

NORTHERN TERRITORY OF AUSTRALIA

REGISTRATION OF BIRTHS, DEATHS
AND MARRIAGES REGULATIONS

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NORTHERN TERRITORY OF AUSTRALIA

Regulations 1988, No. 37*

Regulations under the *Registration of Births,
Deaths and Marriages Act*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following Regulations under the *Registration of Births, Deaths and Marriages Act*.

Dated 29 July 1988.

E.E. JOHNSTON
Administrator

REGISTRATION OF BIRTHS, DEATHS
AND MARRIAGES REGULATIONS

1. CITATION

These Regulations may be cited as the *Registration of Births, Deaths and Marriages Regulations*.

2. COMMENCEMENT

These Regulations shall take effect on the commencement of the *Registration of Births, Deaths and Marriages Amendment Act 1986*.

3. PRESCRIBED PARTICULARS FOR ENTRY IN REGISTER OF BIRTHS AND REGISTER OF DEATHS

For the purposes of section 5(2) of the Act, the prescribed particulars required to be entered in -

- (a) the Register of Births are those specified in Schedule 1; and
- (b) the Register of Deaths are those specified in Schedule 2.

* Notified in the *Northern Territory Government Gazette* on 10 August 1988.

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4. REQUEST BY REGISTRAR FOR OCCUPIER TO FURNISH PARTICULARS

(1) For the purposes of section 12(2A) of the Act, the Registrar may, by notice served on an occupier of premises in which a child is born, require the occupier, within 2 months after service of the notice, to furnish to the Registrar -

- (a) those particulars required to be furnished under section 12(1) of the Act; or
- (b) such of those particulars as the Registrar may specify in the notice.

(2) A notice under subregulation (1) may be served on an occupier by -

- (a) delivering it to the occupier personally or by electronic means;
- (b) posting it to the occupier at the address of the premises in which the child to which the notice relates was born; or
- (c) leaving it for the occupier at those premises with a person apparently employed there and who has apparently attained the age of 16 years.

(3) An occupier of premises on whom a notice under subregulation (1) is served shall, in furnishing the particulars required by the Registrar to be furnished, certify as to the correctness of those particulars.

(4) For the purposes of section 12 of the Act, the Registrar may prescribe a form for use by a person furnishing particulars under that section.

5. CHOICE OF SURNAME OF CHILD

For the purposes of -

- (a) section 17A(1) of the Act, the Registrar may, for the purpose of being satisfied that the parents of a child have agreed upon the surname of the child, request the parents to complete a form prescribed by the Registrar for that purpose and lodge it with the Registrar; and
- (b) section 17A(4) of the Act, the Registrar may, for the purpose of being satisfied of the matters referred to in paragraphs (a) and (b) of that subsection, request the parents to complete a form prescribed by the Registrar for that purpose and lodge it with the Registrar.

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6. CONTENT OF FORMS, CERTIFICATES AND INSTRUMENTS

A form, certificate or instrument referred in the section of the Act or the regulation specified in Column 1 of Schedule 3 shall contain the particulars specified in Column 2 of that Schedule opposite the section or regulation.

7. CERTAIN FORMS, &c., TO BE SIGNED AND WITNESSED

(1) A form, certificate or instrument required or permitted to be lodged under the Act or these Regulations which is required by the Act or these Regulations to be signed by the person completing it shall be signed by that person and the signature shall be -

(a) witnessed; or

(b) otherwise proved, to the satisfaction of the Registrar, to have been freely given.

(2) The Registrar may accept a form, certificate or instrument required or permitted to be lodged under the Act or these Regulations notwithstanding that it -

(a) is not strictly in accordance with the prescribed form; or

(b) does not contain all the particulars required under the Act or these Regulations.

(3) Where the Registrar, in accordance with subregulation (2), accepts a form, certificate or instrument it shall be deemed, for the purposes of the Act or these Regulations, to be in accordance with the prescribed form or to otherwise comply with the Act or these Regulations.

8. FEES

The fee for an application for the Registrar to cause a search or provide any other service in respect of an entry in an index or register kept by the Registrar is \$8.

9. REPEAL OF REGULATIONS

The Registration of Births, Deaths and Marriages Regulations (Regulations 1978, No. 31) are repealed.

*Registration of Births, Deaths and
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SCHEDULE 1

Regulation 3

PARTICULARS REQUIRED TO BE ENTERED IN
REGISTER OF BIRTHS

Surname of child

Other names, if given

Sex of child

Whether multiple birth and if so, whether first, second, etc., child

Whether or not child born alive

Date and place of birth

Full name, occupation, age, date of birth and birth-place of father

Full name, maiden surname, age, date of birth, occupation, birthplace and usual place of residence of mother

When and where parents of child married

Names and ages of living children of the relationship in order of birth (including, as children, persons adopted by the parents but not including children of the parents adopted by other persons)

Number and sex of children of the relationship who have died

Whether child, mother or father of Australian Aboriginal or Torres Strait Islander origin

Names of medical practitioner and registered nurse, or other persons, present at birth

Full name, occupation, place of residence and relationship (if any) to child of person furnishing particulars

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SCHEDULE 2

Regulation 3

PARTICULARS REQUIRED TO BE ENTERED IN
REGISTER OF DEATHS

Full name, occupation and usual place of residence
of deceased person

Date and place of death

Cause of death

Duration of fatal illness (if any)

Sex, age and date of birth (if known)

Place of birth and length of residence in Australia

Whether deceased person of Australian Aboriginal or
Torres Strait Islander origin

Marital status

If married, in respect of the marriage or each
marriage, as the case may be -

- (a) place of marriage
- (b) date of marriage
- (c) age at marriage
- (d) to whom married

Names, ages and birthdates of living children of
deceased person in order of birth

Number and sex of children of deceased person who
have died

Name of medical practitioner who furnished certifi-
cate of death and date when deceased person last seen
by medical practitioner or details of Coroner's
findings

Full name and occupation of father of deceased person

Full maiden name and occupation of mother of deceased
person

When and where deceased person buried and name of
person performing burial

Name and religion of minister of religion (if any)
present at burial

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Names of persons who witnessed burial

Name, occupation and place of residence of person
furnishing particulars

SCHEDULE 3

Regulation 6

<u>Column 1</u>	<u>Column 2</u>
Provision of Act or Regulation	Particulars
Section 16A(2)(a) or (b) Application for amendment of registration where no particulars of father in Register of Births	<ul style="list-style-type: none">. Full name, date and place of birth of child. Full name, address, occupation, date and place of birth of father. Whether father of Australian Aboriginal or Torres Strait Islander origin. Full name of mother. Request by mother and father to include particulars of father in entry of birth. Acknowledgement by father that he is father of child.
Section 18(1) Certificate of baptising minister	<ul style="list-style-type: none">. Registered name of child. Baptismal name of child. Date and place of birth. Date and place of baptism. Full name of father. Full name and maiden surname of mother. Full name, address and religion of minister of religion who baptised the child.
Section 18(3) Notice of given names or change of given names of child	<ul style="list-style-type: none">. Registered name of child. New name of child. Date and place of birth. Full name of father. Full name and maiden surname of mother. Address of applicant.

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<u>Column 1</u>	<u>Column 2</u>
Provision of Act or Regulation	Particulars
Section 19(1) Change of surname of child by mother	<ul style="list-style-type: none"> . Registered name of child . New surname of child . Date and place of birth . Full name and address of mother . Full name and address of father (if known) . Full name of present husband of mother . Consent by father to change of name or particulars why consent not required.
Section 19A Change of surname of child by parents	<ul style="list-style-type: none"> . Registered name of child . New surname of child . Date and place of birth . Full name, address and occupation of parents.
Section 20(1) Change of own name of person 18 or older	<ul style="list-style-type: none"> . Previous name . New name . Date and place of birth . Address.
Section 23(a) Certificate of medical practitioner that child not born alive	<ul style="list-style-type: none"> . Full name, age, date of birth, address, and hospital registration number of mother . Whether mother of Australian Aboriginal or Torres Strait Islander origin . Known or estimated duration of pregnancy in completed weeks . Name of child, if given, and hospital registration number . Time, date and place of birth . Sex of child . Whether birth a multiple birth . Weight of child at birth . Whether heartbeat ceased before labour commenced or during labour . If heartbeat ceased before labour commenced estimate as to how long before . Signs of life, if any, present after complete expulsion or extraction of child from mother

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<u>Column 1</u>	<u>Column 2</u>
Provision of Act or Regulation	Particulars
	<ul style="list-style-type: none"> . Cause of child not being born alive . Whether cause established or confirmed by post-mortem examination . Whether medical practitioner present at birth viewed the body of child after birth or attended mother before birth . Name and address of medical practitioner.
<p>Section 23(b) Notice by medical practitioner to occupier of premises of having signed certificate under section 23(a) of Act</p>	<ul style="list-style-type: none"> . Name of child (if given) . Name and address of medical practitioner . Date notice signed.
<p>Section 24(1)(a) Notice of medical practitioner for purposes of disposal of body</p>	<ul style="list-style-type: none"> . Name of child (if given) . Name and address of medical practitioner . Date notice signed.
<p>Section 24(4)(a) Certificate of person disposing of body of child not born alive</p>	<ul style="list-style-type: none"> . Name of child (if given) . Date and place of birth . Full name of mother . Full name of father (if known) . Date and place of disposal of body . Details of disposal of body . Witnesses to disposal of body . Full name and address of person disposing of body.
<p>Section 24(5) Direction by medical practitioner to dispose of body of child not born alive where body not claimed</p>	<ul style="list-style-type: none"> . Name of child (if given) . Date and place of birth . Full name of mother . Full name of father (if known) . Name and address of medical practitioner.

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<u>Column 1</u>	<u>Column 2</u>
Provision of Act or Regulation	Particulars
Section 28(3) Notification by Coroner of finding of dead body by police	<ul style="list-style-type: none"> . Name of deceased person . Date of death . Place of death or where body found . Place where body currently located.
Section 32(2) Coroner's certificate permitting cremation, or cremation or burial outside Territory	<ul style="list-style-type: none"> . Name of deceased person . Usual place of residence . Date death reported to Coroner . Cause of death and name of medical practitioner who issued medical report . Statement by Coroner author- izing cremation or burial.
Section 33(1)(a) Certificate of cause of death of person attended during last illness by medical practitioner	<ul style="list-style-type: none"> . Name of deceased person . Date and place of death . Sex, age and date of birth of deceased person . Date deceased person last seen alive by medical practitioner . Cause of death . Whether deceased person of Australian Aboriginal or Torres Strait Islander origin . Whether cause of death reported to Coroner by medical practi- tioner . Whether cause of death estab- lished or confirmed by post- mortem examination . Details of any operation performed in relation to any disease or condition causing or contributing to death . Whether deceased person (being a woman) pregnant within 3 months before death and if so approximate date of delivery of any child or miscarriage . Whether injury contributed to death and if so how injury received

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<u>Column 1</u>	<u>Column 2</u>
Provision of Act or Regulation	Particulars
<p>Section 33(1)(a) Certificate of cause of death of child dying within 28 days after birth (when attended by medical practitioner)</p>	<ul style="list-style-type: none"> . Whether medical practitioner in attendance during deceased person's last illness . Whether medical practitioner viewed body after death . Name and address of medical practitioner. . Full name, age, date of birth, address and hospital registration number of mother . Whether mother of Australian Aboriginal or Torres Strait Islander origin . Known or estimated duration of pregnancy in completed weeks . Name of child (if given) . Hospital registration number of child . Time, date and place of birth . Time, date and place of death . Sex of child . Whether birth a multiple birth . Weight of child at birth . Time and date heartbeat ceased after delivery . Where death occurred within 24 hours of birth, signs of life present after the complete expulsion or extraction of child from mother . Cause of death . Whether cause of death established or confirmed by post-mortem examination . Whether death of child reported to Coroner by medical practitioner . Whether medical practitioner present at birth, viewed body of child after birth, attended mother before birth or in medical attendance during life of child . Name and address of medical practitioner.

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<u>Column 1</u>	<u>Column 2</u>
Provision of Act or Regulation	Particulars
Section 33(1)(b) Notice by medical practitioner to occupier of premises of having signed certificate under section 33(1)(a) of Act	<ul style="list-style-type: none"> . Name of deceased person . Name and address of medical practitioner . Date notice signed.
Section 33(2)(a) Certificate of cause of death of person not attended by medical practitioner during last illness	<ul style="list-style-type: none"> . Name of deceased person . Date and place of death . Sex, age and date of birth of deceased person . Whether deceased person of Australian Aboriginal or Torres Strait Islander origin . Cause of death . Whether cause of death reported to Coroner by medical practitioner . Whether cause of death established or confirmed by post-mortem examination . Details of any operation performed in relation to any disease or condition causing or contributing to death . Whether deceased person (being a woman) pregnant within 3 months before death and if so approximate date of delivery of any child or miscarriage . Whether injury contributed to death and if so how injury received . Whether medical practitioner in attendance during deceased person's last illness . Whether medical practitioner viewed body after death . Name and address of medical practitioner.
Section 33(2)(a) Certificate of cause of death of child dying within 28 days after birth (when not attended by medical practitioner)	<ul style="list-style-type: none"> . Full name, age, date of birth, address and hospital registration number of mother . Whether mother of Australian Aboriginal or Torres Strait Islander origin . Known or estimated duration of of pregnancy in completed weeks . Name of child (if given)

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<u>Column 1</u>	<u>Column 2</u>
Provision of Act or Regulation	Particulars
	<ul style="list-style-type: none"> . Hospital registration number of child . Time, date and place of birth . Weight of child at birth . Time, date and place of death . Sex of child . Whether birth a multiple birth . Time and date heartbeat ceased after delivery . Where death occurred within 24 hours of birth, signs of life present after complete expulsion or extraction of child from mother . Cause of death . Whether cause of death established or confirmed by post-mortem examination . Whether death reported to Coroner by medical practitioner . Whether medical practitioner present at birth, viewed body after birth, attended the mother before birth or in medical attendance while child alive . Name and address of medical practitioner.
Section 33(2)(b) Notice by medical practitioner to occupier of premises of having signed certificate under section 33(2)(a) of Act	<ul style="list-style-type: none"> . Name of deceased person . Name and address of medical practitioner . Date notice signed.
Section 34(1)(b) Notice of medical practitioner	<ul style="list-style-type: none"> . Name of deceased person . Name and address of medical practitioner . Date notice signed.
Section 36 Certificate of burial	<ul style="list-style-type: none"> . Name of deceased person . Date and place of death . Date and place of burial or cremation

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<u>Column 1</u>	<u>Column 2</u>
Provision of Act or Regulation	Particulars
	<ul style="list-style-type: none"> . Names of witnesses to burial or cremation and of minister of religion (if any) signing certificate . Full name and address of undertaker.
Section 37 Certificate on registration of death	<ul style="list-style-type: none"> . Name of Registrar . Name of deceased person . Date of registration of death.
Section 38(a) Notice of medical practitioner	<ul style="list-style-type: none"> . Name of deceased person . Name and address of medical practitioner . Date notice signed.
Section 38(b) Certificate of Coroner	<ul style="list-style-type: none"> . Name of deceased person . Usual place of residence of deceased person . Date death reported to Coroner . Cause of death and name of medical practitioner who issued medical report . Statement by Coroner authorizing burial or cremation.
Section 38(c) Certificate of Registrar	<ul style="list-style-type: none"> . Name of Registrar . Name of deceased person . Date of registration of death.
Section 50(3) Certified copy of entry in Register	<ul style="list-style-type: none"> . Name of Registrar . Particulars of entry in Register . Certification of Registrar . Date certified copy signed.
Section 50(3) Certified extract of entry in Register	<ul style="list-style-type: none"> . Name of Registrar . Particulars of entry in Register . Certification of Registrar . Date certified extract signed.

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<u>Column 1</u>	<u>Column 2</u>
Provision of Act or Regulation	Particulars
Section 57(1) Notice of marriage outside Australia of resident of Territory	<ul style="list-style-type: none"> . Surname, given names, occupation, place of residence, marital status, birth place, date of birth, name of father maiden name of mother of bride and groom . Whether previously married. In respect of last previous marriage - <ul style="list-style-type: none"> . date and place of marriage . how dissolved . date and place of death of spouse or date on which decree dissolving marriage became absolute . Whether parties to intended marriage related to each other . If related, nature of relationship.
Section 57(5) Certificate of Registrar	<ul style="list-style-type: none"> . Name of Registrar . Date notice under section 57(1) of Act received . Statement that - <ul style="list-style-type: none"> . notice complies with and displayed in accordance with Act . no objections or impediments to intending marriage . Date certificate signed.
Regulation 5 Consent of parents under section 17A(1) of Act	<ul style="list-style-type: none"> . Full names, addresses and occupations of parents . Full name, date and place of birth of child . Declaration by parents agreeing on surname of child.
Regulation 5 Consent of parents under section 17A(4) of Act	<ul style="list-style-type: none"> . Full names, addresses and occupations of parents . Full name, date and place of birth of child . Declaration by parents agreeing on surname of child

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<u>Column 1</u>	<u>Column 2</u>
Provision of Act or Regulation	Particulars
	<ul style="list-style-type: none">. Description of ethnic group affecting choice of surname. Whether either parent a member of ethnic group.
