



*Births, Deaths and Marriages Registration Act 2003*

# **Births, Deaths and Marriages Registration Regulation 2003**

Reprinted as in force on 27 November 2006

Reprint No. 1D

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Queensland

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# **Births, Deaths and Marriages Registration Regulation 2003**

[as amended by all amendments that commenced on or before 27 November 2006]

## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Births, Deaths and Marriages Registration Regulation 2003*.

### **2 Commencement**

This regulation commences on the day that section 56<sup>1</sup> of the Act commences.

### **3 Dictionary**

The dictionary in schedule 4 defines particular words used in this regulation.

## **Part 2 Births**

### **4 Particulars to be stated in court order for registration of birth—Act, ss 6 or 7**

(1) For sections 6(1)(b)(ii)(B) and 7(3)(b)(ii)<sup>2</sup> of the Act, the

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1 Section 56 (Regulation-making power) of the Act

2 Sections 6 (Births that must be registered in Queensland) and 7 (Births that may be registered in Queensland) of the Act

particulars listed in schedule 1, part 1<sup>3</sup> are prescribed.

- (2) The particulars are to be stated to the extent that the particulars are reasonably available to the court at the time of making the order.

## **5 Circumstances in which registrar may require proof of parentage—Act, s 10**

For section 10(4)<sup>4</sup> of the Act, a circumstance is if the registrar, after an inquiry conducted under section 43<sup>5</sup> of the Act, is not satisfied that the person is a parent of the child.

*Example—*

The registrar receives birth application forms for the same child from 2 males, each respectively stating that he is the child's father. The registrar issues a notice to the child's mother requiring her to provide information about the father's identity. The mother replies she does not know.

## **6 Changing child's first name within a year of birth—Act, s 13**

- (1) When applying under section 13<sup>6</sup> of the Act, each applicant must produce to the registrar—
- (a) 2 documents verifying the applicant's identity; and
  - (b) photographic identification, if requested by the registrar; and
  - (c) a document verifying the identity of the applicant as the child's parent or guardian, if requested by the registrar.

*Examples for paragraph (a)—*

- a copy of a certificate from a register of births
- a credit card
- a medicare card.

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3 Schedule 1 (Application information), part 1 (Births)

4 Section 10 (Registration of parentage details) of the Act

5 Section 43 (Inquiry to ensure register correct) of the Act

6 Section 13 (Application to change child's first name within a year of birth) of the Act

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*Examples for paragraph (b)—*

- a driver licence
- a passport.

*Examples for paragraph (c)—*

- a copy of a certificate from a register of births
- an order evidencing guardianship.

- (2) If a document under this section is a photocopy, the document must be certified by a qualified witness as being a correct copy of the document.

**7 Who may be issued with a certificate of a closed entry relating to a person whose sex has been reassigned—Act, s 14**

- (1) For section 14(8)(d) of the Act, the following persons are prescribed—
- (a) if a guardian has been appointed for the person—the guardian;
  - (b) if an administrator has been appointed under the *Guardianship and Administration Act 2000*, section 14,<sup>7</sup> for the person—the administrator;
  - (c) if a personal representative has been appointed for the person—the personal representative;
  - (d) an officer of, or person acting for, a law enforcement body;<sup>8</sup>
  - (e) a person who produces an order of a court of the State or Commonwealth requiring the registrar to accept an application under section 44<sup>9</sup> of the Act.
- (2) When applying for a certificate from a closed entry, a person mentioned in subsection (1)(a), (b) or (c) must—
- (a) produce the following to the registrar—

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7 *Guardianship and Administration Act 2000*, section 14 (Appointment of 1 or more eligible guardians and administrators)

8 See schedule 4 (Dictionary) for the definition of a *law enforcement body*.

9 Section 44 (Obtaining information from the registrar) of the Act

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- (i) 2 documents verifying the person's identity;
    - (ii) photographic identification, if requested by the registrar; and
  - (b) produce the person's instrument of appointment to the registrar; and
  - (c) show that the certificate is required to discharge a function under the person's appointment.
- (3) When applying for a certificate from a closed entry, a person mentioned in subsection (1)(d) must—
- (a) produce a document verifying the person's identity to the registrar; and
  - (b) show that the certificate is required to discharge—
    - (i) a function of the law enforcement body; or
    - (ii) the person's duty as an officer of the law enforcement body.

*Example of documentary proof of an officer's identity—*

An identity card issued by a law enforcement body, with a photo of the officer, that states the officer's name, rank and registered number.

- (4) When applying for a certificate from a closed entry, a person mentioned in subsection (1)(e) must produce the following to the registrar—
- (a) 2 documents verifying the person's identity;
  - (b) photographic identification, if requested by the registrar.
- (5) If a court order is produced under subsection (1)(e), the registrar must accept the application.
- (6) If any document produced under this section is a photocopy, the document must be certified by a qualified witness as being a correct copy of the document.



## **Part 3                      Change of name**

### **8            Information court may consider when approving change of child's name—Act, s 17**

When deciding to approve a proposed change of a child's name under section 17(6)<sup>10</sup> of the Act, the Magistrates Court may, amongst other things, consider the following—

- (a) the number of previous changes of the child's name;
- (b) the views of the child's parents on the change of name, to the extent that the parents' views are available;
- (c) the views of the child's guardians on the change of name, to the extent that the guardians' views are available;
- (d) the child's views on the change of name, to the extent that the child's views are available;
- (e) the likely impact of the change of name on the child;
- (f) the child's cultural, ethnic or indigenous background and whether the change of name is likely to adversely impact the child's cultural, ethnic or indigenous identity.

### **9            Documents required for registering change of name—Act, s 19**

- (1) For section 19(1)(b)<sup>11</sup> of the Act, the following documents are prescribed for an application made under section 16<sup>12</sup> of the Act—
  - (a) 3 documents verifying the adult's identity at the time of the application;
  - (b) photographic identification of the adult, if requested by the registrar;

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10 Section 17 (Application to register change of child's name) of the Act

11 Section 19 (Registration of change of name) of the Act

12 Section 16 (Application to register change of adult's name) of the Act

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- (c) if the adult has former names different from the name as registered at birth—documents evidencing those names, if requested by the registrar;
  - (d) if the adult was born outside Australia—
    - (i) evidence of the adult's birth including the following—
      - (A) the adult's name;
      - (B) the adult's date and place of birth; and
    - (ii) evidence that the adult is ordinarily resident in Queensland;
  - (e) if the adult has been married—evidence of the marriage, if requested by the registrar.
- (2) For section 19(1)(b) of the Act, the following documents are prescribed for an application made under section 17<sup>13</sup> of the Act—
- (a) 3 documents verifying the identity of each of the applicants;
  - (b) photographic identification of the applicants, if requested by the registrar;
  - (c) a document verifying the identity of each applicant as the child's parent or guardian, if requested by the registrar;
  - (d) if the child has former names different from the name as registered at birth or adoption—documents evidencing those names, if requested by the registrar;
  - (e) if the child is 12 years or more—
    - (i) the child's written consent; or
    - (ii) written evidence of a doctor that the child is incapable of understanding the meaning and implications of a change of name; or
    - (iii) evidence that the Magistrates Court has approved a change of name;

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13 Section 17 (Application to register change of child's name) of the Act

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- (f) if the child was born outside Australia—
- (i) evidence of the child's birth including the following—
    - (A) the child's name;
    - (B) the child's date and place of birth;
    - (C) the names of the child's parents or guardians;  
and
  - (ii) evidence that the child is ordinarily resident in Queensland.

*Examples of documentation for subsection (1)(a) and (2)(a)—*

- a copy of a certificate from a register of births
- a credit card
- a medicare card.

*Examples of documentation for subsection (1)(b) and (2)(b)—*

- a driver licence
- a passport.

*Examples of documentation for subsection (1)(c) and (2)(d)—*

- a copy of a certificate from a register of births, change of name or marriage
- a copy of a deed poll.

*Examples of documentation for subsection (1)(d)(ii)—*

- evidence that the adult has lived, and been employed, in Queensland continuously for 2 years
- evidence that the person is enrolled on a Queensland electoral roll.

*Examples of documentation for subsection (2)(f)(ii)—*

- evidence that the child has lived, and attended school, in Queensland continuously for 2 years.

- (3) If a document under this section is a photocopy, the document must be certified by a qualified witness as being a correct copy of the document.

**10 Noting change of name other than by registration—Act, s 20**

- (1) For section 20(7) of the Act, the following documents are prescribed—
- (a) a certificate from a registering authority that evidences the person’s change of name;
  - (b) a copy of a deed poll registered in Queensland or another State;
  - (c) a court order that evidences a change of name.
- (2) For section 20(8)(b) of the Act, the following documents are prescribed—
- (a) 3 documents verifying the identity of each of the applicants at the time of the application;
  - (b) if the application is made under section 20(3), (4) or (5) of the Act, a document verifying the identity of each applicant as the child’s parent or guardian, if requested by the registrar;
  - (c) photographic identification, if requested by the registrar;
  - (d) if the subject of the application has former names different from the name as registered at birth—documents evidencing those names, if requested by the registrar;
  - (e) if the subject of the application has been married—evidence of the marriage, if requested by the registrar.

*Examples of documentation for subsection (2)(a)—*

- a copy of a certificate from a register of births
- a credit card
- a medicare card.

*Examples of documentation for subsection (2)(b)—*

- a copy of a certificate from a register of births
- a copy of a decree of a court.

*Examples of documentation for subsection (2)(c)—*

- a driver licence

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- a passport.

*Examples of documentation for subsection (2)(d)—*

- a copy of a certificate from a register of births, change of name or marriage
  - a copy of a deed poll.
- (3) If a document prescribed under this section is a photocopy, the document must be certified by a qualified witness as being a correct copy of the document.

## **Part 4                      Reassignment of sex**

### **11            Noting reassignment of sex—Act, s 23**

- (1) For section 23(4)(b)(i) of the Act, a statutory declaration must include each of the following—
- (a) the full name and residential address of the doctor making the declaration;
  - (b) a statement that the doctor is a registered medical practitioner in the State or country in which the doctor is registered;
  - (c) the doctor’s medicare provider number, if applicable;
  - (d) the date the doctor physically examined, or performed the sexual reassignment surgery on, the person who had the sexual reassignment surgery;
  - (e) a statement that the doctor has verified the person’s identity.
- (2) For section 23(4)(d) of the Act, the following documents are prescribed—
- (a) 3 documents verifying the identity of each of the applicants at the time of the application;
  - (b) if the application is made under section 23(2) of the Act—a document verifying the identity of, and the

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- relationship between, the child and the child's parents or guardians, if requested by the registrar;
- (c) photographic identification, if requested by the registrar;
  - (d) if the subject of the application has former names different from the name as registered at birth—documents evidencing those names, if requested by the registrar;
  - (e) if the subject of the application was married—
    - (i) evidence of the death of the person's last husband or wife; or
    - (ii) a document evidencing the dissolution of marriage;
  - (f) if the recognition certificate under section 23(4)(b)(ii) of the Act does not state that the subject of the application has undergone sexual reassignment surgery, statutory declarations by 2 doctors that—
    - (i) state the same information mentioned in subsection (1)(a) to (e); and
    - (ii) verify that the subject of the application has undergone sexual reassignment surgery.

*Examples of documentation for subsection (2)(a)—*

- a copy of a certificate from a register of births
- a credit card
- a medicare card.

*Examples of documentation for subsection (2)(b)—*

- a copy of a certificate from a register of births
- a copy of a decree of a court.

*Examples of documentation for subsection (2)(c)—*

- a driver licence
- a passport.

*Examples of documentation for subsection (2)(d)—*

- a copy of a certificate from a register of births, change of name or marriages
- a copy of a deed poll.

- (3) If a document produced under this section is a photocopy, the document must be certified by a qualified witness as being a correct copy of the document.

## **Part 5                      Deaths**

### **12        Particulars to be stated in court order for registration of death—Act, ss 26 or 31**

- (1) For section 26(1)(b)(ii)(B) or 31(3)(d)<sup>14</sup> of the Act, the following particulars are prescribed—
- (a) information about the cause of death;
  - (b) information about the disposal of the body;
  - (c) the information in schedule 1, part 3.<sup>15</sup>
- (2) The particulars are to be stated to the extent that the particulars are reasonably available to the court at the time of making the order.

## **Part 6                      Miscellaneous**

### **13        Information and documents for registering events in register—Act, s 41**

- (1) For section 41(1)(b)(i)<sup>16</sup> of the Act, the following information is prescribed—
- (a) for an application to register a birth—

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14 Section 26 (Deaths that must be registered in Queensland) or 31 (Court order relating to registration of death) of the Act

15 Schedule 1 (Application information), part 3 (Deaths)

16 Section 41 (Registering events in register) of the Act

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- (i) under section 6(1)(b) or 7(3)(b)(ii)<sup>17</sup> of the Act—the particulars about the birth contained in the court order; or
- (ii) otherwise—the information in schedule 1, part 1;<sup>18</sup>
- (b) for an application to register a change of name under section 16 or 17<sup>19</sup> of the Act—the information in schedule 1, part 2;<sup>20</sup>
- (c) for an application to register a death—
  - (i) under section 26(1)(b) or 27(3)<sup>21</sup> of the Act—the particulars about the death contained in the court order; or
  - (ii) otherwise—the information in schedule 1, part 3.<sup>22</sup>
- (2) For section 41(1)(b)(ii) of the Act, the following documents are prescribed—
  - (a) for a court ordered registration of an event—the court order;
  - (b) for a death—whichever of the following are issued—
    - (i) the cause of death certificate issued under section 30<sup>23</sup> of the Act;
    - (ii) a notice under section 32<sup>24</sup> of the Act;
    - (iii) an autopsy notice or certificate under the *Coroners Act 2003*, section 24A.<sup>25</sup>

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17 Section 6 (Births that must be registered in Queensland) or 7 (Births that may be registered in Queensland) of the Act

18 Schedule 1 (Application information), part 1 (Births)

19 Section 16 (Application to register change of adult's name) or 17 (Application to register change of child's name) of the Act

20 Schedule 1 (Application information), part 2 (Change of name)

21 Section 26 (Deaths that must be registered in Queensland) or 27 (Deaths that may be registered in Queensland) of the Act

22 Schedule 1 (Application information), part 3 (Deaths)

23 Section 30 (Cause of death certificate) of the Act

24 Section 32 (Notifying about disposal of a deceased person's body) of the Act

25 *Coroners Act 2003*, section 24A (Autopsy certificate)



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- (3) For section 41(4)(a) of the Act, the following information is prescribed—
- (a) for a death—
    - (i) the cause of death; and
    - (ii) the duration of the deceased person's last illness; and
    - (iii) the initials and surname of the certifying doctor; and
    - (iv) the date and place of burial; and
    - (v) the initials and surname of the person who certifies the burial or cremation; and
    - (vi) the initials and surname, and the denomination, of any minister of religion officiating at any service for the burial or cremation;
  - (b) for any registrable event—
    - (i) the registrar's name; and
    - (ii) the registration number; and
    - (iii) the date and place of registration.
- (4) For section 41(4)(a) of the Act, if a human body is to be disposed of by a school of anatomy, the prescribed information is that the body has been received for anatomical purposes by the school of anatomy.

**14 Correcting the register—Act, s 42**

- (1) When amending particulars in an entry in a register that is in documentary form, the registrar must—
- (a) for a clerical error—
    - (i) rule through the incorrect particular in a way that allows the particular to remain legible; and
    - (ii) add the correct particular; and
    - (iii) initial and date the correction; or
  - (b) for an error of fact or substance—

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- (i) add the correct particular as a marginal note; and
  - (ii) sign and date the correction.
- (2) When amending particulars in an entry in a register that is in a computer database, the registrar must—
  - (a) for a clerical error—
    - (i) delete the incorrect particular; and
    - (ii) add the correct particular; and
    - (iii) add the operator identification and the date and time that the operator made the change; or
  - (b) for an error of fact or substance—add the following information to the entry—
    - (i) the correct particular;
    - (ii) if the reason for the correction is shown in the register that is in documentary form—the reason for the correction;
    - (iii) the date that the particular was entered in the entry in the register that is in documentary form;
    - (iv) the name of the registrar authorising the correction;
    - (v) the operator identification and the date and time that the operator added the information.
- (3) When cancelling an entry in a register, the registrar must—
  - (a) for an entry in a register that is in documentary form—
    - (i) write across the entry the word ‘cancelled’ and the reason the entry is cancelled; and
    - (ii) sign and date the cancelled entry; and
    - (iii) if a new entry is made to replace the cancelled entry—note on the cancelled entry a reference to the new entry; or
  - (b) for an entry in a register that is in a computer database—make a note in the database that the entry is cancelled.

## 15 Information that may be obtained from register—Act, s 44

- (1) When applying under section 44(1)(a) and (b)<sup>26</sup> of the Act for information, other than historical information, the applicant must produce to the registrar—
  - (a) a driver licence or passport; or
  - (b) 2 other forms of identification.  
*Examples for paragraph (b)—*
    - a credit card
    - a medicare card.
- (2) For section 44(1)(b) of the Act, the following source documents are prescribed—
  - (a) a document given to the registrar under section 23<sup>27</sup> of the Act;
  - (b) a memorandum, or copy of a memorandum, of an adoption order registered under the *Adoption of Children Act 1964*, section 54;<sup>28</sup>
  - (c) a document to the extent that the document contains statistical information.
- (3) For section 44(5)(a) of the Act, the following information is prescribed to the extent that the information is in the register—
  - (a) for a birth—the information in schedule 2, part 1;
  - (b) for a change of name—the information in schedule 2, part 2;
  - (c) for a marriage—the information in schedule 2, part 3;
  - (d) for a death—the information in schedule 2, part 4.
- (4) If the information in subsection (3)(c) is stated in a marriage certificate in the register, the registrar may give the information in the form of a copy of the certificate.

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26 Section 44 (Obtaining information from the registrar) of the Act

27 Section 23 (Application to note a reassignment of sex) of the Act

28 *Adoption of Children Act 1964*, section 54 (Registration of orders)

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- (5) For section 44(6)(c) of the Act, the following information is prescribed for a birth—
- (a) all information about any marriage of the child's parents;
  - (b) if the child's mother has, or has had surnames, other than the surname recorded at the child's birth and the mother's maiden surname—the other surnames;
  - (c) if the child's mother has children that are not the child's father's children—the names of those children;
  - (d) if the child's father has children that are not the child's mother's children—the names of those children.

**16 Information for commemorative birth certificate**

- (1) The following information is prescribed for a commemorative birth certificate, to the extent that the information is recorded in, or able to be worked out from, the entry in the register—
- (a) the particulars prescribed under section 17;
  - (b) the full names of the child's father or adoptive father at the time of the child's birth;
  - (c) the first names, and maiden surname, of the child's mother or adoptive mother at the time of the child's birth;
  - (d) the age of each of the child's parents or adoptive parents at the time of the child's birth;
  - (e) the place of birth of each of the child's parents or adoptive parents.
- (2) However, if the person applying for the certificate makes a written request for the information under subsection (1)(d) to be withheld for either or both of the child's adoptive parents, the registrar may decide to withhold the particular.

**17 Information to be contained in birth extract**

The following information is prescribed for a birth extract—

- (a) the child's current first names in the register;

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- (b) either—
  - (i) if the entry in the register shows the child's surname—the current surname in the register; or
  - (ii) if the entry in the register does not show the child's surname and the birth was registered before the commencement of section 12<sup>29</sup> of the Act—
    - (A) if a person is registered as the father of the child—the father's current registered surname; or
    - (B) if no person is registered as the father of the child—the mother's current registered surname;
- (c) the child's sex;
- (d) the child's date and place of birth;
- (e) the registration number;
- (f) if the child's birth has been reregistered under section 14<sup>30</sup> of the Act—a statement to that effect.

### **17A Information for commemorative marriage certificate**

The following information is prescribed for a commemorative marriage certificate, to the extent that the information is recorded in, or able to be worked out from, the entry in the register—

- (a) the current full name in the register of each party to the marriage;
- (b) the date of the marriage;
- (c) the place of the marriage;
- (d) the registration number;
- (e) the rites under which the marriage was solemnised;

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29 Section 12 (Child's name) of the Act

30 Section 14 (Reregistering a birth or adoption) of the Act

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- (f) the celebrant's name;
- (g) the names of the witnesses to the marriage.

**18 Information to be contained in marriage extract**

The following information is prescribed for a marriage extract—

- (a) the current full name in the register of each party to the marriage;
- (b) the date of the marriage;
- (c) the place of the marriage;
- (d) the registration number;
- (e) if the marriage has been dissolved—the particulars about the dissolution in the register.

**19 Information to be contained in death extract**

The following information is prescribed for a death extract—

- (a) the deceased person's—
  - (i) full name; and
  - (ii) age; and
  - (iii) occupation;
- (b) the date and place of death;
- (c) the cause of death;
- (d) the date and place of the burial or cremation;
- (e) the name of the deceased person's last husband or wife, if any;
- (f) the registration number.

*Births, Deaths and Marriages Registration Regulation  
2003*

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**20 Fees**

- (1) The fees payable under the Act are in schedule 3.<sup>31</sup>
- (2) An application fee must accompany an application.

**21 Registry districts**

- (1) The areas of the State that are registry districts are in the registry district maps.
- (2) The registry district maps are available for inspection by members of the public during normal working hours at the Registry of Births, Deaths and Marriages, Brisbane.

**22 Historical information—Act, sch 2**

For an application, the periods for the definition *historical information* are—

- (a) for a birth—100 years before the date of the application;  
or
- (b) for a marriage—80 years before the date of the application; or
- (c) for a death—50 years before the date of the application.

**23 Prohibited name—Act, sch 2**

A name that is, includes, or is part of, a political slogan is a prohibited name.

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31 Schedule 3 (Fees)

## **Schedule 1      Application information**

section 13

### **Part 1                  Births**

- 1 The child's—
  - (a) name; and
  - (b) date of birth; and
  - (c) place of birth; and
  - (d) sex.
- 2 If the birth is a multiple birth—the child's order in the birth.
- 3 The child's father's—
  - (a) name at the time of the birth; and
  - (b) place of birth; and
  - (c) age at the time of the birth; and
  - (d) occupation at the time of the birth.
- 4 The child's mother's—
  - (a) name at the time of the birth; and
  - (b) maiden surname; and
  - (c) place of birth; and
  - (d) age at the time of the birth; and
  - (e) occupation at the time of the birth.
- 5 The date and place of marriage of the child's parents to each other, if applicable.
- 6 For any other children of the parents' relationship—
  - (a) for each other child living at the time of the birth, other than a child born of the same pregnancy—
    - (i) the other child's name; and
    - (ii) the other child's age; and
  - (b) for each other child who predeceased the child, other than a child born of the same pregnancy—
    - (i) the other child's name; and



### Schedule 1 (continued)

- (ii) a statement to the effect that the other child predeceased the child.
- 7 Each applicant's—
- (a) name; and
  - (b) residential address; and
  - (c) relationship to the child.

## **Part 2                      Change of name**

The person's—

- (a) name as registered at birth or adoption; and
- (b) name proposed to be registered; and
- (c) former name, if any; and
- (d) date of birth; and
- (e) place of birth.

## **Part 3                      Deaths**

- 1 The deceased person's—
- (a) name at the time of death; and
  - (b) place of birth, if known; and
  - (c) date of death; and
  - (d) place of death; and
  - (e) age at the time of death; and
  - (f) sex at the time of death; and
  - (g) occupation; and
  - (h) marital status at time of death.

**Schedule 1 (continued)**

- 2 If the deceased person was ever married—
  - (a) the name of each husband or wife; and
  - (b) the person's age at the time of each marriage; and
  - (c) the place of each marriage.
- 3 If the deceased person was born outside Australia—the year that the person first arrived in Australia.
- 4 If the deceased person had any children—
  - (a) for each child living at the time of the person's death, the child's—
    - (i) name; and
    - (ii) age; and
  - (b) for any child who predeceased the deceased person—
    - (i) the child's name; and
    - (ii) a statement to the effect that the child predeceased the deceased person.
- 5 The deceased person's father's—
  - (a) name; and
  - (b) occupation.
- 6 The deceased person's mother's—
  - (a) name; and
  - (b) maiden surname; and
  - (c) occupation.
- 7 Each applicant's—
  - (a) name; and
  - (b) residential address; and
  - (c) relationship to the deceased person.

## **Schedule 2      Information for certificates**

section 15

### **Part 1              Births**

- 1 The child's—
  - (a) name; and
  - (b) any names given after registration of birth; and
  - (c) date of birth; and
  - (d) place of birth; and
  - (e) sex.
- 2 If the birth is a multiple birth—the child's order in the birth.
- 3 The child's father's—
  - (a) name at the time of the birth; and
  - (b) place of birth; and
  - (c) age at the time of the birth; and
  - (d) occupation at the time of the birth.
- 4 The child's mother's—
  - (a) name at the time of the birth; and
  - (b) maiden surname; and
  - (c) place of birth; and
  - (d) age at the time of the birth; and
  - (e) occupation at the time of the birth.
- 5 For any other children of the parents' relationship—
  - (a) for each other child living at the time of the birth, other than a child born of the same pregnancy—
    - (i) the other child's name; and
    - (ii) the other child's age; and
  - (b) for each other child who predeceased the child, other than a child born of the same pregnancy—
    - (i) the other child's name and a statement to the effect that the other child predeceased the child; or

### Schedule 2 (continued)

- (ii) the other child's sex.
- 6 Each informant's—
  - (a) name; and
  - (b) residential address; and
  - (c) relationship to the child.
- 7 The registrar's first initial and surname.
- 8 The registration number.
- 9 The date and place of registration.
- 10 The particulars of any marginal or other notes.

## **Part 2                      Change of name**

- 1 The person's—
  - (a) name as registered at birth or adoption; and
  - (b) name registered in the change of name register; and
  - (c) former name registered in the change of name register, if any;  
and
  - (d) date of birth; and
  - (e) place of birth.
- 2 The registrar's first initial and surname.
- 3 The registration number.
- 4 The date and place of registration.
- 5 The particulars of any marginal or other notes.

## **Part 3                      Marriages**

- 1 Each party's—
  - (a) name; and

**Schedule 2 (continued)**

- (b) usual residential address; and
  - (c) place of birth; and
  - (d) age; and
  - (e) occupation; and
  - (f) marital status before the marriage.
- 2 Each party's father's—
    - (a) name; and
    - (b) occupation, if registered in the register.
  - 3 Each party's mother's—
    - (a) name; and
    - (b) maiden surname.
  - 4 The date and place of the marriage.
  - 5 The rites under which the marriage was solemnised.
  - 6 The celebrant's—
    - (a) name; and
    - (b) authorisation number, if registered in the register.
  - 7 The names of the witnesses to the marriage.
  - 8 The registrar's first initial and surname.
  - 9 The registration number.
  - 10 The date of registration.
  - 11 The place or district of registration.
  - 12 The particulars of any marginal or other notes.

**Part 4                      Deaths**

- 1 The deceased person's—
  - (a) name at the time of death; and
  - (b) place of birth, if known; and
  - (c) date of death; and

Schedule 2 (continued)

- (d) place of death; and
  - (e) age at the time of death; and
  - (f) sex at the time of death; and
  - (g) occupation; and
  - (h) marital status at time of death.
- 2 If the deceased person was married—
- (a) the name of each husband or wife; and
  - (b) the person's age at the time of each marriage; and
  - (c) the place of each marriage.
- 3 If the deceased person was born outside Australia—the number of months or years of living in Australia.
- 4 If the deceased person had any children—
- (a) for each child living at the time of death—
    - (i) the child's name; and
    - (ii) the child's age at the time of death; and
  - (b) for any child who predeceased the deceased person—
    - (i) the child's name and a statement to the effect that the child predeceased the deceased person; or
    - (ii) the child's sex.
- 5 The deceased person's father's—
- (a) name; and
  - (b) occupation.
- 6 The deceased person's mother's—
- (a) name; and
  - (b) maiden surname; and
  - (c) occupation.
- 7 The cause of death.
- 8 The duration of the deceased person's last illness.
- 9 The first initial and surname of the certifying doctor.

Schedule 2 (continued)

- 10 The date and place of burial or cremation.
- 11 The first initial and surname of—
  - (a) the person certifying the burial or cremation; and
  - (b) the minister of religion, or other person, officiating at the burial or cremation.
- 12 If a minister of religion officiates at the burial or cremation—the minister's religion.
- 13 Each informant's—
  - (a) name; and
  - (b) residential address; and
  - (c) relationship to the deceased person.
- 14 The registrar's first initial and surname.
- 15 The registration number.
- 16 The date and place of registration.
- 17 The particulars of any marginal or other notes.

## Schedule 3      Fees

section 20

		\$
1	Application to register a birth in the circumstances mentioned in—	
	(a) section 6(1)(b)(ii) of the Act . . . . .	14.00
	(b) section 7(2) of the Act . . . . .	18.50
	(c) section 7(3)(b) of the Act . . . . .	14.00
	(d) section 9(3) of the Act . . . . .	3.50
2	Application to change a child's first name under section 13 of the Act . . . . .	14.00
3	Application to register a change of name under section 16(1) or 17 of the Act . . . . .	91.00
4	Application to—	
	(a) note a change of name under section 20 of the Act . . . . .	26.00
	(b) reregister a birth or adoption under section 14(3) of the Act . . . . .	48.50
5	Application to—	
	(a) note a reassignment of sex under section 23 of the Act; and	
	(b) reregister a birth or adoption under section 14(2) of the Act . . . . .	75.00
6	Searching the index or register for an event—for each event under 1 name, for each 5 year period or part of a 5 year period searched . . . . .	16.50
7	Application to correct an entry in the register under section 42(2)(c) of the Act . . . . .	14.00
8	Application for—	
	(a) a certificate, extract or information under section 44(1)(a) of the Act . . . . .	25.50
	(b) a copy of a document under section 44(1)(b) of the Act . . . . .	40.00



Schedule 3 (continued)

		\$
9	Giving priority to—	
	(a) registering a change of name . . . . .	67.00 (in addition to any other fee)
	(b) searching the index or register for an event . . .	19.50 (in addition to any other fee)
	(c) issuing a certificate or extract . . . . .	19.50 (in addition to any other fee)
10	Certifying a photocopy of information or a document . . . . .	40.00

## Schedule 4      Dictionary

### section 3

***authorisation number*** of a marriage celebrant means the number assigned to the celebrant by the Commonwealth or a State.

***certifying doctor*** means the doctor who completes a cause of death certificate or autopsy certificate or notice.

***doctor*** includes a person registered as a medical practitioner under a law of another State or country corresponding to the *Medical Practitioners Registration Act 2001*.

***informant*** means the person applying to register a birth or death.

***law enforcement body*** means—

- (a) the Queensland Police Service or a police service of another State; or
- (b) the Australian Federal Police; or
- (c) the Crime and Misconduct Commission; or
- (d) the Australian Crime Commission.

***marginal note*** means—

- (a) for an entry in documentary form—a note entered into the margin of, or an area set aside for notes in, the entry; or
- (b) for an entry in computer database form—a note made in a field designated for the purpose of entering a note in the entry.

***operator identification*** means a code allocated by a computer system to an operator correcting the computer database.

***qualified witness*** means—

- (a) a barrister, solicitor or notary public; or

Schedule 4 (continued)

- (b) a commissioner for declarations; or
- (c) a justice of the peace.

**registration number** means the number assigned to an event when the event is entered in the register.

**statutory declaration** means a statutory declaration within the meaning of the *Oaths Act 1867*, part 4.<sup>32</sup>

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32 *Oaths Act 1867*, part 4 (Statutory declarations)

## Endnotes

### 1 Index to endnotes

		Page
2	Date to which amendments incorporated. . . . .	34
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4	Table of reprints . . . . .	35
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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 27 November 2006. Future amendments of the Births, Deaths and Marriages Registration Regulation 2003 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 February 2004	
1A	2004 SL No. 178	20 September 2004	
1B	2005 SL No. 326	19 December 2005	
1C	2006 SL No. 177	7 July 2006	
1D	2006 SL No. 284	27 November 2006	

## 5 List of legislation

### **Births, Deaths and Marriages Registration Regulation 2003 SL No. 361**

made by the Governor in Council on 18 December 2003

notfd gaz 19 December 2003 pp 1307–13

ss 1–2 commenced on date of notification

remaining provisions commenced 1 February 2004 (2003 SL No. 359)

exp 1 September 2014 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Justice Legislation (Costs and Fees) Amendment Regulation (No. 1) 2004 SL No. 178 ss 1–3, sch**

notfd gaz 10 September 2004 pp 173–7

ss 1–2 commenced on date of notification

remaining provisions commenced 20 September 2004 (see s 2)

### **Justice and Other Legislation (Costs and Fees) Amendment Regulation (No. 1) 2005 SL No. 326 ss 1–3, sch**

notfd gaz 16 December 2005 pp 1490–6

ss 1–2 commenced on date of notification

remaining provisions commenced 19 December 2005 (see s 2)

### **Births, Deaths and Marriages Registration Amendment Regulation (No. 1) 2006 SL No. 177**

notfd gaz 7 July 2006 pp 1167–9

commenced on date of notification

### **Justice and Other Legislation (Fees) Amendment Regulation (No. 1) 2006 SL No. 284**

notfd gaz 24 November 2006 pp 1476–9

ss 1–2 commenced on date of notification

remaining provisions commenced 27 November 2006 (see s 2)

## **6 List of annotations**

**Changing child's first name within a year of birth—Act, s 13**  
s 6            amd 2006 SL No. 177 s 2 sch

**Documents required for registering change of name—Act, s 19**  
s 9            amd 2006 SL No. 177 s 2 sch

**Noting change of name other than by registration—Act, s 20**  
s 10          amd 2006 SL No. 177 s 2 sch

**Information that may be obtained from register—Act, s 44**  
s 15          amd 2006 SL No. 177 s 2 sch

**Information for commemorative marriage certificate**  
s 17A        ins 2006 SL No. 177 s 3

**Historical information—Act, sch 2**  
s 22          amd 2006 SL No. 177 s 2 sch

**PART 7—AMENDMENT OF ADOPTION OF CHILDREN REGULATION 1999**  
pt 7 (ss 24–26) om R1 (see RA ss 7(1)(k) and 40)

**PART 8—AMENDMENT OF TRANSPLANTATION AND ANATOMY  
REGULATION 1994**  
pt 8 (ss 27–29) om R1 (see RA ss 7(1)(k) and 40)

**SCHEDULE 1—APPLICATION INFORMATION**  
amd 2006 SL No. 177 s 2 sch

**SCHEDULE 3—FEES**  
sub 2004 SL No. 178 s 3 sch; 2005 SL No. 326 s 3 sch; 2006 SL No. 284 s 3  
sch