

Reprint
as at 24 January 2009

**Births, Deaths, and Marriages
Registration Amendment Act 1997**

Public Act 1997 No 35
Date of assent 28 July 1997

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

This Act is administered in the Department of Internal Affairs

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An Act to amend the Births, Deaths, and Marriages Registration Act 1995

BE IT ENACTED by the Parliament of New Zealand as follows:

1 Short Title

This Act may be cited as the Births, Deaths, and Marriages Registration Amendment Act 1997, and is part of the Births, Deaths, and Marriages Registration Act 1995 (“the principal Act”).

2 Particulars of father where not married to mother

Section 15 of the principal Act is amended by omitting from the final subsection the expression “(7)”, and substituting the expression “(8)”.

3 Transfer of charge of body

This section substituted s 40(2)(b)(iii) of the principal Act.

4 Registrar-General’s indexes

(1) This subsection inserted s 74(1A) and (1B) of the principal Act.

(2) This section amended s 2 of the principal Act by substituting the definition of the term **index**.

(3) *[Repealed]*

(4) *[Repealed]*

Section 4(3): repealed, on 24 January 2009, by section 47 of the Births, Deaths, Marriages, and Relationships Registration Amendment Act 2008 (2008 No 48).

Section 4(4): repealed, on 24 January 2009, by section 47 of the Births, Deaths, Marriages, and Relationships Registration Amendment Act 2008 (2008 No 48).

- 5 Restrictions on searches where error relating to person's sex has been corrected or sexual assignment or reassignment has been registered**
Section 77 of the principal Act is amended by omitting from subsection (8)(c) and subsection (9)(a) the expression "28", and substituting in each case the expression "30(1)".
- 6 Restrictions on searches relating to new names of certain witnesses**
This section substituted s 78(4)(a) of the principal Act.
- 7 Further consequential amendments**
The enactments specified in the Schedule are amended in the manner indicated in that schedule.

Schedule

Section 7

**Further amendments consequential on
enactment of principal Act**

Enactment Amended	Amendment
1948, No 36—The Tuberculosis Act 1948 (RS Vol 11, p 693)	By repealing section 6, and substituting the following section: "6 (1) Forthwith after receiving a doctor's certificate stating that the person to whose death it relates was affected by tuberculosis, a Registrar must give the Medical Officer of Health written notice of that fact. (2) In subsection (1), the terms doctor's certificate and Registrar have the meanings given to them by section 2 of the Births, Deaths,

Enactment Amended	Amendment
<p>1970, No 143—The Pharmacy Act 1970 (RS Vol 21, p 691)</p> <p>1979, No 27—The Toxic Substances Act 1979</p>	<p>and Marriages Registration Act 1995.</p> <p>By repealing section 76(2), and substituting the following subsections:</p> <p>“(2) Forthwith after receiving a doctor’s certificate stating that the person to whose death it relates was affected by poisoning, a Registrar must give the Medical Officer of Health written notice of that fact.</p> <p>“(2A) In subsection (2), the terms doctor’s certificate and Registrar have the meanings given to them by section 2 of the Births, Deaths, and Marriages Registration Act 1995.</p>
<p>1982, No 118—The Friendly Societies and Credit Unions Act 1982</p>	<p>By repealing section 45(1)(a), and substituting the following paragraph:</p> <p>“(a) Of a death certificate or doctor’s certificate (within the meaning of section 2 of the Births, Deaths, and Marriages Registration Act 1995) relating to the death of the member or other person; or</p>
<p>1988, No 150—The Dental Act 1988</p>	

Enactment Amended	Amendment
1993, No 87—The Electoral Act 1993	By inserting in section 3(1), after the definition of the term Registrar , the following definition: “ Registrar of Births and Deaths means Registrar within the meaning of section 2 of the Births, Deaths, and Marriages Registration Act 1995
1994, No 107—The Veterinarians Act 1994	By omitting from section 20(1) the words “of Births and Deaths”, and substituting the words “(within the meaning of section 2 of the Births, Deaths, and Marriages Registration Act 1995)”. By omitting from section 20(3) the words “of Births and Deaths”.

The item relating to the Dental Act 1988 was omitted, as from 18 September 2004, by section 175(4) Health Practitioners Competence Assurance Act 2003 (2003 No 48). *See* sections 178 to 227 of that Act as to the transitional provisions.

The item relating to the Electoral Act 1993 was amended, as from 18 March 2002, by section 20 Electoral Amendment Act 2002 (2002 No 1) by omitting so much as relates to section 93(1) of that Act.

The item relating to the Pharmacy Act 1970 was omitted, as from 18 September 2004, by section 175(4) Health Practitioners Competence Assurance Act 2003 (2003 No 48). *See* sections 178 to 227 of that Act as to the transitional provisions.

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Notes**1 *General***

This is an eprint of the Births, Deaths, and Marriages Registration Amendment Act 1997. It incorporates all the amendments to the Act as at 24 January 2009. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

2 *About this eprint*

This eprint has not been officialised. For more information about officialisation, please see “Making online legislation official” under “Status of legislation on this site” in the About section of this website.

**3 *List of amendments incorporated in this eprint
(most recent first)***

Births, Deaths, Marriages, and Relationships Registration Amendment Act 2008 (2008 No 48): section 47
