



Number 36 of 1996

REGISTRATION OF BIRTHS ACT, 1996

AN ACT TO AMEND THE LAW IN RELATION TO THE
REGISTRATION AND RE-REGISTRATION OF BIRTHS
AND TO PROVIDE FOR RELATED MATTERS.

[19th December, 1996]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) The registration of a birth registered, after the commencement of this Act, under—

Particulars required concerning births registered or re-registered after commencement of Act.

- (a) the Births and Deaths Registration Acts, 1863 to 1994,
- (b) section 6 of the Defence (Amendment) (No. 2) Act, 1960,
or
- (c) section 4 of the Garda Síochána Act, 1989,

shall comprise information of the particulars concerning such birth specified in the *Schedule* to this Act.

(2) The re-registration of a birth re-registered, after the commencement of this Act, under—

- (a) the Births and Deaths Registration Acts, 1863 to 1994, or
- (b) the Legitimacy Act, 1931,

shall comprise information of the particulars concerning such birth specified in the *Schedule* to this Act.

(3) When the birth of any child is being registered, after the commencement of this Act, under any of the enactments mentioned in *subsection (1)* of this section, the surname of the child to be entered in the register shall be, subject to any necessary linguistic modifications—

- (a) that of the mother or father of the child as shown in the register or of both, or
- (b) such other surname requested by either the mother or father as an tÁrd Chláraitheoir or a person authorised by him or her may permit if he or she is satisfied that the circumstances so warrant, or

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(c) in any case where no information of the particulars of parentage of the child is registered, such surname as the informant may specify.

(4) When the birth of any child is being re-registered, after the commencement of this Act, under any of the enactments mentioned in *subsection (2)* of this section, being a birth which has been registered after the commencement of this Act, the surname of the child shall be that which has been so registered.

(5) The following provisions do not apply to the particulars specified in the *Schedule* to this Act—

(a) section 6 of the Registration of Births and Deaths (Ireland) Act, 1863,

(b) section 34 of the Births and Deaths Registration Act (Ireland), 1880, and

(c) section 5 of the Births, Deaths and Marriages Registration Act, 1972.

(6) Section 1 (4) of the Legitimacy Act, 1931, does not apply where the entry in the register relating to the birth to be re-registered, being either—

(a) a registration under section 7 (inserted by section 49 of the Status of Children Act, 1987), or

(b) a re-registration under section 7A (inserted by the said section 49),

of the Births and Deaths Registration Act (Ireland), 1880, is made, after the commencement of this Act, and which contains the name of the father of the child.

(7) This section does not affect the registration or re-registration of any birth which has been registered or re-registered, as the case may be, before the commencement of this Act.

Forms.

2.—An tÁrd Chláraitheoir may provide forms for use for the purposes of this Act.

Delivery and provision of register books.

3.—Notwithstanding the provisions of sections 16, 30 and 47 of the Registration of Births and Deaths (Ireland) Act, 1863, an tÁrd Chláraitheoir may make such arrangements, as he or she considers necessary, for—

(a) the delivery of register books by registrars, and

(b) the provision of register books to registrars,

for the purposes of this Act.

Amendment of Registration of Births and Deaths (Ireland) Act, 1863.

4.—The Registration of Births and Deaths (Ireland) Act, 1863, is hereby amended—

(a) in section 30, by the substitution for “Forms (A.) and (B.) hereunto annexed respectively” of “Form (B) hereunto annexed, in respect of deaths”,

(b) by the deletion of Form (A.) annexed thereto.

5.—The Births and Deaths Registration Act (Ireland), 1880, is hereby amended—

Amendment of Births and Deaths Registration Act (Ireland), 1880.

(a) in section 5, by the substitution for “(Form A., Schedule 3)” of “(in such form as provided under *section 2* of the *Registration of Births Act, 1996*)”,

(b) in section 6, by the substitution for “(Form B., Schedule 3)” of “(in such form as provided under *section 2* of the *Registration of Births Act, 1996*)”,

(c) in section 37, by—

(i) the deletion of “birth or”, and

(ii) the substitution for “forms in Schedules A. and B. respectively” of “form in Schedule B.”,

and

(d) in the Third Schedule, by the deletion of Forms A. and B.

6.—(1) Section 6 (3) (c) of the Defence (Amendment) (No. 2) Act, 1960, is hereby amended by the deletion of “or (b)”. Consequential amendments.

(2) Section 48 of the Status of Children Act, 1987, is hereby amended by the deletion of “and the form”.

(3) Section 4 (3) (c) of the Garda Síochána Act, 1989, is hereby amended by the deletion of “or (b)”.

7.—(1) This Act may be cited as the Registration of Births Act, 1996. Short title, collective citation, construction and commencement.

(2) The Births and Deaths Registration Acts, 1863 to 1994, section 1 (4) of, and the Schedule to, the Legitimacy Act, 1931, and this Act may be cited together as the Births and Deaths Registration Acts, 1863 to 1996, and shall be construed together as one.

(3) This Act shall come into operation on such day as the Minister for Equality and Law Reform may appoint by order.

SCHEDULE

Section 1.

PARTICULARS TO BE REGISTERED IN A REGISTER BOOK

Number.

Date and Place of Birth.

Sex of Child.

Forename(s) and Surname of Child.

Mother's Forename and Surname, Address and Occupation.

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SCH. Any former Surname(s) of Mother.

Father's Forename and Surname, Address and Occupation.

Any former Surname(s) of Father.

Signature, Qualification and Address of Informant.

When Registered.

Signature of Registrar.

Forename(s) of Child if added after Registration of Birth, and

Date.

ACTS REFERRED TO

Births and Deaths Registration Act (Ireland), 1880	43 & 44 Vict. c. 13
Births and Deaths Registration Acts, 1863 to 1994	
Births, Deaths and Marriages Registration Act, 1972	1972, No. 25
Defence (Amendment) (No. 2) Act, 1960	1960, No. 44
Garda Síochána Act, 1989	1989, No. 1
Legitimacy Act, 1931	1931, No. 13
Registration of Births and Deaths (Ireland) Act, 1863	26 & 27 Vict. c. 11
Status of Children Act, 1987	1987, No. 26