

Application to Add a Parent's Details to a Birth Record

Births Deaths and Marriages Registration Act 1996 (BDMR Act).

General information

The Births, Deaths and Marriages Registration Office can add father/co-parent's details to a birth record after registration of the birth if:

- a) the child was conceived naturally, and the father's details are to be added
or if the child was born as the result of a fertilisation procedure* that the father/co-parent consented to:

and

- b) the mother and father/co-parent were living together in a marriage-like relationship as domestic partners for 3 years total or 3 out of 4 years
- c) **or** the mother and father/co-parent were living together in a marriage-like relationship, but not for 3 years total of 3 out of 4 years. If this part applies, a Section 10c declaration¹ must be made and signed by each party to the declaration.

*Extract from *Family Relationships Act 1975*

10A – Interpretation

(1) In this Part –

Fertilisation procedure means –

- (a) assisted insemination² (within the meaning of the *Assisted Reproductive Treatment Act 1998*); or
- (b) assisted reproductive treatment³ (within the meaning of the *Assisted Reproductive Treatment Act 1998*).

An application to add father/co-parent's details must:

- include a completed statutory declaration (see attached)
- be signed by the birth mother and father/co-parent and be witnessed by a Justice of the Peace or solicitor
- include the child's birth certificate (an original not a photocopy)
- include two documents of identification for each parent, with at least one document showing a signature and current address. Photocopies must be certified true and correct by a Justice of the Peace or solicitor.
- include Section 10c Declaration if part c) applies.

¹ Section 10C Declaration form allows you and your partner to declare that, for the purposes of the law of the State, you elect that the partner will be conclusively presumed to have caused the pregnancy and the partner will be taken to be the father/co-parent of the child.

² "assisted insemination" means assisted reproductive treatment (not being an in vitro fertilisation procedure or surgical procedure) in which human sperm are introduced, by artificial means, into the female reproductive system;

³ "assisted reproductive treatment" means any medical procedure directed at fertilisation of a human ovum by artificial means and includes an in vitro fertilisation procedure;

Identification

The following documents are acceptable as identification:

- current Australian driver's licence
- proof of age card
- passport
- current Australian firearms licence
- centrelink or health care card
- credit/debit card
- defence force/police service photo ID card.

Once an application is received, the Births, Deaths and Marriages Registration Office will recall the original birth registration documents completed by the mother at the time of the child's birth, and will make an assessment of the application based on that information. In some situations, you may be required to seek a Court Order for the father/co-parent's details to be added. For information on seeking a Court Order, please contact the Magistrates Court on (08) 8204 2444.

If an application is approved, details of the father/co-parent will be added to the birth record and a new birth certificate will be provided with father/co-parent's details included.

Please note:

If you have Parentage Testing (DNA) reports, or a Court Order where a finding has been made in relation to parentage, please forward a certified copy of the document(s) with your application.

Changing a child's name

Please note: changing a child's name is a separate process.

To change a child's name, an 'Application to Register a Change of Name (child under 18)' form needs to be completed and forwarded to the Births, Deaths and Marriages Registration Office with payment of the current fee.

For more information please visit the CBS website at

www.cbs.sa.gov.au

Lodging this form

Mail this form to us or bring it in person to the customer service centre

Consumer and Business

Services Customer

Service Centre

Street Level - 91 Grenfell St

Adelaide SA 5000

Post

GPO Box 1351

Adelaide SA 5001

Telephone 131 882

www.cbs.sa.gov.au



Government of South Australia

Attorney-General's Department

Statutory declaration

Child's details

Given name(s)

Date of birth

 / /

Family name

Sex

Male Female

Place of Birth (suburb/town in South Australia)

Father/co-parents details (at time of child's birth)

Given name(s)

Date of birth

 / /

Sex

Male Female

Family name

Family name at birth or on adoption

Place of Birth (suburb/town in South Australia)

Usual occupation (eg teacher, mechanic, home duties, unemployed)

Usual residence

Is the father/co-parent of Aboriginal or Torres Strait Islander origin?*

* For persons of both Aboriginal or Torres Strait Islander origin, mark both 'Yes' boxes.

- No
 Yes, Aboriginal
 Yes, Torres Strait Islander

1. Please indicate if father/co-parent is deceased?

Yes No

2. Was the child conceived via a fertilisation procedure?

Yes No (if no go to the next page)

3. Did the father/co-parent consent to the fertilisation procedure that led to the birth of this child?

Yes No

4. If not legally married at the conception of the child, were you living together with your partner in a marriage-like relationship?

Yes No

Mothers declaration

False representation

If you knowingly provide false information in this statutory declaration, you may be guilty of an offence under Section 51 of the *Births, Deaths and Marriages Registration Act 1996*.

Section 51 – False representation: A person who makes a false or misleading representation in an application or document under this Act, knowing it to be false or misleading, is guilty of an offence.

Maximum penalty \$1250

Details to be completed by the birth mother

I,

Birth mothers name in full

Full name

Of

Birth mother's residential address

Full address

Contact Details

Phone number

Email address

certify that I have read this form thoroughly and that the information provided is, to the best of my knowledge and beliefs, correct for the purposes of insertion into the Register.

make a solemn declaration conscientiously believing the same to be true and correct, and by virtue of the provisions of the *Oaths Act 1936*.

Signature of birth mother (sign declaration in presence of authorised witness)

Declared at

In the state of

on

Before me

Qualification (eg JP)

Full name of qualified witness (block letters)

Contact number of qualified witness

Fathers/co-parents declaration

False representation

If you knowingly provide false information in this statutory declaration, you may be guilty of an offence under Section 51 of the *Births, Deaths and Marriages Registration Act 1996*.

Section 51 – False representation: A person who makes a false or misleading representation in an application or document under this Act, knowing it to be false or misleading, is guilty of an offence.

Maximum penalty \$1250

Details to be completed by the birth father/co-parent

I,

Father/co-parents' name in full

Full name

Of

Father/co-parents' residential address

Full address

Contact Details

Phone number

Email address

certify that I have read this form thoroughly and that the information provided is, to the best of my knowledge and beliefs, correct for the purposes of insertion into the Register.

make a solemn declaration conscientiously believing the same to be true and correct, and by virtue of the provisions of the *Oaths Act 1936*.

Signature of father/co-parent (sign declaration in presence of authorised witness)

Declared at

In the state of

on

Before me

Qualification (eg JP)

Full name of qualified witness (block letters)

Contact number of qualified witness