

# BILLS DIGEST

**BIRTHS, DEATHS, MARRIAGES, AND RELATIONSHIPS REGISTRATION  
AMENDMENT BILL 2007**

**Date of Introduction: 20 February 2007**

**Bills Digest No. 1487**



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**BIRTHS, DEATHS, MARRIAGES, AND RELATIONSHIPS REGISTRATION  
AMENDMENT BILL 2007**

Date of introduction:	20 February 2007
Portfolio:	Internal Affairs
Select Committee:	As at 28 February, 1st reading not held

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**PURPOSE**

The aim of the Bill is to amend the Births, Deaths, and Marriages Registration Act 1995 (the Act) to improve the ability of the Registrar-General to collect and verify information for the purposes of the Act, regulate access to that information (incorporating appropriate privacy safeguards and recognising that there are a range of legitimate reasons why people want to access the information), and modernise the Act to take account of technological and social developments<sup>1</sup>.

**BACKGROUND**

The Births, Deaths, and Marriages Registration Act 1995 (the Act) provides for the registration of information about births, adoptions, changes of name, sexual assignment and reassignment, marriages, civil unions, and deaths. It also provides for public and government agency access to that information and for the issue of birth, death, marriage, and civil union certificates. These activities are administered by the Registrar-General of Births, Deaths, and Marriages, whose appointment is governed by the Act<sup>2</sup>.

**MAIN PROVISIONS**

*This is a technical Bill which is explained in exhaustive detail in the Explanatory Note. This Bills Digest covers what appears to be the most important changes from the current law.*

**Ability for Registrar-general to obtain evidence**

The Bill provides for a broader power for the Registrar-General to confirm the accuracy of information that is provided for registration by obtaining evidence to determine whether a "registrable event"<sup>3</sup> (such as a birth or a death) has occurred, and

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<sup>1</sup> Births, Deaths, Marriages, and Relationships Registration Amendment Bill, 2007 No 98-1, Explanatory note, General policy statement, p. 1.

<sup>2</sup> Ibid.

<sup>3</sup> A "registrable event" for the purpose of this power is defined as " ... an adoption, birth, death, marriage, civil union, name change, or sexual assignment or reassignment" (*Part 1, Clause 33, inserting New Section 82 into the Act*).

ensuring that there is a true record of the event (*Part 1, Clause 33, substituting Sections 82 - 84 of the Act and inserting New Section 84A*).

### **Information matching**

The Bill provides for an information matching programme to be established to reduce the number of unregistered births (*Part 1, Clause 30, inserting New Section 78B*).

#### *Comment*

Currently there are around 6,000 births that have not been registered within 1 year of the birth. The Bill enables the Registrar-General to obtain address information for a child's mother from the Ministry of Social Development<sup>4</sup>.

### **Register for people born overseas**

The Bill creates a new register to record name changes for people born overseas (*Part 1, Clause 13, substituting Section 21 and inserting New Section 21A of the Act*).

### **Release of information**

The Bill provides that the Registrar-General may release statistical information of interest to the public, if the Registrar-General is satisfied that the information is not otherwise readily available and may enter into arrangements with overseas Registrars-General (or equivalent office holders) to obtain information relating to a change of name, or a death, of a New Zealand-born person in another country, or to supply name change or death information about an overseas-born person residing in New Zealand. Other particular situations involving the release of information are also provided for (for example, the registrar-general may disclose death information to an "appropriate non-government organisation, private sector agency, or person (the other party) for the purpose of removing the name of deceased persons from a database held by the other party" and historic information may be made available publicly on a website subject to the payment of a prescribed fee (*Part 1, Clause 30, inserting New Sections 78C - 78G*).

### **Penalties increased**

The Bill increases the penalties for offences under the Act " ... to be consistent with the penalties for similar offences in the Citizenship Act 1977 and the Passports Act 1992"<sup>5</sup> (*Part 1, Clause 38, amending Section 89 of the Act*).

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<sup>4</sup> Births, Deaths, Marriages, and Relationships Registration Amendment Bill, 2007 No 98-1, Explanatory note, General policy statement, p. 2.

<sup>5</sup> Births, Deaths, Marriages, and Relationships Registration Amendment Bill, 2007 No 98-1, Explanatory note, General policy statement, p. 2.