in those registers under other circumstances present only in those registers in those registers under other circumstances can be recorded (Schedule 1 (a), (b), (c) and (d));
- (b) to remove the requirement for the Principal Register of Births, Deaths and Marriages to be of the opinion that a person has a special talent or ability in being certain documents relating to the person, or to a child or other child, before he signs them (Schedule 1 (e));
- (c) to make other provisions of a minor or consequential or ancillary nature

**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.]

Registration of Births, Deaths and Marriages (Amendment).

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 and Marriages (Amendment) Act, 1979". Short title.
- 2.** The Registration of Births, Deaths and Marriages Act, 1973, is amended in the manner set forth in Schedule 1. Amendment 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)—

15 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 :—

(ii) is otherwise lodged with the Principal Registrar;

Registration of Births, Deaths and Marriages (Amendment).

SCHEDULE 1—*continued.*

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

(b) Section 42A (2) (d)—

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
10 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

15 (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 :—

(ii) is otherwise lodged with the Principal
Registrar;

Registration of Births, Deaths and Marriages (Amendment).

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
10 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

15 (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
20 woman is named as being the mother of a
child—

(i) is transmitted to the Principal
Registrar pursuant to section 14 (4)
25 of that Act; or

(ii) is otherwise lodged with the Principal
Registrar;

Registration of Births, Deaths and Marriages (Amendment).

SCHEDULE 1—*continued.*

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

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

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

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1979

[16c]

Department of Health and Welfare (Information)

CONFIDENTIAL

AMERICAN... THE REGISTRATION OF... AND... (Information)

(b) Section 12 (b) (1) (A) (i) (1) (A)

Copy of all items which are...
Registration... in making the...
for... information...