Changes to Legislation: as of 5 September 2026, this Act is up to date with all changes known to be in force.

Number 34 *of* 2014

CIVIL REGISTRATION (AMENDMENT) ACT 2014

REVISED

Updated to 10 December 2025

This Revised Act is an administrative consolidation of the *Civil Registration (Amendment) Act 2014*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Health Insurance (Amendment) Act 2025* (14/2025), enacted 10 December 2025, and all statutory instruments up to and including the *Civil Registration (Amendment) Act 2014 (Section 6) (Commencement) Order 2025* (S.I. No. 595 of 2025), made 9 December 2025, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

Number 34 *of* 2014

CIVIL REGISTRATION (AMENDMENT) ACT 2014

REVISED

Updated to 10 December 2025

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Number 34 *of* 2014

CIVIL REGISTRATION (AMENDMENT) ACT 2014

REVISED

Updated to 10 December 2025

An Act to amend and extend the Civil Registration Act 2004; to amend the Immigration Act 2003; to amend the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010; and to provide for matters connected therewith.

[4 *th December*, 2014]

Be it enacted by the Oireachtas as follows:

PART 1

Preliminary and General

Short title, collective citation and commencement

1. (1) This Act may be cited as the Civil Registration (Amendment) Act 2014.

(2) The Civil Registration Acts 2004 to 2013 and this Act may be cited together as the Civil Registration Acts 2004 to 2014.

(3) This Act, other than *subsection (2)* of *section 19* and *subsection (2)* of *section 26*, shall come into operation on such day or days as the Minister for Social Protection may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or provisions.

Annotations

Editorial Notes:

E1 Power pursuant to subs. (3) exercised (10.12.2025) *Civil Registration (Amendment) Act 2014 (Section 6) (Commencement) Order 2025* (S.I. No. 595 of 2025).

2. The 10th day of December 2025 is appointed as the day on which section 6 of the Civil Registration (Amendment) Act 2014 (No. 34 of 2014) shall come into operation.

E2 Power pursuant to subs. (3) exercised (20.11.2020) by *Civil Registration (Amendment) Act 2014 (Commencement) Order 2020* (S.I. No. 550 of 2020).

2. The 20th day of November 2020 is appointed as the day on which the following provisions of the Civil Registration (Amendment) Act 2014 (No. 34 of 2014) shall come into operation:

(*a*) sections 5, 7, 8, 9, 11 and 13;

(*b*) section 15(a);

(*c*) section 19(1);

(*d*) section 26(1);

(*e*) paragraphs (a) and (c) of section 27;

(*f*) section 28;

(*g*) section 29(a);

(*h*) section 30(a);

(*i*) sections 31 to 34.

E3 Power pursuant to subs. (3) exercised (11.07.2016) by *Civil Registration (Amendment) Act 2014 (Commencement) Order 2016* (S.I. No. 359 of 2016).

2. The 11th day of July 2016 is appointed as the day on which the following provisions of the Civil Registration (Amendment) Act 2014 (No. 34 of 2014) shall come into operation:

(*a*) section 27 (other than paragraphs (*a*) and (*c*) of that section);

(*b*) section 30 (other than paragraph (*a*) of that section).

E4 Power pursuant to subs. (3) exercised (18.08.2015) by *Civil Registration (Amendment) Act 2014 (Commencement) Order 2015* (S.I. No. 357 of 2015).

2. The 18th day of August 2015 is appointed as the day on which the following provisions of the Civil Registration (Amendment) Act 2014 (No. 34 of 2014) shall come into operation:

(*a*) Part 1;

(*b*) Sections 3, 4, 10 and 14;

(*c*) Section 15 (other than paragraph (a) of that section);

(*d*) Sections 16, 17, 18 and 20;

(*e*) Section 21 (other than paragraph (a) of that section);

(*f*) Sections 23, 24 and 25;

(*g*) Section 29 (other than paragraphs (a) and (c) of that section);

(*h*) Part 3.

Definition

2. In this Act "Principal Act" means the Civil Registration Act 2004.

PART 2

AMENDMENT OF PRINCIPAL ACT

Amendment of section 2 of Principal Act

3. Section 2 of the Principal Act is amended by—

(a) in subsection (1), the insertion of the following definitions:

'civil partnership of convenience' means a civil partnership where at least one of the parties to the civil partnership—

(a) at the time of entry into the civil partnership is a foreign national, and

(b) enters into the civil partnership solely for the purpose of securing an immigration advantage for at least one of the parties to the civil partnership;

'cohabitant' shall be construed in accordance with section 172 of the Act of 2010;

'enactment' means—

(a) an Act of the Oireachtas,

(b) a statute that was in force in Saorstát Éireann immediately before the date of the coming into operation of the Constitution and that continues in force by virtue of Article 50 of the Constitution, or

(c) an instrument made under an Act of the Oireachtas or a statute referred to in paragraph (b);

'evidence' includes documentary evidence;

'foreign national' means a person who is neither an Irish citizen, nor a citizen of a member state;

'immigration advantage' means a determination in a person's favour by or on behalf of the Minister for Justice and Equality of any question relating to the grant of a visa to, or the entry into, presence in or removal from the State of a foreign national or any determination of a right to enter or reside in the State pursuant to the—

(a) European Communities (Aliens) Regulations 1977 (S.I. No. 393 of 1977),

(b) European Communities (Right of Residence for Non-Economically Active Persons) Regulations 1997 (S.I. No. 57 of 1997), or

(c) European Communities (Free Movement of Persons) (No. 2) Regulations 2006 (S.I. No. 656 of 2006);

'immigration status' means entitlement of a person to reside in the State and the basis for that entitlement;

'marriage of convenience' means a marriage where at least one of the parties to the marriage—

(a) at the time of entry into the marriage is a foreign national, and

(b) enters into the marriage solely for the purpose of securing an immigration advantage for at least one of the parties to the marriage;",

(b) in subsection (2) —

(i) in paragraph (e), the substitution of "sex," for "sex, or",

(ii) in paragraph (f), the substitution of "partnership, or" for "partnership.", and

(iii) the insertion of the following paragraph after paragraph (f):

"(g) the marriage would constitute a marriage of convenience.",

and

(c) in subsection (2A)—

(i) in paragraph (e), the substitution of "sex," for "sex, or",

(ii) in paragraph (f), the substitution of "married, or" for "married.", and

(iii) the insertion of the following paragraph after paragraph (f):

"(g) the civil partnership would constitute a civil partnership of convenience."

Amendment of section 17 of Principal Act

4. Section 17 of the Principal Act is amended by the insertion of the following subsections after subsection (6):

"(6A) A Superintendent Registrar of a registration area, with the consent of the Executive given following consultation with an tArd-Chláraitheoir, may designate in writing a registrar assigned to that registration area to

perform the functions of the Superintendent Registrar referred to in the designation in the absence (other than where the position of the Superintendent Registrar is vacant) of the Superintendent Registrar.

(6B) A registrar designated under subsection (6A) shall be accountable to the Superintendent Registrar concerned for the performance of the functions referred to in the designation.

(6C) The Superintendent Registrar shall be accountable to the Executive for the performance of the functions designated under subsection (6A).

(6D) The Superintendent Registrar, with the consent of the Executive, may in writing revoke a designation under subsection (6A)."

Amendment of section 19 of Principal Act

5. Section 19 of the Principal Act is amended by—

(a) the insertion of the following subsection after subsection (1):

"(1A) It is the duty of a person referred to in paragraph (a) or (b) of subsection (1) to furnish to the registrar such evidence in his or her possession or within his or her power to so furnish, relating to the required particulars of the birth as may be requested by the registrar.",

(b) in subsection (3) —

(i) in paragraph (b), the substitution of "the birth," for "the birth, and", and

(ii) the insertion of the following paragraph after paragraph (b):

"(ba) to furnish to the registrar such evidence in his or her possession or within his or her power to so furnish, relating to the required particulars of the birth as may be requested by the registrar, and",

(c) the insertion of the following subsection after subsection (5):

"(5A) The registrar shall notify the Superintendent Registrar of the registration area to which the registrar is assigned, who shall advise an tArd-Chláraitheoir of a request in that behalf, and an tArd-Chláraitheoir, on production to him or her of such evidence as he or she considers adequate to show that exceptional circumstances exist such that it is necessary for the relief of undue hardship, may direct the Superintendent Registrar to cause the birth to be registered notwithstanding that a person referred to in paragraph (a) or (b) of subsection (1) or a qualified informant has not signed the register.",

and

(d) in subsection (6), by the insertion of the following paragraph after paragraph (a):

"(aa) in so far as it relates to a child who makes a request under section 22(2)(d) or 23A(1), the child,".

Amendment of section 22 of Principal Act

6. (1) Section 22 of the Principal Act is amended by—

(a) the deletion of subsection (1),

(b) the insertion of the following subsections after subsection (1):

"(1A) Subject to subsection (1E)(a), the duty of a person referred to in section 19(1)(a) to comply with this Part applies notwithstanding that the father and mother of the child whose birth falls to be registered were not married to each other at the date of the child's birth or at any time during the period of 10 months before such birth.

(1B) Where the mother of the child to whom subsection (1A) applies (in this section referred to as 'the mother')—

(a) attends under section 19(1) without the person (in this subsection and subsections (1C) to (1K) referred to as 'the person') whom she identifies to the registrar as the father of the child,

(b) gives, unless subsection (1D) applies, to the registrar the required particulars of the birth, and

(c) signs the register,

the registrar shall—

(i) register the birth of the child with required particulars, other than the surname of the child and those relating to the father of the child, and

(ii) make all reasonable efforts to give notice in writing to the person requiring him to within 28 days attend before a registrar, at the office of the registrar or such other (if any) convenient place in the registration area concerned, as may be specified by the registrar in the notice, and there to inform the registrar if he agrees that he is the father of the child.

(1C) A person given notice under subsection (1B)(ii) who agrees that he is the father of the child shall furnish to the registrar a statutory declaration, in a form for the time being standing approved by an tArd-Chláraitheoir, that he is the father of the child, and his required particulars and the required particulars relating to the surname of the child, and the registrar, subject to section 25A, shall complete the registration of the birth of the child with those required particulars and the person shall sign the register in the presence of the registrar and in that case the signature provided by the mother under subsection (1B)(c) shall be retained on the register.

(1D) A mother may furnish to a registrar a statutory declaration made by her and relied on by her to satisfy the registrar that one or more than one of the following compelling reasons exists so as to exempt her from her duty to furnish to the registrar required particulars in so far as they relate to the father of the child:

(a) she does not know the identity of the father of the child;

(b) she does not know the whereabouts of the father of the child;

(c) she believes that providing the information is not in the best interests of the safety of the child and in that case the statutory declaration shall contain and, as necessary, exhibit information, particulars and evidence relating to that belief.

(1E) The registrar, having considered the statutory declaration furnished under subsection (1D) shall—

(a) if satisfied that a compelling reason exists, register the birth of the child with required particulars, other than those relating to the father of the child, or

(b) if not satisfied that a compelling reason exists—

(i) register the birth of the child with required particulars, other than the surname of the child and those relating to the father of the child, and

(ii) notify the mother of the child in writing that he or she is not satisfied that a compelling reason exists, giving reasons for the decision and requesting the mother to furnish required particulars in so far as they relate to the father of the child, and stating that she may appeal the decision of the registrar not later than 28 days from the day on which the notice is sent by the registrar.

(1F) The mother may appeal against the decision of the registrar under subsection (1E)(b) in writing, in a form standing approved by an tArd- Chláraitheoir or in

a form to the like effect stating the reasons for the appeal, to a Superintendent Registrar in whose registration area the application to register the birth was made, not later than 28 days from the day on which the notice under subsection (1E)(b) is sent by the registrar, and the Superintendent Registrar shall determine the appeal in accordance with subsection (1G).

(1G) In considering an appeal referred to him or her under subsection (1F) the Superintendent Registrar shall consider—

(a) all information furnished by the mother under subsection (1D)(c),

(b) the reasons furnished by the registrar under subsection (1E)(b),

(c) the notice of appeal under subsection (1F), and

(d) any additional information furnished in response to a request by the Superintendent Registrar for further information.

(1H) Having considered the matters referred to in paragraphs (a) to (d) of subsection (1G) the Superintendent Registrar shall decide to either—

(a) annul the decision of the registrar under subsection (1E)(b) and direct the registrar to register the birth of the child under subsection (1E)(a), or

(b) confirm the decision of the registrar under subsection (1E)(b).

(1I) A mother may appeal to the Circuit Court against the decision of the Superintendent Registrar under subsection (1H)(b).

(1J) The jurisdiction conferred on the Circuit Court by subsection (1I) shall be exercised by a judge of the circuit in which the mother ordinarily resides and the appeal may be heard otherwise than in public.

(1K) The registrar, if satisfied having made all reasonable efforts under subsection (1B)(b) (ii) that no contact can be made with the person, shall complete the registration of the birth of the child with the required particulars other than those relating to the father.",

(c) in subsection (2) —

F1**[**(i) the substitution of "Subject to subsection (3), any registrar shall enter in the register the name of a person (in this subsection referred to as 'the person') as the father of a child to whom subsection (1A) applies—" for "Subject to subsection (3), any registrar shall enter in the register the name of a person ('the person') as the father of a child to whom subsection (1) applies—",**]**

(ii) in paragraph (a) the deletion of "of the child ('the mother')", and

(iii) the substitution of the following paragraph for paragraph (d):

"(d) if the mother, person, or the child to whom the registration relates, if he or she has attained the age of 18 years and so requests the registrar in writing and produces to him or her a document purporting to be a declaration made under section 35 of the Status of Children Act 1987 or an order made by a court in proceedings referred to in section 45 of that Act and to be certified by or on behalf of the court to be a true copy of the declaration or order that the person is the father of the child.",

(d) in subsection (3) —

(i) the deletion of "of a child to whom subsection (1) applies ('the mother')",

(ii) the substitution of "fall to be registered under subsection (1C) or pursuant to a request under paragraph (a), (b) or (c) of subsection (2) " for "fall to be registered under subsection (2) pursuant to a request under paragraph (a), (b) or (c) of that subsection",

(iii) the substitution of the following paragraph for paragraph (b):

"(b) a statutory declaration of the mother in a form standing approved for the time being by an tArd-Chláraitheoir, that she has been living apart from the person who is or any person who formerly was her husband during the period of 10 months ending immediately before the birth of the child by virtue of a decree of divorce, a decree of divorce a mensa et thoro, a decree of nullity of marriage or a deed of separation, or",

and

(iv) the insertion of the following paragraph after paragraph (b):

"(c) subject to subsections (3A) to (3G) a statutory declaration of the mother, that she has been living apart from the person who is or any person who formerly was her husband during the period of 10 months ending immediately before the birth of the child and that a decree or deed referred to in paragraph (b) has not been granted by a court or entered into, and in that case the declaration shall contain the name and last known contact details of the person who is her husband ('the husband'), and as necessary exhibit information, particulars and evidence relied on by the mother to satisfy the registrar that she has been living apart from the husband during the period of 10 months ending immediately before the birth of the child.",

(e) the insertion of the following subsections after subsection (3):

"(3A) The registrar, where a statutory declaration under subsection (3)(c) is produced, shall make all reasonable efforts to give notice in writing to the husband or former husband requiring him to within 28 days attend before a registrar, at the office of the registrar or such other (if any) convenient place in the registration area concerned, as may be specified by the registrar in the notice, and there to inform the registrar if he agrees that he is not the father of the child.

(3B) The husband or former husband given notice under subsection (3A) who agrees that he is not the father of the child shall complete a statutory declaration under subsection (3)(a).

(3C) The registrar, if satisfied having made all reasonable efforts under subsection (3A) that no contact can be made with the husband, and, having considered the statutory declaration of the mother under subsection (3)(c) —

(a) if satisfied that the mother has been living apart from the husband during the period of 10 months ending immediately before the birth of the child shall register the person as the father of the child under subsection (1C), or paragraph (a), (b) or (c) of subsection (2), or

(b) if not satisfied that the mother has been living apart from the husband or former husband during the period of 10 months ending immediately before the birth of the child shall notify the mother in writing that—

(i) he or she is not so satisfied, giving reasons for the decision,

(ii) he or she is obliged to register the birth of the child with required particulars of the husband or former husband in so far as they relate to the father of the child, and

(iii) the mother may appeal the decision of the registrar not later than 28 days from the day on which the notice is sent by the registrar.

(3D) The mother may appeal against the decision of the registrar under subsection (3C)(b) in writing, in a form standing approved by an tArd- Chláraitheoir or in a form to the like effect stating the reasons for the appeal, to a Superintendent Registrar in whose registration area the application to register the birth was made, not later than 28 days from the day on which the notice under subsection (3C)(b) is sent by the registrar, and the Superintendent Registrar shall determine the appeal.

(3E) In considering an appeal referred to him or her under subsection (3D) the Superintendent Registrar shall consider—

(a) all information furnished by the mother under subsection (3)(c),

(b) the reasons furnished by the registrar under subsection (3C)(b),

(c) the notice of appeal under subsection (3D), and

(d) any additional information furnished in response to a request by the Superintendent Registrar for further information.

(3F) Having considered the matters referred to in paragraphs (a) to (d) of subsection (3E), the Superintendent Registrar shall decide to either—

(a) annul the decision of the registrar under subsection (3C)(b) and direct the registrar to register the birth of the child under subsection (3C)(a), or

(b) confirm the decision of the registrar under subsection (3C)(b).

(3G) The mother may appeal to the Circuit Court against the decision of the Superintendent Registrar under subsection (3F)(b).

(3H) The jurisdiction conferred on the Circuit Court by subsection (3G) shall be exercised by a judge of the circuit in which the mother ordinarily resides and the appeal may be heard otherwise than in public.",

(f) in subsection (4), the substitution of "shall so notify the other persons referred to in that provision as capable of making a request" for "shall notify the other person",

(g) in subsection (5) —

(i) in paragraph (a), the deletion of "and",

(ii) in paragraph (b), the substitution of "subsection (2), and" for "subsection (2).", and

(iii) the insertion of the following paragraph after paragraph (b):

"(c) the child to whom the registration relates who has attained the age of 18 years if he or she has made or joined in the making of the request concerned under subsection (2).",

and

(h) the insertion of the following subsection after subsection (5):

"(5A) The registrar shall notify the Superintendent Registrar of the registration area to which the registrar is assigned, who shall advise an tArd-Chláraitheoir of a request in that behalf, and an tArd-Chláraitheoir, on production to him or her of such evidence as he or she considers adequate to show that exceptional circumstances exist such that it is necessary for the relief of undue hardship, may direct the Superintendent Registrar to cause the birth to be registered notwithstanding that a person referred to in paragraph (a), (b) or (c) of subsection (5) has not signed the register."

F2**[**(2) The amendments of section 22 of the Principal Act effected by *paragraphs (d), (e)* and *(f)* of *subsection (1)* shall not apply in relation to the registration of a birth where that birth occurs before the commencement of that subsection.**]**

Annotations

Amendments:

F1 Substituted (10.12.2025) by *Civil Registration (Electronic Registration) Act 2024* (27/2024), s. 24(1), commenced as per subs. (2) and S.I. No. 595 of 2025.

F2 Substituted (10.12.2025) by *Civil Registration Act 2019* (13/2019), s. 11(1), commenced as per subs. (2) and S.I. No. 595 of 2025.

Re-registration of birth

7. (1) The Principal Act is amended by the substitution of the following section for section 23:

"**23.** (1) This section applies where the birth of a child whose parents were not married to each other at the date of the birth or at any time during the period of 10 months ending immediately before that date has been registered under this Act or the repealed enactments and—

(a) no person has been registered as the child's father, or

(b) the mother of the child was married at the date of the birth of the child or at some time during the period of 10 months before such date and her husband or former husband is registered as the child's father.

(1A) Subject to subsection (2), a registrar shall re-register the birth of a child to whom subsection (1) applies in such manner as an tArd- Chláraitheoir may direct and shall enter in the register the name of a person (in this section referred to as the 'person') as the father of the child—

(a) if the mother of the child and the person jointly so request the registrar in writing and give to him or her a statutory declaration, in a form for the time being standing approved by an tArd-Chláraitheoir, of the person, that he is the father of the child, or

(b) if the mother so requests the registrar in writing and gives to him or her—

(i) a statutory declaration of the mother, in a form for the time being standing approved by an tArd-Chláraitheoir, that the person is the father of the child, and

(ii) a statutory declaration of the person, in a form for the time being standing approved by an tArd-Chláraitheoir, that he is the father of the child,

or

(c) if the person so requests the registrar in writing and gives to him or her—

(i) a statutory declaration of the person, in a form for the time being standing approved by an tArd-Chláraitheoir, that he is the father of the child, and

(ii) a statutory declaration of the mother, in a form for the time being standing approved by an tArd-Chláraitheoir, that the person is the father of the child.

(2) A birth shall not be re-registered under this section without the consent of a Superintendent Registrar of the registration area to which the registrar is assigned.

(3) Where, in a case in which the mother of a child to whom subsection (1) applies was married at the date of the birth of the child or at some time during the period of 10 months before such date and, but for this subsection, the birth would fall to be re-registered pursuant to a request under paragraph (a), (b) or (c) of subsection (1A), and a person would fall to be registered under subsection (1A) as the father of the child, the birth shall not be so re-registered and the person shall not be so registered unless there is produced to the registrar concerned—

(a) a statutory declaration of the person to whom the mother was married at that date and of the person or each person to whom she was married at some time during the period aforesaid, in a form standing approved for the time being by an tArd-Chláraitheoir, that he is not the father of the child,

(b) a statutory declaration of the mother in a form standing approved for the time being by an tArd-Chláraitheoir, that she has been living apart from the person who is, or the person or each person who was formerly, her husband (in this section referred to as the 'husband') during the period of 10 months

ending immediately before the birth of the child by virtue of a decree of divorce, a decree of divorce *a mensa et thoro*, a decree of nullity of marriage or a deed of separation, or

(c) subject to subsections (3A) to (3G) a statutory declaration of the mother, that she has been living apart from her husband during the period of 10 months ending immediately before the birth of the child and that a decree or deed referred to in paragraph (b) has not been granted by a court or entered into, and in that case the declaration shall contain the name and last known contact details of the person who is her husband, and as necessary exhibit information, particulars and evidence relied on by the mother to satisfy the registrar that she has been living apart from the husband during the period of 10 months ending immediately before the birth of the child.

(3A) The registrar, where a statutory declaration under subsection (3)(c) is produced, shall make all reasonable efforts to give notice in writing to the husband requiring him to within 28 days attend before a registrar, at the office of the registrar or such other (if any) convenient place in the registration area concerned, as may be specified by the registrar in the notice, and there to inform the registrar if he agrees that he is not the father of the child.

(3B) The husband, given notice under subsection (3A) who agrees that he is not the father of the child, shall complete a statutory declaration under subsection (3) (a).

(3C) The registrar, if satisfied having made all reasonable efforts under subsection (3A) that no contact can be made with the husband or former husband, and, having considered the statutory declaration of the mother under subsection (3)(c) —

(a) if satisfied that the mother has been living apart from the husband during the period of 10 months ending immediately before the birth of the child shall enter in the register the name of the person as the child's father, or

(b) if not satisfied that the mother has been living apart from the husband during the period of 10 months ending immediately before the birth of the child shall notify the mother in writing that—

(i) he or she is not so satisfied, giving reasons for the decision,

(ii) he or she is obliged to register the birth of the child with required particulars of the husband in so far as they relate to the father of the child, and

(iii) the mother may appeal the decision of the registrar not later than 28 days from the day on which the notice is sent by the registrar.

(3D) The mother may appeal against the decision of the registrar under subsection (3C)(b) in writing, in a form standing approved by an tArd- Chláraitheoir or in a form to the like effect stating the reasons for the appeal, to a Superintendent Registrar in whose registration area the application to register the birth was made, not later than 28 days from the day on which the notice under subsection (3C)(b) is sent by the registrar, and the Superintendent Registrar shall determine the appeal.

(3E) In considering an appeal referred to him or her under subsection (3D) the Superintendent Registrar shall consider all information furnished by the mother under subsection (3)(c), the reasons furnished by the registrar under subsection (3C)(b), the notice of appeal under subsection (3D) and any additional information furnished in response to a request by the Superintendent Registrar for further information and shall decide to either—

(a) annul the decision of the registrar under subsection (3C)(b) and direct the registrar to enter in the register the name of the person as the child's father, or

(b) confirm the decision of the registrar under subsection (3C)(b).

(3F) The mother may appeal to the Circuit Court against the decision of the Superintendent Registrar under subsection (3E)(b).

(3G) The jurisdiction conferred on the Circuit Court by subsection (3F) shall be exercised by a judge of the circuit in which the mother ordinarily resides and the appeal may be heard otherwise than in public.

(4) Where a birth is re-registered under this section, the surname of the child entered in the register shall be—

(a) that which was previously registered, or

(b) a surname determined in accordance with Part 1 or, as may be appropriate, Part 2 of the First Schedule.

(5) A birth which has been re-registered under this section may not be further re-registered save under section 23A or 24.

(6) When a birth is being re-registered under this section, the register shall be signed by—

(a) the mother of the child concerned, if she has made, or joined in the making of, the request concerned under subsection (1), and

(b) the person who declares that he is the father of the child, if he has made, or joined in the making of, the request concerned under subsection (1).

(6A) The registrar shall notify the Superintendent Registrar of the registration area to which the registrar is assigned, who shall advise an tArd-Chláraitheoir of a request in that behalf, and an tArd-Chláraitheoir, on production to him or her of such evidence as he or she considers adequate to show that exceptional circumstances exist such that it is necessary for the relief of undue hardship, may direct the Superintendent Registrar to cause the birth to be re-registered notwithstanding that a person referred to in paragraph (a) or (b) of subsection (6) has not signed the register.

(7) When a birth is re-registered under this section, the then existing entry relating to the birth shall be retained in the register.

(8) This section applies, with any necessary modifications, to stillbirths as it applies to births."

(2) The amendment of section 23 of the Principal Act effected by *subsection (1)* shall not apply to the re-registration of a birth where the birth occurs before the commencement of that subsection.

Re-registration on foot of court order

8. The Principal Act is amended by the insertion of the following section after section 23:

"**23A.** (1) Where the birth of a child whose parents were not married to each other at the date of the birth or at any time during the period of 10 months ending immediately before that date has been registered, whether or not anybody has been registered as the child's father, under this Act or the repealed enactments a registrar shall re-register the birth in such manner as an tArd-Chláraitheoir may direct and shall enter in the register the name of a person ('the person') as the father of the child if the mother, the person or the child to whose birth the registration relates and who has attained the age of 18 years so requests and gives to the registrar a document purporting to be a copy of a declaration made by the Circuit Court under section 35 of the Status of Children Act 1987 or an order made by a court in proceedings referred to in section 45 of that Act, and to be certified by or on behalf of the court to be a true copy of the order finding that the person is the father of the child.

(2) A birth shall not be re-registered under this section without the consent of a Superintendent Registrar of the registration area to which the registrar is assigned.

(3) Where a birth is re-registered under this section, the surname of the child entered in the register shall be—

(a) that which was previously registered, or

(b) a surname determined in accordance with Part 1 of the First Schedule.

(4) Where one of the persons to whom subsection (1) applies makes a request to a registrar under that provision, the registrar shall notify any other persons referred to in that provision capable of making a request and anybody registered as the child's father as the case may be.

(5) When a birth is being re-registered under this section, the register shall be signed by—

(a) the mother of the child concerned, if she has made, or joined in the making of, the request under subsection (1),

(b) the person who declares that he is the father of the child, if he has made, or joined in the making of, the request under subsection (1), and

(c) the child to whom the registration relates, if he or she has attained the age of 18 years where he or she has made, or joined in the making of the request concerned under subsection (1).

(6) The registrar shall notify the Superintendent Registrar of the registration area to which the registrar is assigned, who shall advise an tArd-Chláraitheoir of a request in that behalf, and an tArd-Chláraitheoir, on production to him or her of such evidence as he or she considers adequate to show that exceptional circumstances exist such that it is necessary for the relief of undue hardship, may direct the Superintendent Registrar to cause the birth to be re-registered notwithstanding that a person referred to in paragraph (a), (b) or (c) of subsection (5) has not signed the register.

(7) When a birth is re-registered under this section, the then existing entry relating to the birth shall be retained in the register."

Failure to agree surname and subsequent registration of surname

9. The Principal Act is amended by the insertion of the following section after section 25:

"**25A.** (1) A registrar shall register the birth of a child without the surname of the child as part of the required particulars where the registrar is satisfied that the parents of the child do not agree regarding a surname for the child.

(2) The duty imposed on a person under this Part to give to the registrar required particulars of the birth, in so far as those particulars refer to a surname for the child shall not apply where the registrar registers the birth under subsection (1), or under subsection (1E)(a) or (1J) of section 22.

(3) Where a birth has been entered on the register under subsection (1) or under subsection (1E)(a) or (1J) of section 22 the following persons may apply to a registrar to register the surname of the child:

(a) where the child concerned has not attained the age of 18 years—

(i) the parents of the child, where they satisfy the registrar that they have agreed a surname for the child,

(ii) the surviving parent of the child, or

(iii) where there is no surviving parent, the guardian of the child,

or

(b) where the child concerned has attained the age of 18 years, the child.

(4) On receipt of an application referred to in subsection (3) in a form standing approved by an tArd-Chláraitheoir or a form to the like effect, and on production

to the registrar of such evidence as appears to him or her to be satisfactory and on payment of the prescribed fee, the registrar shall register the surname of the child.

(5) The surname of the child entered in the register under subsection (4) shall be a surname determined in accordance with Part 1 of the First Schedule.

(6) Where the surname of the child is entered in the register under subsection (4), the existing entry in the register regarding the birth shall be retained in the register, the addition of the surname shall be deemed for all purposes to be and always to have been part of the original entry, and the surname so entered in the register may not be further changed, altered or added to."

Amendment of section 28 of Principal Act

10. Section 28 of the Principal Act is amended in subsection (1) by the deletion of ", not later than 12 months from the date of the stillbirth".

Amendment of section 37 of Principal Act

11. Section 37 of the Principal Act is amended by—

(a) the substitution of the following subsection for subsection (1):

"(1) When a death occurs in the State, it is the duty of—

(a) a relative, civil partner, cohabitant, next of kin, personal representative or religious superior of the deceased who has knowledge of the required particulars in relation to the death, and

(b) if there is no such relative, civil partner, cohabitant, next of kin, personal representative or religious superior who can be found or every such person is incapable through ill health of complying with this subsection, each other qualified informant, unless he or she reasonably believes that another qualified informant has complied with it in relation to the death,

within 3 months from the date of the death—

(i) to attend before any registrar,

(ii) there, to give to the registrar, to the best of his or her knowledge and belief, in a form standing specified by an tArd-Chláraitheoir, the required particulars of the death, and

(iii) there, to sign the register relating to the death in the presence of the registrar.",

(b) the insertion of the following subsection after subsection (1):

"(1A) It is the duty of a person referred to at paragraph (a) or (b) of subsection (1) to furnish to a registrar such evidence in his or her possession, or within his or her power to so furnish, relating to the required particulars of the death as may be requested by the registrar.",

(c) in subsection (2) —

(i) the substitution of "non-compliance with subsection (1) or (1A)" for "non-compliance with subsection (1) ",

(ii) in paragraph (b), the substitution of "section 42," for "section 42 and", and

(iii) the insertion of the following paragraph after paragraph (b):

"(ba) to furnish to the registrar such evidence in his or her possession, or within his or her power to so furnish, relating to the required particulars of the death as may be requested by the registrar, and",

(d) the insertion of the following subsection after subsection (3):

(3A) The registrar shall notify the Superintendent Registrar of the registration area to which the registrar is assigned, who shall advise an tArd-Chláraitheoir of a request in that behalf, and an tArd-Chláraitheoir, on production to him or her of such evidence as he or she considers adequate to show that exceptional circumstances exist such that it is necessary for the relief of undue hardship, may direct the Superintendent Registrar to cause the death to be registered notwithstanding that a person referred to in paragraph (a) or (b) of subsection (1) has not signed the register.",

and

(e) the substitution of the following subsection for subsection (5) —

"(5) In this section—

'next of kin' means a person nominated in writing as next of kin by the deceased for the purposes of his or her medical treatment or medical records;

'personal representative' means the executor or executrix or the administrator or administratrix for the time being of a deceased person;

'qualified informant' in relation to a death means—

(a) a relative, civil partner, cohabitant, next of kin, personal representative or religious superior of the deceased who has knowledge of the required particulars concerned,

(b) a person present at the death,

(c) any other person who has knowledge of the required particulars,

(d) if the death occurred in a building used as a dwelling or a part of a building so used, any person who was in the building or part at the time of the death,

(e) if the death occurred in a hospital or other institution or in a building or a part of a building occupied by any other organisation or enterprise, the chief officer of the institution, organisation or enterprise (by whatever name called) or a person authorised by the chief officer to perform his or her functions,

(f) the person who found the body of the person concerned,

(g) the person who took charge of that body,

(h) the person who procured the disposal of that body, or

(i) any other person who has knowledge of the death;

'religious superior' in relation to a deceased person who was a member of a religious body within the meaning of section 45 living as a member of the religious body in an order or community, means the person in charge of the order or community in which the deceased person resided prior to his or her death."

Notification of early neonatal deaths

12. The Principal Act is amended by the insertion of the following section after section 42:

"**42A.** (1) Where the death occurs during the first 7 days of life of a child born alive ('early neonatal death') it shall be the duty of the registered medical practitioner who attends the child concerned to give to the Superintendent Registrar in whose registration area the death occurred, as soon as practicable after the occurrence of the early neonatal death and in such manner as an tArd-Chláraitheoir may direct, the required particulars relating to the early neonatal death.

(2) The duty imposed on a registered medical practitioner under subsection (1) is in addition to, and not in substitution for, a duty or obligation imposed on a person under section 37."

Part 5A of Principal Act

13. The Principal Act is amended by the insertion of the following Part after Part 5:

"Part 5A

Death Abroad

Application of Part

44A. (1) This Part applies to the death occurring outside of the State (other than where section 38 or 39 applies) of an Irish citizen who was ordinarily resident in the State within 5 years prior to the date of his or her death.

(2) Part 5 shall not apply to a death to which this Part applies.

(3) This Part applies to a death referred to in subsection (1) that occurs before or after the commencement of this section.

Record of deaths abroad

44B. (1) An tArd-Chláraitheoir shall maintain and keep a record of all deaths to which this Part applies (in this Part referred to as the 'record of deaths abroad'), notified to him or her, a Superintendent Registrar or registrar under this Part.

(2) The record of deaths abroad may be maintained in any legible form or in any other form that is capable of being converted into a legible form and of being used to make a legible copy or reproduction of an entry in the record.

Provision of information

44C. (1) An informant may notify a registrar of the death of a deceased person in relation to whose death this Part applies, and on furnishing the information and documents referred to in subsection (2) may request that the death is recorded on the record of deaths abroad.

(2) The following information and documents shall be furnished with a request under subsection (1):

(a) such evidence, as may be specified by an tArd-Chláraitheoir, to satisfy the registrar that the death is a death to which this Part applies,

(b) where required by the registrar, a document duly authenticated which purports to be a translation of a document referred to in paragraph (c),

(c) where there was at the time of the death, a system of registration of deaths in the state where the death occurred which applied to the death, a document certified to be a true copy or extract from civil records of the death in accordance with the laws of that state,

(d) as much of the following information as may be available:

(i) date and place of death;

(ii) place of birth of deceased;

(iii) sex of deceased;

(iv) forename, surname, birth surname and address of deceased;

(v) personal public service number of deceased;

(vi) civil status of deceased;

(vii) date of birth of deceased;

(viii) profession or occupation of deceased;

(ix) if deceased was married or a civil partner, the profession or occupation of spouse or civil partner;

(x) if deceased was less than 18 years of age on date of death, occupation of each of his or her parents or guardian;

(xi) forename and birth surname of father of deceased;

(xii) forename and birth surname of mother of deceased;

(xiii) forename, surname, qualification, address and signature of informant.

(3) The informant shall provide his or her signature, in such manner as an tArd-Chláraitheoir may direct, to the registrar.

(4) In this section 'informant' means a relative, civil partner or cohabitant of a deceased person in relation to whose death this Part applies, or, if all of those persons are unavailable, such other person having knowledge of the death as an tArd-Chláraitheoir may specify.

Certificate of entry on the record of deaths abroad

44D. Evidence of an entry of the death on the record of deaths abroad, and of such of the facts therein recorded as an tArd-Chláraitheoir may specify, may be given by the production of a document purporting to be a legible copy of the entry by an tArd-Chláraitheoir, a person authorised in that behalf by an tArd-Chláraitheoir, a Superintendent Registrar, an authorised officer or a registrar.

Amendment of entry on the record of deaths abroad

44E. On application to an tArd-Chláraitheoir in such manner as he or she may specify, by a person having an interest in the matter, or, if an tArd-Chláraitheoir is satisfied that—

(a) either the documents or information furnished to him or her under section 44C(2), or

(b) the record of deaths abroad,

contain an error of fact, he or she may correct the error concerned and, as necessary, notify the person having an interest in the matter or furnish, under section 44D, evidence of the entry of the death as amended."

Amendment of section 45 of Principal Act

14. Section 45 of the Principal Act is amended by the insertion of the following definition:

" 'place that is open to the public' has the meaning given by section 51(2A);".

Amendment of section 46 of Principal Act

15. Section 46 of the Principal Act is amended by—

(a) in subsection (3), the substitution of "A notification or a copy of a court order referred to in subsection (1)(a) " for "The notification aforesaid", and

(b) the insertion of the following subsection after subsection (3):

"(3A) Where one or each of the persons notifying the registrar under this section is a foreign national, the notification or copy of the court order shall be accompanied by such documents and information as may be specified by an tArd-Chláraitheoir regarding the immigration status of the foreign national concerned or any other matter relating to that foreign national referred to at section 58(4C)."

Amendment of section 51 of Principal Act

16. Section 51 of the Principal Act is amended by the insertion of the following subsection after subsection (2):

"(2A) In subsection (2) 'place that is open to the public' means—

(a) a building that is open to the public, or

(b) a courtyard, garden, yard, field or piece of ground that is open to the public and lying near to and usually enjoyed with the building referred to in paragraph (a)."

Amendment of section 52 of Principal Act

17. Section 52 of the Principal Act is amended by the insertion of the following subsection after subsection (2):

"(2A) In this section a reference to a place means a place that is open to the public."

Amendment of section 58 of Principal Act

18. Section 58 of the Principal Act is amended by—

(a) in subsection (2)(d), the substitution of "subsections (3) to (4C) and (6) to (8) " for "subsections (3) and (4) and (6) to (8) ",

(b) in subsection (4), the insertion of the following paragraph after paragraph (c):

"(cc) in relation to the forming of an opinion under subsection (4A), notify and furnish copies of all information and documents relating to the relevant notification of the intended marriage under this Part to, the Minister for Justice and Equality,",

(c) the insertion of the following subsections after subsection (4):

"(4A) A registrar who—

(a) in the performance of his or her functions under this Part forms the opinion that an intended marriage would constitute a marriage of convenience, or

(b) receives under subsection (1) an objection the stated reason for which is that the intended marriage would constitute a marriage of convenience, and forms the opinion that grounds for the objection possibly exist and need to be investigated,

shall refer the matter to the Superintendent Registrar of the registration area where the registrar who formed the opinion is assigned, for a decision and in that case and for that purpose, this section shall apply and have effect according to—

(i) the modification that a reference to receipt of an objection under subsection (1) includes a reference to an opinion under paragraph (a),

(ii) the modification that references in this section to an tArd-Chláraitheoir shall be construed as references to the Superintendent Registrar concerned, and

(iii) any other necessary modifications.

(4B) The registrar shall furnish his or her written report of the reasons for the forming of his or her opinion under subsection (4A) when referring the matter to the Superintendent Registrar under subsection (4A).

(4C) In forming an opinion under subsection (4A) and deciding to refer the matter to the Superintendent Registrar, the registrar shall consider the following:

(a) if the parties to the intended marriage speak a common language;

(b) the period prior to the relevant notification of the intended marriage under this Part during which the parties to the intended marriage are known to each other;

(c) the number and frequency of meetings of the parties to the intended marriage prior to the notification of the intended marriage under this Part;

(d) if the parties to the intended marriage have lived together in the past or if they currently live together;

(e) the extent to which each party to the intended marriage is familiar with the personal details of the other party;

(f) the extent to which each party to the intended marriage intends to continue an existing commitment to mutual emotional and financial support of the other party to the intended marriage;

(g) the immigration status of one or each of the parties to the intended marriage who is a foreign national;

(h) other than in a case where money is paid as a dowry as appropriate to the culture of one or each party to the intended marriage, if money was paid as an inducement for the marriage;

(i) if the one or each of the parties to the intended marriage has previously been the subject of an objection under subsection (1), an opinion formed under subsection (4A) or an objection under section 59F(1) or an opinion formed under section 59F(4A);

(j) any other information regarding the intended marriage which gives reasonable grounds for considering the marriage to be a marriage of convenience.",

(d) the insertion of the following subsection after subsection (5):

"(5A) In deciding if an impediment exists to an intended marriage the subject of a referral under subsection (4A), the Superintendent Registrar shall consider—

(a) the report furnished to him or her under subsection (4B), and

(b) the matters referred to in paragraphs (a) to (j) of subsection (4C).",

and

(e) the insertion of the following subsection after subsection (7):

"(7A) Where a Superintendent Registrar decides under subsection (7), in a case referred to him or her under subsection (4A) that a marriage would constitute a marriage of convenience he or she shall, as soon as practicable after making that decision, notify the Minister for Justice and Equality."

Marriage ceremonies performed at certain embassies or diplomatic missions

19. (1) The Principal Act is amended by the insertion of the following section after section 58:

"**58A.** (1) This section applies to a marriage which was solemnised, before the commencement of this section, in an embassy or diplomatic mission in the State.

(2) A marriage to which this section applies, subject to subsection (3), shall be and shall be deemed always to have been valid as to form as if it would have been so valid had it been solemnised in the State in compliance with this Act.

(3) This section shall not operate to validate a marriage to which this section applies where—

(a) an impediment to the marriage existed on the date that the marriage was solemnised,

(b) the parties to the marriage have obtained a decree of divorce or a decree of nullity in respect of the marriage, and for the purposes of this paragraph, a decree obtained, where legal proceedings resulting in the decree were begun but not completed prior to the commencement of this section, shall be taken to have been obtained before that commencement,

(c) a party to the marriage has entered into a later marriage or civil partnership with another person, or

(d) the parties to the marriage have entered into a later marriage with each other.

(4) A registrar who receives an application in that behalf from both parties, or the surviving party to the marriage to which this section applies in writing in a form for the time being standing approved by an tArd-Chláraitheoir, on being satisfied that this section operates to validate the marriage concerned and on production to him or her of the following information and particulars may enter the particulars of the marriage concerned in the register and register the marriage in such manner as an tArd-Chláraitheor may direct:

(a) evidence of identity;

(b) if appropriate, evidence of death of one of the parties to the marriage;

(c) evidence that the marriage was solemnised in an embassy or diplomatic mission in the State prior to the commencement of this section together with, where required by the registrar, a document duly authenticated which purports to be a translation thereof;

(d) the signatures of both parties or the surviving party to the marriage.

(5) Nothing in the application of this section to a marriage which was solemnised, before the commencement of the section, in an embassy or diplomatic mission in the State—

(a) gives or affects any entitlement to an interest—

(i) under the will or codicil of, or on the intestacy of, a person who dies before the commencement of this section, or

(ii) under a settlement or other disposition of property made before that commencement (otherwise than by will or codicil),

or

(b) gives or affects any entitlement to a benefit, allowance, pension or other payment—

(i) payable before, or in respect of a period before the commencement of this section, or

(ii) payable in respect of the death of a person before that commencement,

or

(c) affects tax in respect of a period or event before the commencement of this section.

(6) If subsections (1) to (5) would, but for this subsection, conflict with a constitutional right of any person, the operation of those subsections shall be subject to such limitation as is necessary to secure that it does not so conflict but shall otherwise be of full force and effect.

(7) This section shall not apply to a marriage which is solemnised on or after the date of commencement of this section, in an embassy or diplomatic mission in the State."

(2) (a) At any time before the coming into operation of the amendments to the Principal Act effected by *subsection (1)* , both parties or the surviving party to a marriage that was solemnised in an embassy or diplomatic mission in

the State before that coming into operation, may attend at the office of a registrar, furnish information and particulars referred to in *paragraph (b)* and notify the registrar in writing, in a form for the time being standing approved by an tArd-Chláraitheoir, of their intention, or, as the case may be, the intention of the surviving party to the marriage that the amendment of the Principal Act effected by *subsection (1)* shall not operate to validate the marriage.

(b) The registrar, where satisfied to do so after consideration of the following information and particulars shall record the intention of the parties or surviving party referred to in *paragraph (a)*:

(i) evidence of identity of the parties;

(ii) if appropriate, evidence of death of one of the parties to the marriage;

(iii) evidence that the marriage was solemnised in an embassy or diplomatic mission in the State prior to the commencement of this subsection together with, where required by the registrar, a document duly authenticated which purports to be a translation thereof;

(iv) the signatures of both parties or the surviving party to the marriage.

(c) *Subsection (1)* shall not operate to validate a marriage in relation to which the registrar, before the coming into operation of *subsection (1)*, records, under this subsection, the intention of the parties that it shall not be so validated."

Amendment of section 59A of Principal Act

20. Section 59A of the Principal Act is amended by the insertion of the following definition:

" 'place that is open to the public' has the meaning given by section 59D(1A);".

Amendment of section 59B of Principal Act

21. Section 59B of the Principal Act is amended by—

(a) in subsection (6), the substitution of "A notification referred to in subsection (1)(a) or a copy of a court order referred to in subsection (2) " for "The notification", and

(b) by the insertion of the following subsection after subsection (6):

"(6A) Where one or each of the persons notifying the registrar under this section is a foreign national, the notification or copy of the court order shall be accompanied by such documents and information as may be specified by an tArd-Chláraitheoir regarding the immigration status of the foreign national concerned or any other matter relating to that foreign national referred to at section 59F(4C)."

Amendment of section 59C of Principal Act

22. Section 59C of the Principal Act is amended by the substitution in subsection (4) of "from the date of the intended civil partnership specified in the form and if" for "from the date on which it is completed. If".

Amendment of section 59D of Principal Act

23. Section 59D of the Principal Act is amended by—

(a) the insertion of the following subsection after subsection (1):

"(1A) In subsection (1) 'place that is open to the public' means—

(a) a building that is open to the public, or

(b) a courtyard, garden, yard, field or piece of ground that is open to the public and lying near to and usually enjoyed with the building referred to in paragraph (a).",

and

(b) in paragraph (c) of subsection (6), by the deletion of "give the parties a copy of the form referred to in paragraph (a),".

Amendment of section 59E of Principal Act

24. Section 59E of the Principal Act is amended by the insertion of the following subsection after subsection (4):

"(5) In this section a reference to a place means a place that is open to the public."

Amendment of section 59F of Principal Act

25. Section 59F of the Principal Act is amended by—

(a) in subsection (4), the insertion of the following paragraph after paragraph (c):

"(cc) in relation to the forming of an opinion under subsection (4A) notify, and furnish copies of all information and documents relating to the relevant notification of the civil partnership under this Part to, the Minister for Justice and Equality,",

(b) the insertion of the following subsections after subsection (4):

"(4A) A registrar who—

(a) in the performance of his or her functions under this Part forms the opinion that a civil partnership would constitute a civil partnership of convenience, or

(b) receives under subsection (1) an objection the stated reason for which is that the intended civil partnership would constitute a civil partnership of convenience, and forms the opinion that grounds for the objection possibly exist and need to be investigated,

shall refer the matter to the Superintendent Registrar of the registration area where the registrar who formed the opinion is assigned, for a decision, and in that case and for that purpose, this section shall apply and have effect according to—

(i) the modification that a reference to receipt of an objection under subsection (1) includes a reference to an opinion under paragraph (a),

(ii) the modification references in the section to an tArd-Chláraitheoir shall be construed as references to the Superintendent Registrar concerned, and

(iii) any other necessary modifications.

(4B) The registrar shall furnish his or her written report of the reasons for the forming of his or her opinion under subsection (4A) when referring the matter to the Superintendent Registrar under subsection (4A).

(4C) In forming an opinion under subsection (4A) and deciding to refer the matter to the Superintendent Registrar, the registrar shall consider the following:

(a) if the parties to the intended civil partnership speak a common language;

(b) the period prior to the relevant notification of the intended civil partnership under this Part during which the parties to the intended civil partnership are known to each other;

(c) the number and frequency of meetings of the parties to the intended civil partnership prior to the notification of the intended civil partnership under this Part;

(d) if the parties to the intended civil partnership have lived together in the past or if they currently live together;

(e) the extent to which each party to the intended civil partnership is familiar with the personal details of the other party;

(f) the extent to which each party to the intended civil partnership intends to continue an existing commitment to mutual emotional and financial support of the other party to the intended civil partnership;

(g) the immigration status of one or each of the parties to the intended civil partnership who is a foreign national;

(h) other than in a case where money is paid as a dowry as appropriate to the culture of one or each party to the intended civil partnership, if money was paid as an inducement for the civil partnership;

(i) if the one or each of the parties to the intended civil partnership has previously been the subject of an objection under subsection (1);

(j) any other information regarding the intended civil partnership which gives reasonable grounds for considering the civil partnership to be a civil partnership of convenience.",

(c) the insertion of the following subsection after subsection (6):

"(6A) In deciding if an impediment exists to an intended civil partnership the subject of a referral under subsection (4A), the Superintendent Registrar shall consider—

(a) the report furnished to him or her under subsection (4B), and

(b) the matters referred to in paragraphs (a) to (j) of subsection (4C).",

and

(d) the insertion of the following subsection after subsection (8):

"(8A) Where a Superintendent Registrar decides under subsection (8), in a case referred to him under subsection (4A) that a civil partnership would constitute a civil partnership of convenience he or she shall, as soon as practicable after making that decision, notify the Minister for Justice and Equality."

Civil Partnership ceremonies performed at certain embassies or diplomatic missions

26. The Principal Act is amended by the insertion of the F3**[**following section before Part 7B**]**:

59IA. (1) This section applies to a civil partnership where the ceremony of civil partnership took place during the period commencing on 1 January 2011 and ending on the day before the commencement of this section, in an embassy or diplomatic mission in the State.

(2) A civil partnership to which this section applies, subject to subsection (3), shall be and shall be deemed always to have been valid as to form as if it would have been so valid had it been a civil partnership registered in the State in compliance with this Act.

(3) This section shall not operate to validate a civil partnership to which this section applies where—

(a) an impediment to the civil partnership existed on the date that the ceremony of civil partnership took place,

(b) the parties to the ceremony of civil partnership have obtained a decree of dissolution of civil partnership under section 110 of the Act of 2010, or a decree of nullity of civil partnership, and for the purposes of this paragraph,

a decree obtained, where legal proceedings resulting in the decree were begun but not completed prior to the commencement of this section, shall be taken to have been obtained before that commencement,

(c) a party to the civil partnership has entered into a later marriage or civil partnership with another person, or

(d) the parties to the civil partnership have entered into a later civil partnership with each other.

(4) Nothing in the application of this section to a civil partnership where the ceremony of civil partnership took place during the period commencing on 1 January 2011 and ending on the day before the commencement of this section, in an embassy or diplomatic mission in the State—

(a) gives or affects any entitlement to an interest—

(i) under the will or codicil of, or on the intestacy of, a person who dies before the commencement of this section, or

(ii) under a settlement or other disposition of property made before that commencement (otherwise than by will or codicil),

or

(b) gives or affects any entitlement to a benefit, allowance, pension or other payment—

(i) payable before, or in respect of a period before, commencement of this section, or

(ii) payable in respect of the death of a person before that commencement,

or

(c) affects tax in respect of a period or event before the commencement of this section.

(5) If subsections (1) to (5) would, but for this subsection, conflict with a constitutional right of any person, the operation of those subsections shall be subject to such limitation as is necessary to secure that it does not so conflict but shall otherwise be of full force and effect.

(6) This section shall not apply to a civil partnership where the ceremony of civil partnership takes place on or after the commencement of this section, in an embassy or diplomatic mission in the State."

(2) (a) At any time before the coming into operation of the amendments to the Principal Act effected by *subsection (1)*, both parties or the surviving party to a civil partnership that took place in an embassy or diplomatic mission in the State during the period commencing on 1 January 2011 and ending on the day before that coming into operation, may attend at the office of a registrar, furnish information and particulars referred to in *paragraph (b)* and notify the registrar in writing, in a form for the time being standing approved by an tArd-Chláraitheoir, of their intention, or, as the case may be, the intention of the surviving party to the civil partnership that the amendment of the Principal Act effected by *subsection (1)* shall not operate to validate the civil partnership.

(b) The registrar, where satisfied to do so after consideration of the following information and particulars shall record the intention of the parties or surviving party referred to in *paragraph (a)*:

(i) evidence of identity of the parties;

(ii) if appropriate, evidence of death of one of the parties to the civil partnership;

(iii) evidence that the civil partnership was solemnised in an embassy or diplomatic mission in the State prior to the commencement of this subsection together with, where required by the registrar, a document duly authenticated which purports to be a translation thereof;

(iv) the signatures of both parties or the surviving party to the civil partnership.

(c) *Subsection (1)* shall not operate to validate a civil partnership in relation to which the registrar, before the coming into operation of *subsection (1)* , records, under this subsection, the intention of the parties that it shall not be so validated.

Annotations

Amendments:

F3 Substituted (16.11.2015) by *Marriage Act 2015* (35/2015), s. 22, S.I. No. 504 of 2015.

Amendment of section 61 of Principal Act

27. Section 61 of the Principal Act is amended by—

(a) the insertion of the following subsection after subsection (1):

"(1A) Where the age, civil status or death of a person is required to be proved by or under an enactment prescribed under section 67(1A), a person—

(a) on production by him or her of verification of the requirement for proof, as part of an application in that behalf under subsection (1), and

(b) on payment by him or her of a fee prescribed under section 67(1A),

shall be given a copy certified to be a true copy, a copy, or a certified extract of an entry in a register maintained under section 13.",

(b) the insertion of the following subsection after subsection (2):

"(2A) Subject to subsections (3) and (4), the Minister for Arts, Heritage and the Gaeltacht, on application by a person to that Minister in that behalf in electronic form and on payment to that Minister of any prescribed fee shall consent to a search by that person of the electronic record of—

(a) the register maintained under section 13(1)(a), in so far as it relates to births that occurred more than 100 years before the date of the application to search,

(b) the register maintained under section 13(1)(d), in so far as it relates to deaths that occurred more than 50 years before the date of the application to search, or

(c) the register maintained under section 13(1)(e), in so far as it relates to marriages that occurred more than 75 years before the date of the application to search.

(2B) For the purposes of subsection (2A), the Minister for Arts, Heritage and the Gaeltacht may keep an electronic record of the registers referred to at paragraphs (a), (b) and (c) of subsection (2A).",

(c) in subsection (4), the insertion of ", (1A)" after "(1) (b) ", and

(d) the substitution of the following for subsection (6):

"(6) The Minister for Arts, Heritage and the Gaeltacht, in addition to an tArd-Chláraitheoir, a Superintendent Registrar, a registrar or an authorised officer, may perform functions referred to in subsection (1) (a) in so far as the functions relate to the search of an electronic record of an index to a register maintained under section 13 and for that purpose, that Minister may keep such an electronic record of such an index."

Amendment of section 64 of Principal Act

28. Section 64 of the Principal Act is amended by—

(a) in subsection (5), the substitution of "concerned to cancel the entry in the register or make, in such manner" for "concerned to make, in such manner",

(b) the insertion of the following subsections after subsection (5):

"(5A) Where an tArd-Chláraitheoir is satisfied that an entry of a birth, stillbirth or death in the register of births, stillbirths or deaths was made on the basis of—

(a) required particulars referred to in subsection (5B), or

(b) false or misleading information furnished to the registrar, an tArd-Chláraitheoir—

(i) may direct a registrar to cancel the entry and retain the entry so cancelled in the register of births, stillbirths or deaths, and

(ii) where he or she is satisfied that it is appropriate, may direct the registrar to make an entry, under and in accordance with Part 3 or 5, in relation to the birth, stillbirth or death concerned, in the register of births, stillbirths or deaths,

and the registrar shall comply with the direction under paragraph (i) or (ii).

(5B) Required particulars, for the purpose of subsection (5A)(a) are required particulars—

(a) as respects the register of births, furnished (except under section 19(5)) to the registrar by a person other than a qualified informant,

(b) as respects the register of stillbirths, furnished (except under subsection (6) or (7) of section 28) to the registrar by a person other than a person referred to in paragraph (a) or (b) of subsection (1) of section 28, or

(c) as respects the register of deaths, furnished to the registrar by a person other than a qualified informant.",

(c) in subsection (7), by—

(i) in paragraph (b), the deletion of "or" after "were not complied with,",

(ii) in paragraph (c), the insertion of "or" after "a marriage to which there was an impediment,", and

(iii) the insertion of the following paragraph after paragraph (c):

"(d) a marriage (other than a marriage referred to in paragraph (c)) in relation to which there is a decree of nullity.",

and

(d) in subsection (9), by—

(i) in paragraph (a), the substitution of "of that section)," for "of that section); and",

(ii) in paragraph (b), the substitution of "an impediment within the meaning of section 2(2A); and" for "an impediment within the meaning of section 2(2A).", and

(iii) the insertion of the following paragraph after paragraph (b):

"(c) a civil partnership (other than a civil partnership referred to in paragraph (b)) in relation to which there is a decree of nullity."

Amendment of section 66 of Principal Act

29. Section 66 of the Principal Act is amended in subsection (1) by—

(a) the deletion of ", after consultation with the Minister for Social and Family Affairs,",

(b) in paragraph (e) —

(i) in subparagraph (i), the substitution of "Social Welfare Consolidation Act 2005" for "Social Welfare (Consolidation) Act 1993",

(ii) in paragraph (ii), the substitution of "section 262" for "section 223",

(c) in paragraph (f), the substitution of—

(i) "the Road Safety Authority and any person, being a person with whom that Authority has an agreement under section 5 of the Road Safety Authority Act 2006, to whom the Authority requests the Minister to give the information" for "the Minister for Transport", and

(ii) "learner permits" for "provisional licences",

(d) in paragraph (g), the substitution of—

(i) "Minister for Health for the purpose of" for "Minister for the purpose of",

(ii) "and the Executive, hospital or" for "and the Minister or the Executive, hospital or", and

(iii) "authorised by the Minister for Health" for "authorised by the Minister",

and

(e) the insertion of the following paragraph after paragraph (g):

"(gg) the Minister for Education and Skills for the purpose of planning and co-ordinating under section 7 of the Education Act 1998."

Amendment of section 67 of Principal Act

30. Section 67 of the Principal Act is amended by—

(a) the insertion of the following subsection after subsection (1):

"(1A) The Minister may prescribe—

(a) a fee of a lesser amount than that prescribed under subsection (1), and

(b) an enactment by or under which it is required that age, civil status or death is proved,

where the Minister is of the view that, in order that a person may comply with the enactment so prescribed, the lesser fee should be payable in respect of performance of functions under this Act relating to the giving of a copy certified to be a true copy, a copy, or a certified copy of an entry in a register maintained under section 13.",

and

(b) the insertion of the following subsection after subsection (4):

"(5) There shall be payable to the Minister for Arts, Heritage and the Gaeltacht fees of such amounts (if any) as may be prescribed in respect of any performance by that Minister of his or her functions under subsection (2A) or (6) of section 61."

Amendment of section 68 of Principal Act

31. Section 68 of the Principal Act is amended by the insertion of the following subsection after subsection (2):

"(2A) Paragraph (a) of subsection (1) does not apply to—

(a) an entry in the register of births where subsection (5A) of section 19, subsection (5A) of section 22, subsection (6A) of section 23 or subsection (6) of section 23A applies, or

(b) an entry in the register of deaths where subsection (3A) of section 37 applies."

Amendment of section 69 of Principal Act

32. Section 69 of the Principal Act is amended by—

(a) the insertion of the following subsection after subsection (5):

"(5A) A person who, without reasonable cause, fails or refuses to furnish evidence requested by the registrar under subsection (1A) or (3)(ba) of section 19, or subsection (1A) or (2)(ba) of section 37 is guilty of an offence.",

and

(b) in subsection (8), the insertion of "22(1B)(ii), 22(3A)," after "19(3),".

Amendment of section 70 of Principal Act

33. Section 70 of the Principal Act is amended in subsection (2) by the insertion of "(5A)," after "(5),".

Amendment of First Schedule to Principal Act

34. (1) The First Schedule to the Principal Act is amended in Part 5 by the deletion of "or age last birthday" after "Date of birth".

(2) The amendment of the First Schedule effected by *subsection (1)* also applies in respect of a death that occurred but was not registered prior to the commencement of the subsection as it applies in respect of a death that occurred after that commencement.

PART 3

Miscellaneous Amendments

Amendment of Immigration Act 2003

35. Section 8 of the Immigration Act 2003 is amended in subsection (2) by the insertion of "or the Civil Registration Act 2004" after "Social Welfare Acts".

Amendment of Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010

36. Section 5 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 is amended by the insertion of the following subsections after subsection (1):

"(1A) For the purposes of subsection (1), a legal relationship entered into in an embassy or diplomatic mission of a state under the laws of that state shall be deemed to have been entered into in that state.

(1B) Subsection (1A) shall not apply to a legal relationship entered into in an embassy or diplomatic mission in the State on or after 1 January 2011."

Number 34 *of* 2014

CIVIL REGISTRATION (AMENDMENT) ACT 2014

REVISED

Updated to 10 December 2025

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Civil Registration Acts 2004 to 2024: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Health (Assisted Human Reproduction) Act 2024 (Commencement) Order 2025* (23/2019), s. 1(3)). The Acts in this group are:

- *Civil Registration Act 2004* (3/2004)
- *Civil Registration (Amendment) Act 2005* (19/2005)
- *Social Welfare (Miscellaneous Provisions) Act 2008* (22/2008), s. 25
- *Civil Registration (Amendment) Act 2012* (48/2012)
- *Social Welfare and Pensions (Miscellaneous Provisions) Act 2013* (20/2013), Part 3
- *Civil Registration (Amendment) Act 2014* (34/2014)
- *Child and Family Relationships Act 2015* (9/2015), Part 9
- *Social Welfare, Pensions and Civil Registration Act 2018* (37/2018), Part 4
- *Civil Registration Act 2019* (13/2019), other than s. 13
- *Civil Law (Presumption of Death) Act 2019* (23/2019), Part 3 (ss. xx-xx)
- *Health (Assisted Human Reproduction) Act 2024* (18/2024), s. 230

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *Civil Registration Act 2019* (13/2019)
- *Marriage Act 2015* (35/2015)
- *Children and Family Relationships Act 2015* (9/2015)

All Acts up to and including *Health Insurance (Amendment) Act 2025* (14/2025), enacted 10 December 20250, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Civil Registration (Amendment) Act 2014 (Commencement) Order 2020* (S.I. No. 550 of 2020)
- *Civil Registration (Amendment) Act 2014 (Commencement) Order 2016* (S.I. No. 359 of 2016)
- *Civil Registration (Amendment) Act 2014 (Commencement) Order 2015* (S.I. No. 357 of 2015)

All statutory instruments up to and including *Civil Registration (Amendment) Act 2014 (Section 6) (Commencement) Order 2025* (S.I. No. 595 of 2025), made 9 December 2025 were considered in the preparation of this revision.