

# The Births, Deaths, Marriages, and Relationships Registration Bill

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## Introduction

The Births, Deaths, Marriages, and Relationships Registration Act 2021 (2021 Act) had its Third Reading on 9 December 2021. The Act improves digital access to birth, death, marriage and civil union records, and modernises the language of the legislation. It also proposed a self-identification process to amend the sex recorded on birth certificates, with no requirement for medical evidence. For documents relating to these policy decisions, please refer to the DIA proactive release page here: <https://www.dia.govt.nz/Proactive-Releases#IA>

The majority of the 2021 Act, including the provisions introducing a self-identification process, will come into force in 18 months (by mid-2023). Some provisions (not related to self-identification) will come into force in three years.

In 2021, the Minister of Internal Affairs proposed some improvements to the self-identification process. Following the report of the 2021 Select Committee, the Minister of Internal Affairs made some further changes to the Births, Deaths, Marriages, and Relationships Registration Bill (the Bill). You can find the Supplementary Order Papers relating to these changes on the Parliament website at: [https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL\\_74854/births-deaths-marriages-and-relationships-registration](https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL_74854/births-deaths-marriages-and-relationships-registration) (see the tab labelled 'SOPs' to the right). Further information about the history of the Bill can be found here: <https://www.dia.govt.nz/bdmreview---History-of-the-BDMR-Bill>

The 2021 Act replaces the Family Court process for amending the sex recorded on a birth certificate with a process based on self-identification, with no requirement for medical evidence.

A self-identification process means applicants no longer need to go to the Family Court or have medical treatment to physically conform with the sex they want listed.

Once the 2021 Act comes into force, people will apply directly to the Registrar-General with a statutory declaration, enabling individuals to self-identify the gender to be recorded on their birth certificate. There is more information about amending the sex recorded on birth certificates in the [Frequently Asked Questions page](#). This includes questions about:

- › self-identification and its implementation
- › why the Act doesn't include provisions for overseas born people to use a self-identification process to register their nominated sex
- › children and young people
- › other changes following Select Committee
- › implications of self-identification for service providers
- › next steps and developing regulations for the self-identification process

## Select committee inquiry into self-ID SOP

The Minister of Internal Affairs is proposing some improvements to the self-identification process recommended by the Select Committee in 2018 through a Supplementary Order Paper (SOP). You can find the SOP on the Parliament website at: [https://www.parliament.nz/en/pb/sc/reports/document/SCR\\_116609/inquiry-into-supplementary-order-paper-59-on-the-births](https://www.parliament.nz/en/pb/sc/reports/document/SCR_116609/inquiry-into-supplementary-order-paper-59-on-the-births). After the Bill was put on hold, the Working Group for Reducing Barriers to Changing Registered Sex was set up to improve the existing process for changing the sex recorded on a birth certificate through the Family Court. In 2020, the Working Group provided the Minister of Internal Affairs with a report and recommendations on practical improvements to the Family Court process. The Government released its response to the report in 2021. Further information is available here: [Working Group for reducing barriers to changing registered sex](#).

## Better access to Births, Deaths and Marriages information

When the Bill was first introduced in 2017, its main purpose was to make changes to how people can access information in the Birth, Death, Marriage, and Civil Union registers. The 2021 Act will help government improve access to this information through digital and online channels.

This will enable a range of benefits, including improving New Zealanders' ability to establish their identity, access services and take part in society. These improvements complement wider work by the Department to deliver customer-centred digital government, including work to support the use of digital identity services.

The 2021 Act includes operational and minor policy changes and redrafts the legislation to make it easier for readers to interpret.

The initial briefing to Select Committee in 2018 provides more information on changes and can be found here: [https://www.parliament.nz/resource/en-NZ/52SCGA\\_ADV\\_74854\\_GA624/526565e2edc030cb347d33d2b1027903b5b80b04](https://www.parliament.nz/resource/en-NZ/52SCGA_ADV_74854_GA624/526565e2edc030cb347d33d2b1027903b5b80b04)