



Queensland

Births, Deaths and Marriages Registration Act 2003

Births, Deaths and Marriages Registration Regulation 2003

Current as at 13 July 2012

Information about this reprint

This regulation is reprinted as at 13 July 2012. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

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Queensland

Births, Deaths and Marriages Registration Regulation 2003

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Births, Deaths and Marriages Registration Regulation 2003

[as amended by all amendments that commenced on or before 13 July 2012]

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 of the Act commences.

Part 1A Interpretation

3 Dictionary

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

3A Meaning of *prescribed identification documents*

Prescribed identification documents, for a person, are—

- (a) all of the following documents—
 - (i) photographic identification of the person;
 - (ii) a document verifying the person's identity;

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- (iii) a document evidencing the person's ordinary place of residence; or

Examples for subparagraph (i)—

- a driver licence
- a passport

Examples for subparagraph (ii)—

- a credit card
- a medicare card

Examples for subparagraph (iii)—

- a telephone, gas or electricity account statement not more than 6 months old showing the person's current residential address
- a statement not more than 6 months old issued by a financial institution showing the person's current residential address

- (b) all of the following documents—
- (i) 2 documents mentioned in paragraph (a)(ii);
- (ii) a document mentioned in paragraph (a)(iii).

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) of the Act, the particulars listed in schedule 1, part 1 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) of the Act, a circumstance is if the registrar, after an inquiry conducted under section 43 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 of the Act, each applicant must produce to the registrar—
- (a) the prescribed identification documents for the applicant; and
 - (b) if requested by the registrar, a document verifying the identity of the applicant as the child's parent or guardian.

Examples for paragraph (b)—

- a copy of a certificate from a register of births
 - an order evidencing guardianship
- (2) 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.

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;

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- (b) if an administrator has been appointed under the *Guardianship and Administration Act 2000*, section 14, 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;
 - (e) a person who produces an order of a court of the State or Commonwealth, or an order of QCAT, requiring the registrar to accept an application under section 44 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 to the registrar—
 - (i) the prescribed identification documents for the person; and
 - (ii) the person’s instrument of appointment; and
 - (b) 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 to the registrar the prescribed identification documents for the person.

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- (5) If a court order or an order of QCAT 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) 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) of the Act, the following documents are prescribed for an application made under section 16 of the Act—

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- (a) the prescribed identification documents for the adult;
 - (b) if the adult has former names different from the name as registered at birth—1 or more documents evidencing those names, if requested by the registrar;
 - (c) if the adult was born outside Australia—
 - (i) 1 or more documents verifying the following—
 - (A) the adult’s name at birth;
 - (B) the adult’s date of birth;
 - (C) the adult’s place of birth; and
 - (ii) 1 or more documents evidencing the adult is ordinarily resident in Queensland;
 - (d) if the adult has been married—1 or more documents evidencing 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 of the Act—
- (a) the prescribed identification documents for each applicant;
 - (b) 1 or more documents verifying the identity of each applicant as the child’s parent or guardian, if requested by the registrar;
 - (c) if the child has former names different from the name as registered at birth or adoption—1 or more documents evidencing those names, if requested by the registrar;
 - (d) 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) a document evidencing that the Magistrates Court has approved a change of name;
 - (e) if the child was born outside Australia—

-
- (i) 1 or more documents verifying the following—
- (A) the child’s name at birth;
 - (B) the child’s date of birth;
 - (C) the child’s place of birth;
 - (D) the names of the child’s parents or guardians;
and
- (ii) 1 or more documents evidencing the child is ordinarily resident in Queensland.

Examples for subsections (1)(b) and (2)(c)—

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

Examples for subsection (1)(c)(ii)—

- a telephone, gas or electricity account statement not more than 6 months old showing the adult’s current residential address
- a statement not more than 6 months old issued by a financial institution showing the adults’s current residential address

- (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.

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—

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- (a) the prescribed identification documents for each applicant;
- (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) 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;
- (d) if the subject of the application has been married—evidence of the marriage, if requested by the registrar.

Examples for subsection (2)(b)—

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

Examples for subsection (2)(c)—

- 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;

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- (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) the prescribed identification documents for each applicant;
 - (b) if the application is made under section 23(2) of the Act—a document verifying the identity of, and the relationship between, the child and the child's parents or guardians, if requested by the registrar;
 - (c) 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;
 - (d) 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;
 - (e) 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.

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Examples for subsection (2)(b)—

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

Examples for subsection (2)(c)—

- 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 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) 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.
- (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, ss 41, 41D or 41E

- (1) For section 41(1)(b)(i) of the Act, the following information is prescribed—
 - (a) for an application to register a birth—
 - (i) under section 6(1)(b) or 7(3)(b)(ii) of the Act—the particulars about the birth contained in the court order; or
 - (ii) otherwise—the information in schedule 1, part 1;
 - (b) for an application to register a change of name under section 16 or 17 of the Act—the information in schedule 1, part 2;
 - (c) for an application to register a death—
 - (i) under section 26(1)(b) or 27(3) of the Act—the particulars about the death contained in the court order; or
 - (ii) otherwise—the information in schedule 1, part 3;
 - (d) for an application to register a relationship as a registered relationship—the information in schedule 1, part 4.
- (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 of the Act;
 - (ii) a notice under section 32 of the Act;
 - (iii) an autopsy notice or certificate under the *Coroners Act 2003*, section 24A.

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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.
- (5) For sections 41D(1) and 41E(1) of the Act, the information in schedule 1, part 1 is prescribed information for an application to register a parentage order or discharge order.

13A Particulars for registration of registered relationship—Act s 25B

For the Act, section 25B(2), the following particulars are prescribed for a registered relationship entered into as mentioned in the *Relationships Act 2011*, section 6—

- (a) each party’s—

- (i) full name; and
- (ii) date of birth; and
- (iii) place of birth; and
- (iv) sex; and
- (v) relationship status before entering into the registered relationship; and
- (vi) usual residential address;
- (b) the full name of each parent of each party;
- (c) the registrar's name;
- (d) the registration number;
- (e) the date and place of registration.

13B Particulars of termination to be included in the register—Act, s 25C

For the Act, section 25C(2), the following particulars are prescribed—

- (a) the registrar's name;
- (b) the date and place of termination.

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) of the Act for information, other than historical information, the applicant must produce to the registrar the prescribed identification documents for the applicant.
- (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 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;
 - (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;
 - (e) for a registered relationship—the information in schedule 2, part 5;
 - (f) for a civil partnership registered under section 12 of the *Relationships Act 2011* as in force immediately before the commencement of the *Civil Partnerships and Other Legislation Amendment Act 2012*, the following information in addition to the information mentioned in schedule 2, part 5—
 - (i) the date on which the parties made the declaration mentioned in section 11 of the *Relationships Act 2011* as in force immediately before the

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commencement of the *Civil Partnerships and Other Legislation Amendment Act 2012*;

- (ii) the place where the parties made the declaration.
- (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.
- (5) For section 44(7)(c) of the Act, the following information is prescribed for a birth—
- (a) all information about any marriage of or registered relationship between the child’s parents;
 - (b) if a woman registered as the child’s mother or parent has, or has had, surnames other than the surname recorded at the child’s birth or the woman’s maiden surname—the other surnames;
 - (c) if 2 persons are registered as the child’s parents (however described) and either person has children that are not the other person’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 a father or adoptive father of the child at the time of the child’s birth;
 - (c) the first names, and maiden surname, of a mother or adoptive mother of the child at the time of the child’s birth;
 - (ca) if a person is registered as a parent, but not as the father or mother, of the child—the full name of the person 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;
- (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 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 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

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

17B Information for commemorative registered relationship certificate

- (1) The following information is prescribed for a commemorative registered relationship 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 registered relationship;
 - (b) the date and place of registration;
 - (c) the registration number.
- (2) For a registered relationship that was registered as a civil partnership under section 12 of the *Relationships Act 2011* as in force immediately before the commencement of the *Civil Partnerships and Other Legislation Amendment Act 2012*, the following information is prescribed in addition to the information mentioned in subsection (1)—
 - (a) the date on which the parties made the declaration mentioned in section 11 of the *Relationships Act 2011* as in force immediately before the commencement of the *Civil Partnerships and Other Legislation Amendment Act 2012*; and
 - (b) the place where the parties made the declaration.

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.

18A Information to be contained in registered relationship extract

(1) The following information is prescribed for a registered relationship extract—

- (a) the current full name in the register of each party to the registered relationship;
- (b) the date and place of registration;
- (c) the registration number;
- (d) if the registered relationship has been terminated under the *Relationships Act 2011*, section 19—the particulars of the termination recorded in the register under the Act, section 25C(2).

(2) For a registered relationship that was registered as a civil partnership under section 12 of the *Relationships Act 2011* as in force immediately before the commencement of the *Civil Partnerships and Other Legislation Amendment Act 2012*, the following information is prescribed in addition to the information mentioned in subsection (1)—

- (a) the date on which the parties made the declaration mentioned in section 11 of the *Relationships Act 2011* as in force immediately before the commencement of

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*the Civil Partnerships and Other Legislation
Amendment Act 2012;*

- (b) the place where the parties made the declaration.

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.

20 Fees

- (1) The fees payable under the Act are in schedule 3.
- (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—75 years before the date of the application; or
- (c) for a death—30 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.

Part 7 Transitional provisions

Division 1 Provision for SL No. 4 of 2009

24 Application of s 22

- (1) This section applies if an application mentioned in section 22 was made, but not decided, before the commencement of the *Births, Deaths and Marriages Registration Amendment Regulation (No. 1) 2009* (the *commencement*).
- (2) Section 22, as in force before the commencement, continues to apply to the application.

[s 25]

Division 2 **Provision for Births, Deaths and
Marriages Registration Amendment
Regulation (No. 2) 2009**

25 **Application of ss 6, 7, 9, 10, 11 and 15**

- (1) This section applies if an application mentioned in section 6, 7, 9, 10, 11 or 15 was made, but not decided, before the commencement of this section.
- (2) This regulation as in force before the commencement continues to apply to the application.

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 If a person is registered as a parent, but not as the father or mother, of the child, the person'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.
- 6 If the child's parents are married to each other—the date and place of the marriage.

Schedule 1

- 7 If the child's parents are in a registered relationship with each other—
 - (a) if the parents' relationship is a relationship that is taken to be registered as a registered relationship under the *Relationships Act 2011*, section 33—the date and place where the registered relationship was entered into under the relevant corresponding law; or
 - (b) otherwise—the date and place of registration.
- 8 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
 - (ii) a statement to the effect that the other child predeceased the child.
- 9 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; and
- (f) reason for the application.

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.
- 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 ever in a registered relationship—
 - (a) the name of each registered partner; and
 - (b) the deceased person's age at the time each registered relationship was registered; and

Schedule 1

- (c) the place where—
 - (i) for a relationship that is taken to be registered as a registered relationship under the *Relationships Act 2011*, section 33—the relationship was entered into under the relevant corresponding law; or
 - (ii) otherwise—the relationship was registered.
- 4 If the deceased person was born outside Australia—the year that the person first arrived in Australia.
- 5 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.
- 6 The deceased person’s father’s—
 - (a) name; and
 - (b) occupation.
- 7 The deceased person’s mother’s—
 - (a) name; and
 - (b) maiden surname; and
 - (c) occupation.
- 8 Each applicant’s—
 - (a) name; and
 - (b) residential address; and
 - (c) relationship to the deceased person.

Part 4 Registered relationships

- 1 Each party's—
 - (a) full name; and
 - (b) date of birth; and
 - (c) place of birth; and
 - (d) sex; and
 - (e) relationship status before entering into the registered relationship; and
 - (f) usual residential address.
- 2 The full name of each parent of each party.

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 If a person is registered as a parent, but not as the father or mother, of the child, the person'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.

-
- 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 a statement to the effect that the other child predeceased the child; or
 - (ii) the other child's sex.
 - 7 Each informant's—
 - (a) name; and
 - (b) residential address; and
 - (c) relationship to the child.
 - 8 The registrar's first initial and surname.
 - 9 The registration number.
 - 10 The date and place of registration.
 - 11 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
 - (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
 - (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 or registered relationship 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 ever in a registered relationship—
 - (a) the name of each registered partner; and
 - (b) the deceased person's age at the time each registered relationship was registered; and
 - (c) the place where—
 - (i) for a relationship that is taken to be registered as a registered relationship under the *Relationships Act 2011*, section 33—the relationship was entered into under the relevant corresponding law; or
 - (ii) otherwise—the relationship was registered.
- 4 If the deceased person was born outside Australia—the number of months or years of living in Australia.
- 5 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

Schedule 2

- (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.
- 6 The deceased person's father's—
 - (a) name; and
 - (b) occupation.
- 7 The deceased person's mother's—
 - (a) name; and
 - (b) maiden surname; and
 - (c) occupation.
- 8 For a parent, other than the father or mother, of the deceased—
 - (a) the parent's name; and
 - (b) the parent's occupation.
- 9 The cause of death.
- 10 The duration of the deceased person's last illness.
- 11 The first initial and surname of the certifying doctor.
- 12 The date and place of burial or cremation.
- 13 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.
- 14 If a minister of religion officiates at the burial or cremation—the minister's religion.
- 15 Each informant's—
 - (a) name; and
 - (b) residential address; and
 - (c) relationship to the deceased person.
- 16 The registrar's first initial and surname.
- 17 The registration number.

- 18 The date and place of registration.
- 19 The particulars of any marginal or other notes.

Part 5 Registered relationships

- 1 Each party's—
 - (a) full name; and
 - (b) usual residential address; and
 - (c) date of birth; and
 - (d) place of birth; and
 - (e) relationship status before entering into the registered relationship.
- 2 The full name of each parent of each party.
- 3 The date of registration.
- 4 The place of registration.
- 5 The registrar's first initial and surname.
- 6 The registration number.
- 7 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	18.00
(b) section 7(2) of the Act	18.00
(c) section 7(3)(b) of the Act	18.00
(d) section 9(3) of the Act, other than in the circumstances mentioned in paragraph (a), (b) or (c)	4.00
2 Application to change a child’s first name under section 13 of the Act	18.00
3 Application to register a change of name under section 16(1) or 17 of the Act	150.00
4 Application to—	
(a) note a change of name under section 20 of the Act	31.00
(b) reregister a relevant event under section 14(3)(b) of the Act	59.00
5 Application to—	
(a) note a reassignment of sex under section 23 of the Act; and	
(b) reregister a relevant event under section 14(2) of the Act	92.00
6 Application to—	
(a) register a parentage order under section 41D of the Act	92.00
(b) register a discharge order under section 41E of the Act	92.00
7 Application to correct a register under section 42(2)(c) of the Act	16.00

	\$
8 Application for information under section 44(1)(a) of the Act by searching the register or indexes to the register for an event—for each event under 1 name, for each 5-year period or part of a 5-year period searched .	20.00
9 Application for—	
(a) a certificate under section 44(1)(a) of the Act	39.00
(b) a copy of a document under section 44(1)(b) of the Act	44.00
10 Giving priority to—	
(a) registering a change of name	79.00
	(in addition to any other fee)
(b) searching the register or indexes to the register for an event	24.00
	(in addition to any other fee)
(c) issuing a certificate	24.00
	(in addition to any other fee)
11 Certifying a photocopy of information or a document .	46.00

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 country corresponding to the Health Practitioner Regulation National Law.

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.

prescribed identification documents, for a person, see section 3A.

qualified witness means—

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

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated	40
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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 13 July 2012. 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
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

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	
1E	2007 SL No. 259	26 October 2007	
1F	2007 SL No. 275	26 November 2007	
1G	2008 SL No. 266	1 September 2008	R1G withdrawn, see R2
2	—	1 September 2008	
2A	2009 SL No. 4	1 March 2009	
2B	2009 SL No. 101	19 June 2009	
2C	2009 SL No. 181	1 September 2009	
2D	2009 SL No. 265	1 December 2009	

Endnotes

Reprint No.	Amendments included	Effective	Notes
2E rv	2010 Act No. 2 2010 SL No. 87	1 June 2010	
2F rv	2010 SL No. 108 2010 SL No. 155	1 July 2010	
2G rv	2011 SL No. 115	1 July 2011	R2G rv withdrawn, see R3
3	—	1 July 2011	
3A	2012 SL No. 16	23 February 2012	
3B	2012 Act No. 12	27 June 2012	
3C	2012 SL No. 102	13 July 2012	

5 Tables in earlier reprints

Name of table	Reprint No.
Corrected minor errors	3

6 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

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

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**

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)

**Births, Deaths and Marriages Registration Amendment Regulation (No. 1) 2007 SL
No. 259**

notfd gaz 26 October 2007 pp 1105–6
commenced on date of notification

Justice and Other Legislation (Fees) Amendment Regulation (No. 1) 2007 SL No. 275

notfd gaz 9 November 2007 pp 1355–7
ss 1–2 commenced on date of notification
remaining provisions commenced 26 November 2007 (see s 2)

Justice and Other Legislation (Fees) Amendment Regulation (No. 1) 2008 SL No. 266

notfd gaz 22 August 2008 pp 2651–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 2008 (see s 2)

**Births, Deaths and Marriages Registration Amendment Regulation (No. 1) 2009 SL
No. 4**

notfd gaz 30 January 2009 pp 449–50
ss 1–2 commenced on date of notification
remaining provisions commenced 1 March 2009 (see s 2)

**Births, Deaths and Marriages Registration Amendment Regulation (No. 2) 2009 SL
No. 101**

notfd gaz 19 June 2009 pp 707–11
commenced on date of notification

Justice Legislation (Fees) Amendment Regulation (No. 1) 2009 SL No. 181

notfd gaz 28 August 2009 pp 1491–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 2009 (see s 2)

**Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment
Regulation (No. 1) 2009 SL No. 265 pts 1, 5**

notfd gaz 20 November 2009 pp 900–3
ss 1–2 commenced on date of notification
remaining provisions commenced 1 December 2009 (see s 2)

Endnotes

Surrogacy Act 2010 No. 2 ss 1–2, ch 6 pt 4

date of assent 16 February 2010

ss 1–2 commenced on date of assent

remaining provisions commenced 1 June 2010 (2010 SL No. 86)

Births, Deaths and Marriages Registration Amendment Regulation (No. 1) 2010 SL No. 87

notfd gaz 14 May 2010 pp 121–2

ss 1–2 commenced on date of notification

remaining provisions commenced 1 June 2010 immediately after the Surrogacy Act 2010 No. 2 ch 6 pt 4 commenced (see s 2 and 2010 SL No. 86)

Health and Other Legislation Amendment Regulation (No. 1) 2010 SL No. 108 pts 1–2

notfd gaz 11 June 2010 pp 459–61

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2010 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2010 SL No. 155

notfd gaz 25 June 2010 pp 823–30

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2010 (see s 2)

Justice (Fees) Amendment Regulation (No. 1) 2011 SL No. 115

notfd gaz 1 July 2011 pp 589–96

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2011 (see s 2)

Civil Partnerships Regulation 2012 SL No. 16 pts 1, 3

notfd gaz 3 February 2012 pp 227–8

ss 1–2 commenced on date of notification

remaining provisions commenced 23 February 2012 (see s 2)

Civil Partnerships and Other Legislation Amendment Act 2012 No. 12 pts 1, 5

date of assent 27 June 2012

commenced on date of assent

Justice Legislation (Fees) Amendment Regulation (No. 1) 2012 SL No. 102

notfd gaz 13 July 2012 pp 820–5

ss 1–2 commenced on date of notification

remaining provisions commenced 13 July 2012 (see s 2)

7 List of annotations

PART 1A—INTERPRETATION

pt hdg ins 2009 SL No. 101 s 3

Meaning of “prescribed identification documents”

s 3A ins 2009 SL No. 101 s 4

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

s 6 amd 2006 SL No. 177 s 2 sch; 2009 SL No. 101 s 5

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

s 7 amd 2009 SL No. 101 s 6; 2009 SL No. 265 s 11

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

s 9 amd 2006 SL No. 177 s 2 sch; 2007 SL No. 259 s 3; 2009 SL No. 101 s 7

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

s 10 amd 2006 SL No. 177 s 2 sch; 2009 SL No. 101 s 8

Noting reassignment of sex—Act, s 23

s 11 amd 2009 SL No. 101 s 9

**Information and documents for registering events in register—Act, ss 41, 41D or 41E
prov hdg**

s 13 amd 2010 Act No. 2 s 84(1); 2012 SL No. 16 s 6; 2012 Act No. 12 s 39

Particulars for registration of registered relationship—Act s 25B

s 13A ins 2012 SL No. 16 s 7
sub 2012 Act No. 12 s 40

Particulars of termination to be included in the register—Act, s 25C

s 13B ins 2012 SL No. 16 s 7
sub 2012 Act No. 12 s 41

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

s 15 amd 2006 SL No. 177 s 2 sch; 2009 SL No. 101 s 10; 2010 Act No. 2 s 85;
2010 SL No. 87 s 4; 2012 SL No. 16 s 8; 2012 Act No. 12 s 42

Information for commemorative birth certificate

s 16 amd 2010 Act No. 2 s 86

Information for commemorative marriage certificate

s 17A ins 2006 SL No. 177 s 3

Information for commemorative registered relationship certificate

s 17B ins 2012 SL No. 16 s 9
sub 2012 Act No. 12 s 43

Information to be contained in registered relationship extract

s 18A ins 2012 SL No. 16 s 10
sub 2012 Act No. 12 s 44

Historical information—Act, sch 2

s 22 amd 2006 SL No. 177 s 2 sch; 2009 SL No. 4 s 4

PART 7—TRANSITIONAL PROVISIONS

pt hdg prev pt 7 hdg om R1 (see RA s 7(1)(k))
pres pt 7 hdg ins 2009 SL No. 4 s 5
sub 2009 SL No. 101 s 11

Endnotes

Division 1—Provision for SL No. 4 of 2009

div hdg ins 2009 SL No. 101 s 11

Application of s 22

s 24 prev s 24 om R1 (see RA s 40)
pres s 24 ins 2009 SL No. 4 s 5

Division 2—Provision for Births, Deaths and Marriages Registration Amendment Regulation (No. 2) 2009

div hdg ins 2009 SL No. 101 s 12

Application of ss 6, 7, 9, 10, 11 and 15

s 25 prev s 25 om R1 (see RA s 40)
pres s 25 ins 2009 SL No. 101 s 12

Amendment of s 27 (Searches and copies)

s 26 om R1 (see RA s 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; 2009 SL No. 101 s 13; 2010 Act No. 2 s 87;
2012 SL No. 16 s 11; 2012 Act No. 12 s 45

SCHEDULE 2—INFORMATION FOR CERTIFICATES

amd 2010 Act No. 2 s 88; 2010 SL No. 87 s 5; 2012 SL No. 16 s 12; 2012 Act No. 12 s 46

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; 2007 SL No. 275 s 3 sch; 2008 SL No. 266 s 3 sch
amd 2009 SL No. 4 s 6
sub 2009 SL No. 181 s 3 sch
amd 2010 SL No. 87 s 6
sub 2010 SL No. 155 s 3 sch; 2011 SL No. 115 s 3 sch; 2012 SL No. 102 s 3
sch

SCHEDULE 4—DICTIONARY

def “**doctor**” amd 2010 SL No. 108 s 4
def “**prescribed identification documents**” ins 2009 SL No. 101 s 14