

Birth Certificates

When a child is born the birth must be registered. Parents usually receive a Birth Registration Statement from the Registry Office. The birth must be registered within 60 days. The Registry of Births, Deaths and Marriages can be contacted on (03) 6233 3084.

Where possible, both parents need to sign the Birth Registration Statement. The signatures need to be witnessed by a person over 18 years of age.

If only one parent has signed, they need to attach a letter to the Registrar explaining why the other parent has not signed. The letter should contain details of the other parent's identity and last known address. A parent will not be added to the Birth Certificate unless they agree to sign it.

A father's details can be added to a Birth Certificate at a later date. To do this, the following documents must be lodged with the Registry:

- a completed statutory declaration to "Add Biological Father's Details to a Birth Record", signed by both parents in the presence of a Justice of the Peace or Commissioner for Declarations;
- a certified copy of the child's birth certificate; and
- identification for both parents (eg. Birth certificate, passport, driver's licence)

Marriage details can also be added to a child's Birth Certificate, an application form is available from the Registry.

If the father is already on the birth certificate, they can only be removed by a court order which states that they are not the parent. A court order will usually be granted if parentage testing (DNA) shows that they are not the father.

Just because a father is not on the birth certificate does not mean that they will not be recognised as the father of the child. However, it is in the best interests of both parents and the child to have both parents named on the birth certificate.

For Child Support purposes, parentage can be presumed, even if the father is not on the birth certificate. A person can be presumed to be the parent of the child if they:

- were married and the child was born during the marriage to one of the parties to the marriage;
- cohabitated with the mother during the presumed period of conception;
- legally adopted the child;
- signed a statutory declaration acknowledging they are the parent; or
- have a court order which states they are the parent – declaration of parentage

Contacts

The Women's Legal Service can be contacted on **1800 682 468**.

"Birth Certificates" is intended to give general information. While we have made every effort to ensure the contents of this publication are accurate at the time of publication the law and services do change. Legal and service exactness is not possible in a publication of this nature. This publication should not be used as a substitute for legal advice.

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