

**Version  
as at 15 June 2023**

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

Public Act      1997 No 35  
Date of assent      28 July 1997

Births, Deaths, and Marriages Registration Amendment Act 1997: repealed, on 15 June 2023, pursuant to section 146 of the Births, Deaths, Marriages, and Relationships Registration Act 2021 (2021 No 57).

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#### **Note**

Changes authorised by subpart 2 of Part 3 of the Legislation Act 2019 have been made in this consolidation. See the notes at the end of this consolidation for further details.

**This Act is administered by the Department of Internal Affairs.**

**An Act to amend the Births, Deaths, and Marriages Registration Act 1995****BE IT ENACTED by the Parliament of New Zealand as follows:****1 Short Title**

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

**2 Particulars of father where not married to mother**

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

**3 Transfer of charge of body**

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

**4 Registrar-General’s indexes**

- (1) This subsection inserted s 74(1A) and (1B) of the principal Act.
- (2) This section amended s 2 of the principal Act by substituting the definition of the term **index**.
- (3) *[Repealed]*
- (4) *[Repealed]*

Section 4(3): repealed, on 24 January 2009, by section 47 of the Births, Deaths, Marriages, and Relationships Registration Amendment Act 2008 (2008 No 48).

Section 4(4): repealed, on 24 January 2009, by section 47 of the Births, Deaths, Marriages, and Relationships Registration Amendment Act 2008 (2008 No 48).

**5 Restrictions on searches where error relating to person’s sex has been corrected or sexual assignment or reassignment has been registered**

Section 77 of the principal Act is amended by omitting from subsection (8)(c) and subsection (9)(a) the expression “28”, and substituting in each case the expression “30(1)”.

**6 Restrictions on searches relating to new names of certain witnesses**

This section substituted s 78(4)(a) of the principal Act.

**7 Further consequential amendments**

The enactments specified in the Schedule are amended in the manner indicated in that schedule.

## Schedule

### Further amendments consequential on enactment of principal Act

Section 7

Enactment Amended	Amendment
1948, No 36—The Tuberculosis Act 1948 (RS Vol 11, p 693)	<p>By repealing section 6, and substituting the following section:</p> <p><b>6</b></p> <p>(1) Forthwith after receiving a doctor's certificate stating that the person to whose death it relates was affected by tuberculosis, a Registrar must give the Medical Officer of Health written notice of that fact.</p> <p>(2) In subsection (1), the terms <b>doctor's certificate</b> and <b>Registrar</b> have the meanings given to them by section 2 of the Births, Deaths, and Marriages Registration Act 1995.</p>
1970, No 143—The Pharmacy Act 1970 (RS Vol 21, p 691)	
1979, No 27—The Toxic Substances Act 1979	<p>By repealing section 76(2), and substituting the following subsections:</p> <p>(2) Forthwith after receiving a doctor's certificate stating that the person to whose death it relates was affected by poisoning, a Registrar must give the Medical Officer of Health written notice of that fact.</p> <p>(2A) In subsection (2), the terms <b>doctor's certificate</b> and <b>Registrar</b> have the meanings given to them by section 2 of the Births, Deaths, and Marriages Registration Act 1995.</p>
1982, No 118—The Friendly Societies and Credit Unions Act 1982	<p>By repealing section 45(1)(a), and substituting the following paragraph:</p> <p>(a) Of a death certificate or doctor's certificate (within the meaning of section 2 of the Births, Deaths, and Marriages Registration Act 1995) relating to the death of the member or other person; or</p>
1988, No 150—The Dental Act 1988	
1993, No 87—The Electoral Act 1993	<p>By inserting in section 3(1), after the definition of the term <b>Registrar</b>, the following definition:</p>

Enactment Amended	Amendment
1994, No 107—The Veterinarians Act 1994	<p><b>Registrar of Births and Deaths</b> means Registrar within the meaning of section 2 of the Births, Deaths, and Marriages Registration Act 1995</p> <p>By omitting from section 20(1) the words “of Births and Deaths”, and substituting the words “(within the meaning of section 2 of the Births, Deaths, and Marriages Registration Act 1995)”.</p> <p>By omitting from section 20(3) the words “of Births and Deaths”.</p>

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

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

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

## **Consolidation notes**

### ***1 General***

This is a consolidation of the Births, Deaths, and Marriages Registration Amendment Act 1997 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### ***2 About this consolidation***

This consolidation is not an official version of the legislation under section 78 of the Legislation Act 2019.

### ***3 Amendments incorporated in this consolidation***

Births, Deaths, Marriages, and Relationships Registration Act 2021 (2021 No 57): section 146

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