



## New Birth Certificates available for Adoptees

***The NSW Government has recently introduced a new Birth Certificate that may be used as a legal identity document for people adopted in NSW following the commencement of the Adoption Legislation Amendment (Integrated Birth Certificates) Act 2020.***

The Act provides for the issue of an Integrated Birth Certificate (IBC) that includes information about an adopted person's parents and siblings at birth, as well as their parents and siblings after adoption.

Previously, when an adoption order was made in NSW, the Registrar of Births, Deaths and Marriages (BDM) issued a post-adoptive birth certificate for the adopted person which only recorded the child's adoptive parents and made no reference to the child's parents at birth. While post-adoptive birth certificates were consistent with the legal effect of adoption it was considered that they did not reflect contemporary "open" adoption practices, which promote continued connection to birth family and cultural heritage wherever possible.

### **An adopted person may use either of the following kinds of Birth Certificates as an identity document:**

- A post-adoptive birth certificate that records the child's adoptive parents and older adoptive siblings and makes no reference to the child's parents or siblings at birth. This is the existing type of birth certificate for adopted people and looks the same as an original birth certificate.
- An IBC that includes information about the child's birth parents, older birth siblings, adoptive parents and older adoptive siblings. This new type of birth certificate is different in format as it contains a column detailing identity information after adoption and a column recording information at birth.

Both an IBC and a post-adoptive birth certificate will now automatically be issued where a person is adopted, and the adoption is registered in NSW.

IBCs are also able to be obtained by people who were adopted prior to the introduction of IBCs, upon application to BDM. If the person was adopted on or after 1 January 2010 the Registrar of BDM can issue an IBC to the adopted person on application. The consent of the person's adoptive parents will be required if the adopted person is under 18 years of age.

If the person was adopted before 1 January 2010, the Registrar of BDM will require that an Adoption Information Certificate from the Department of Communities and Justice be provided before issuing an IBC to the adopted person. If the person is under 18, the application can only be made with the consent of both their adoptive parents and birth parents.



*If you want more information or assistance in regards to Adoption matters or help with any Family Law issue, please contact our Family Law specialists, [Oliver Hagen](#) or [Ken Gray](#) on 02 4731 5899 or email [familylaw@batemanbattersby.com.au](mailto:familylaw@batemanbattersby.com.au).*