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Births, Deaths, Marriages, and Relationships Registration Act 2021

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Department of Internal Affairs.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Births, Deaths, Marriages, and Relationships Registration Act 2021.

2 Commencement

(1) This Act comes into force as follows:

(a) section 144 (which contains regulation-making powers) comes into force on the day after the date of Royal assent:

(b) the following provisions come into force on the third anniversary of the date of Royal assent:

(i) section 12(3) (which enables a parent notifying the birth of a child to specify whether they wish to appear as mother, father, or parent on the birth certificate):

(ii) section 39 (which requires a medical practitioner or nurse practitioner to provide a preliminary notice of death to the Registrar-General):

(iii) section 98(2)(b)(ii) (which requires the Registrar-General to include, in the access register kept under that section, information about a person requesting access to information on behalf of another person):

(c) the rest of this Act comes into force—

(i) on a date set by Order in Council; or

(ii) to the extent not brought into force earlier, 18 months after Royal assent.

(2) An Order in Council made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Part 1
Preliminary provisions

3 Purpose of this Act

The purpose of this Act is—

(a) to require the notification, registration, and verification of information relating to births, deaths, marriages, civil unions, name changes, adoptions, and sex so as to provide—

(i) a source of demographic information and other important information for government about health, mortality, and other matters; and

(ii) an official record of births, deaths, marriages, civil unions, and name changes that can be used as evidence of those events and of age, identity, descent, whakapapa, and New Zealand citizenship; and

(b) to regulate access to, and disclosure of, information recorded under this Act; and

(c) to regulate the provision and effect of birth certificates, death certificates, marriage certificates, civil union certificates, and name-change certificates.

Compare: 1995 No 16 s 1A

4 Interpretation

In this Act, unless the context otherwise requires,—

access register has the meaning set out in section 87

adopted person means a person whose birth record contains information relating to an adoption that was registered under section 32 or 33 (other than information relating to an adoption order that has been discharged)

adoption order means an adoption order under the Adoption Act 1955

agency has the meaning set out in section 7(1) of the Privacy Act 2020

approved information sharing agreement and **information sharing agreement** have the meanings set out in section 138 of the Privacy Act 2020

birth includes a stillbirth but does not include a miscarriage

birth certificate means, in relation to a person, a document—

(a) issued by, and signed or sealed by or stamped with the seal of, the Registrar-General; and

(b) containing the information that is required by any of sections 27, 80, 81, and 83 (as applicable) to be contained in the certificate

birth information—

(a) means all information registered in relation to the birth of a person whose birth is registered under this Act; and

(b) includes all information registered in relation to any of the following:

(i) an adoption of the person:

(ii) a name change of the person:

(iii) registration of a nominated sex for the person

birth record means the part of the registry that contains a person's birth information

celebrant has the meaning set out in section 7

Chief Archivist has the meaning set out in section 87

child—

(a) means a person who is less than 16 years old; and

(b) for the purposes of subpart 2 of Part 2 (notification of births), includes a stillborn child

civil union means a civil union entered into under and in accordance with the Civil Union Act 2004

civil union certificate means, in relation to a civil union, a document—

(a) issued by, and signed or sealed by or stamped with the seal of, the Registrar-General; and

(b) containing the information that is required by section 85(2) to be contained in the certificate

civil union information means all information registered in relation to a civil union

dead foetus means a foetus that, whether or not the umbilical cord had been severed or the placenta had detached, at no time after issuing completely from its birth mother breathed or showed any other sign of life (such as beating of the heart, pulsation of the umbilical cord, or definite movement of the voluntary muscles)

death does not include a miscarriage or a stillbirth

death certificate means, in relation to a person, a document—

(a) issued by, and signed or sealed by or stamped with the seal of, the Registrar-General; and

(b) containing the information that is required by section 84 to be contained in the certificate

death information means all information registered in relation to the death of a person

death record means the part of the registry that contains a person's death information

Deputy Registrar-General means a Deputy Registrar-General appointed under section 125(1)

Director-General of an intelligence and security agency has the meaning set out in section 4 of the Intelligence and Security Act 2017

disposal and **to dispose of** have the meaning set out in section 40(5)

document includes—

(a) a document in any form; and

(b) any photograph, film, negative, tape, or any device in, on, or from which 1 or more visual images are capable of being stored or reproduced

eligible 16- or 17-year-old means an eligible person who is 16 or 17 years old and has never been in a marriage, civil union, or de facto relationship

eligible child—

(a) means a child whose birth is registered under this Act; and

(b) for the purposes of section 70, includes a child who is a New Zealand citizen or is legally entitled to be in New Zealand indefinitely

eligible person means,—

(a) for the purposes of sections 23 to 26, a person who may apply to the Registrar-General for registration of the person's nominated sex under section 23(1); and

(b) for the purposes of subpart 6 of Part 2, a person who may apply to the Registrar-General for registration of a name change under section 68(1)

Family Court means the division of the District Court known, in accordance with section 4 of the Family Court Act 1980, as the Family Court

government agency means a department or organisation listed in Part 1 or 2 of Schedule 1 of the Ombudsmen Act 1975

guardian—

(a) means a guardian within the meaning of the Care of Children Act 2004; and

(b) in relation to a person for the purposes of sections 23 to 26 (relating to registration of a nominated sex) and subpart 6 of Part 2 (relating to name changes), means—

(i) all of the guardians of the person; or

(ii) if a guardian of the person is dead, unknown, missing, of unsound mind, or unable to act by virtue of a medical condition, the person's other guardian or guardians; or

(iii) if, on the application of 1 guardian, the Family Court has made an order consenting to the registration of a nominated sex or a name change, that guardian

historical information has the meaning set out in section 87

intelligence and security agency has the meaning set out in section 4 of the Intelligence and Security Act 2017

marriage means a marriage solemnised under the Marriage Act 1955 and includes a service marriage

marriage certificate means, in relation to a marriage, a document—

(a) issued by, and signed or sealed by or stamped with the seal of, the Registrar-General; and

(b) containing information that is required by section 85(1) to be contained in the certificate

marriage information means all information registered in relation to a marriage

marriage or civil union record means the part of the registry that relates to a marriage or civil union registered under this Act

medical practitioner has the meaning set out in section 7

Minister means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

miscarriage means the issue from its birth mother, before the 21st week of pregnancy, of a dead foetus weighing less than 400 g

name-change certificate means, in relation to a person, a document—

(a) issued by, and signed or sealed by, or stamped with the seal of, the Registrar-General; and

(b) containing the information that is required by section 86(1) to be contained in the certificate

name-change information means all information registered in relation to a name change of a person whose birth is not registered under this Act

name-change record means the part of the registry that contains the name-change information of a person whose birth is not registered under this Act

New Zealand includes the Ross Dependency

New Zealand aircraft has the meaning set out in section 7

New Zealand ship has the meaning set out in section 7

nominated sex means, in relation to a person, the sex or gender specified as the person's nominated sex in accordance with section 24(1)(a) or 25(1)(a) in an application for registration of the nominated sex

non-disclosure direction means a direction by the Registrar-General under section 103

notify means notify in accordance with section 8

original birth record means, in relation to a person, the information first registered under section 16 or 17 relating to the person's birth

overseas registration authority means an authority constituted in a State outside New Zealand that has the function of recording information relating to births, marriages, civil unions, name changes, or deaths for that State

personal representative has the meaning set out in section 87

pre-1998 register has the meaning set out in section 87

Privacy Commissioner means the person who holds that office under section 13 of the Privacy Act 2020

private sector agency has the meaning set out in section 7(1) of the Privacy Act 2020

proposed name means, in relation to a person, the name or combination of names that is proposed as the name or combination of names for the person in a request under section 67 or an application under section 69 or 70

provide access, in relation to information, includes—

(a) to permit a person to inspect a document containing any or all of the information; or

(b) to provide a person with a printout or copy of a document containing any or all of the information; or

(c) to provide a person with a printout of the information

public sector agency has the meaning set out in section 7(1) of the Privacy Act 2020

register, in relation to a registrable event (or information relating to the registrable event),—

(a) means to record information relating to the registrable event in the registry; and

(b) includes to cause another person to register

registered name means, in relation to a person, the name or combination of names that was most recently registered in—

(a) the person's birth record or name-change record; or

(b) a registry kept by an overseas registration authority

registered sex means, in relation to a person, the most recently registered of the following:

(a) any information relating to sex registered in the person's original birth record:

(b) a nominated sex registered in respect of the person under section 26:

(c) any information relating to sex registered under section 131(e)

registrable event means an adoption, birth, death, marriage, civil union, or name change

Registrar means a person for the time being holding that office under section 126(1)

Registrar-General means the Registrar-General appointed under section 124(1)

registry means the registry established under section 123

regulations means regulations made under section 144

restricted adoption information means, in relation to an adopted person, information registered under section 32, 33, or 35

restricted identity information means any information that—

(a) is in the birth record, death record, marriage or civil union record, or name-change record of a person who has had a new identity created under section 77; and

(b) relates to the acquisition of new identity information by the person

restricted information means—

(a) restricted name-change information; and

(b) restricted sex information; and

(c) restricted identity information

restricted name-change information means,—

(a) in relation to a person whose nominated sex has been registered under section 26, information that—

(i) specifies a name that was registered for the person before the name that must appear on the person's birth certificate as the person's name since birth in accordance with section 27; or

(ii) otherwise relates to the registration of a name change of the person—

(A) before the most recent registration of a nominated sex for the person; or

(B) as a result of an application made at the same time as the application for registration of that nominated sex:

(b) in relation to a person who has had information relating to their sex registered, corrected, or deleted under section 131, information that—

(i) specifies a name that was registered for the person before the name that must appear on the person's birth certificate as the person's name since birth in accordance with section 81; or

(ii) otherwise relates to the registration of a name change of the person—

(A) before the most recent deletion or registration of information relating to the person's sex under section 131(b) or (e); or

(B) as a result of an application made at the same time as the request for that deletion or registration of information

restricted sex information means, in relation to a person to whom section 27 or 81 applies, any of the following:

(a) information that indicates that the person's birth record at one time did not include a registered sex:

(b) information (other than the information that is required to appear on a person's birth certificate in accordance with sections 27 and 81) that indicates that the person is or was of a sex other than the person's registered sex:

(c) information relating to a person's sex in the person's birth record that has been deleted under section 131(b):

(d) information relating to the correction, deletion, or registration of information relating to a person's sex under section 131

service marriage has the meaning set out in section 7

source document has the meaning set out in section 87

stillbirth means the issue of a stillborn child from its birth mother

stillborn child means a dead foetus that—

(a) weighed 400 g or more when it issued from its birth mother; or

(b) issued from its birth mother after the 20th week of pregnancy

suitably qualified third party means a person who is 18 years old or older and of a type specified in regulations for the purposes of this definition

undesirable in the public interest has the meaning set out in section 18(4).

Compare: 1995 No 16 s 2

5 Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

6 Act binds the Crown

This Act binds the Crown.

Compare: 1995 No 16 s 3

Part 2
Registration of information

Subpart 1—General provisions

7 Definitions used in this Part

In this Part,—

celebrant means,—

(a) in relation to a marriage, a person who is a marriage celebrant under the Marriage Act 1955 and who solemnised the marriage; and

(b) in relation to a civil union, a person who is a civil union celebrant under the Civil Union Act 2004 and who solemnised the civil union

medical practitioner has the same meaning as in section 5 of the Health Practitioners Competence Assurance Act 2003

New Zealand aircraft means—

(a) an aircraft registered in New Zealand under the Civil Aviation Act 2023; or

(b) an aircraft of the armed forces (within the meaning of the Armed Forces Discipline Act 1971)

New Zealand ship means—

(a) a New Zealand ship (as defined in section 2(1) of the Maritime Transport Act 1994); or

(b) a ship of the armed forces (within the meaning of the Armed Forces Discipline Act 1971)

service marriage has the meaning given to it by section 2(1) of the Marriage Act 1955.

Compare: 1995 No 16 s 2

Section 7 **New Zealand aircraft** paragraph (a): amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

Notification of information

8 Notifications, applications, and requests must include information required by this Act and regulations

(1) A notification, application, request, or other notice required or permitted to be provided to the Registrar-General under this Part must—

(a) include the information required by this Act and regulations; and

(b) be made in accordance with any directions issued by the Registrar-General under section 136.

(2) A person may notify information under this Part only if expressly permitted to do so.

Compare: 1995 No 16 ss 9(3), 11, 47, 89A(1), (2)

Registration of information

9 Registrar-General may register information only if requirements met

(1) The Registrar-General may register a registrable event, or register, amend, or delete information relating to a registrable event, under this Act only if—

(a) expressly permitted or required to do so by this Act; and

(b) satisfied that the requirements of the Act and regulations in relation to the notification of the registrable event or the information are met.

(2) This section is subject to sections 127 to 130 (which provide for the Registrar-General's powers of inquiry and requirements to decline to register certain information).

Compare: 1995 No 16 s 4

Subpart 2—Births

Notification of births

10 Birth in New Zealand must be notified

(1) A birth in New Zealand must be notified to the Registrar-General.

(2) Subsection (1) does not apply to a birth on a New Zealand aircraft or a New Zealand ship that occurs outside New Zealand.

Compare: 1995 No 16 s 5

11 Preliminary notice of birth in New Zealand must be provided

(1) Preliminary notice of a birth in New Zealand must be provided to the Registrar-General within 5 working days after the birth.

(2) If a birth takes place during or immediately before the birth mother's admission to a hospital, the occupier of the hospital must provide the preliminary notice.

(3) In any other case, the preliminary notice of the birth must be provided to the Registrar-General by—

(a) a medical practitioner who is present at the birth; or

(b) if no medical practitioner is present at the birth, a midwife who is present at the birth; or

(c) if neither a medical practitioner nor a midwife is present at the birth, the occupier of the premises in which the birth takes place or to which the birth mother is admitted immediately after the birth.

(4) The Registrar-General must notify the Director-General of Health of all still-births for which a preliminary notice has been provided.

(5) In this section,—

hospital means a hospital care institution as defined in section 58(4) of the Health and Disability Services (Safety) Act 2001

midwife means a health practitioner who is, or is deemed to be, registered with the Midwifery Council established by section 114(3) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of midwifery

occupier, in relation to any premises, means the person for the time being in charge of the premises.

Compare: 1995 No 16 s 5A

12 Parents must notify birth in New Zealand

(1) Both parents of a child born in New Zealand must, as soon as is reasonably practicable after the birth,—

(a) jointly notify the Registrar-General of the birth; and

(b) inform the Registrar-General whether, to the best of their knowledge, either or both of the child's parents are New Zealand citizens or persons legally entitled to be in New Zealand indefinitely.

(2) However,—

(a) 1 parent may notify a birth if—

(i) the child has only 1 parent at law; or

(ii) the other parent is dead, unknown, missing, of unsound mind, or unable to act by virtue of a medical condition; or

(iii) it is not reasonably practicable for the other parent to jointly notify the birth because—

(A) the other parent is overseas; and

(B) the other parent cannot be contacted within a period of time that is reasonable in the circumstances; or

(iv) requiring the other parent to jointly notify the birth would cause unwarranted distress to either of the parents:

(b) if both parents fail or refuse to notify the birth, a guardian of the child (or another person authorised by the Registrar-General) may notify the birth.

(3) Each parent notifying the birth of a child under this section may specify whether they wish to appear on the child's birth certificate as the child's "mother", "father", or "parent".

(4) For the purposes of this section, a child has **1 parent at law** if—

(a) the child is born as a result of a woman acting alone in a situation described in section 20(1) or 22(1) of the Status of Children Act 1969; and

(b) the donor of the ovum, embryo, or semen (as the case may be) for the pregnancy does not become the partner of the woman after the time of conception but before the birth is notified for registration.

Compare: 1995 No 16 ss 9, 10

13 Notification of birth in New Zealand must include name information

(1) A person notifying a birth under section 12 must specify 1 name as the child's surname and 1 or more other names.

(2) However, the notification may include only 1 name for the child if—

(a) the religious or philosophical beliefs or the cultural traditions of a parent (whether living or dead) or living guardian of the child require the child to have only 1 name; or

(b) the birth is a stillbirth and the name included is to be registered as the child's surname.

(3) A name or combination of names must be treated as if it had not been notified for the purposes of subsection (1) if—

(a) the Registrar-General declines to include the name or combination of names under section 18; and

(b) the Family Court has not determined that the name or combination of names should be included.

Compare: 1995 No 16 s 19

14 Who must notify birth of child found abandoned in New Zealand

(1) A person who has charge of a child must tell a Police employee as soon as practicable if the person—

(a) believes that the child—

(i) is recently born; and

(ii) was found abandoned in New Zealand; and

(b) is not satisfied that the Registrar-General has been notified of the birth.

(2) The Police employee must notify the Registrar-General if notified of the finding of a child under subsection (1).

Compare: 1995 No 16 s 7

15 Any person may notify birth that occurs outside New Zealand on New Zealand ship or New Zealand aircraft

Any person may, at any time, notify the Registrar-General of a birth that occurs outside New Zealand on a New Zealand aircraft or New Zealand ship.

Compare: 1995 No 16 s 8

Registration of births

16 Registrar-General must register birth in New Zealand if notified within 2 years

(1) The Registrar-General—

(a) must register a birth in New Zealand that was notified within 2 years after the birth; and

(b) may register a birth in New Zealand that was notified more than 2 years after the birth if satisfied the birth has not been registered.

(2) If the birth is a stillbirth, the Registrar-General must clearly identify the birth as a stillbirth in the birth record.

Compare: 1995 No 16 ss 5, 12, 16

17 When Registrar-General may register birth that occurs outside New Zealand

(1) The Registrar-General may register a birth that occurs outside New Zealand only—

(a) if the birth is notified under section 14 or 15; or

(b) in accordance with section 32(2).

(2) If a birth registered under subsection (1) is a stillbirth, the Registrar-General must clearly identify the birth as a stillbirth in the birth record.

Compare: 1995 No 16 s 6

18 Registrar-General may decline to register certain names

(1) The Registrar-General may register a name or combination of names only if, after the name or combination of names is registered, the person's birth record will include—

(a) 1 name as the person's surname and 1 or more other names; or

(b) if the religious or philosophical beliefs, or cultural traditions, of the person or of a parent (whether living or dead) or living guardian of the person require the person to have only 1 name, 1 name; or

(c) if the birth is a stillbirth, 1 name as the child's surname.

(2) The Registrar-General must, if the requirements of subsection (1) are met, register the name or combination of names unless the Registrar-General considers it is undesirable in the public interest for a person to have the name or combination of names.

(3) A person affected by a decision of the Registrar-General to decline to register a name or combination of names under subsection (2) may appeal against the decision under section 30.

(4) For the purposes of this section and sections 30 and 71, it is **undesirable in the public interest** for a person to have a name or combination of names if the name or combination of names—

(a) might cause offence to a reasonable person; or

(b) is unreasonably long; or

(c) is, includes, or resembles an official title or rank (without adequate justification).

Compare: 1995 No 16 s 18(1)–(5), (8)

19 Birth record must indicate if person is New Zealand citizen by birth

(1) When the Registrar-General registers a birth, the Registrar-General must indicate in the birth record that the person born is a New Zealand citizen by birth if—

(a) the Registrar-General is satisfied that the person is a New Zealand citizen by birth within the meaning of section 6 of the Citizenship Act 1977; or

(b) the chief executive or other appropriate officer of the department for the time being responsible for the administration of the Citizenship Act 1977 informs the Registrar-General that the person is a New Zealand citizen by birth.

(2) In deciding for the purposes of subsection (1)(a) whether a person is a New Zealand citizen by birth, the Registrar-General must have regard to all of the following information that is available:

(a) information provided by any guardian of the person:

(b) the birth record of the person's parent or parents:

(c) information about the citizenship status or immigration status of the person or the person's parent or parents:

(d) whether the person's parent or parents have immunity from jurisdiction under the Diplomatic Privileges and Immunities Act 1968 or the Consular Privileges and Immunities Act 1971, or are enemy aliens (within the meaning of the Citizenship Act 1977).

Compare: 1995 No 16 s 12A

20 Birth record must include parents' details

(1) The Registrar-General must register information about the identity of the parent or parents who notify a birth of a child under section 12 in the child's birth record.

(2) The Registrar-General must register information about the identity of a parent of the child who has not notified the child's birth if—

(a) 1 parent notified the birth under section 12(2)(a)(ii) to (iv) and the Registrar-General is satisfied that the information relates to the other parent of the child; or

(b) the information relates to a man who is the child's father and—

(i) the Family Court or the High Court has declared the man to be the child's father; or

(ii) the Family Court has made a paternity order declaring the man to be the child's father; or

(iii) the man has been appointed or declared a guardian of the child under section 19 or 20 of the Care of Children Act 2004; or

(c) the information relates to a person who requests, in accordance with any directions issued by the Registrar-General, that the information be included and the Registrar-General is satisfied that either or both of the following apply:

(i) the person making the request is a parent of the child:

(ii) the other parent does not dispute the accuracy of the information.

(3) A person affected by a decision of the Registrar-General to register, or to decline to register, information under subsection (2)(a) or (c) may appeal against the decision under section 30.

(4) For the purposes of this section and sections 21 and 22, the only information recorded under this Act in respect of an adopted person is the information in the adopted person's original birth record.

Compare: 1995 No 16 s 15

Registration of information relating to parents' subsequent marriage or civil union

21 Parents may request that birth record include information relating to parents' marriage or civil union after child's birth

(1) A child's parents who marry or enter into a civil union with each other after the child's birth may request that information relating to the marriage or civil union be registered in the child's birth record.

(2) The request must be made—

(a) jointly by both parents; or

(b) if 1 parent is dead, unknown, missing, of unsound mind, or unable to act by virtue of a medical condition, by 1 parent.

Compare: 1995 No 16 s 17(1)

22 Registration of information relating to parents' marriage or civil union after birth

(1) The Registrar-General must, if requested under section 21, register information relating to a marriage or civil union in a child's birth record if satisfied that the parents of the child entered the marriage or civil union after the child's birth.

(2) A person affected by a decision of the Registrar-General to register, or to decline to register, information under subsection (1) may appeal against the decision under section 30.

Compare: 1995 No 16 s 17(1)

Registration of nominated sex

23 Eligibility to apply for registration of nominated sex

(1) A person may apply to the Registrar-General for registration of the person's nominated sex only if—

(a) the person's birth is registered under this Act; and

(b) the person is 16 years old or older.

(2) The guardian of a child may apply to the Registrar-General for registration of the child's nominated sex only if—

(a) the child's birth is registered under this Act; and

(b) the guardian has the child's consent.

24 Application by eligible person for registration of their nominated sex

(1) An application by an eligible person for registration of the person's nominated sex must—

(a) specify male, female, or any other sex or gender specified in regulations for the purposes of this paragraph as the person's nominated sex; and

(b) include a statutory declaration by the eligible person verifying that—

(i) the eligible person identifies as a person of the nominated sex; and

(ii) the eligible person understands the consequences of the application; and

(c) if the eligible person is 16 or 17 years old and has never been in a marriage, civil union, or de facto relationship, be accompanied by—

(i) the written consent of their guardian; or

(ii) a letter of support from a suitably qualified third party that confirms that the third party believes that—

(A) the eligible 16- or 17-year-old understands the consequences of the proposed registration of the nominated sex; and

(B) the eligible 16- or 17-year-old's preference is for the nominated sex to appear as their registered sex on any birth certificate issued under this Act; and

(d) if the Registrar-General has previously registered a nominated sex for the person under section 26, meet any additional requirements set out in regulations; and

(e) be accompanied by the prescribed fee.

(2) An eligible person may apply for registration of a nominated sex at the same time as the person applies for a name change under section 69.

25 Application by guardian of eligible child for registration of child's nominated sex

(1) An application by the guardian of an eligible child for registration of the child's nominated sex must—

(a) specify male, female, or any other sex or gender specified in regulations for the purposes of this paragraph as the child's nominated sex; and

(b) include a statutory declaration by the guardian of the eligible child verifying that the guardian believes that the eligible child identifies as a person of the nominated sex; and

(c) be accompanied by a letter of support from a suitably qualified third party that confirms that the third party believes that—

(i) the eligible child understands the consequences of the proposed registration of the nominated sex; and

(ii) the eligible child's preference is for the nominated sex to appear as their registered sex on any birth certificate issued under this Act; and

(d) if the Registrar-General has previously registered a nominated sex for the eligible child under section 26, meet any additional requirements set out in regulations; and

(e) be accompanied by the prescribed fee.

(2) The guardian of an eligible child may apply for registration of a nominated sex for the child at the same time as they apply for registration of a name change for the child under section 70.

26 Registrar-General must register nominated sex if requirements met

(1) The Registrar-General must register the nominated sex specified in an application by an eligible person if satisfied that the requirements of sections 23(1) and 24 are met.

(2) The Registrar-General must register the nominated sex specified in an application by the guardian of an eligible child if satisfied that the requirements of sections 23(2) and 25 are met.

(3) A person affected by a decision of the Registrar-General to decline to register a person's nominated sex under subsection (1) or (2) may appeal against the decision under section 30.

27 Effect of registration of nominated sex

(1) A person's birth certificate must, if it is issued after registration of the person's nominated sex, contain the information that it would have contained if, at the time of that registration,—

(a) the person's nominated sex had always been their registered sex; and

(b) the person's associated name had always been their registered name.

(2) A person's **associated name** is,—

(a) in the case of a person who was an eligible child or eligible 16- or 17-year-old when the application to register their nominated sex was made,—

(i) the person's registered name as at the time of registration of their nominated sex; or

(ii) if the person's registered name has subsequently been changed, their registered name immediately following registration of the first name change after registration of their nominated sex:

(b) in the case of any other person,—

(i) the person's registered name as at the time of registration of their nominated sex; or

(ii) if the person's registered name has subsequently been changed as a result of an application made at the same time as the application to register their nominated sex, the person's registered name immediately following registration of that name change.

(3) The birth certificate must not contain any information (other than the person's nominated sex) that may indicate that a nominated sex has been registered for the person under this Part.

(4) For the purposes of subsections (1) to (3), a person's **nominated sex** is the nominated sex most recently registered for the person under this Part as at the date of issue of the birth certificate.

Compare: 1995 No 16 s 64

28 Registrar-General must give effect to decisions under Care of Children Act 2004

(1) The Registrar-General must give effect to an order under—

(a) section 46C of the Care of Children Act 2004 (which relates to reviews of a refusal by a guardian to give consent) that requires the Registrar-General to register an eligible 16- or 17-year-old's nominated sex in the eligible 16- or 17-year-old's birth record; or

(b) section 46R of the Care of Children Act 2004 (which relates to disputes between guardians) that requires the Registrar-General to register an eligible child's nominated sex in the eligible child's birth record.

(2) This section is subject to section 30 but overrides any other provision in this Part.

29 Other correction powers not affected

Nothing in sections 24 to 28 or section 30 limits or affects the power of the Registrar-General to—

(a) correct or delete information in the person's original birth record relating to a person's sex (or information that a person is of indeterminate sex) under section 131(a) or (b); or

(b) register information relating to a person's sex under section 131(e) if no information relating to the person's sex is registered (including because information has been deleted under section 131(b)).

Compare: 1995 No 16 s 32

Appeals against Registrar-General's decisions

30 Appeals against Registrar-General's decisions

(1) A person who is affected by a decision of the Registrar-General under any of the following sections may appeal to the Family Court within 28 working days after the date on which the decision is notified:

(a) sections 18(2) and 71(2) (relating to decisions to decline to register names):

(b) section 20(2)(a) or (c) (relating to decisions to register, or decline to register, parents' details):

(c) section 22 (relating to decisions to register, or decline to register, information about a child's parents' marriage or civil union after the child's birth):

(d) section 26 (relating to decisions to decline to register a person's nominated sex).

(2) The Family Court, when considering an appeal,—

(a) must give every person who the court thinks has an interest in the matter an opportunity to be heard; and

(b) may receive any evidence the court thinks fit.

(3) On hearing an appeal against a decision under subsection (1)(a), the Family Court must direct the Registrar-General to register the name or combination of names, unless satisfied that it is undesirable in the public interest for the person concerned to have the name or combination of names.

(4) On hearing an appeal under subsection (1)(b), (c), or (d), the Family Court may approve the Registrar-General's decision or may give any directions or make any determination in relation to the matter that the court thinks fit.

Compare: 1995 No 16 ss 15A, 17(2), 18(5)–(7)

Subpart 3—Adoptions

Notification of adoption

31 Court must notify Registrar-General of New Zealand adoptions

A Registrar of a court in which an adoption order is made must, as soon as practicable after the making of the order, notify the Registrar-General of the following information (so far as it is known to the court):

(a) the names (if any) of the adopted person immediately before the making of the order:

(b) the names conferred on the person by the order:

(c) the names of the persons who were the person's parents immediately before the making of the order:

(d) whether the adoptive parent or parents want the words "adoptive parent" or "adoptive parents" (as the case requires) to appear on the face of birth certificates relating to the person:

(e) the date of the order:

(f) the name of the court:

(g) any information required by regulations under this Act in relation to the notification of births under subpart 2 that would have been appropriate if the adopted person had been born to the adoptive parent or parents:

(h) any other information required by regulations.

Compare: 1995 No 16 s 23

Registration of adoption information in birth record

32 Registration of New Zealand adoptions

(1) If an adoption is notified under section 31 in respect of a person whose birth is registered under this Act, the Registrar-General must register the information in the person's birth record.

(2) If an adoption is notified under section 31 in respect of a person whose birth is not yet registered, the Registrar-General must register the person's birth if satisfied that the information relating to the date and place of the person's birth is correct or likely to be correct.

Compare: 1995 No 16 s 24(1), (2)

33 Registration of overseas adoptions

(1) The Registrar-General may direct that section 32 apply to an adoption outside New Zealand if the Registrar-General—

(a) is satisfied that section 17(1) of the Adoption Act 1955 or section 11 of the Adoption (Intercountry) Act 1997 applies to the adoption of a person whose birth is registered under this Act; and

(b) has received any particulars that the Registrar-General requires for the purpose, and is satisfied that they are or are likely to be correct.

(2) Sections 32 and 36 apply, with any necessary modifications, to an adoption outside New Zealand that is subject to a direction under subsection (1) as if the adoption had been effected by an adoption order.

Compare: 1995 No 19 s 25

Changes to adoption information in birth record

34 Adopted person or adoptive parent may apply to include additional information

(1) The following persons may apply to include the additional information referred to in subsection (2) in respect of an adoption registered under section 32:

(a) an adopted person who is 16 years old or older; or

(b) the adoptive parents (if the adopted person has 2 living adoptive parents) or parent (if the adopted person has only 1 living adoptive parent) if the adopted person is less than 16 years old.

(2) The application may request that the following additional information be included in the adopted person's birth record:

(a) an indication that the words "adoptive parent" or "adoptive parents" should appear (or not appear) on the adopted person's birth certificate:

(b) any other information relating to the birth.

(3) An application made by an adopted person who is 16 or 17 years old and has never been in a marriage, civil union, or de facto relationship must be accompanied by the written consent of the person's adoptive parents (if the person has 2 living adoptive parents) or parent (if the person has only 1 living adoptive parent).

Compare: 1995 No 16 s 24(4), (5)

35 Registrar-General must register additional information requested by adopted person or adoptive parents

The Registrar-General must register any additional information requested in an application under section 34 in the person's birth record.

Compare: 1995 No 16 s 24(3)

36 Variation or discharge of adoption order to be recorded

(1) The Registrar of a court in which an adoption order is varied or discharged must provide a copy of the order to the Registrar-General as soon as practicable after the variation or discharge order is made.

(2) The Registrar-General—

(a) must register the particulars of the variation or discharge, including (where appropriate) a name or names for the person in the person's birth record; and

(b) may treat any order varying any adoption order as a new adoption order.

(3) Section 32 applies to an order that the Registrar-General treats as a new adoption order under subsection (2)(b).

Compare: 1995 No 19 s 27

Sharing of adoption information with overseas authorities

37 Registrar-General may supply adoption information to overseas registration authority

The Registrar-General may supply any information recorded in the registry in respect of an adoption to an overseas registration authority if satisfied that—

(a) the authority has the function of recording information relating to births in the State; and

(b) a person who has been adopted in New Zealand was born in the State; and

(c) the authority has requested the information.

Compare: 1995 No 16 s 26

Subpart 4—Deaths

Notification of deaths in New Zealand

38 Deaths in New Zealand must be notified

(1) A death must be notified to the Registrar-General if it occurs in New Zealand.

(2) Subsection (1) does not apply to—

(a) a death to which section 19(1) of the Visiting Forces Act 2004 applies; or

(b) a death on a New Zealand aircraft or New Zealand ship that occurs outside New Zealand.

Compare: 1995 No 16 s 34

39 Preliminary notice of death must be provided to Registrar-General

A medical practitioner or nurse practitioner who gives a certificate of cause of death (as defined in section 2(1) of the Burial and Cremation Act 1964) in relation to a death must provide a preliminary notice of the death to the Registrar-General within 3 working days after giving the certificate.

40 Registrar-General must be notified when body disposed of or removed

(1) A person must notify the Registrar-General of a death as soon as practicable after it occurs if the person—

(a) is responsible for deciding how the body is disposed of (for example, an executor or a family member); or

(b) disposes of the body.

(2) A death must be notified under subsection (1) no later than 3 working days after the body is disposed of.

(3) A death need not be notified under subsection (1) if the death has already been notified under subsection (4).

(4) A person must notify the Registrar-General of the death of a deceased person before—

(a) removing the deceased person's body from New Zealand; or

(b) taking the body for anatomical examination under the Human Tissue Act 2008.

(5) In this subpart, **disposal** includes burial and cremation, and **to dispose of** has a corresponding meaning.

Compare: 1995 No 16 ss 42, 48(1)

41 High Court must notify Registrar-General if giving leave to swear to person's death

(1) A Registrar of the High Court must notify the Registrar-General as soon as practicable after the High Court gives leave to swear to the death of any person in a proceeding under the Administration Act 1969.

(2) The Registrar-General may register the person's death (and must, as far as possible, comply with this Act in doing so).

Compare: 1995 No 16 s 43

42 Coroner must notify Registrar-General of death reported to coroner

(1) A coroner must notify the Registrar-General, within 3 working days after the completion of an inquiry relating to the death of a person whose body is destroyed, lost, or impossible or impracticable to recover, if the coroner has established—

(a) that the person has died; and

(b) the person's identity.

(2) A coroner must notify the Registrar-General of a death that has been reported to the coroner in any other case as soon as practicable after the coroner authorises the release of the body under section 42 of the Coroners Act 2006.

(3) The notification must include all information known to the coroner relating to the date, place, and cause of the death and the identity of the deceased person.

(4) The coroner must notify the Registrar-General of any additional information relating to the date, place, or cause of the death or the identity of the deceased person as soon as practicable after becoming aware of it.

(5) A coroner must not include in the information provided under subsections (2) to (4) any information that tends to incriminate any person of any offence.

(6) For the purposes of this section,—

associate coroner means a person who holds office as an associate coroner under the Coroners Act 2006

coroner includes an associate coroner to the extent that they have the jurisdiction of a coroner under the Coroners Act 2006.

Compare: 1995 No 16 ss 44, 45, 48(2)

Section 42(6): inserted, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

43 Other person may be authorised to notify

(1) A person who is not required under sections 40 to 42 to notify a death may notify the death only if the person is authorised to do so—

(a) by a person who is required under any of those sections to notify the death; or

(b) by the Registrar-General (in a case where no one else has notified the death).

(2) A person's obligation under any of sections 40 to 42 to notify a death is satisfied if—

(a) the person has authorised another person to notify the death; and

(b) the other person has notified it.

Compare: 1995 No 16 s 46

44 Person who disposes of, removes, or takes disinterred body must notify Registrar-General

(1) A person who disposes of a disinterred body (otherwise than by returning it to the place where it was previously interred) must, within 5 working days after doing so, notify the Registrar-General of where and how it was disposed of.

(2) A person who removes a disinterred body from New Zealand must, as soon as practicable after removing the body, notify the Registrar-General that the body has been removed from New Zealand.

(3) A person who takes a disinterred body for anatomical examination under the Human Tissue Act 2008 must, as soon as practicable after taking the body, notify the Registrar-General that the body has been taken for that purpose.

Compare: 1995 No 16 s 51(1), (2)

Notification of death outside New Zealand

45 When death that occurs outside New Zealand may be notified

Any person may, at any time, notify the Registrar-General of a death that occurs outside New Zealand if—

(a) the death occurred on a New Zealand aircraft or New Zealand ship; or

(b) the deceased person was ordinarily resident in New Zealand and the death occurred in a place where—

(i) there was no system for recording information relating to deaths; or

(ii) the system for recording information relating to deaths did not apply to the person.

Compare: 1995 No 16 ss 36, 48(3)(b)

Registration of deaths

46 Registrar-General must register death that occurs in New Zealand if notified in accordance with this subpart

(1) The Registrar-General—

(a) must register a death that occurs in New Zealand if the Registrar-General is notified of the death in accordance with this subpart; and

(b) may, if the Registrar-General considers registration appropriate, register a death that occurs in New Zealand and that has been notified at any time if satisfied the death has not previously been registered.

(2) The Registrar-General must register any additional information notified under section 44 (which relates to the disposal, removal, or taking of disinterred bodies) in the person's death record.

Compare: 1995 No 16 ss 48(3)(a), 49, 51(3)

47 Registrar-General may register death that occurs outside New Zealand only in limited circumstances

(1) The Registrar-General may register a death that occurs outside New Zealand only if—

(a) the Registrar-General is notified in accordance with section 45; or

(b) section 48 applies to the death.

(2) The Registrar-General may (without limiting the generality of section 127) decline to register information notified under section 45(b) if not satisfied that its registration is appropriate.

Compare: 1995 No 16 s 35

48 Registrar-General must register deaths of certain service personnel

(1) The Registrar-General must register the information described in subsection (2) in respect of each person who, in the Registrar-General's opinion, died outside New Zealand while—

(a) a member of, and on service with, a naval, military, or air force raised in—

(i) New Zealand; or

(ii) any other State that was a Commonwealth country when the force was raised; or

(iii) any State for whose international relations New Zealand or another State that was a Commonwealth country was responsible when the force was raised; or

(b) an employee for the purposes of a United Nations activity within the meaning of sections 91 to 95 of the Policing Act 2008.

(2) The information that must be registered is (so far as it is known to the Registrar-General)—

(a) the person's name and sex:

(b) the force or unit the person served in at the time of death, the person's rank or level of position at the time of death, and the person's official number:

(c) the person's last occupation and usual place of abode before departing from New Zealand:

(d) the person's birthplace and parentage:

(e) the person's date of birth, or age at the date of death:

(f) the person's relationship status at the date of death:

(g) the date and place of the person's death:

(h) the cause of the person's death:

(i) the place where the person's body was disposed of:

(j) the source of information from which the particulars were obtained.

(3) For the purpose of registering information under this section, the Registrar-General may accept any evidence the Registrar-General thinks sufficient, including, in proof of the death of any person,—

(a) the fact that the High Court has granted probate or administration of the person's estate; or

(b) the fact that the High Court has granted leave to swear to the death; or

(c) a certificate signed by an officer of the force in which the person served; or

(d) a certificate signed by an officer of a force (being a force of another country or of the United Nations) acting in co-operation with the force in which the person served; or

(e) a certificate signed by any person approved for the purpose by the Minister of Defence or, as the case requires, the Minister of Police.

Compare: 1995 No 16 s 50

Overseas death certificates

49 Overseas death certificate may be provided to Registrar-General

(1) A person may provide a death certificate issued outside New Zealand to the Registrar-General in respect of a death that occurred outside New Zealand if the death certificate relates to a New Zealand citizen or a person ordinarily resident in New Zealand.

(2) The death certificate must—

(a) be in the English language or accompanied by a translation of the death certificate in the English language; and

(b) be accompanied by the prescribed fee; and

(c) be provided in the manner prescribed by regulations.

Compare: 1995 No 16 s 52(1), (3)

50 Registrar-General may record receipt of overseas death information

(1) The Registrar-General must, on receiving an overseas death certificate provided in accordance with section 49, record in the registry—

(a) that the Registrar-General has received a death certificate that was issued outside New Zealand; and

(b) the information contained in the death certificate.

(2) However, the Registrar-General is not responsible for the authenticity of the overseas death certificate or for the accuracy of any information contained in it.

(3) The Registrar-General may also record in the registry that the Registrar-General has received information from an overseas registration authority in respect of a death that occurred outside New Zealand, but is not responsible for the accuracy of the information.

(4) Nothing in this section limits or affects sections 45 and 48.

Compare: 1995 No 16 s 52(2), (4), (6), (7)

51 Registrar-General may issue written statement about overseas death on request

(1) A person may request a written statement from the Registrar-General that states whether the Registrar-General has received a certificate or information in relation to a death that occurred overseas.

(2) The request must be accompanied by the prescribed fee.

(3) The Registrar-General may issue a written statement that—

(a) states whether the Registrar-General has received—

(i) a certificate under section 49 in relation to the death; or

(ii) information from an overseas registration authority in relation to the death; and

(b) provides the information contained in the certificate or received from an overseas registration authority in relation to the death; and

(c) states that the Registrar-General is not responsible for—

(i) the accuracy of the information; or

(ii) in the case of a certificate, the authenticity of the certificate.

Compare: 1995 No 16 s 52(5)

Subpart 5—Marriages and civil unions

Notification of marriage or civil union in New Zealand

52 Marriage or civil union in New Zealand must be notified

The following relationships must be notified to the Registrar-General under this subpart:

(a) a marriage solemnised in New Zealand:

(b) a civil union entered into under the Civil Union Act 2004.

53 Celebrant must provide marriage or civil union form to Registrar-General

A celebrant who solemnises a marriage or civil union must,—

(a) immediately after solemnising the marriage or civil union,—

(i) enter the information required by regulations on both forms provided under section 12 of the Civil Union Act 2004 or section 24 of the Marriage Act 1955; and

(ii) ensure that both forms are signed by the parties to the marriage or civil union, the celebrant, and 2 witnesses to the solemnisation; and

(iii) provide 1 form to the parties; and

(b) within 10 days of solemnising the marriage or civil union, provide the other form to the Registrar-General.

Compare: 1995 No 16 ss 55(1), 62B

54 Registering officer of Society of Friends or exempt religious body must provide marriage form to Registrar-General

(1) This section applies to a marriage solemnised in accordance with—

(a) the marriage regulations of the religious Society of Friends (commonly called Quakers); or

(b) the rules and procedures of an exempt religious body (as defined in section 32A(5) of the Marriage Act 1955).

(2) Each party to the marriage must, immediately after the solemnisation,—

(a) enter on both forms provided with the licence for the marriage under section 24 of the Marriage Act 1955 the information required by regulations; and

(b) ensure that both forms are signed by each party to the marriage and 2 witnesses to the solemnisation; and

(c) ensure that 1 form is provided to the registering officer of the Society of Friends or, as the case may require, the registering officer of the exempt religious body.

(3) A registering officer of the Society of Friends or of an exempt religious body who receives a form under subsection (2)(c) must provide the form to the Registrar-General as soon as practicable after receiving it.

Compare: 1995 No 16 s 55(2), (2A)

Notification of marriage outside New Zealand

55 Person who solemnises service marriage must notify marriage to Registrar-General

A person who solemnises a service marriage (other than a service marriage solemnised in a Commonwealth country in which information about the marriage has been recorded in accordance with that country's laws) must,—

(a) immediately after the solemnisation,—

(i) make and keep a record of information relating to the marriage in a form that as nearly as possible accords with the form that the Registrar-General provides under section 24(1)(b) of the Marriage Act 1955 to a person who gives notice of marriage; and

(ii) ensure that the record and 2 copies of it are signed by each party to the marriage, the person, and 2 witnesses to the solemnisation; and

(iii) give 1 copy of the record to the parties; and

(b) as soon as practicable after the solemnisation, provide the other copy of the record to the Registrar-General.

Compare: 1995 No 16 s 55(3)

56 Party to service marriage (or descendant) may notify service marriage to Registrar-General

(1) Any of the following persons may notify a service marriage that occurs outside New Zealand:

(a) a party to the service marriage:

(b) a descendant of the parties to the service marriage:

(c) a person notifying on behalf of a party or descendant.

(2) The notification must include—

(a) an original record of information recorded under section 55 that relates to the service marriage and is signed by the person who solemnised it; or

(b) any other information relating to the marriage.

Compare: 1995 No 16 s 57(2)

57 Overseas ceremony attended by New Zealand representative may be notified

A New Zealand representative (as defined in section 2(1) of the Marriage Act 1955) may notify the Registrar-General of a marriage that occurs outside New Zealand and that the New Zealand representative attends by forwarding a duplicate copy of the certificate under section 43(1) of that Act.

Compare: 1995 No 16 s 58

Registration of marriage or civil union

58 Registrar-General must register marriage or civil union if requirements met

(1) The Registrar-General must register a marriage or civil union if—

(a) a Registrar solemnises the marriage or civil union; or

(b) the Registrar-General is provided with—

(i) a form relating to the marriage or civil union under section 53 or 54; or

(ii) a copy of a record relating to a service marriage under section 55.

(2) The Registrar-General may also register information relating to a service marriage if the Registrar-General is satisfied—

(a) that the record provided under section 56 in respect of the marriage is authentic; or

(b) if no copy of a record is provided under section 56, that the information is accurate and it is impracticable to produce a copy of the record.

(3) The Registrar-General may also register a marriage attended by a New Zealand representative (as defined in section 2(1) of the Marriage Act 1955) if the New Zealand representative forwards a duplicate copy of a certificate under section 43(1) of that Act.

(4) The Registrar-General may register any information relating to a marriage in the registry if satisfied that the information has not yet been registered under this Act,—

(a) whether or not a form has been prepared in respect of the marriage under section 53 or 54; and

(b) whether or not information to the same effect, or conflicting information, is contained in any form referred to in paragraph (a).

Compare: 1995 No 16 ss 56, 57, 58, 62C

Change of form of relationship

59 Registrar-General to note change of form of relationship

If the Registrar-General is informed that the parties to a marriage or civil union have, under section 18 of the Civil Union Act 2004, changed the form of their relationship, the Registrar-General must—

(a) register, in the record relating to the earlier marriage or civil union, an indication that the form of relationship has been changed and when and where the change occurred; and

(b) register, in the record relating to the later marriage or civil union, that, on the date and at the place in which the solemnisation of the later marriage or civil union took place, the parties changed their earlier marriage or civil union into a marriage or civil union; and

(c) ensure that a link is created between the record relating to the earlier marriage or civil union and the record relating to the later marriage or civil union.

Compare: 1995 No 16 s 62D

Dissolution of marriage or civil union

60 Notification of dissolution of marriage or civil union in New Zealand

(1) This section applies if the Family Court makes any of the following orders under the Family Proceedings Act 1980:

(a) an order dissolving a marriage or civil union:

(b) an order declaring that a party to a marriage or civil union is presumed to be dead and that the marriage or civil union is dissolved:

(c) an order declaring that a marriage or civil union is void from the start.

(2) A Registrar of the Family Court must notify the Registrar-General of the order as soon as practicable after the order is made.

(3) The notification may be made by—

(a) the Registrar providing a certificate of the order; or

(b) the Ministry of Justice providing the information required in the certificate by electronic means.

Compare: 1995 No 16 ss 59(1), 62E(1), 89A(2A), (2B)

61 Registration of dissolution of marriage or civil union

The Registrar-General may register the information provided under section 60 in relation to a marriage or civil union in the record for that marriage or civil union.

Compare: 1995 No 16 ss 59(2), 62E(2)

Overseas divorce or dissolution certificate

62 Overseas divorce or dissolution certificate may be provided to Registrar-General

(1) A person may provide to the Registrar-General a certificate issued outside New Zealand in respect of a divorce or dissolution of a marriage or civil union if—

(a) the divorce or dissolution occurred outside New Zealand; and

(b) the certificate relates to a New Zealand citizen or a person ordinarily resident in New Zealand.

(1A) The form of the certificate must be a court order of divorce or dissolution, or other equivalent evidence of the divorce or dissolution.

(2) The certificate must—

(a) be in the English language or accompanied by a translation of the divorce or dissolution certificate in the English language; and

(b) be accompanied by the prescribed fee.

Section 62(1): replaced, on 6 June 2026, by section 4 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Section 62(1A): inserted, on 6 June 2026, by section 4 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

63 Registrar-General may record receipt of overseas divorce or dissolution information

(1) The Registrar-General must, on receiving an overseas divorce or dissolution certificate provided in accordance with section 62, record in the registry—

(a) that the Registrar-General has received a divorce or dissolution certificate that was issued outside New Zealand; and

(b) the information contained in the divorce or dissolution certificate.

(2) However, the Registrar-General is not responsible for the authenticity of a certificate provided under section 62 in relation to the dissolution of a marriage outside New Zealand or for the accuracy of any information contained in it.

(3) The Registrar-General may also record in the registry that the Registrar-General has received information from an overseas registration authority in respect of a divorce or dissolution that occurred outside New Zealand, but is not responsible for the accuracy of the information.

64 Registrar-General may issue written statement about overseas divorce or dissolution on request

(1) A person may request a written statement from the Registrar-General that states whether the Registrar-General has received a certificate or information in relation to a divorce or dissolution that occurred overseas.

(2) The request must be accompanied by the prescribed fee.

(3) The Registrar-General may issue a written statement that—

(a) states whether the Registrar-General has received—

(i) a certificate under section 62 in relation to the divorce or dissolution; or

(ii) information from an overseas registration authority in relation to the divorce or dissolution; and

(b) provides the information contained in the certificate or received from an overseas registration authority; and

(c) states that the Registrar-General is not responsible for—

(i) the accuracy of the information; or

(ii) in the case of a certificate, the authenticity of the certificate.

Convictions for bigamy

65 Notification of conviction for bigamy or coerced marriage or civil union

(1) This section applies if a person who is a party to a marriage or civil union is convicted of bigamy or coerced marriage or civil union because the marriage or civil union is a bigamous or coerced marriage or civil union.

(2) The Registrar of the court in which the conviction was entered must notify the Registrar-General of the conviction as soon as practicable after the person is convicted.

(3) The notification may be made by—

(a) the Registrar of the court providing a certificate of the conviction that specifies, in relation to each bigamous marriage or civil union,—

(i) the names of the parties to the marriage or civil union; and

(ii) the date and place of the marriage or civil union; and

(iii) the date of the conviction; or

(b) the Ministry of Justice providing, by electronic means, the information described in paragraph (a).

Compare: 1995 No 16 ss 60, 62F(1), 89A(2A), (2B)

66 Registrar-General must register conviction for bigamy or coerced marriage or civil union

The Registrar-General must register any information received under section 65 in relation to a registered marriage or civil union in the record for that marriage or civil union.

Compare: 1995 No 16 ss 60, 62F(2)

Subpart 6—Name changes

Request for name change within 2 years of child's birth

67 Guardian may request name change within 2 years of child's birth

(1) A guardian of an eligible child may request that the Registrar-General—

(a) delete, amend, or replace any name recorded in the eligible child's birth record; or

(b) add a name or names to the eligible child's birth record.

(2) The request must be made—

(a) within 2 years of the eligible child's birth; and

(b) if the request is made under an order of the Family Court, in accordance with the conditions of that order.

(3) Only 1 request may be made under this section in respect of an eligible child unless the Registrar-General is satisfied that there are special reasons making it appropriate for more than 1 request to be made under this section in respect of the eligible child.

Compare: 1995 No 16 s 20

Application for name change

68 Eligibility to apply for name change

(1) A person who is 16 years old or older may apply to the Registrar-General for registration of a name change only if—

(a) the person's birth is registered under this Act; or

(b) the person is a New Zealand citizen or is legally entitled to be in New Zealand indefinitely.

(2) The guardian of a child may apply to the Registrar-General for registration of a name change for the child only if—

(a) the child's birth is registered under this Act; or

(b) the child is a New Zealand citizen or is legally entitled to be in New Zealand indefinitely.

69 Application for name change by eligible person

(1) An application by an eligible person must—

(a) include a statement made in accordance with subsection (2) and verified—

(i) electronically in a prescribed manner (*see also* section 128); or

(ii) by statutory declaration (*see also* section 129); and

(b) be accompanied by—

(i) the prescribed fee; and

(ii) if the application is made by a 16- or 17-year-old who has never been in a marriage, civil union, or de facto relationship, the written consent of the 16- or 17-year-old's guardian.

(2) The eligible person—

(a) must declare in the statement provided under subsection (1)(a) that, on the date on which the eligible person is notified that their application has been approved, the eligible person intends to adopt the proposed name and to abandon the eligible person's registered name; and

(b) may declare, if applicable, that the eligible person has already used the proposed name instead of the eligible person's registered name.

(3) An eligible person whose birth is not registered under this Act must also provide—

(a) the eligible person's birth certificate; or

(b) another certificate or other evidence that satisfies the Registrar-General of the date and place of the eligible person's birth.

(4) The Registrar-General may require the eligible person to provide any means of identification that the Registrar-General reasonably requires to confirm the identity of the eligible person.

(5) The Registrar-General must, at the request of the eligible person, return or destroy the certificate or evidence provided under subsection (3) or (4).

Compare: 1995 No 16 s 21A(1)–(3), (4)–(5)

Section 69(2)(a): amended, on 6 June 2026, by section 5 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

70 Application for name change by guardian of eligible child

(1) An application by the guardian of an eligible child must—

(a) include a statement made in accordance with subsection (2) and verified—

(i) electronically in a prescribed manner (*see also* section 128); or

(ii) by statutory declaration (*see also* section 129); and

(b) be accompanied by the prescribed fee.

(2) The guardian of an eligible child—

(a) must declare in the statement provided under subsection (1)(a) that, on the date on which the guardian is notified that the eligible child's application has been approved, the guardian intends to adopt the proposed name for the eligible child and to abandon the child's registered name; and

(b) may declare, if applicable, that the eligible child has already used the proposed name instead of the eligible child's registered name.

(3) The guardian must also provide—

(a) the eligible child's birth certificate; or

(b) any other certificate or other evidence that satisfies the Registrar-General of—

(i) the date and place of the eligible child's birth; and

(ii) the status of the guardian.

(4) The Registrar-General may require the guardian to provide any means of identification that the Registrar-General reasonably requires to confirm the identity of the guardian or the eligible child (or both).

(5) The Registrar-General must, at the request of the guardian of the eligible child, return or destroy the certificate or evidence provided under subsection (3) or (4).

Compare: 1995 No 16 s 21A(1)–(3), (4)–(5)

Section 70(2)(a): amended, on 6 June 2026, by section 6 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Registration of name change in birth record or name-change record

71 When Registrar-General may register name change

(1) The Registrar-General may register a name change only if, after the name change is registered, the person's birth record or name change record will include—

(a) 1 name as the person's surname and 1 or more other names; or

(b) if the religious or philosophical beliefs, or cultural traditions, of the person or of a parent (whether living or dead) or living guardian of the person require the person to have only 1 name, 1 name.

(2) The Registrar-General must, if the requirements of subsection (1) are met, register a name change as soon as practicable after an application or request is made in accordance with section 67, 69, or 70 unless the Registrar-General considers that it is undesirable in the public interest for the person to have the proposed name.

(3) A person affected by a decision of the Registrar-General to decline to register a name change under subsection (2) may appeal against the decision under section 30.

(4) However, the Registrar-General must not register a name change in respect of an eligible person who is abandoning a surname assumed on marriage or entry into a civil union (without a registered name change) and reverting to the person's registered name.

Compare: 1995 No 16 s 21B

Guardianship disputes and refusal of consent

72 Registrar-General must give effect to decisions under Care of Children Act 2004

(1) The Registrar-General must give effect to an order under section 46R(4) or 46C(1) of the Care of Children Act 2004 that requires the Registrar-General to record any names in a child's birth record.

(2) This section is subject to sections 18 and 30 but overrides any other provision in this Part.

Compare: 1995 No 16 s 22

Registration of name change in marriage and civil union record

73 Person may request name change be included in marriage or civil union record

(1) Subsection (2) applies if, during the course of a marriage or civil union,—

(a) the name of a person who is a party to the marriage or civil union changes; and

(b) the change is registered in the person's birth record or name change record.

(2) The person whose name has changed (or, if the person has died, the other party to the marriage or civil union) may request the Registrar-General to register the name change in the record relating to the marriage or civil union.

(3) The request—

(a) may be made at the same time as an application for a name change is made under 69; and

(b) must be accompanied by the prescribed fee (if any).

Compare: 1995 No 16 ss 62(1)–(3), 62G(1)–(3)

74 Registration of new names in marriage or civil union information

The Registrar-General must, if a request is made to register a name change in a record relating to a marriage or civil union in accordance with section 73, register the name change in the record.

Compare: 1995 No 16 ss 62(4), 62G(4)

Subpart 7—Creation of records for security-related purposes

Requests for new identity information

75 Minister of Police may request new identity information for certain witnesses and undercover Police officers

(1) The Minister of Police may make a written request to the Minister to create new identity information for the purpose of protecting a person who—

(a) is, has been, or will be a witness in any proceeding; or

(b) is, has been, or will be an undercover Police officer; or

(c) needs protection because of the person's relationship to someone who is, has been, or will be a witness in any proceeding.

(2) In this section, **undercover Police officer** means a person who is a Police employee or a member of a corresponding overseas law enforcement agency and whose identity is concealed for the purpose of an undercover investigation approved by the Commissioner of Police.

Compare: 1995 No 16 s 65(1)(a), (5)

76 Director-General of intelligence and security agency may request new identity information for employee

(1) The Director-General of an intelligence and security agency may make a written request to the Minister to create new identity information for the purpose of protecting the identity of a person who is, has been, or will be an employee.

(2) In subsection (1), **employee** has the meaning set out in section 22 of the Intelligence and Security Act 2017.

Compare: 1995 No 16 s 65(1)(b), (5)

Creation of new identity information

77 Minister may direct that new identity information be created for witness or undercover Police officer

(1) The Minister may direct the Registrar-General to create new identity information for a person if the Minister is satisfied,—

(a) on receiving a request under section 75, that it is in the interests of justice that the new identity information be created:

(b) on receiving a request under section 76 and having regard to the matters set out in section 26(3) of the Intelligence and Security Act 2017 (which applies with any necessary modifications), that—

(i) the person will use the new identity information appropriately; and

(ii) it is otherwise appropriate to grant the request.

(2) The Registrar-General may create new identity information by—

(a) recording, amending, or deleting information in the registry (including, if necessary, to create other identities to support the person's new identity information); and

(b) creating, deleting, or amending operational or administrative information as necessary, so that it supports the information described in paragraph (a).

(3) The Registrar-General may delete, amend, or insert information recorded in the registry under subsection (2) if the Registrar-General receives notification from any of the following persons that the new identity is no longer needed or has been compromised:

(a) the Commissioner of Police in relation to new identity information created as a result of a request under section 75(1):

(b) the Director-General of an intelligence and security agency in relation to new identity information created as the result of a request under section 76(1).

Compare: 1995 No 16 s 65(2)–(4)

Part 3
Certificates

General provisions

78 Request for certificate

(1) Any person may request that the Registrar-General provide the person with a birth certificate, death certificate, marriage certificate, civil union certificate, or name-change certificate that relates to—

(a) that person; or

(b) any other person.

(2) The request must be made in accordance with section 91.

78A Subject of information may request certificate with registered information omitted

(1) This section applies if any of the following persons requests a certificate under section 78:

(a) an individual who would be the subject of the certificate:

(b) a personal representative of the individual who would be the subject of the certificate.

(2) The Registrar-General may, if requested by a person referred to in subsection (1), omit registered information from the certificate if the Registrar-General reasonably believes that inclusion of the information in the certificate would prejudice the personal safety or well-being of—

(a) the individual who would be the subject of the certificate; or

(b) the family of the individual who would be the subject of the certificate.

Section 78A: inserted, on 6 June 2026, by section 7 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

79 Certificates as evidence

(1) A certificate issued under this Act is admissible as evidence in any legal proceedings and is presumed, in the absence of evidence to the contrary, to be an accurate record of the information recorded in the registry as at the date of issue.

(2) Any individual, private sector agency, or public sector agency authorised or required to ascertain an individual's sex or gender for a particular purpose may take into account either or both of the following:

(a) the information contained in a certificate issued under this Act:

(b) any other relevant information.

Birth certificates

80 Contents of birth certificates generally

(1) A birth certificate in respect of a person must contain all of the information that—

(a) is recorded in the registry in relation to the person; and

(b) is required by regulations to be contained in a birth certificate.

(2) The Registrar-General must also indicate on the birth certificate—

(a) that the person was stillborn (if the Registrar-General is satisfied that the person was stillborn); or

(b) that the person is deceased (if the Registrar-General is satisfied that the person is dead); or

(c) that the Registrar-General has received a certificate or information relating to the death of the person outside New Zealand (if the Registrar-General has recorded the receipt of a certificate or information in relation to the death under section 50).

(3) This section is subject to the following sections:

(a) section 27 (which relates to the contents of a person's birth certificate after registration of the person's nominated sex):

(aa) section 78A (which provides for registered information to be omitted from a birth certificate):

(b) section 81 (which relates to the contents of a person's birth certificate issued after a correction of information in the person's birth record):

(c) section 83 (which relates to the contents of an adopted person's birth certificate).

Compare: 1995 No 16 s 67

Section 80(3)(aa): inserted, on 6 June 2026, by section 8 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

81 Contents of birth certificate issued after correction of information in birth record

(1) A birth certificate issued in respect of a person after a clerical error in the registry has been corrected under section 131(a) must contain—

(a) the information that the certificate would contain if the error had never been made; and

(b) no other information that may indicate that a correction has been made.

(2) A birth certificate issued in respect of a person after information in the registry relating to the person's sex has been deleted under section 131(b) must contain—

(a) the information that it would contain if the deleted information had never been registered; and

(b) no other information that may indicate that information relating to the person's sex has been deleted under section 131.

(3) A birth certificate issued in respect of a person after information in the registry relating to the person's sex has been registered under section 131(e) must contain—

(a) the information that it would contain if the person's registered sex following registration of the information had always been the person's registered sex; and

(b) no other information that may indicate that information relating to the person's sex has been registered under section 131(e).

(4) A birth certificate issued in respect of a person after information in the registry relating to the person's sex has been deleted or registered under section 131(b) or (e) must also contain the information that it would contain if the person's name since birth had been—

(a) the person's registered name at the time of the most recent registration or deletion of information relating to the person's sex; or

(b) if an application for a name change was made by or on behalf of the person at the same time as a request for the registration or deletion of information relating to the person's sex, the person's name following registration of that name change.

(5) Despite subsection (4), any information relating to a name change after the most recent registration, correction, or deletion of information relating to the person's sex (other than a name change described in subsection (4)(b)) must appear on a birth certificate issued after the name change in accordance with section 80(1).

(6) Section 27 applies instead of subsections (3) to (5) if the person's registered sex at the time the birth certificate is issued is a nominated sex registered under section 26.

(7) This section is subject to section 78A (which provides for registered information to be omitted from a birth certificate).

Compare: 1995 No 16 s 66

Section 81(7): inserted, on 6 June 2026, by section 9 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

82 Request for adopted person's birth certificate must specify most recent names

A request made under section 78 for an adopted person's birth certificate must be made by reference to—

(a) the name most recently registered for the adopted person under section 32 or 33 (other than a name or names derived from an adoption that has been discharged); or

(b) a name or names later registered for the adopted person under section 71.

Compare: 1995 No 16 s 63(1)

83 Contents of adopted person's birth certificate

(1) The Registrar-General may issue an adopted person's birth certificate only to a person who requests the certificate in accordance with section 82.

(2) The Registrar-General may issue an adopted person's original birth certificate only if section 11(4)(a) of the Adult Adoption Information Act 1985 applies (which relates to access to an original birth certificate by a social worker).

(3) A birth certificate issued to a person who requested the certificate in accordance with section 82 must—

(a) contain the information that the certificate would contain if—

(i) the adoptive parents were the adopted person's biological parents; and

(ii) the name or combination of names first registered for the adopted person after the adoption had been the adopted person's registered name or names since birth; and

(b) include (or, as the case may be, not include) an indication that the adoptive parents are adoptive parents, in accordance with the most recently registered of the following:

(i) the wishes of the adoptive parents referred to in section 31(d):

(ii) an indication requested by the adopted person or the adoptive parents in an application under section 34.

(3A) Subsection (3) is subject to section 78A (which provides for registered information to be omitted from a birth certificate).

(4) The certificate must not contain any other information (other than any indication required by section 80(2)(b) or (c)).

(5) In this section, **adoptive parents** means the adoptive parents who most recently adopted the adopted person (other than under an adoption order that has been discharged).

(6) This section is subject to the Adult Adoption Information Act 1985.

Compare: 1995 No 16 s 63(2)

Section 83(3A): inserted, on 6 June 2026, by section 10 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Other certificates

84 Contents of death certificate

(1) A death certificate in respect of a person must contain all of the information that—

(a) is recorded in the registry in relation to the person; and

(b) is required by regulations to be contained in a death certificate.

(2) This section is subject to section 78A (which provides for registered information to be omitted from a death certificate).

Compare: 1995 No 16 s 69

Section 84(2): inserted, on 6 June 2026, by section 11 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

85 Contents of marriage or civil union certificate

(1) A marriage certificate in respect of a marriage must contain all of the information—

(a) that is recorded in the registry in relation to the marriage; and

(b) that is required by regulations to be contained in a marriage certificate.

(2) A civil union certificate in respect of a civil union must contain all of the information—

(a) that is recorded in the registry in relation to the civil union; and

(b) that is required by regulations to be contained in a civil union certificate.

(3) If the Registrar-General has recorded the receipt of a certificate or information relating to a divorce or dissolution of the marriage or civil union outside New Zealand under section 63, the Registrar-General must also indicate on the marriage certificate or civil union certificate that the Registrar-General has received a certificate or information relating to the divorce or dissolution.

(4) This section is subject to section 78A (which provides for registered information to be omitted from a marriage certificate or a civil union certificate).

Compare: 1995 No 16 ss 70, 70A

Section 85(4): inserted, on 6 June 2026, by section 12 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

86 Contents of name-change certificate

(1) A name-change certificate in respect of a person must contain the information—

(a) that is recorded in the registry in relation to the person; and

(b) that is required by regulations to be contained in a name-change certificate.

(2) A name-change certificate may be issued in respect of a person only if the person's birth is not registered under this Act.

(3) Subsection (1) is subject to section 78A (which provides for registered information to be omitted from a name-change certificate).

Compare: 1995 No 16 s 70B

Section 86(3): inserted, on 6 June 2026, by section 13 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Part 4
Searches and disclosure of information

Subpart 1—Public access to information

87 Definitions used in this subpart

In this subpart,—

access register means the access register required to be kept under section 98

Chief Archivist means the person holding that office under the Public Records Act 2005

historical information means information relating to—

(a) the birth (excluding a stillbirth) of—

(i) a deceased person who died 50 years ago or more or who was born 80 years ago or more; or

(ii) a living person who was born 100 years ago or more:

(b) a stillbirth that occurred 50 years ago or more:

(c) a marriage or civil union that occurred 75 years ago or more:

(d) an intended marriage for which a notice of intention to marry was recorded 75 years ago or more:

(e) a name change for a person whose birth is registered outside New Zealand and who was born 100 years ago or more:

(f) the death of a person who—

(i) died 50 years ago or more; or

(ii) was born 80 years ago or more

personal representative, in relation to a person, means,—

(a) if the person is less than 18 years old and has not married or entered into a civil union or de facto relationship, a guardian of the person:

(b) if the person is 18 years old or older or has married or entered into a civil union or de facto relationship, a person acting on behalf of the person under a power of attorney or other written authority:

(c) if the person has died, the executor, administrator, or trustee of the deceased person's estate

pre-1998 register—

(a) means a register maintained in documentary form and created before 1 January 1998 that—

(i) contains information recorded in the registry; and

(ii) is accessible by the Registrar-General; and

(iii) is under the control of—

(A) the Registrar-General; or

(B) a person (other than the Registrar-General) who has the function of managing, on behalf of the Registrar-General, information in the registry; or

(C) the Chief Archivist; and

(b) includes—

(i) a register of notices of intention to marry; and

(ii) an index to a register

source document—

(a) means a document—

(i) from which information recorded in the registry is sourced; and

(ii) that is accessible by the Registrar-General; and

(iii) that is under the control of—

(A) the Registrar-General; or

(B) a person (other than the Registrar-General) who has the function of managing, on behalf of the Registrar-General, information in the registry; or

(C) the Chief Archivist; and

(b) includes a pre-1998 register.

Compare: 1995 No 16 ss 2, 73, 78G

Eligibility to access information

88 Person must confirm identity to access information under this subpart

(1) Only a person who confirms the person's identity in accordance with subsection (2) may—

(a) search information made available by the Registrar-General under section 89; or

(b) request access to information and source documents under section 91.

(2) The person must—

(a) satisfy any evidence of identity requirements prescribed by regulations; and

(b) in respect of a request under section 91, provide any means of identification that the Registrar-General reasonably requires to confirm the identity of the person making the request.

(3) However, a person does not have to confirm their identity under subsection (1) to request access to historical information under section 91(1)(a) or (b).

Section 88(1)(a): amended, on 27 November 2025, by section 18(1) of the Statutes Amendment Act 2025 (2025 No 74).

Section 88(3): inserted, on 27 November 2025, by section 18(2) of the Statutes Amendment Act 2025 (2025 No 74).

General searches

89 Registrar-General may make certain limited information available to search online

(1) The Registrar-General may make the following information available to search on an Internet site maintained by, or on behalf of, the Registrar-General:

(a) in respect of a birth (including a stillbirth), the year the birth was registered and the name of the person born:

(b) in respect of a marriage or civil union, the year the marriage or civil union was registered and the name of the parties to the marriage or civil union:

(c) in respect of a death, the year the death was registered and the name at death of the person who died.

(2) The Registrar-General may also make available, in respect of a birth, marriage, or death recorded in a pre-1998 register, the folio number for the information.

(3) Information that is subject to a non-disclosure direction under section 103 may not be made available under this section.

90 Registrar-General may make historical information available online

The Registrar-General may make any or all of the following historical information (in addition to the limited information available under section 89)

available to search on an Internet site maintained by, or on behalf of, the Registrar-General:

(a) in respect of a birth (excluding a stillbirth),—

(i) the name, all registered name changes, and sex of the person born:

(ii) the date of the birth:

(iii) the place of the birth or the place where it was registered, or both:

(iv) the name or names of the parent or parents:

(v) the registration number:

(b) in respect of a stillbirth,—

(i) the name and sex of the person who was stillborn:

(ii) the date of the stillbirth:

(iii) the place of the stillbirth or the place where it was registered, or both:

(iv) the name or names of the parent or parents:

(v) the registration number:

(c) in respect of a marriage or civil union,—

(i) the names of the people who married or entered into a civil union:

(ii) the date of the marriage or civil union:

(iii) the place of the marriage or civil union or the place where it was registered, or both:

(iv) the registration number:

(d) in respect of an intended marriage (whether or not it was solemnised),—

(i) the names of the people who intended to marry:

(ii) the date the notice of intention was registered:

(iii) the intended place of the marriage:

(e) in respect of a name change,—

(i) the person's full name before the first registered name change:

(ii) in relation to each time the person has registered a name change, the person's new full name:

(iii) the date of birth of the person:

(iv) the place of birth of the person:

(v) the registration number:

(f) in respect of a death,—

(i) the name at birth, name at death, and sex of the person who died:

(ii) the date of the death:

(iii) the place where the person died or the place where the death was registered, or both:

(iv) the date of birth of the person who died or the age of the person at death, or both:

(v) the registration number.

Compare: 1995 No 16 s 78H

90A Registrar-General may supply historical information in bulk

(1) The Registrar-General may enter into an agreement with an organisation to supply any of the historical information specified in section 90 in bulk to that organisation.

(2) The agreement may authorise the organisation to make the information supplied under the agreement available to search on an Internet site maintained by or on behalf of that organisation.

Section 90A: inserted, on 6 June 2026, by section 14 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Named person searches

91 Any person may request access to information in relation to named person

(1) A person may, after their identity is confirmed under section 88 (if required), request the Registrar-General to—

(a) search for information relating to a named person's birth, death, marriage (or intended marriage), civil union, or name change; or

(b) provide a printout or certificate of the information; or

(c) permit the inspection of, or provide a copy of, a source document relating to a named person's birth, death, marriage (or intended marriage), civil union, or name change; or

(d) provide electronic access to a page of a pre-1998 register that contains historical information in respect of a named person.

(2) The request must—

(a) specify the named person to whom the information or document relates; and

(b) be made in accordance with any directions issued by the Registrar-General; and

(c) be accompanied by the prescribed fee.

(3) A person making a request on behalf of another person must—

(a) identify the person on whose behalf the request is made; and

(b) specify whether the person making the request is making the request in their capacity as the personal representative of the person on whose behalf the request is made; and

(c) provide any means of identification that the Registrar-General reasonably requires to confirm the identity of the person on whose behalf the request is made.

Compare: 1995 No 16 s 74

Section 91(1): amended, on 27 November 2025, by section 19 of the Statutes Amendment Act 2025 (2025 No 74).

92 Registrar-General may provide access to information or document unless restriction applies

(1) The Registrar-General may, if satisfied that the requirements of this subpart are met, provide access to the information or document requested under section 91.

(2) This section is subject to—

(a) section 93 (which restricts who may access source documents); and

(b) sections 102 to 110 (which provide for other restrictions on access to information under this subpart).

93 Only certain persons may access source documents

(1) Only the following persons may inspect or obtain a copy of a source document:

(a) the individual who is the subject of the information contained in a source document (or the individual's personal representative):

(b) a person who requires access for—

(i) the maintenance of the accuracy of information recorded in the registry; or

(ii) a purpose consistent with the purpose of recording information under this Act that cannot be met by obtaining a certificate or printout.

(2) However, a person described in subsection (1)(a) may not inspect or obtain a copy of a pre-1998 register under section 92 (*but see* section 94).

(3) Despite subsections (1) and (2), the Registrar-General (or other person who has control over notices of intention to marry) may make a notice of intention to marry containing historical information available for inspection by the public for a prescribed fee (if any).

Compare: 1995 No 16 s 75

94 Page of pre-1998 register accessed electronically may contain additional information

(1) The Registrar-General may provide electronic access to a page of a pre-1998 register requested under section 91 only if the page contains historical information relating to the birth, death, marriage (or intended marriage), civil union, or name change of the named person specified in the request.

(2) The page may also contain other information relating to that person or another person, including either or both of the following:

(a) restricted information:

(b) a notation that is deemed to be deleted or expunged under section 110.

Special purpose searches

95 Non-disclosure direction does not apply to searches for certain authorised purposes

The Registrar-General may comply with a request for access to information under section 91 by any of the following persons even if the information is subject to a non-disclosure direction:

(a) a person who requires the information for use in proceedings in a court or tribunal:

(b) an adopted person who is searching for information about the adopted person's birth family:

(c) an executor, an administrator, or a trustee of an estate or a trust who requires the information for the administration of the estate or trust:

(d) a person who satisfies the Registrar-General that access to the information or a source document is required for the maintenance of the accuracy of the information:

(e) a person who satisfies the Registrar-General that access to a source document is required for a purpose consistent with the purpose of recording information under this Act that cannot be met by obtaining a certificate or printout.

Compare: 1995 No 16 s 75F(1)

96 Non-disclosure direction and access register requirements do not apply to certain searches by public sector agencies

(1) This section applies to a request for access to information under section 91 by—

(a) a public sector agency, if access to the information by the public sector agency is necessary to avoid prejudice to the maintenance of the law (including the prevention, detection, investigation, prosecution, and punishment of offences); or

(b) a public sector agency, if disclosure of the information to the public sector agency is contemplated or authorised by any other enactment; or

(c) an intelligence and security agency, if it requires the information for the performance of its functions; or

(d) the New Zealand Police, for the purpose of notifying next of kin in the case of a person's death.

(2) If this section applies, the Registrar-General—

(a) is not required to record the request in the access register under section 98(2); and

(b) may comply with the request even if the information is subject to a non-disclosure direction.

Compare: 1995 No 16 s 75F(2)

Searches in public interest or named person's interest

97 Certain public sector agencies may request searches in public interest or named person's interest

(1) A department or an organisation may request the Registrar-General to search for, or provide, information in the registry for a purpose—

(a) in the public interest; or

(b) in a named person's interest.

(2) The request must—

(a) specify the reasons for the request (including why it is necessary or desirable in the public interest or a named person's interest); and

(b) in the case of a search in a named person's interest, name the person in whose interest the search is requested; and

(c) be made in accordance with any directions issued by the Registrar-General.

(3) The Registrar-General may authorise a search for, or provide access to, the information requested only if the department or organisation satisfies the Registrar-General that searching for, or providing access to, the information—

(a) is required for a purpose consistent with this Act's purposes; and

(b) is necessary or desirable in—

(i) the public interest; or

(ii) the interest of the person named under subsection (2)(b).

(4) The Registrar-General may provide access to information under subsection (3) even if the information is subject to a non-disclosure direction.

(5) In this section,—

department means a government department named in Part 1 of Schedule 1 of the Ombudsmen Act 1975

organisation means—

(a) an organisation named in Part 2 of Schedule 1 of the Ombudsmen Act 1975; or

(b) an organisation named in Schedule 1 of the Official Information Act 1982.

Access register

98 Registrar-General must keep access register

(1) The Registrar-General must ensure that an access register is kept for the purposes of this Act.

(2) The access register must—

(a) record, as a separate entry, every request under section 91(1)(b) or (c) or 97(1) for access to information or source documents relating to the registration of a person's birth, marriage (or intended marriage), civil union, name change, or death; and

(b) set out the following information under each entry:

(i) the name of the person who made the request; and

(ii) any information provided under section 91(3)(a) or (b) by the person who made the request; and

(iii) the date on which the request was made; and

(iv) whether the Registrar-General complied with the request.

(3) Subsection (2)(a) does not apply to—

(a) a request to which section 96 (which relates to searches by certain public sector agencies for certain authorised purposes) applies; or

(b) a request for access to historical information or a source document containing historical information.

Compare: 1995 No 16 s 75D

99 Individual or individual's representative may request copy of access register

(1) The following persons may request the Registrar-General to provide a copy of all entries made in the access register in relation to information in the registry about an individual's birth, death, marriage (or intended marriage), civil union, or name change:

(a) the individual who is the subject of the information:

(b) the individual's personal representative.

(2) The request must—

(a) be made in accordance with any directions issued by the Registrar-General; and

(b) be accompanied by—

(i) the prescribed fee (if any); and

(ii) any means of identification that the Registrar-General reasonably requires to confirm the identity of the person making the request.

(3) An individual's personal representative who makes an application on behalf of the individual under subsection (1)(b) must have the written authority of, or be otherwise properly authorised by, the individual to make the request.

Compare: 1995 No 16 s 75A(1), (2)(a), (3), (4)

100 Public sector agency may request copy of access register for maintenance of law

A public sector agency may request the Registrar-General to provide a copy of all entries made in the access register in relation to any person if it is necessary to avoid prejudice to the maintenance of the law (including for the prevention, detection, investigation, prosecution, and punishment of offences).

Compare: 1995 No 16 s 75E

101 Registrar-General may comply with request if requirements met

(1) The Registrar-General may provide a copy of entries in an access register to a person only if satisfied that the requirements of section 99 or 100 are met.

(2) The Registrar-General must adopt appropriate procedures to ensure that section 99(3) is complied with.

(3) The Registrar-General must comply with a request by a public sector agency in accordance with section 100 as soon as practicable after the request is made.

Compare: 1995 No 16 ss 75A(5), 75E(2)

Non-disclosure directions

102 Subject of information may request non-disclosure direction

(1) The following persons may request that the Registrar-General direct that an individual's registered information not be disclosed to the public:

- (a) in the case of an individual's birth information, marriage information, civil union information, or name-change information, the individual or the individual's personal representative:
- (b) in the case of an individual's death information, the individual's personal representative.

(2) The request must be—

- (a) made—
  - (i) on 1 or more prescribed grounds; and
  - (ii) in accordance with any directions issued by the Registrar-General; and
- (b) accompanied by—
  - (i) the prescribed fee (if any); and

(ii) any means of identification that the Registrar-General reasonably requires to confirm the identity of the person making the request.

Compare: 1995 No 16 s 75A(1), (2)(b), (3), (4)

103 Effect of non-disclosure direction

(1) The Registrar-General must, if satisfied that the requirements of section 102 are met,—

(a) direct that the requested information not be disclosed to a person under section 89 or 92; and

(b) record the non-disclosure direction in the registry.

(2) The Registrar-General may comply with a request under section 91 to access an individual's information that is subject to a non-disclosure direction only if—

(a) the request is made—

(i) by the individual who is the subject of that information; or

(ii) by that individual's personal representative; or

(iii) by a person described in section 95 or 96; or

(b) the information that is subject to the non-disclosure direction is withheld from the information provided or made available.

(3) The Registrar-General must withhold any information that is subject to a non-disclosure direction from information provided or made available to any other person under section 89 or 92.

(4) The Registrar-General must inform a person who makes a request for information that is withheld under this section—

(a) that the information exists; but

(b) that the information cannot be disclosed because of a non-disclosure direction.

Compare: 1995 No 16 s 75B(1), (2), (6)

104 Duration of non-disclosure direction

(1) A non-disclosure direction is in force from the date on which the Registrar-General gives the direction and continues in force until the earlier of—

(a) the expiry of the prescribed period; and

(b) the date on which the Registrar-General directs that the direction be withdrawn—

(i) in accordance with a request under subsection (2); or

(ii) in accordance with subsection (3).

(2) An individual who is the subject of the information to which a non-disclosure direction relates or the individual's personal representative may, at any time, request the Registrar-General—

(a) to withdraw the direction; or

(b) on 1 or more prescribed grounds, to reinstate the direction after it has been withdrawn or after the prescribed period referred to in subsection (1)(a) has expired.

(3) The Registrar-General must withdraw a non-disclosure direction if—

(a) the person who requested the direction is convicted of an offence under section 138(1)(d); or

(b) the Registrar-General, after making any inquiries that the Registrar-General considers reasonably necessary for the purpose of this Act, is satisfied that the request was not made on any grounds referred to in section 102(2)(a)(i).

(4) Section 102(2) applies with any necessary modifications to a request under subsection (2).

Compare: 1995 No 16 s 75B(3)–(5)

105 Registrar-General may provide limited verification of certain information subject to non-disclosure direction

(1) This section applies if a person who is the subject of information that is subject to a non-disclosure direction makes publicly available—

(a) any part of the information that is subject to the non-disclosure direction; or

(b) any information corresponding to any part of the information that is subject to the non-disclosure direction.

(2) Any person may request the Registrar-General to verify whether the information that has become publicly available matches, or is consistent with, the information that is subject to a non-disclosure direction.

(3) The request must be—

(a) made in accordance with any directions issued by the Registrar-General; and

(b) accompanied by—

(i) a copy of the information that has become publicly available or any other details that are sufficient, in the Registrar's opinion, to confirm that the information is publicly available; and

(ii) the prescribed fee (if any); and

(iii) any means of identification that the Registrar-General reasonably requires to confirm the identity of the person making the request

(and if applicable, the identity of the person on whose behalf the request is made).

Compare: 1995 No 16 s 75C

Restricted information

106 Access to restricted adoption information

The Registrar-General may provide a person with access to restricted adoption information only—

(a) if satisfied that the person is—

(i) an executor, an administrator, or a trustee of an estate or a trust who wishes to access the information for a purpose in connection with the administration of the estate or trust (and the information is material to that purpose); or

(ii) a celebrant who wishes to access the information for the purpose of investigating forbidden degrees of relationship under the Marriage Act 1955 or Civil Union Act 2004; or

(b) if satisfied that section 11(4)(a) of the Adult Adoption Information Act 1985 authorises access to the information (but in that case the Registrar-General may permit access only to the extent authorised by that section); or

(c) if satisfied that all of the following persons are dead:

(i) the adopted person who is the subject of the information; and

(ii) the adoptive parent or parents of the adopted person; and

(iii) the biological parent or parents of the adopted person (if information in respect of the biological parents is registered in the adopted person's birth record); or

(d) if satisfied that 120 years has passed since the birth of the adopted person; or

(e) in accordance with section 109 or 113.

Compare: 1995 No 16 s 76

107 Access to restricted name-change information and restricted sex information

(1) The Registrar-General may provide access to restricted name-change information in respect of a person whose nominated sex has been registered under section 26 only—

(a) if satisfied that the person requesting access is—

(i) the subject of the information; or

(ii) an executor, an administrator, or a trustee of an estate or a trust who seeks to access the information for a purpose in connection

with the estate or trust (and the information is material to that purpose); or

(b) if satisfied that the person who is the subject of the information was born more than 120 years ago; or

(c) in accordance with subsection (3) or section 109 or 113.

(2) The Registrar-General may provide access to restricted name-change information in respect of a person who has had information relating to their sex registered, corrected, or deleted under section 131 only—

(a) if satisfied that the person requesting access is the subject of the information; or

(b) if satisfied that the person who is the subject of the information was born more than 120 years ago; or

(c) in accordance with subsection (3) or section 109 or 113.

(3) The Registrar-General may notify a government agency that has an interest in ensuring that people do not have more than 1 identity of—

(a) the fact that a correction or change to a person's birth information relating to sex has been registered; and

(b) the person's names at the time of the correction or change; and

(c) any new names later adopted by the person.

Compare: 1995 No 16 s 77

108 Access to restricted identity information

(1) The Registrar-General may provide access to restricted identity information only—

(a) if satisfied that the person requesting access is the subject of the information; or

(b) if satisfied that the person who is the subject of the information—

(i) has given the Registrar-General written consent to provide access to the person requesting the information; or

(ii) is dead; or

(iii) was born more than 120 years ago; or

(c) in accordance with subsection (4) or section 109 or 113.

(2) The Registrar-General must, as soon as practicable after a person requests access to information in the registry in respect of a person for whom a new identity has been created,—

(a) notify the person who has the new identity that the information has been requested (if the Registrar-General has the person's latest contact details); and

(b) notify—

(i) the Commissioner of Police (if the new identity was created as a result of a request by the Minister of Police); or

(ii) the Director-General of an intelligence and security agency (if the new identity was created as a result of a request by the Director-General of an intelligence and security agency).

(3) The Registrar-General may also inform the person who has the new identity and the Commissioner of Police or the Director-General of an intelligence and security agency (whichever is notified under subsection (2)) of the following information:

(a) the date and time of the request:

(b) the name, address, and contact details (if known) of the person who made the request:

(c) the information requested:

(d) the information (if any) provided to the person as a result of the request.

(4) The Registrar-General may—

(a) notify a government agency that has an interest in ensuring that people do not have more than 1 identity that a new identity has been created for the person under section 77; and

(b) provide details about the person (such as the person's date of birth, former name, and new name) to that agency.

(5) However, the Registrar-General may do so only with the written approval of—

(a) the Commissioner of Police (if the new identity was created as a result of a request by the Minister of Police); or

(b) the Director-General of an intelligence and security agency (if the new identity was created as a result of a request by the Director-General of an intelligence and security agency).

Compare: 1995 No 16 s 78

109 Registrar-General may provide access to restricted information on court order

The Registrar-General may provide access to restricted information on the order of the Family Court, the District Court, or the High Court—

(a) for the purposes of a prosecution for making a false statement; or

(b) in the event of any question as to the validity of—

(i) any interim order or adoption order (if the order relates to adoption information); or

(ii) a marriage or civil union (if the order relates to new identity information); or

(iii) any information recorded under section 26 (if the order relates to restricted name-change information or restricted sex information); or

(c) on any other special ground.

Compare: 1995 No 16 ss 76(4), 77(8)

110 Any reference to "illegitimate" deemed to be deleted

(1) All entries in any register made under section 25 of the Births and Deaths Registration Act 1924 or the corresponding provision of a former Act are deemed to be expunged and deleted.

(2) Despite subsection (1), the Registrar-General may provide or make available information or printouts under section 92 or 97(3) that include a notation that is deemed to be expunged and deleted under subsection (1).

(3) This section is subject to section 94 (which permits electronic access to pre-1998 registers containing original historical information).

Compare: 1995 No 16 s 86

Section 110(2): replaced, on 6 June 2026, by section 15 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Subpart 2—Disclosure and sharing of information

Disclosure to public sector agencies

111 Registrar-General may disclose information under approved information sharing agreement

(1) The Registrar-General may share any of the following personal information about an identifiable individual under an approved information sharing agreement:

(a) personal information recorded in the registry:

(b) personal information received from an overseas registration authority.

(2) Despite subsection (1), the Registrar-General may share restricted information under an approved information sharing agreement only in accordance with section 107(3), 108(4) and (5), or 113 (as applicable).

Compare: 1995 No 16 s 78AA

112 Registrar-General may disclose information to Schedule 2 agencies under information matching agreement or approved information sharing agreement

(1) The purpose of this section is to authorise the disclosure of certain specified personal information to the agencies listed in Schedule 2 (the **Schedule 2 agencies**) for the purposes specified in that schedule.

(2) The Registrar-General may disclose personal information to the chief executive of a Schedule 2 agency for the purposes of this section only if—

(a) the information is of a type specified in the second column of Schedule 2 in relation to the Schedule 2 agency; and

(b) the disclosure is for a purpose specified in the third column of that Schedule for that type of information in relation to the Schedule 2 agency; and

(c) the disclosure is in accordance with—

(i) an information matching agreement entered into under Part 10 of the Privacy Act 1993 and continued by clause 11 of Schedule 1 of the Privacy Act 2020; or

(ii) an information matching agreement entered into under subpart 4 of Part 7 of the Privacy Act 2020; or

(iii) an approved information sharing agreement entered into under subpart 1 of Part 7 of the Privacy Act 2020; and

(d) in the case of any personal information that is restricted information, the disclosure is in accordance with section 107(3), 108(4) and (5), or 113 (as applicable).

(3) Nothing in this section limits section 111 or prevents the Registrar-General from entering into an information sharing agreement to share information in accordance with that section.

(4) In this section, a reference to the **chief executive of an agency** means, in the case of the Government Superannuation Fund Authority or the National Provident Fund, a reference to the board of the Government Superannuation Fund Authority or, as the context requires, the Board of Trustees of the National Provident Fund.

Compare: 1995 No 16 s 78A

113 Registrar-General may disclose information for law enforcement purposes

(1) This section applies if a specified agency has reason to suspect that a particular individual—

(a) is, or is liable to be, detained under an enactment:

(b) is, or is liable to be, arrested under a warrant issued by a court or any Registrar:

(c) is contravening, or is about to contravene, an enactment or a court order:

(d) is liable to be prosecuted for an offence punishable by imprisonment:

(e) is, or is liable to be, detained or arrested in respect of a traffic offence:

(f) is endangering, or is threatening to endanger, the life, health, or safety of a person or group of persons:

(g) is injured or dead.

(2) If this section applies, the Registrar-General may, despite the existence or absence of an approved information sharing agreement, share the following personal information about the particular individual with the specified agency:

(a) personal information recorded in the registry (including restricted information):

(b) personal information received from an overseas registration authority under section 114.

(3) This section does not limit section 112 or 115.

(4) For the purposes of this section, **specified agency** means any of the following:

(a) the Department of Corrections:

(b) the Department of Internal Affairs:

(c) the part of the Ministry of Business, Innovation, and Employment that administers the Immigration Act 2009:

(d) the Ministry of Justice:

(e) the Ministry of Transport:

(f) the New Zealand Customs Service:

(g) the New Zealand Police:

(h) the New Zealand Transport Agency.

Compare: 1995 No 16 s 78AB

Disclosure of information to overseas registration authorities

114 Registrar-General may share certain personal information with overseas registration authorities

(1) The Registrar-General may supply a person's name-change information or death information to an overseas registration authority if the person's birth is registered in the State in which the overseas registration authority has jurisdiction.

(2) The Registrar-General may decide not to supply name-change information under subsection (1) if the person who is the subject of the name-change information satisfies the Registrar-General that the name-change information should not be supplied because of exceptional circumstances of a humanitarian or another nature relating to that person.

(3) The Registrar-General may obtain, hold, and record information from an overseas registration authority relating to a name change or death in the State in which the overseas registration authority has jurisdiction if the information relates to a person—

(a) whose birth is registered under this Act; or

(b) who is a New Zealand citizen or is legally entitled to be in New Zealand indefinitely.

(4) The Registrar-General may supply information recorded in the registry about the dissolution of a marriage or civil union to an overseas registration authority if the person's marriage or civil union is registered in the State in which the overseas registration authority has jurisdiction.

(5) The Registrar-General may obtain, hold, and record information from an overseas registration authority relating to a divorce or dissolution of a marriage or civil union in the State in which the overseas registration authority has jurisdiction if the information relates to a marriage or civil union that is registered in New Zealand.

Compare: 1995 No 16 s 78D

115 Supply of information to overseas registration authorities must be in accordance with agreement

(1) The supply of information under section 114 must be in accordance with a written agreement between the Registrar-General and the overseas registration authority concerned.

(2) The agreement must state—

(a) the purpose of the agreement; and

(b) the information that can be supplied; and

(c) the method by which, and the form in which, the information may be supplied; and

(d) how the overseas registration authority will use the information (including the limits on any further disclosure by the overseas registration authority); and

(e) the fees (if any) payable for the supply of the information.

(3) An agreement may be varied by the Registrar-General and the overseas registration authority.

(4) The Registrar-General must consult the Privacy Commissioner before entering into or varying an agreement.

(5) The Privacy Commissioner may require the Registrar-General to review an agreement, and report on the outcome of the review to the Privacy Commissioner, at intervals not shorter than 12 months.

Compare: 1995 No 16 s 78E

Disclosure of information to non-government organisations

116 Registrar-General may disclose death information to non-government organisations for certain purposes

(1) The Registrar-General may disclose death information to an appropriate non-government organisation, private sector agency, or person (the **other party**) for the purpose of removing or suppressing the names of deceased persons from a database held by the other party.

(2) The Registrar-General may not disclose information that is protected by section 27, 81, or 83.

(3) No disclosure may be made unless—

(a) there is an agreement between the Registrar-General and the other party that states—

(i) the purpose of the agreement; and

(ii) the information that can be disclosed; and

(iii) the method and form of the disclosure; and

(iv) how the other party will use the information (including the limits on any further disclosure by the other party); and

(v) the fees (if any) payable for disclosure of the information; and

(b) the disclosure is made in accordance with the agreement.

(4) An agreement may be varied by the Registrar-General and the other party.

(5) The Registrar-General and the other party must consult the Privacy Commissioner before entering into or varying an agreement.

(6) The Privacy Commissioner may require the Registrar-General and the other party to review the agreement, and report on the outcome of the review to the Privacy Commissioner, at intervals not shorter than 12 months.

(7) The other party that obtains information under this section must not intentionally do, or permit another person to do, any of the following:

(a) change or manipulate the information into a form different from the form in which it was provided:

(b) place the information on an Internet site or otherwise make it available for public search:

(c) use or disclose the information for a purpose other than the purpose specified in the agreement.

(8) Subsection (7)(b) does not prevent the other party that obtains information under this section from placing the information on an Internet site that is not generally available to members of the public if the Registrar-General so agrees.

Compare: 1995 No 16 s 78F

Disclosure of information under other Acts

117 Disclosure of certain information for purposes of Identity Information Confirmation Act 2012

(1) Any information specified in subsection (2) in relation to an individual about whom an identity information check was carried out under section 9 of the Identity Information Confirmation Act 2012 may be disclosed to an agency or intermediary (within the meaning of that Act) if the check indicates that death information or name-change information is recorded for that individual.

(2) The information referred to in subsection (1) is as follows:

(a) that the individual is dead:

(b) that name-change information in relation to the individual exists.

Compare: 1995 No 16 s 78K

118 Access to information for purposes of Identity Information Confirmation Act 2012

Nothing in this Act limits access to information that is recorded under this Act if the access is for the purposes of, and in accordance with, the Identity Information Confirmation Act 2012.

Compare: 1995 No 16 s 87AB

119 Information recorded under this Act may be used to update information kept under Human Assisted Reproductive Technology Act 2004

(1) The Registrar-General may use birth information, death information, or name-change information recorded under this Act to update information kept by the Registrar-General under Part 3 of the Human Assisted Reproductive Technology Act 2004.

(2) However, the Registrar-General may do so only if the Registrar-General is satisfied that—

(a) the information relates to a donor, donor offspring, or donor offspring's guardian; and

(b) information about that donor, donor offspring, or donor offspring's guardian is kept under Part 3 of the Human Assisted Reproductive Technology Act 2004.

(3) In this section,—

donor has the meaning set out in section 5 of the Human Assisted Reproductive Technology Act 2004

donor offspring has the meaning set out in section 5 of the Human Assisted Reproductive Technology Act 2004

guardian has the meaning set out in section 5 of the Human Assisted Reproductive Technology Act 2004.

Compare: 1995 No 16 s 85B

Disclosure of statistical information

120 Registrar-General may provide information for statistical purposes or for health, historical, or demographic research

(1) A person acting on behalf of a public sector agency, a body, or a person may request that the Registrar-General search for or provide information for the purpose of—

(a) gathering statistics; or

(b) historical research; or

(c) demographic research; or

(d) health research.

(2) The Registrar-General may search for or provide the information requested only if—

(a) the request does not relate to particular individuals and the person will not retain any information relating to particular individuals; or

(b) the information relates to particular individuals who are dead or were born at least 120 years ago; or

(c) the Registrar-General is satisfied that, in searching for or providing the information, the public benefit outweighs the effect on individual privacy.

(3) For the purposes of subsection (2)(c), the Registrar-General must take into account the following matters:

(a) the number of individuals whose privacy will be affected:

(b) the degree to which each individual's privacy will be affected:

(c) whether an ethics review committee or a similar body has considered and approved the research and, if so, the persons making up the committee or body and the type of work it undertakes:

(d) how the agency, body, or person undertaking the research proposes to hold, use, and, if relevant, dispose of the information obtained.

(4) The Registrar-General may impose any conditions on the holding, use, publication, and disposal of information provided under this section that the Registrar-General considers appropriate to prevent or minimise any effect on individual privacy.

(5) Before exercising any powers under this section for the purposes of subsection (2)(c), the Registrar-General must—

(a) consult, and invite comments from, the Privacy Commissioner; and

(b) take those comments into account.

Compare: 1995 No 16 s 75G

Section 120(5): amended, on 6 June 2026, by section 16 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

121 Disclosure of statistical information

The Registrar-General may publish or otherwise disclose statistical information obtained from information in the registry if the Registrar-General considers that the statistical information may be of interest to the public and is not readily available elsewhere.

Compare: 1995 No 16 s 78C

122 Provision of information to Statistics New Zealand

This Act does not limit the provision of information under the Data and Statistics Act 2022.

Compare: 1995 No 16 s 87A

Section 122: amended, on 1 September 2022, by section 107(1) of the Data and Statistics Act 2022 (2022 No 39).

Part 5
Registrar-General and registry

Subpart 1—Registry

123 Registry established

(1) A registry called the registry of births, deaths, and relationships is established.

(2) The registry may include information and documents in both electronic and documentary form.

(3) The Registrar-General may—

(a) record, amend, or delete information in the registry only as permitted by this Act:

(b) make information in the registry available to the public only as permitted by this Act.

Subpart 2—Offices

124 Registrar-General

(1) There must be a Registrar-General appointed under the Public Service Act 2020.

(2) The Registrar-General is responsible for the general administration of this Act.

Compare: 1995 No 16 s 79

125 Deputy Registrar-General

(1) One or more Deputy Registrars-General may be appointed under the Public Service Act 2020 as may be desirable for the effective and efficient administration of this Act.

(2) Subject to the control of the Registrar-General, a Deputy Registrar-General has and may perform and exercise any of the functions, duties, and powers of the Registrar-General.

(3) If for any reason the office of the Registrar-General is vacant or the Registrar-General is absent (temporarily or permanently) from the office for any reason, the Deputy Registrar-General has and may perform and exercise all the functions, duties, and powers of the Registrar-General.

(4) Subsection (3) applies to—

(a) the Deputy Registrar-General if there is only 1; or

(b) a Deputy Registrar-General authorised for that purpose by the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act (before, on, or after the occurrence of the vacancy or absence) in every other case.

(5) The fact that a Deputy Registrar-General exercises or performs any power, function, or duty of the Registrar-General is conclusive evidence of the Deputy Registrar-General's authority to do so.

(6) No authority given to or act done by a Deputy Registrar-General under this section may be questioned in any proceedings on the ground that—

(a) the occasion for the giving of the authority had not arisen or had ceased; or

(b) the act was contrary to a direction of the Registrar-General.

Compare: 1995 No 16 s 80

126 Registrar-General may delegate functions, duties, and powers to Registrars

(1) There must be appointed the number of persons as Registrars as is necessary for the purposes of this Act or any other Act under which Registrars exercise functions.

(2) Appointments under subsection (1) must,—

(a) in the case of persons who on their appointment will become employed in the public service, be in accordance with the Public Service Act 2020; and

(b) in every other case, be made by the Registrar-General specifying—

(i) the name of the person appointed; or

(ii) an office whose holder for the time being is to hold the appointment.

(3) The Registrar-General may, either generally or particularly, delegate to any Registrar, in writing, any of the Registrar-General's functions, duties, and powers under this Act or any other Act other than any of the following powers:

(a) a power under section 16(1)(b) to register births notified more than 2 years after birth:

(b) a power under section 18(2) or 71(2) to decline to register certain names:

(c) a power under section 26 to decline to register a person's nominated sex if not satisfied certain requirements are met:

(d) a power under section 97(3) to authorise a search for, or provide access to, information requested by a department or an organisation if it is in the public interest or a named person's interest:

(e) a power under section 106, 107, or 108 to provide access to restricted information in certain circumstances:

(f) a power under section 131(b), (c), or (e) to correct errors in the registry other than clerical errors:

(g) a power to delegate under this section.

(4) A Registrar to whom a duty or power is delegated may perform the duty or exercise the power in the same manner and with the same effect as if the duty or power had been conferred directly by this Act, subject to any general or special directions given by or conditions imposed by the Registrar-General.

(5) A Registrar who appears to act under a delegation is presumed to be acting in accordance with its terms in the absence of evidence to the contrary.

(6) Any reference in this Act or regulations to the Registrar-General includes a reference to the delegate in respect of anything delegated to that person.

Compare: 1995 No 16 ss 79(3), 81

Subpart 3—Functions, duties, and powers

Registrar-General's powers of inquiry

127 Registrar-General's powers of inquiry in relation to information recorded in registry

(1) The Registrar-General may, if the Registrar-General considers it reasonably necessary for the purposes of this Act, make inquiries—

(a) to determine whether a registrable event has occurred; or

(b) to collect details of a registrable event; or

(c) to ensure that there is a correct record of a registrable event; or

(d) to determine whether any other information recorded in the registry is correct, including—

(i) information recorded under section 50 or 63 in relation to a death, divorce, or dissolution of a marriage or civil union that occurred outside New Zealand; and

(ii) any information relating to a request for a non-disclosure direction.

(2) The Registrar-General may also require a person who provides information under this section to—

(a) make a statutory declaration to verify the information on a form provided by the Registrar-General; or

(b) provide other evidence in support of the information provided.

Compare: 1995 No 16 s 82

128 Registrar-General's powers of inquiry in relation to information provided or verified electronically

(1) The Registrar-General may, if the Registrar-General considers it reasonably necessary for the purposes of this Act, the Marriage Act 1955, or the Civil Union Act 2004, make inquiries to satisfy himself or herself that—

(a) any information verified electronically under any of the following provisions is true:

(i) sections 69(1)(a) and 70(1)(a) of this Act:

(ii) section 11 or Schedule 1 of the Civil Union Act 2004:

(iii) sections 9, 10, 23, 32B, and 42 of the Marriage Act 1955:

(b) an application, a statement, or a certificate approved electronically under any of the following provisions is approved by the required persons:

(i) clause 1 of Schedule 1 of the Civil Union Act 2004:

(ii) sections 9, 10, and 32B of the Marriage Act 1955.

(2) The Registrar-General may also require a person who verifies information or a statement electronically under any of the following provisions to make a statutory declaration in support of the information or statement:

(a) sections 69(1)(a) and 70(1)(a) of this Act:

(b) clause 1 of Schedule 1 of the Civil Union Act 2004:

(c) sections 9, 10, and 32B of the Marriage Act 1955.

(3) The Registrar-General may also require a person who verifies information electronically under section 11 of the Civil Union Act 2004 or section 23 or 42 of the Marriage Act 1955 to appear personally before the Registrar-General to make a statutory declaration in support of the information.

Compare: 1995 No 16 s 82A

128A Registrar-General's other powers of inquiry in relation to information provided for notices of marriage

(1) The Registrar-General may require a person who verifies information by appearing personally before the Registrar under section 23(2A)(b) of the Marriage Act 1955 to make a statutory declaration in support of the information.

(2) The Registrar-General may require a person who verifies information by giving notice to the Registrar under section 23(3) of the Marriage Act 1955 to make a statutory declaration in support of the information.

Section 128A: inserted, on 6 June 2026, by section 17 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

129 Registrar-General's powers of inquiry in relation to statutory declarations

The Registrar-General may require a person before whom a statutory declaration referred to in section 24(1)(b), 25(1)(b), 69(1)(a)(ii), 70(1)(a)(ii), or 128(2)(a) is made—

(a) to verify the identity of the eligible person or the guardian of the eligible person, or both, in a manner specified by the Registrar-General; and

(b) to state whether the person is satisfied of the identity of the eligible person or the guardian of the eligible person, or both.

Compare: 1995 No 16 s 21A(3A)

130 Registrar-General must decline to register certain information

(1) If the Registrar-General is satisfied (on reasonable grounds), after making any inquiries under section 127(1) that the Registrar-General considers appropriate, that information relating to a registrable event is or is likely to be incorrect, the Registrar-General must decline to record the information.

(2) If the Registrar-General is satisfied (on reasonable grounds), after making any inquiries under section 127(1) that the Registrar-General considers appropriate, that any of the following information is or is likely to be incorrect, the Registrar-General must decline to record the receipt of the information:

(a) information in a certificate received under section 49 or 62; or

(b) information received from an overseas registration authority.

(3) This section overrides anything in this Act to the contrary.

Compare: 1995 No 16 s 83

Correction of errors

131 Registrar-General must correct errors

The Registrar-General must, after making any inquiries under section 127 that the Registrar-General considers appropriate,—

(a) correct any information in the registry that the Registrar-General is satisfied contains a clerical error; and

(b) delete any information from the registry that the Registrar-General is satisfied is incorrect; and

(c) delete any information from the registry recorded under section 50 or 63 in respect of the receipt of a certificate or information relating to a death, divorce, or dissolution of a marriage or civil union outside New Zealand, if the Registrar-General is satisfied that the information received or contained in the certificate received is incorrect; and

(d) delete any information from the registry obtained from an overseas registration authority and recorded under section 114 in relation to a name change, a death, a divorce, or the dissolution of a marriage or civil

union if the Registrar-General is satisfied that the information received is incorrect; and

(e) register any information in the Registrar-General's possession that is not registered and that the Registrar-General is satisfied is correct and should be registered (including for the purpose of replacing information deleted under paragraph (b)).

Compare: 1995 No 16 s 84

132 Birth record of child conceived through assisted human reproduction procedure must specify parents as determined under Status of Children Act 1969

(1) Subsection (2) applies if the Registrar-General is satisfied, after making any inquiries under section 127(1) that the Registrar-General considers appropriate, that—

(a) a person was conceived as a result of an AHR procedure to which Part 2 of the Status of Children Act 1969 applies; and

(b) the person's birth record—

(i) does not include information about a parent of the person as determined under that Act; or

(ii) includes information about a person who is not a parent in terms of that Act.

(2) The Registrar-General must amend the person's birth record by doing either or both of the following:

(a) adding information about a parent of the person as determined under the Status of Children Act 1969:

(b) deleting any information about a person who is not a parent in terms of that Act.

(3) In this section, **AHR procedure** has the same meaning as in section 15 of the Status of Children Act 1969.

Compare: 1995 No 16 s 84A

133 Family Court may consider proposed corrections in cases of difficulty or dispute

(1) If the Registrar-General is uncertain as to any matter in respect of which the Registrar-General is required to be satisfied for the purposes of section 131 or 132, the Registrar-General may apply to the Family Court to have the matter determined.

(2) Any person who wishes the Registrar-General to act under section 131 or 132 in respect of any matter may apply to the Family Court to have the matter determined.

(3) The Family Court, when considering an application under subsection (2),—

(a) must give every person the court thinks has an interest in the matter an opportunity to be heard; and

(b) may receive any evidence the court thinks fit; and

(c) must determine whether the Registrar-General should act under section 131 or 132.

Compare: 1995 No 16 s 85

134 Health information may be used to correct records

(1) The chief executive of the department for the time being responsible for administering the New Zealand Public Health and Disability Act 2000 may—

(a) advise the Registrar-General of an apparent omission or error if the chief executive believes on reasonable grounds that a person's birth or death has not been registered under this Act or has been registered incorrectly; and

(b) provide to the Registrar-General sufficient information to enable the error or omission to be corrected.

(2) The Registrar-General may correct birth information or death information in accordance with information provided under this section.

Compare: 1995 No 16 s 85A

Other powers

135 Registrars authorised to take statutory declarations

(1) Every Registrar must, in respect of any statutory declaration made for the purposes of this Act, the Marriage Act 1955, or the Civil Union Act 2004, be treated as authorised to take and receive a statutory declaration under section 9 of the Oaths and Declarations Act 1957.

(2) For the purposes of this section, a **Registrar** includes the Registrar-General and every Deputy Registrar-General.

Compare: 1995 No 16 s 87

136 Registrar-General may specify how notifications, requests, applications, and other documents must be provided

(1) The Registrar-General may issue directions specifying the manner in which a person may notify or request information, make an application, or otherwise provide information or documents for the purposes of this Act and regulations, including specifying—

(a) how the information or document may be notified or provided; and

(b) the form or other format and medium that must be used in connection with the notification or provision of the information or document; and

(c) requirements in connection with the use of an approved form or format and medium.

(2) The Registrar-General may refuse to perform or exercise a function, duty, or power in relation to the document or information if—

(a) a direction under subsection (1) is not complied with; or

(b) the requirements of this Act or regulations have otherwise not been complied with (for example, where the information required by regulations has not been provided).

(3) The information required in a form or format and medium specified in directions issued under subsection (1)(b) must be prescribed by regulations.

Compare: 1995 No 16 ss 87B, 89A

Part 6
Fees, offences and penalties, regulations, and other miscellaneous provisions

Fees

137 Fees

(1) If empowered by this Act or any other Act to perform any act for which a fee is payable, the Registrar-General may refuse to perform the act until the fee is paid.

(2) Despite anything in this Act, the Registrar-General may—

(a) dispense with the payment of all or any part of any fee payable under this Act; or

(b) refund all or any part of any fee paid under this Act.

(3) Despite anything in this Act, a fee is not payable, within 10 years after the death of a person, for providing access to information registered under section 48 in respect of a person.

Compare: 1995 No 16 s 91

Offences

138 False statements

(1) A person commits an offence if the person—

(a) knowingly makes, or causes to be made, any statement that is false in relation to any matter required to be notified or registered under this Act for the purpose of the registration of any information:

(b) verifies a statement under section 69 or 70 that the person knows to be false and intends to be misleading:

(c) makes a written or an oral statement, knowing that it is false or being reckless as to whether it is false, for the purpose of obtaining a source

document, or a copy of a source document, or information recorded under this Act:

(d) knowingly makes, or causes to be made, any statement that the person knows to be false and intends to be misleading in connection with—

(i) a request to omit registered information from a certificate under section 78A; or

(ii) a request for a non-disclosure direction under section 102:

(e) for a purpose contemplated by this Act, provides any means of identification knowing that it is false or having reason to suspect that it has been forged or falsified.

(2) A person who commits an offence against subsection (1)(a) is liable on conviction to imprisonment for a term not exceeding 5 years.

(3) A person who commits an offence against subsection (1)(b) is liable, on conviction, to imprisonment for a term not exceeding 3 years.

(4) A person who commits an offence against subsection (1)(c), (d), or (e) is liable on conviction to—

(a) imprisonment for a term not exceeding 3 months; or

(b) a fine not exceeding $10,000; or

(c) both.

Compare: 1995 No 16 s 89(1)(a), (g), (h), (i), (2)–(2B)

Section 138(1)(d): replaced, on 6 June 2026, by section 18 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

139 Offences relating to registry

(1) A person (other than a Registrar) with control of or access to a device on which registered information is stored electronically commits an offence if the person knowingly and without the consent of a Registrar (whether directly or by alteration of or damage to the device, its programming, any other device, the programming of any other device, or any electronic storage medium)—

(a) deletes or alters any information stored on the device; or

(b) allows any information stored on the device to be deleted or altered; or

(c) stores any information (whether correct or incorrect) on the device; or

(d) allows any information (whether correct or incorrect) to be stored on the device.

(2) A Registrar commits an offence if the Registrar—

(a) knowingly (whether directly or by alteration of or damage to the device, its programming, any other device, the programming of any other device, or any electronic storage medium) does any of the following otherwise than in accordance with this Act:

(i) deletes or alters any registered information that is stored electronically on any device:

(ii) allows any registered information that is stored electronically on any device to be deleted or altered:

(iii) stores any information (whether correct or incorrect) on a device on which registered information is stored electronically by or on behalf of the Registrar-General:

(iv) allows any information (whether correct or incorrect) to be stored on a device on which registered information is stored electronically by or on behalf of the Registrar-General; or

(b) negligently loses or damages a document containing information recorded under this Act, or any part of such a document; or

(c) negligently allows it to be damaged; or

(d) negligently does any act referred to in paragraph (a).

(3) A person who commits an offence against subsection (1) or (2)(a) is liable on conviction to imprisonment for a term not exceeding 5 years.

(4) A Registrar who commits an offence against subsection (2)(b), (c), or (d) is liable on conviction to a fine not exceeding $1,000.

(5) For the purposes of this section, a **Registrar** includes the Registrar-General and every Deputy Registrar-General.

Compare: 1995 No 16 s 89(1)(b), (c), (f), (2), (3)(c)(ii)

140 Other offences

(1) A person commits an offence if the person—

(a) acts in contravention of, or fails to comply with, any provision of this Act (other than a provision requiring the person to give a notice or provide information):

(b) having had the relevant provision of this Act drawn to the person's attention, fails or refuses to provide any information required by this Act to be provided.

(2) A person who commits an offence against subsection (1)(a) or (b) is liable on conviction to a fine not exceeding $1,000.

(3) A person who commits any other offence against this Act is liable on conviction to a fine not exceeding—

(a) $50,000, for a contravention of, or failure to comply with, section 116(7) or clause 13 of Schedule 1:

(b) $10,000, for a contravention of, or failure to comply with, section 40:

(c) $1,000, for a contravention of, or failure to comply with, a provision of this Act other than section 40 or 116(7) or clause 13 of Schedule 1.

(4) Nothing in this section limits or affects section 150 of the Crimes Act 1961.

Compare: 1995 No 16 s 89(1)(d), (e), (3), (4)

141 Consent of Registrar-General required for prosecution

No prosecution for an offence against this Act may be commenced without the consent of the Registrar-General.

Compare: 1995 No 16 s 90

142 No liability for costs incurred in supplying information

To avoid doubt, the Crown is not liable for the costs incurred by a person in supplying information required by this Act.

Compare: 1995 No 16 s 91A

143 Protection from liability for supply of information

No action may be brought against the Registrar-General or a delegate of the Registrar-General for the disclosure or supply of information in good faith in the performance or exercise (or intended performance or exercise) of a function, duty, or power under this Act.

Compare: 1995 No 16 s 91B

Regulations

144 Regulations

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister, make regulations to do 1 or more of the following:

Requirements for giving of information and notices

(a) prescribe the information to be provided in, or in connection with, notifications, applications, requests, or other notices required or permitted to be provided to the Registrar-General under this Act:

(b) prescribe how information may or must be notified to the Registrar-General under this Act and other matters relating to that procedure (including when the information is treated as received, or as having been provided, for the purposes of this Act and regulations):

Regulations relating to applications to amend birth record by registering nominated sex

(c) specify any sex or gender other than male or female that may be specified as a nominated sex for the purposes of section 24(1)(a) or 25(1)(a):

(d) prescribe any additional requirements that an application must meet for the purposes of section 24(1)(d) or 25(1)(d):

(e) specify types of persons for the purposes of the definition of a suitably qualified third party in section 4, including by reference to—

(i) the person's profession or qualifications; or

(ii) the period of time they have known the eligible child or eligible 16- or 17-year-old:

Verification of information

(f) prescribe, for the purposes of section 69(1)(a)(i) or 70(1)(a)(i), the manner in which information may be verified electronically, including—

(i) when and how the information must be verified:

(ii) what evidence must be provided to verify the information:

(iii) requirements with which evidence must comply:

Information in certificates

(g) prescribe the information that birth certificates, death certificates, marriage certificates, civil union certificates, and name-change certificates must contain:

Evidence of identity requirements for purposes of section 88

(h) prescribe evidence of identity requirements for the purposes of section 88 (which may include requiring a person to have an electronic identity credential within the meaning of section 8 of the Electronic Identity Verification Act 2012):

Non-disclosure directions

(i) specify the grounds on which a request for a non-disclosure direction may be made to the Registrar-General under section 102:

(j) specify the grounds on which a request for the reinstatement of a non-disclosure direction may be made to the Registrar-General under section 104(2)(b):

(k) prescribe the period referred to in section 104(1)(a) for which a non-disclosure direction under section 103 remains in force, including the conditions subject to which any such direction ceases to be in force:

Fees

(l) prescribe fees and charges payable in respect of any matter under this Act or the manner in which fees and charges may be calculated:

Other matters

(m) provide for any other matters contemplated by or necessary for giving full effect to this Act and for its administration.

(2) Regulations made under subsection (1) may require the giving and collection of information for the purpose of statistics, including matters to be notified, or matters to be registered, or both.

(3) The Minister must, before recommending the making of regulations under subsection (1)(d), be satisfied that the additional requirements prescribed—

(a) do not require the provision of medical evidence; and

(b) are reasonably necessary to reduce the risk of fraudulent applications under section 24 or 25; and

(c) do not create an unreasonable obstacle to the completion of an application under section 24 or 25.

(4) The Minister must, before recommending the making of regulations under subsection (1)(e), be satisfied that—

(a) each type of person specified in the regulations—

(i) has sufficient professional or community standing to provide letters of support generally; or

(ii) is required to have known an eligible child or eligible 16- or 17-year-old for a period of time that indicates they have a sufficiently enduring relationship with the eligible child or eligible 16- or 17-year-old to provide a letter of support for that child or 16- or 17-year-old; and

(b) the regulations provide applicants with a reasonable level of choice regarding the type of person who may provide a letter of support for them; and

(c) the regulations include types of persons other than medical practitioners.

(5) Regulations must be made under subsection (1)(c), (d), and (e) before the commencement of sections 24 and 25.

(6) Regulations made under subsection (1)(h) may provide differently for different types of searches or requests in different circumstances.

(7) Regulations made under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 1995 No 16 s 88

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Review of certain provisions relating to applications for registration of nominated sex

145 Review of certain provisions relating to applications for registration of nominated sex

(1) The Minister must, as soon as practicable after the expiry of 5 years from the commencement of sections 23 to 29,—

(a) commence a review of the operation of the following provisions since the commencement of sections 23 to 29:

(i) in section 4, the definitions of eligible 16- or 17-year-old, eligible child, eligible person, guardian, nominated sex, restricted name-change information, and restricted sex information:

(ii) sections 23 to 29 (which relate to applications for registration of a person's nominated sex):

(iii) section 30(1)(d) (which provides for rights of appeal against decisions by the Registrar-General to decline to register a nominated sex):

(iv) section 79 (relating to use of a birth certificate as evidence of sex and gender):

(v) section 126(3)(c) (which provides that the Registrar-General may not delegate the power to decline to register a nominated sex):

(vi) section 144(1)(c), (d), and (e) (which provides for regulation-making powers relating to applications to register a nominated sex); and

(b) prepare a report on that review.

(2) During the preparation of the report, the Minister must consult—

(a) the Human Rights Commissioner; and

(b) the communities the Minister considers to be most affected by the operation of the provisions reviewed; and

(c) any other persons or organisations that the Minister considers appropriate.

(3) The Minister must present a copy of the report to the House of Representatives as soon as practicable after it has been completed.

(4) This section is repealed on the date that is 6 years after the commencement of sections 23 to 29.

Consequential amendments and repeals

146 Births, Deaths, Marriages, and Relationships Registration Act 1995 repealed

The Births, Deaths, Marriages, and Relationships Registration Act 1995 (1995 No 16) is repealed.

147 Consequential amendments

The enactments set out in Schedule 3 are consequentially amended as set out in that schedule.

Schedule 1
Transitional, savings, and related provisions

s 5

Part 1
Provisions relating to this Act as enacted

1 Definitions used in this Part

In this Part, unless the context otherwise requires,—

1995 Act means the Births, Deaths, Marriages, and Relationships Registration Act 1995

former Act means the 1995 Act, the Births and Deaths Registration Act 1951, or the provisions of the Marriage Act 1955 or any Act relating to the registration of births and deaths or marriages that was repealed on or before 1 September 1995

former Adoption Act means the Infants Act 1908 or the Maori Land Act 1931 or the Maori Affairs Act 1953 or any Act relating to the adoption of children that was repealed on or before 1 September 1995.

Subpart 1—General transitional provisions

2 Registered information

A reference to registered information or information in a record or the registry includes information that was recorded under a former Act.

3 Record of citizenship only required in birth record for persons born on or after 1 January 2006

Section 19 applies only in relation to a birth on or after 1 January 2006.

Compare: 1995 No 16 s 12A

4 Registration of stillbirths that occurred after 24 July 1991 but before commencement of section 16

(1) A stillbirth that occurred after 24 July 1991 but before the commencement of section 16 is registrable to the same extent, and in the same manner, as if it had occurred after the commencement of section 16.

(2) Nothing in subclause (1) requires any person to notify the Registrar-General of a stillbirth to which this clause applies.

Compare: 1995 No 16 s 13

5 Māori custom marriages

(1) The Registrar-General must not include any information relating to a Māori custom marriage entered into after 31 March 1952 in a person's birth record.

(2) The Registrar-General must clearly identify any information in the registry relating to a Māori custom marriage entered into before 31 March 1952 as a Māori custom marriage.

Compare: 1995 No 16 s 14

6 Application for registration of name change made by deed poll before 1 September 1995

Section 69(1)(a) is satisfied if the application includes—

(a) a deed poll executed before 1 September 1995 evidencing any change in the eligible person's names; or

(b) a copy of a deed poll executed and filed in an office of the High Court before 1 September 1995 and certified by a Registrar of the court in which it was filed.

Compare: 1995 No 16 s 21A(2)(c)(ii), (iii)

7 References to information notified, recorded, or registered under this Act include information notified, recorded, or registered under former Acts or former Adoption Act

(1) This clause applies to information recorded under a former Act or a former Adoption Act.

(2) On and from the commencement of this clause, adoption information recorded under a former Act or a former Adoption Act must be treated as if it were registered under section 32 or 33.

(3) A reference to information notified by a court under section 31 includes a notice under section 23 of the 1995 Act or section 21 of the Births and Deaths Registration Act 1951 or a notice of the adoption under a former Adoption Act.

Compare: 1995 No 16 ss 24, 25

8 Deaths outside New Zealand before commencement

Section 50 applies in respect of a death of a New Zealand citizen or of a person ordinarily resident in New Zealand that occurred outside New Zealand before the commencement of that section as if the death had occurred after the commencement of that section.

Compare: 1995 No 16 s 52

9 Application of Act to information received before commencement about overseas deaths, divorces, and dissolutions of marriages and civil unions

(1) The Registrar-General may do either of the following in respect of a certificate received before the commencement of subparts 4 and 5 of Part 2 as if the certificate had been received under section 49 or 62:

(a) record the receipt of the certificate in the registry under section 50 or 63:

(b) issue a written statement under section 51 or 64.

(2) The Registrar-General may do any of the following in respect of information received from an overseas registration authority before the commencement of subparts 4 and 5 of Part 2:

(a) record the receipt of the information in the registry under section 50 or 63:

(b) issue a written statement under section 51 or 64:

(c) hold and use the information under section 114.

10 Form prepared under section 53, 54, or 55 includes equivalent documents under former Acts

A reference to a form or record prepared under section 53, 54, or 55 includes a document prepared under an equivalent provision of a former Act.

Compare: 1995 No 16 ss 55, 57

11 Dissolution of marriage in New Zealand under former Act may be recorded under this Act

The Registrar-General may register any marriage information contained in an order or decree made under the Family Proceedings Act 1980 or any other former divorce enactment that is equivalent to an order described in section 60 in the record relating to that marriage.

Compare: 1995 No 16 s 59(2)

12 Surnames on birth certificates in relation to births registered before 1 January 1972

Section 80 applies in relation to a birth registered under a former Act before 1 January 1972 as if the following information had been registered under this Act:

(a) if it is recorded in respect of the birth of a person that the parents of the person were married to each other, that the person had the surname of the person's father:

(b) in every other case, that the person had the surname of the person's mother.

Compare: 1995 No 16 s 68

13 Persons other than Registrar-General may not generally publish index information

(1) A person must not make index information obtained under section 74(2) of the 1995 Act before the commencement of the Births, Deaths, Marriages, and Relationships Registration Amendment Act 2008 or section 39B(2) of the Births and Deaths Registration Act 1951 available on an Internet site unless—

(a) the information is in a form that could not reasonably be expected to identify any particular person; or

(b) the person who makes the information available—

(i) is the subject of the information; or

(ii) has been granted power of attorney or given written authority to make the information available by the person who is the subject of the information; or

(c) the information is historical information.

(2) Information may be made available on an Internet site under subclause (1)(b)(ii) only to the extent that the power of attorney or written authority does not prohibit making the information available on the Internet.

(3) In this clause, **Internet site** includes part of an Internet site that is not generally accessible to members of the public.

Compare: 1995 No 16 s 78I

14 Name-change documents are source documents

To avoid doubt, any documents provided to the Registrar-General in support of name-change information under this Act or a former Act must be treated as source documents for the purpose of this Act (whether or not the person's birth is registered under this Act).

15 Notices of intention to marry are source documents

To avoid doubt, any notices of intention to marry provided to the Registrar-General between 1856 and 1956 under a former Act must be treated as source documents for the purpose of this Act (whether or not the marriage was solemnised).

16 Corrections

References in this Act to things done under section 131 include things done under a corresponding provision of a former Act before the commencement of this Act.

Compare: 1995 No 16 ss 52, 77

17 Regulations continued in force

The following regulations continue in force and are treated as if they were made under section 144 and may be amended or revoked accordingly:

(a) Births, Deaths, Marriages, and Relationships Registration (Fees) Regulations 1995:

(b) Births, Deaths, Marriages, and Relationships Registration (Non-Disclosure Direction) Regulations 2008:

(c) Births, Deaths, Marriages, and Relationships Registration (Prescribed Information) Regulations 1995.

18 Application of this Act to person who has had nominated sex information recorded under 1995 Act

(1) This clause applies to a person if—

(a) information was recorded under section 30 of the 1995 Act that the person is of a nominated sex; and

(b) a nominated sex has not been registered for the person under Part 2 of this Act.

(2) The information recorded under section 30 of the 1995 Act must, on and from the commencement of Part 2 of this Act, be treated as if it were a nominated sex registered under section 26 of this Act, except that—

(a) sections 24(1)(d) and 25(1)(d) do not apply to an application for registration of a nominated sex by or on behalf of the person; and

(b) section 27 must be read as if the person's **associated name** were their name as at the time the information was recorded under section 30 of the 1995 Act unless—

(i) their name has subsequently been changed, in which case their associated name is the person's name immediately following registration of the first name change after that information was recorded; or

(ii) the person nominated a name in accordance with section 64(2) of the 1995 Act, in which case their associated name is that nominated name.

Compare: 1995 No 16 s 64

Schedule 2
Disclosure of information to agencies

s 112

Agency	Type of information	Purpose
Accident Compensation Corporation	Birth information and name-change information	To verify the identity of a claimant and a claimant's eligibility or continuing eligibility for a benefit
	Marriage or civil union information and name-change information	To verify a claimant's change of name
	Death information	To identify deceased claimants
Board of Trustees of National Provident Fund	Birth information, marriage information, civil union information, name-change information, and death information	To verify the identity of a member or beneficiary of the National Provident Fund and the eligibility or continuing eligibility of a member or beneficiary for payments under the Fund
Department of Internal Affairs	Birth information, marriage information, civil union information, name-change information, and death information	To verify whether a person is eligible— (a) to hold a New Zealand passport: (b) for New Zealand citizenship
	Death information	To identify deceased holders of New Zealand travel documents
Government Superannuation Fund Authority	Birth information, marriage information, civil union information, name-change information, and death information	To verify the identity of a member or beneficiary of the Government Superannuation Fund and the eligibility or continuing eligibility of a member or beneficiary for payments under the Fund
Inland Revenue Department	Birth information, marriage information, civil union information, and name-change information	To verify the identity of a person to establish— (a) the tax file number of the person: (b) the details of an applicant for child support: (c) for child support purposes, details of the parentage, birth, and death of qualifying children or dependent children
	Death information	To identify deceased taxpayers and verify their details
Ministry of Business, Innovation, and Employment	Birth information and name-change information	To— (a) verify a person's citizenship status: (b) verify a person's entitlement to reside in New Zealand: (c) update and verify immigration records
	Marriage information and civil union information	To verify that a person is married to, or in a civil union with, a New Zealand citizen
	Death information	To identify deceased holders of temporary entry class visas

Agency	Type of information	Purpose
Ministry of Education	Birth information, name-change information, and death information	To verify and update information on the National Student Index
Ministry of Health	Birth information, name-change information, and death information	To verify and update health information on the National Health Index
	Birth information and death information	To compile mortality statistics
Ministry of Justice	Marriage information and civil union information	To verify a fine defaulter's name change
	Death information	To— (a) remove the names of deceased persons from jury lists: (b) remit or enforce payment of fines owed by deceased persons
Ministry of Justice (Māori Land Court Unit)	Death information	To identify deceased Māori landowners
Ministry of Social Development	Birth information, marriage information, civil union information, name-change information, and death information	To— (a) verify a person's eligibility or continuing eligibility for benefits, war pensions, grants, loans, or allowances: (b) verify a person's eligibility or continuing eligibility for a community services card or a card the availability of which is based principally on the age and residence of a person, or of the person's spouse or civil union partner or former spouse or civil union partner: (c) identify debtors, including any person no longer in receipt of a benefit, war pension, grant, loan, or allowance
New Zealand Transport Agency	Birth information and name-change information	To verify details supplied by an applicant for a driver licence
	Marriage information and civil union information	To verify the name change of the holder of a driver licence
	Death information	To identify deceased holders of driver licences

Schedule 3
Consequential amendments

s 147

Part 1
Amendments to Acts

Adoption Act 1955 (1955 No 93)

In section 23(2)(a), replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Adult Adoption Information Act 1985 (1985 No 127)

In section 2, definition of **adoption order**, replace "section 25 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 33 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 2, definition of **original birth certificate**, replace "1995" with "2021".

In section 2, definition of **Registrar-General**, replace "1995" with "2021".

In section 5(1) and (2), replace "section 63 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 83 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 6, replace "section 63 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 83 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 11(4)(a), replace "section 63 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 83 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Burial and Cremation Act 1964 (1964 No 75)

In section 2(1), definition of **dead foetus**, replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 2(1), definition of **stillborn child**, replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 46A(1)(b), replace "1995" with "2021".

In section 46F(1)(b),—

(a) delete ", in the standard form,"; and

Burial and Cremation Act 1964 (1964 No 75)—*continued*

(b) replace "section 42 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 40 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Replace section 46F(5) with:

(5) A notice under subsection (1)(b) must be provided in accordance with any directions issued by the Registrar-General under the Births, Deaths, Marriages, and Relationships Registration Act 2021.

Care of Children Act 2004 (2004 No 90)

In section 8, definition of **Registrar-General**, replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

After section 16(2)(a), insert:

(aa) the child's registered sex under the Births, Deaths, Marriages, and Relationships Registration Act 2021 (and any changes to it); and

In section 18(1), replace "section 9 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 12 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Child Protection (Child Sex Offender Government Agency Registration) Act 2016 (2016 No 42)

In section 52, replace "1995" with "2021".

In section 53, replace "1995" with "2021".

Child Support Act 1991 (1991 No 142)

In section 7(1)(a), replace "Register of Births pursuant to the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "child's birth record under the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Citizenship Act 1977 (1977 No 61)

In section 26A(5A), replace "section 79(1) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 124(1) of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In Schedule 4, item relating to the Registrar-General, replace "section 79(1) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 124(1) of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Civil Union Act 2004 (2004 No 102)

In section 3, definition of **Registrar** and **Registrar-General**, replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Civil Union Act 2004 (2004 No 102)—*continued*

In section 4(3), replace "Part 7A of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "subpart 5 of Part 2 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 11(2A)(a), replace "section 82A of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 128 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 15(3), replace "section 62B of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 53 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 16(2), replace "section 62B of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 53 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 26(2)(b), replace "1995" with "2021".

In Schedule 1, clause 1(3)(b) and (3A), replace "section 82A of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 128 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Coroners Act 2006 (2006 No 38)

In section 9, definition of **body**, paragraph (b), replace "still-born child (as those terms are defined in section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995)" with "stillborn child (as those terms are defined in section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021)".

In section 68(4), replace "sections 44 and 45 of the Births, Deaths, Marriages, and Relationships Registration Act 1995 (which require" with "section 42 of the Births, Deaths, Marriages, and Relationships Registration Act 2021 (which requires".

Criminal Records (Clean Slate) Act 2004 (2004 No 36)

In section 4, definition of **criminal record**, replace paragraph (b)(ii) with:

(ii) does not include details in a marriage certificate or civil union certificate of a conviction for bigamy registered under section 66 of the Births, Deaths, Marriages, and Relationships Registration Act 2021 (or any corresponding provision of an earlier enactment) and included in the certificate under regulations made under section 144(1)(g) of that Act

Electoral Act 1993 (1993 No 87)

In section 3(1), definition of **Registrar of Births and Deaths**, replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Electoral Act 1993 (1993 No 87)—*continued*

In section 92(1) and (2), replace "section 79(1) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 124(1) of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 93(1), replace "section 79(1) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 124(1) of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 93(2), replace "under Part 7 of the Births, Deaths, Marriages, and Relationships Registration Act 1995, or the registration of a civil union under Part 7A of that Act" with "or a civil union under subpart 5 of Part 2 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 94(1), replace "section 21B of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 69 or 70 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 94(2), replace "section 79(1) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 124(1) of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 145(2)(a), replace "thereto under section 20 of the Births, Deaths, Marriages, and Relationships Registration Act 1995 or an earlier corresponding provision" with "to it under section 67 of the Births, Deaths, Marriages, and Relationships Registration Act 2021 (or an earlier corresponding provision)".

In section 145(2)(d), replace "section 21B of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 71 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Electronic Identity Verification Act 2012 (2012 No 123)

In section 7, definition of **identity-related information**, paragraph (a)(i), replace "1995" with "2021".

In section 7, definition of **Registrar-General**, replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 9(2), table, item relating to full name, paragraph (d), replace "section 21B of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 71 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 9(2), table, item relating to sex, after paragraph (a), insert:

> (ab) the individual's registered sex (as defined in section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021):

In section 9(2), table, item relating to sex, paragraph (b), delete "(for example, a declaration of the Family Court under section 28 or 29 of the Births, Deaths, Marriages, and Relationships Registration Act 1995)".

Electronic Identity Verification Act 2012 (2012 No 123)—*continued*

In section 12(1), replace "section 65 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "sections 75 and 76 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 13(1), replace "section 65 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "sections 75 to 77 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Family Court Act 1980 (1980 No 161)

In section 16A(4)(b), replace "1995" with "2021".

Family Proceedings Act 1980 (1980 No 94)

In section 145D(1)(d), replace "pursuant to the Births, Deaths, Marriages, and Relationships Registration Act 1995 in the Register of Births" with "in the registry under the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Friendly Societies and Credit Unions Act 1982 (1982 No 118)

In section 45(1)(a), replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Health Practitioners Competence Assurance Act 2003 (2003 No 48)

In section 67(b)(i), replace "1995" with "2021".

In section 100(2)(a)(i), replace "1995" with "2021".

In section 143(1), replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Holidays Act 2003 (2003 No 129)

In section 69(4), definition of **still-birth**, replace "1995" with "2021".

Human Assisted Reproductive Technology Act 2004 (2004 No 92)

In section 5, definition of **Registrar-General**, replace "section 79(1) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 124(1) of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 5, definition of **still-born child**, replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Identity Information Confirmation Act 2012 (2012 No 124)

In section 5, definition of **applicable database**, paragraph (a), replace "1995" with "2021".

Identity Information Confirmation Act 2012 (2012 No 124)—*continued*

In section 5, definition of **Registrar-General**, replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 9(5)(a), replace "section 78K of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 117 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 10(2)(a), replace "1995" with "2021".

In section 20(2)(b), replace "1995" with "2021".

In section 21(1)(a), replace "1995" with "2021".

In section 21(2), replace "sections 76, 77, and 86 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "sections 106, 107, and 110 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Replace section 21(3) with:

(3) The following provisions of the Births, Deaths, Marriages, and Relationships Registration Act 2021 apply for the purposes, and in connection with the operation, of the confirmation service:

(a) clause 12 of Schedule 1; and

(b) section 108(2) to (4).

Intelligence and Security Act 2017 (2017 No 10)

In section 135(c), replace "section 79(1) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 124(1) of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 262(2), new section 12(9), definition of **undercover Police officer**, replace "section 65(5) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 75(2) of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In Schedule 2, note, definitions of **birth information**, **civil union information**, **death information**, **marriage information**, **name-change information**, and **Registrar-General**, replace "**civil union information**, **death information**, **marriage information**, **name-change information**, and **Registrar-General** have the meanings given to them by section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "**death information**, **marriage information, civil union information**, **name-change information**, and **Registrar-General** have the meanings given to them by section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Land Transport Act 1998 (1998 No 110)

In section 200(3)(a)(i), replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Local Electoral Act 2001 (2001 No 35)

Replace section 56(b) with:

> (b) the name registered for the candidate under subpart 6 of Part 2 of the Births, Deaths, Marriages, and Relationships Registration Act 2021 at least 6 months before nomination day; or

Marriage Act 1955 (1955 No 92)

In section 2(2), replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 9(2A)(b) and (3), replace "section 82A of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 128 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 11(3)(b), replace "1995" with "2021".

In section 23(2A)(a), replace "section 82A of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 128 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 32B(3)(b) and (5), replace "section 82A of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 128 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 42(2A)(a), replace "section 82A of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 128 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Privacy Act 2020 (2020 No 31)

In section 7(1), definition of **personal information**, replace "the Births, Deaths, Marriages, and Relationships Registration Act 1995 or any former Act (as defined in section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995)" with "the Births, Deaths, Marriages, and Relationships Registration Act 2021 or any former Act (as defined in Schedule 1 of that Act)".

In Schedule 3, note 3, replace "section 79(1) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 124(1) of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In Schedule 5, replace the item relating to the Births, Deaths, Marriages, and Relationships Registration Act 1995 with:

Births, Deaths, Marriages, and Relationships Registration Act 2021	Section 112

Referenda (Postal Voting) Act 2000 (2000 No 48)

In section 3(1), definition of **Registrar of Births and Deaths**, replace "1995" with "2021".

Sale and Supply of Alcohol Act 2012 (2012 No 120)

In section 274(4)(b)(i), replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Social Security Act 2018 (2018 No 32)

In section 90(2), definition of **child**, replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Social Workers Registration Act 2003 (2003 No 17)

In section 128(1), replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Status of Children Act 1969 (1969 No 18)

In section 8(1)(a), replace "1995 or the corresponding provision of any former Act (within the meaning of that Act)" with "2021 or the corresponding provision of any former Act (as defined in Schedule 1 of that Act)".

In section 8(1), replace "Register of Births" with "child's birth record".

In section 9(4), replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Veterinarians Act 2005 (2005 No 126)

In section 17(2), replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Visiting Forces Act 2004 (2004 No 59)

In section 4(1), definition of **Registrar**, replace "section 2 of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In section 19(4)(a), replace "Births, Deaths, Marriages, and Relationships Registration Act 1995, other than section 42(2)(a)" with "Births, Deaths, Marriages, and Relationships Registration Act 2021, other than section 40(4)(a)".

In section 19(5), replace "1995" with "2021".

Part 2
Amendments to legislative instruments

Adoption Regulations 1959 (SR 1959/109)

In regulation 5(1), replace "1995" with "2021".

In regulation 8(2)(a), replace "register of births" with "birth record".

Births, Deaths, Marriages, and Relationships Registration (Fees) Regulations 1995 (SR 1995/185)

In the heading to the Schedule, replace "**1995**" with "**2021**".

In the Schedule, replace item 13 with:

13	Registering nominated sex	55.00

Births, Deaths, Marriages, and Relationships Registration (Non-Disclosure Direction) Regulations 2008 (SR 2008/414)

In regulation 3, definition of **Act**, replace "1995" with "2021".

In regulation 3, definition of **non-disclosure direction**, replace "section 73" with "section 4".

In regulation 3, definition of **personal representative**, replace "section 73" with "section 87".

In regulation 3, delete the definition of **registered information**.

Replace regulations 4 and 5 with:

4 Ground for requesting non-disclosure direction be made

(1) A person, or a person's personal representative, may request under section 102 of the Act that any or all of the following information not be disclosed to the public on the ground that the person or the person's personal representative (as applicable) reasonably believes that disclosure of the information, or any part of the information, would be prejudicial to the personal safety of that person or their family:

(a) birth information:

(b) civil union information:

(c) marriage information:

(d) name-change information.

(2) A person's personal representative may request under section 102 of the Act that the death information of the person not be disclosed to the public on the ground that the person's personal representative reasonably believes that disclosure of the person's death information would be prejudicial to the personal safety of the person's family.

Births, Deaths, Marriages, and Relationships Registration (Non-Disclosure Direction) Regulations 2008 (SR 2008/414)—*continued*

5 Ground for requesting non-disclosure direction be reinstated

A person, or a person's personal representative, may request under section 104(2) that a non-disclosure direction be reinstated on the ground that the person or the person's personal representative (as applicable) reasonably believes that disclosure of the information to which the non-disclosure direction relates, or any part of the information, would be prejudicial to the personal safety of that person or the person's family.

In regulation 6(1), replace "section 75B(3)(a)" with "section 104(1)(a)".

In regulation 6(2)(a), delete "registered".

Births, Deaths, Marriages, and Relationships Registration (Prescribed Information) Regulations 1995 (SR 1995/183)

In regulation 2(1), definition of **the Act**, replace "1995" with "2021".

In regulation 2(1), insert in its appropriate alphabetical order:

former Act has the meaning set out in clause 1 of Schedule 1 of the Act

In regulation 3(1),—

(a) replace "section 5A" with "section 11"; and

(b) replace "mother" with "birth mother" in each place; and

(c) replace "mother's" with "birth mother's" in each place; and

(d) replace "doctor" with "medical practitioner" in each place.

In regulation 3(1A), replace "approved by the Registrar-General in accordance with section 89A" with "in accordance with directions issued by the Registrar-General under section 136".

In regulation 3(1A), replace "doctor" with "medical practitioner".

Revoke regulation 3(3).

In regulation 3A, replace "for registration under section 11" with "under section 12 or 15".

In regulation 3A(c), replace "section 9(2)" with "section 12(2)".

In regulation 4, replace "A death certificate issued outside New Zealand shall be deposited with the Registrar-General under section 52(1)" with "A person may provide a death certificate issued outside New Zealand to the Registrar-General under section 49".

In regulation 5, replace "The following information is prescribed for the purposes of sections 55 to 57, and 62D" with "The following information is required for the purposes of sections 53(a)(i) and 54(2)(a)".

In regulation 5A, replace "is prescribed for the purposes of sections 62B to 62D" with "is required for the purposes of section 53(a)(i)".

Births, Deaths, Marriages, and Relationships Registration (Prescribed Information) Regulations 1995 (SR 1995/183)—*continued*

In regulation 5B, replace "form" with "notice" in each place.

In regulation 6A, replace "for registration under section 47" with "under any of sections 40 to 43 and 45".

In regulation 7(1)(c), replace "section 50" with "section 48".

In regulation 8(a)(ix), replace "section 62(1)" with "section 74".

In regulation 8(a)(x), replace "section 59 or section 60" with "section 60 or 66".

In regulation 8A(a)(x), replace "section 62G" with "section 74".

In regulation 8A(a)(xi), replace "section 62E or section 62F" with "section 61 or 66".

In regulation 8B, replace "section 21A" with "section 69 or 70".

Civil Union (Prescribed Information, Fees, and Forms) Regulations 2005 (SR 2005/81)

In regulation 6(e), replace "section 62B of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 53 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In regulation 6(f), replace "section 62B and 62D of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "sections 53 and 59 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Family Court Rules 2002 (SR 2002/261)

In rule 7(1)(a), replace "1995" with "2021".

In rule 28(2)(a), replace "section 15A(2), section 17(2), or section 18(5) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 30 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Replace rule 38(a) with:

> (a) Births, Deaths, Marriages, and Relationships Registration Act 2021 (*see*, for example, sections 30(2)(a) and 133(3)(a) of that Act):

In rule 130(4)(b), replace "1995" with "2021".

In rule 425(1), replace "1995" with "2021".

In Schedule 2, form A 4, replace "register of births" with "birth record".

Family Violence Regulations 2019 (LI 2019/96)

In regulation 11, definition of **Registrar-General**, replace "section 79(1) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 124(1) of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In regulation 19(2), replace "1995" with "2021".

Revoke regulation 22.

Family Violence Regulations 2019 (LI 2019/96)—*continued*

In the heading to regulation 23, replace "**1995**" with "**2021**".

In regulation 23(1), replace "information to which section 76(1) or section 77(4) of the Births, Deaths, Marriages, and Relationships Registration Act 1995 applies" with "restricted adoption information or restricted sex information (as those terms are defined in section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021)".

In Schedule 3, replace the item relating to the Births, Deaths, Marriages, and Relationships Registration Act 1995 with:

Births, Deaths, Marriages, and Relationships Registration Act 2021	Sections 9, 16, 17, 32, 33, 35, 46, 47, 58, and 71

Land Transfer Regulations 2002 (SR 2002/213)

In Schedule 2, form 23, under the heading "Grounds for application", replace "1995" with "2021".

In Schedule 2, form 23, under the heading "Evidence to support application", replace "1995" with "2021".

Marriage (Forms) Regulations 1995 (SR 1995/184)

In regulation 3(d), replace "section 56(1)(a) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 53 or 54 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

In regulation 3(da), replace "section 56(1)(a) of the Births, Deaths, Marriages, and Relationships Registration Act 1995" with "section 53 or 54 of the Births, Deaths, Marriages, and Relationships Registration Act 2021".

Privacy (Information Sharing Agreement between Department of Internal Affairs and Registrar-General) Order 2019 (LI 2019/270)

In clause 3(1), replace "1995" with "2021" in each place.

In clause 3(1), definition of **Registrar-General**, replace "section 2" with "section 4".

In clause 3(1), definition of **source document**, replace "section 2" with "section 87".

In Schedule 1, item 1, replace "sections 63 to 66" with "sections 27, 75 to 77, and 81 to 83".

Privacy (Information Sharing Agreement between Registrar-General and New Zealand Police) Order 2019 (LI 2019/231)

In clause 3(1), definition of **BDMRR Act**, replace "1995" with "2021".

In clause 3(1), definition of **non-disclosure direction**, replace "section 2" with "section 4".

In clause 3(1), definition of **Registrar-General**, replace "section 2" with "section 4".

In clause 8(1), replace "section 49" with "section 46".

Privacy (Information Sharing Agreement between Registrar-General and New Zealand Police) Order 2019 (LI 2019/231)—*continued*

In clause 8(2) and (5), replace "section 21B(2)(a)" with "section 71 (if the individual's birth is registered in New Zealand)".

In clause 8(3) and (6), replace "section 21B(2)(b)" with "section 71 (if the individual's birth cannot be registered in New Zealand)".

Privacy (Information Sharing Agreement Facilitating Customer Nominated Services) Order 2020 (LI 2020/133)

In clause 3(1), definition of **BDMRR Act**, replace "1995" with "2021".

In clause 3(1), definition of **non-disclosure direction**, replace "section 2" with "section 4".

In clause 3(1), definition of **Registrar-General**, replace "section 2" with "section 4".

In Schedule 2, clause 1, item 2, replace "sections 63 to 66" with "sections 27, 75 to 77, and 81 to 83".

Notes

1 General

This is a consolidation of the Births, Deaths, Marriages, and Relationships Registration Act 2021 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26): Part 1

Statutes Amendment Act 2025 (2025 No 74): Part 4

Civil Aviation Act 2023 (2023 No 10): section 486

Coroners Amendment Act 2023 (2023 No 8): section 36

Data and Statistics Act 2022 (2022 No 39): section 107(1)

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