

South Australia

Births, Deaths and Marriages Registration (Birth Certificates) Amendment Act 2026

An Act to amend the *Births, Deaths and Marriages Registration Act 1996*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Births, Deaths and Marriages Registration (Birth Certificates) Amendment Act 2026*.

2—Commencement

This Act comes into operation 4 weeks after the day on which it is assented to by, or on behalf of, the Crown.

Part 2—Amendment of *Births, Deaths and Marriages Registration Act 1996*

3—Amendment of section 46—Issue of certificate

- (1) Section 46—after subsection (1c) insert:

- (1d) If an entry in the Register relating to the birth of a child includes particulars of a person who is described in the Register as a co-parent of the child, the parents of the child may request (in a manner determined by the Registrar) that any birth certificate issued after the commencement of this subsection in relation to the child instead describe the co-parent as—

- (a) a mother of the child; or

(b) a father of the child; or

(c) a parent of the child,

regardless of whether any other parent of the child is also described as such.

(1e) If a birth certificate (as amended in the manner contemplated by subsection (1d)) is issued, the Registrar must, if the Registrar issues a certificate in respect of the marriage or death of a person who would, but for the amendment, have been recorded on the birth certificate as a co-parent, ensure that that certificate is also amended accordingly.

(2) Section 46(2)(b)—before "the facts" insert:

subject to subsection (3)—

(3) Section 46—after subsection (2) insert:

(3) Despite subsection (2)(b), a birth certificate that has been issued after the commencement of subsection (1d) and that describes a person as the mother or father of a child is evidence that the person is recorded as a parent of the child in the Register but not that the Register describes the person as the mother or father of the child (as the case may be).