



AN BILLE UM CHLÁRÚ BREITHEANNA, 2000
REGISTRATION OF BIRTHS BILL, 2000

EXPLANATORY MEMORANDUM

Purpose of Bill

The administration of the birth registration system is a matter for An tArd Chláraitheoir (The Registrar General of Births, Deaths and Marriages) and for local Registrars who operate under his or her general direction.

Prior to the commencement of the Registration of Births Act, 1996, the particulars required by law to be recorded in the Register of Births did not include a particular surname for a child. Accordingly, when a certificate copy of the entry in the Register of Births was issued in respect of a child whose birth had been re-registered under the provisions of the Legitimacy Act, 1931, it stated, *inter alia*, the forename of the child, the name and surname of the father, the name, surname and maiden surname of the mother. Provision for such re-registration is contained in the Legitimacy Act, 1931, and applies to children legitimated upon a child's natural parents marrying each other.

The number of authorities issued by An tArd Chláraitheoir for the re-registration of births, under the provision of the Legitimacy Act, 1931, between the years 1990 to 1999 were as follows:

Year	Authorities Issued
1990	1,022
1991	1,038
1992	1,002
1993	1,040
1994	949
1995	957
1996	875
1997	589
1998	878
1999	921

The Schedule to the Registration of Births Act, 1996, set out the particulars to be registered in respect of the birth of a child, registered on or after 1 October, 1997, and these include the forename(s) and surname for a child. Where a surname assigned to a child is recorded in the register of births, that surname is included in any certificate issued in respect of that entry. Section 1(4) of the Act provides where the birth of a child is being re-registered, after the

commencement of the Act, and the birth has previously been registered so as to record a surname of the child, the surname to be recorded for the child on re-registration is that which appeared in the original entry. Thus, where a couple marry subsequent to the birth of a child originally registered in the mother's surname, there is no means at present to enable the child's birth certificate to confer the father's surname on the child. This is causing difficulties and embarrassment for both parents and children where following marriage the parents have the husband's (father's) surname and the child on his/her birth certificate is known by the mother's surname. There is no logical reason why it should not be possible to amend the birth certificate at the time when the birth is re-registered to facilitate parents in agreement to give to their child the father's surname where they wish to do so. The Registration of Births Bill, 2000, provides for this.

*An Teachta Alan Shatter,
Nollaig, 2000.*