



AUSTRALIAN CAPITAL TERRITORY

## **Births, Deaths and Marriages Registration (Consequential Provisions) Act 1997**

No. 113 of 1997

---

---

### **An Act to amend certain Acts in consequence of the enactment of the *Births, Deaths and Marriages Registration Act 1997***

*[Notified in ACT Gazette S420: 24 December 1997]*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

#### **Short title**

**1.** This Act may be cited as the *Births, Deaths and Marriages Registration (Consequential Provisions) Act 1997*.

#### **Commencement**

**2. (1)** Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.

**(2)** The remaining provisions commence on the day on which the provisions of the *Births, Deaths and Marriages Registration Act 1997*, other than sections 1 and 2, commence.

#### **Amendment of Acts in Schedule**

**3.** The Acts specified in the Schedule are amended as set out in the Schedule.

---

**SCHEDULE**

Section 3

**AMENDMENTS OF ACTS**

***Adoption Act 1993***

**Subsection 4 (1)—**

Insert the following definition:

“ ‘register of births’ means the Register under the *Births, Deaths and Marriages Registration Act 1997*;”.

**Section 58—**

Omit the definition of “register of births”.

**Subsection 62 (3)—**

Omit “appropriate fee determined under section 62 of the *Registration of Births, Deaths and Marriages Act 1963*”, substitute “fee determined for the purposes of section 43 of the *Births, Deaths and Marriages Registration Act 1997*”.

**Section 105—**

Omit “*Registration of Births, Deaths and Marriages Act 1963*”, substitute “*Births, Deaths and Marriages Registration Act 1997*”.

***Birth (Equality of Status) Act 1988***

**Section 3 (definition of “register of births”)—**

Omit “of Births kept in accordance with section 8 of the *Registration of Births, Deaths and Marriages Act 1963*”, substitute “under the *Births, Deaths and Marriages Registration Act 1997*”.

**Section 3 (definition of “register of parentage information”)—**

Omit paragraph (a).

***Children’s Services Act 1986***

**Paragraph 159A (1) (a)—**

Omit “of Births under the *Registration of Births, Deaths and Marriages Act 1963*”, substitute “under the *Births, Deaths and Marriages Registration Act 1997*”.

**SCHEDULE**—continued

***Registration of Deeds Act 1957***

**Section 2 (definition of “deed”, paragraph (a))—**

Omit “or”.

**Section 2 (definition of “deed”, paragraph (b))—**

Add at the end “or”.

**Section 2 (definition of “deed”)—**

Add at the end the following paragraph:

“(c) a document that evidences, or purports to evidence, a change of the name of a person who has not attained the age of 18 years.”.

***Witness Protection Act 1996***

**Section 3—**

Omit the definitions of “Register of Births”, “Register of Marriages” and “Registrar”, substitute the following definition:

“ ‘Register’ means the Register under the *Births, Deaths and Marriages Registration Act 1997*.”.

**Paragraph 7 (1) (a)—**

Omit “of Births or the Register of Marriages”.

**Paragraph 10 (a)—**

Omit “of Births or the Register of Marriages”.

**Paragraph 10 (b)—**

Omit “the Registrar is required to give the person access to the relevant register”, substitute “the Registrar-General is required to give to the person access to the Register”.

**Section 11—**

Omit the section, substitute the following section:

**Effect of entries made in the Register**

“11. (1) Subject to subsection (2), an entry made in the Register under this Act has effect as if it were an entry made under the *Births, Deaths and Marriages Registration Act 1997*.”.

**SCHEDULE**—continued

“(2) An entry made in the Register under this Act may only be cancelled by the Registrar-General if the Court, after being satisfied that the witness is no longer included in the witness protection program, has made an order on the application of the Chief Police Officer directing that the entry be cancelled.”.

**Section 12**—

(a) Omit “of Births or the Register of Marriages”.

(b) Omit “Registrar”, substitute “Registrar-General”.

**Subsection 13 (1)**—

Omit “of Births or the Register of Marriages”.

**Paragraph 23 (1) (c)**—

Omit “of Births, Deaths and Marriages”, substitute “or the Registrar-General”.

**Paragraph 23 (1) (d)**—

Add at the end “or the *Births, Deaths and Marriages Registration Act 1997*”.

[Presentation speech made in Assembly on 25 September 1997]