



Queensland

*Births, Deaths and Marriages Registration Act 2003*

# **Births, Deaths and Marriages Registration Regulation 2015**

**Current as at 1 July 2017**





## Queensland

# Births, Deaths and Marriages Registration Regulation 2015

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# Births, Deaths and Marriages Registration Regulation 2015

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Births, Deaths and Marriages Registration Regulation 2015*.

### 2 Commencement

This regulation commences on 1 September 2015.

## Part 2 Interpretation

### 3 Dictionary

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

### 4 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) another document verifying the person's identity;
  - (iii) a document evidencing the person's ordinary place of residence; or

*Examples for subparagraph (i)—*

- a driver licence
- a passport

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*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 3 Births

### 5 Particulars to be stated in court order for registration of birth—Act, ss 6 and 7

For sections 6(1)(b)(ii)(B) and 7(3)(b)(ii) of the Act, the particulars about the birth are the particulars listed in schedule 1, part 1, to the extent the particulars are reasonably available to the court at the time of making the order.

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

For section 10(4) of the Act, the circumstance is if the registrar, after an inquiry conducted under section 43 of the Act, is not satisfied 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

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information about the father's identity. The mother replies she does not know.

## **7 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 asked 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.

## **8 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, 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;

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- (e) a person who produces an order of a court of the Commonwealth or the State, 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.
- (5) If a court order or an order of QCAT is produced under subsection (1)(e), the registrar must accept the application.
- (6) 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.



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## Part 4 Change of name

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

In deciding under section 17(6)(b) of the Act whether a proposed change of name for a child is in the child's best interest, the matters to which the Magistrates Court may have regard include 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 the parents' views are available;
- (c) the views of the child's guardians on the change of name, to the extent the guardians' views are available;
- (d) the child's views on the change of name, to the extent 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 on the child's cultural, ethnic or indigenous identity.

### 10 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 to register the change of an adult's name—
  - (a) the prescribed identification documents for the adult;
  - (b) if the adult has former names different from the name registered at birth—a document evidencing those names requested by the registrar;
  - (c) if the adult was born outside Australia—
    - (i) a document verifying the following—

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- (A) the adult's name at birth;
    - (B) the adult's date of birth;
    - (C) the adult's place of birth; and
  - (ii) a document evidencing the adult is ordinarily resident in Queensland;
  - (d) if the adult has been married—a document evidencing the marriage, requested by the registrar.
- (2) For section 19(1)(b) of the Act, the following documents are prescribed for an application to register a change of a child's name—
- (a) the prescribed identification documents for each applicant;
  - (b) a document verifying the identity of each applicant as the child's parent or guardian, requested by the registrar;
  - (c) if the child has former names different from the name as registered at birth or adoption—a document evidencing those names, 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 the Magistrates Court has approved a change of name;
  - (e) if the child was born outside Australia—
    - (i) a document 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) a document 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 adult's current residential address

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

## **11 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 that evidences the person's change of name;
  - (c) a court order that evidences a change of the person's name.
- (2) For section 20(8)(b) of the Act, the following documents are prescribed—
- (a) the prescribed identification documents for each applicant;
  - (b) for an application to note the change of a child's name— a document verifying the identity of each applicant as the child's parent or guardian, requested by the registrar;

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- (c) if the subject of the application has former names different from the name as registered at birth—documents evidencing those names, requested by the registrar;
- (d) if the subject of the application has been married—evidence of the marriage, 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 is a photocopy, the document must be certified by a qualified witness as being a correct copy of the document.

## **Part 5                                  Reassignment of sex**

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

- (1) A statutory declaration under section 23(4)(b)(i) of the Act 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—
    - (i) registered under the Health Practitioner Regulation National Law as a medical practitioner; or
    - (ii) a registered medical practitioner in the 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 to note the reassignment of a child's sex—a document verifying the identity of, and the relationship between, the child and the child's parents or guardians, 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, 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.

*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 is a photocopy, the document must be certified by a qualified witness as being a correct copy of the document.

## **Part 6                      Deaths**

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

For sections 26(1)(b)(ii)(B) and 31(3)(d) of the Act, the particulars about the death, to the extent the particulars are reasonably available to the court at the time of making the order, are as follows—

- (a) information about the cause of death;
- (b) information about the disposal of the body;
- (c) the information in schedule 1, part 3.

## **Part 7                      Miscellaneous**

### **14        Information and documents for registering events in register—Act, ss 41, 41D and 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)(ii) or 7(3)(b) 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 civil partnership—the information in schedule 1, part 4.
- (2) For section 41(1)(b)(ii) of the Act, the following documents are prescribed—
  - (a) for the registration of an event under a court order—the court order;
  - (b) for a death—whichever of the following is 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.
- (3) For section 41(4)(a) of the Act, the information is—
  - (a) the registrar’s name; and
  - (b) the registration number; and
  - (c) the date and place of registration; and
  - (d) 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; and
    - (vi) the initials and surname, and the denomination, of any minister of religion officiating at any service for the burial; and

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- (e) for a human body disposed of by a school of anatomy—  
that the body has been received for anatomical purposes  
by the school of anatomy.
- (4) For sections 41D(1)(b)(i) and 41E(1)(c)(i) of the Act, the  
information is the information set out in schedule 1, part 1.

**15 Particulars for registration of civil partnership—Act, s  
25B**

For section 25B(2) of the Act, the particulars are as follows—

- (a) for each party to the civil partnership, the 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 civil  
partnership; 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;
- (f) for a civil partnership entered into under the *Civil  
Partnerships Act 2011*, section 6(b)—
  - (i) the date and place the parties made the declaration  
of civil partnership; and
  - (ii) the name and registration number of the civil  
partnership notary before whom the parties made  
the declaration.



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

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

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

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

(1) To amend 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 particulars in a way that allows the particulars to remain legible; and
  - (ii) add the correct particulars; and
  - (iii) initial and date the correction; or
- (b) for an error of fact or substance—
  - (i) add the correct particulars as a marginal note; and
  - (ii) sign and date the correction.

(2) To amend 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 particulars; and
  - (ii) add the correct particulars; and
  - (iii) add the operator identification and the date and time the operator made the change; or
- (b) for an error of fact or substance—add the following information to the entry—
  - (i) the correct particulars;
  - (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 the particulars were 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) To cancel 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.

## **18 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 document to the extent the document contains statistical information.
- (3) For section 44(5)(a) of the Act, the information is prescribed as follows—
  - (a) for a birth—the information in schedule 2, part 1;
  - (b) for a change of name—the information in schedule 2, part 2;

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- (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 civil partnership—the information in schedule 2, part 5.
- (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 information for a birth is—
- (a) all information about any marriage of or civil partnership between the child's parents; and
  - (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; and
  - (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.

## **19 Information to be contained in commemorative birth certificate**

- (1) The following information is to be contained in 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 information prescribed under section 20, other than section 20(e);
  - (b) the full names of a father or adoptive father of the child at the date of the child's birth;
  - (c) the first names, and maiden surname, of a mother or adoptive mother of the child at the date of the child's birth;

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- (d) 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 date of the child’s birth;
  - (e) the age of each of the child’s parents or adoptive parents at the date of the child’s birth;
  - (f) 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)(e) for either or both of the child’s adoptive parents to be withheld, the registrar may decide to withhold the information.

## **20 Information to be contained in birth extract**

The following information is to be contained in a birth extract—

- (a) the child’s current first names in the register;
- (b) either—
  - (i) for an entry in the register that shows the child’s surname—the current surname in the register; or
  - (ii) for an entry in the register that 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.

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**21 Information to be contained in commemorative marriage certificate**

The following information is to be contained in a commemorative marriage certificate, to the extent 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 rites under which the marriage was solemnised;
- (e) the celebrant's name;
- (f) the names of the witnesses to the marriage.

**22 Information to be contained in commemorative civil partnership certificate**

(1) The following information is to be contained in a commemorative civil partnership certificate—

- (a) the current full name in the register of each party to the civil partnership;
- (b) the date and place of registration.

(2) For a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b), the following information is to be contained in a commemorative civil partnership certificate in addition to the information mentioned in subsection (1)—

- (a) the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect;
- (b) the place the parties made the declaration of civil partnership;
- (c) the name of the civil partnership notary before whom the parties made the declaration.

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- (3) Subsections (1) and (2) apply to information to the extent the information is recorded in, or able to be worked out from, the entry in the register.

## **23 Information to be contained in marriage extract**

The following information is to be contained in 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.

## **24 Information to be contained in civil partnership extract**

- (1) The following information is to be contained in a civil partnership extract—

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

- (2) For a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b), the following information is to be contained in a civil partnership extract in addition to the information mentioned in subsection (1)—

- (a) the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect;

- (b) the place the parties made the declaration of civil partnership;
- (c) the name of the civil partnership notary before whom the parties made the declaration.

## **25 Information to be contained in death extract**

The following information is to be contained in 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;
- (e) the name of the deceased person's last husband or wife, if any;
- (f) the registration number.

## **26 Fees**

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

## **27 Historical information—Act, sch 2**

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

- (a) for a birth—100 years before the day of the application;  
or
- (b) for a marriage—75 years before the day of the application; or

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(c) for a death—30 years before the day of the application.

**28 Prohibited name—Act, sch 2**

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

## **Part 8 Transitional provisions**

### **Division 1 Transitional provision for Births, Deaths and Marriages Regulation 2015 SL No. 81**

**29 Continuing application of expired regulation to existing applications**

- (1) This section applies if an application under the *Births, Deaths and Marriages Registration Regulation 2003* (the *expired regulation*) was made, but not decided, before the commencement.
- (2) The expired regulation continues to apply to the application.

### **Division 2 Transitional provision for Relationships (Civil Partnerships) and Other Legislation Amendment Regulation (No. 1) 2016**

**30 Civil partnerships under former provisions**

- (1) A reference in section 15, 22 or 24 or schedule 1 or 2 to the *Civil Partnerships Act 2011*, section 6(b) or 13(2) includes a reference to the provision as in force immediately before the



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

- (2) A reference in schedule 1 or 2 to the *Civil Partnerships Act 2011*, section 6(a) includes—
- (a) a reference to the provision as in force immediately before the commencement of the *Civil Partnerships and Other Legislation Amendment Act 2012*; and
  - (b) a reference to the *Civil Partnerships Act 2011*, section 6 as in force immediately before the commencement of the *Relationships (Civil Partnerships) and Other Acts Amendment Act 2015*.

## **Schedule 1      Application information**

section 14

### **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 date of the birth; and
  - (b) place of birth; and
  - (c) age at the date of the birth; and
  - (d) occupation at the date of the birth.
- 4      The child's mother's—
  - (a) name at the date of the birth; and
  - (b) maiden surname, if applicable; and
  - (c) place of birth; and
  - (d) age at the date of the birth; and
  - (e) occupation at the date 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 date of the birth; and
  - (b) place of birth; and
  - (c) age at the date of the birth; and
  - (d) occupation at the date of the birth.
- 6 If the child's parents are married to each other—the date and place of the marriage.
- 7 If the child's parents are in a civil partnership with each other—
- (a) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(a)—the date and place the civil partnership was registered; or
  - (b) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—
    - (i) the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect; and
    - (ii) the place the parents made the declaration of civil partnership; or
  - (c) for a civil partnership taken to be registered as a civil partnership under the *Civil Partnerships Act 2011*, section 33—the date and place the civil partnership was entered into under the relevant corresponding law.
- 8 For any other children of the parents' relationship—
- (a) for each other child living at the date 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 date of death; and
  - (b) place of birth, if known; and
  - (c) date of death; and

- 
- (d) place of death; and
  - (e) age at the date of death; and
  - (f) sex at the date of death; and
  - (g) occupation; and
  - (h) marital status at the date 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 date of each marriage; and
  - (c) the place of each marriage.
- 3 If the deceased person was ever in a civil partnership—
- (a) the name of each civil partner; and
  - (b) the deceased person's age at—
    - (i) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(a)—the date the civil partnership was registered; or
    - (ii) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect; or
    - (iii) for a relationship taken to be registered as a civil partnership under the *Civil Partnerships Act 2011*, section 33—the date the civil partnership was entered into under the relevant corresponding law; and
  - (c) the place—
    - (i) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(a)—the civil partnership was registered; or
    - (ii) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—the deceased person made the declaration of civil partnership; or

Schedule 1

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- (iii) for a relationship taken to be registered as a civil partnership under the *Civil Partnerships Act 2011*, section 33—the civil partnership was entered into under the relevant corresponding law.
- 4 If the deceased person was born outside Australia—the year the person first arrived in Australia.
- 5 If the deceased person had children—
  - (a) for each child living at the date of the person’s death, the child’s—
    - (i) name; and
    - (ii) age; and
  - (b) for a 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, if applicable; and
  - (c) occupation.
- 8 Each applicant’s—
  - (a) name; and
  - (b) residential address; and
  - (c) relationship to the deceased person.

## **Part 4**                      **Civil partnerships**

- 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 civil partnership;  
and
  - (f) usual residential address.
- 2      The full name of each parent of each party.

## **Schedule 2      Information for certificates**

section 18

### **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 date of the birth; and
  - (b) place of birth; and
  - (c) age at the date of the birth; and
  - (d) occupation at the date of the birth.
- 4      The child's mother's—
  - (a) name at the date of the birth; and
  - (b) maiden surname, if applicable; and
  - (c) place of birth; and
  - (d) age at the date of the birth; and
  - (e) occupation at the date 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 date of the birth; and
  - (b) place of birth; and
  - (c) age at the date of the birth; and
  - (d) occupation at the date of the birth.
- 6 For any other children of the parents' relationship—
- (a) for each other child living at the date 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; and
    - (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, if applicable.
- 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—

Schedule 2

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- (a) name at the date of death; and
  - (b) place of birth, if known; and
  - (c) date of death; and
  - (d) place of death; and
  - (e) age at the date of death; and
  - (f) sex at the date of death; and
  - (g) occupation; and
  - (h) marital or civil partnership status at the date 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 date of each marriage; and
  - (c) the place of each marriage.
- 3 If the deceased person was ever in a civil partnership—
- (a) the name of each civil partner; and
  - (b) the deceased person's age at—
    - (i) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(a)—the date the civil partnership was registered; or
    - (ii) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect; or
    - (iii) for a relationship taken to be registered as a civil partnership under the *Civil Partnerships Act 2011*, section 33—the date the civil partnership was entered into under the relevant corresponding law; and
  - (c) the place—

- 
- (i) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(a)—the civil partnership was registered; or
  - (ii) for a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—the deceased person made the declaration of civil partnership; or
  - (iii) for a relationship taken to be registered as a civil partnership under the *Civil Partnerships Act 2011*, section 33—the civil partnership was entered into under the relevant corresponding law.
- 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 children—
- (a) for each child living at the date of death—
    - (i) the child’s name; and
    - (ii) the child’s age at the date 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; and
    - (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, if applicable; and
  - (c) occupation.
- 8 For a parent, other than the father or mother, of the deceased—

Schedule 2

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- (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.
- 13 The first initial and surname of—
- (a) the person certifying the burial; and
  - (b) the minister of religion, or other person, officiating at the burial.
- 14 If a minister of religion officiates at the burial—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.

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## Part 5 Civil partnerships

- 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 civil partnership.
- 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.
- 8 For a civil partnership entered into under the *Civil Partnerships Act 2011*, section 6(b)—
  - (a) the date, under the *Civil Partnerships Act 2011*, section 13(2), on which the civil partnership had effect; and
  - (b) the place the parties made the declaration of civil partnership; and
  - (c) the name of the civil partnership notary before whom the parties made the declaration.

## Schedule 3 Fees

section 26

	\$
1 Application to register a birth in the circumstances mentioned in—	
(a) section 6(1)(b) of the Act	21.05
(b) section 7(2) of the Act	21.05
(c) section 7(3) of the Act	21.05
(d) section 9(3) of the Act, other than in the circumstances mentioned in paragraph (a), (b) or (c)	4.95
2 Application to change a child's first name under section 13 of the Act	21.05
3 Application to register a change of name under section 16 or 17 of the Act	177.40
4 Application to—	
(a) note a change of name under section 20 of the Act	36.60
(b) reregister a relevant event under section 14(3)(b) of the Act	69.85
5 Application to note a reassignment of sex under section 23 of the Act	108.70
6 Application to—	
(a) register a parentage order under section 41D of the Act	108.70
(b) register a discharge order under section 41E of the Act	108.70
7 Application to correct a register under section 42(2)(c) of the Act	18.85



	\$
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	23.30
9 Application for—	
(a) a certificate under section 44(1)(a) of the Act	46.60
(b) a copy of a document under section 44(1)(b) of the Act	52.10
10 Giving priority to—	
(a) registering a change of name	93.15
	(in addition to any other fee)
(b) searching the register or indexes to the register for an event	27.75
	(in addition to any other fee)
(c) issuing a certificate	27.75
	(in addition to any other fee)
11 Certifying a photocopy of information or a document	54.30

## 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 Corruption 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 4.

***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.

## 1 Index to endnotes

- 2 Key
- 3 Table of reprints
- 4 List of legislation
- 5 List of annotations

## 2 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
amd	= amendment	prov	= provision
t			
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	renu	= renumbered
		m	
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
		)	
notf	= notified	rv	= revised version
d			
num	= numbered	s	= section

<b>Key</b>	<b>Explanation</b>	<b>Key</b>	<b>Explanation</b>
<b>o in c</b>	= <b>order in council</b>	<b>sch</b>	= <b>schedule</b>
<b>om</b>	= <b>omitted</b>	<b>sdiv</b>	= <b>subdivision</b>
<b>orig</b>	= <b>original</b>	<b>SIA</b>	= <b>Statutory Instruments Act 1992</b>
<b>p</b>	= <b>page</b>	<b>SIR</b>	= <b>Statutory Instruments Regulation 2012</b>
<b>para</b>	= <b>paragraph</b>	<b>SL</b>	= <b>subordinate legislation</b>
<b>prec</b>	= <b>preceding</b>	<b>sub</b>	= <b>substituted</b>
<b>pres</b>	= <b>present</b>	<b>unnum</b>	= <b>unnumbered</b>
		<b>m</b>	
<b>prev</b>	= <b>previous</b>		

### 3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

<b>Current as at</b>	<b>Amendments included</b>	<b>Notes</b>
1 September 2015	none	
22 March 2016	2016 SL No. 15	RA s 44

<b>Current as at</b>	<b>Amendments included</b>	<b>Notes</b>
1 July 2016	2016 SL No. 85	
1 July 2017	2017 SL No. 109	

## 4 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.

#### **Births, Deaths and Marriages Registration Regulation 2015 SL No. 81**

made by the Governor in Council on 6 August 2015  
 notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 7 August 2015  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 September 2015 (see s 2)  
exp 1 September 2025 (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—

#### **Relationships (Civil Partnerships) and Other Legislation Amendment Regulation (No. 1) 2016 SL No. 15 pts 1–2**

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 11 March 2016  
 ss 1–2 commenced on date of notification  
 pt 2 commenced 22 March 2016 (see s 2)

#### **Justice Legislation (Fees) Amendment Regulation (No. 1) 2016 SL No. 85 pts 1, 5**

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 17 June 2016  
 ss 1–2 commenced on date of notification  
 pt 5 commenced 1 July 2016 (see s 2)

#### **Justice Legislation (Fees) Amendment Regulation (No. 1) 2017 SL No. 109**

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 30 June 2017  
 ss 1–2 commenced on date of notification  
 pt 5 commenced 1 July 2017 (see s 2)

## 5 List of annotations

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

s 14 amd 2016 SL No. 15 s 4

**Particulars for registration of civil partnership—Act, s 25B**

s 15 amd 2016 SL No. 15 s 5

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

s 18 amd 2016 SL No. 15 s 6

**Information to be contained in commemorative birth certificate**

s 19 amd 2016 SL No. 15 s 7

**Information to be contained in commemorative civil partnership certificate**

s 22 amd 2016 SL No. 15 s 8

**Information to be contained in commemorative civil partnership certificate**

s 24 amd 2016 SL No. 15 s 9

**PART 8—TRANSITIONAL PROVISIONS**

pt hdg amd 2016 SL No. 15 s 10

**Division 1—Transitional provision for Births, Deaths and Marriages Regulation 2015 SL No. 81**

div hdg ins 2016 SL No. 15 s 11

**Division 2—Transitional provision for Relationships (Civil Partnerships) and Other Legislation Amendment Regulation (No. 1) 2016**

div hdg ins 2016 SL No. 15 s 12

**Civil partnerships under former provisions**

s 30 ins 2016 SL No. 15 s 12

**SCHEDULE 1—APPLICATION INFORMATION**

amd 2016 SL No. 15 s 13

**SCHEDULE 2—INFORMATION FOR CERTIFICATES**

amd 2016 SL No. 15 s 14

**SCHEDULE 3—FEES**

sub 2016 SL No. 85 s 10; 2017 SL No. 109 s 10

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