

**AUSTRALIAN CAPITAL TERRITORY**  
**ADOPTION OF CHILDREN (AMENDMENT) ORDINANCE 1979**  
**No. 5**  
**EXPLANATORY STATEMENT**

An anomalous situation has existed whereby children born in and adopted in the Territory before the commencement of the Adoption of Children Ordinance 1965 on 8.10.66 were unable to obtain birth certificates under the Registration of Births, Deaths and Marriages Ordinance 1963.

Under the repealed Adoption of Children Ordinance 1938 no provision was made for the re-registration in the Register of Births of the birth of a child born in and later adopted in the Territory. In accordance with section 7D of that Ordinance, the Registrar could only issue an extract of birth containing the particulars included in the Register of Adoptions.

Regulation 11 of the Adoption of Children Regulations, made under the Adoption of Children Ordinance 1965, now provides for the re-registration in the Register of Births of the birth of a child born in the ACT in respect of whom an order of adoption has been registered, in pursuance of the Regulations, in the Register of Adoptions. Birth Certificates are then issued under the Births, Deaths and Marriages Ordinance. No provision has been made for the re-registration of the birth of children adopted before the commencement of the Ordinance.

The Adoption of Children (Amendment) Ordinance 1979 amends the Adoption of Children Ordinance 1965 by adding a new section 65(2) to enable the making of regulations to provide for the re-registration in the Register of Births of children in respect of whom adoption orders were made under Ordinances repealed by the Principal Ordinance.

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