

Registration of Births of Children

whose parents are not married to each other

Useful Address

General Register Office
Lo Call 1890 25 20 76
www.groireland.ie

Deed Poll Section
The Four Courts
(01) 888 6508 / 6507
www.courts.ie





Registration of Births of Children whose parents are not married to each other

If at all possible it is important for your baby to have the names of both her/his parents on the birth certificate.

Why is it important to have a father's name on a child's birth cert?

Children need to know as much as possible about both their parents, so that they will have a good sense of their own identity and personal history. Having the father's name on the child's birth certificate helps to establish the child's sense of identity as s/he grows up.

3 important things to remember:

1. Having the father's name on the birth certificate does not give the father any rights in respect of his child.
2. Having the father's name on the birth certificate does not prevent the mother from getting One-Parent Family Payment.
3. A child has a right to be financially maintained by both parents and to inherit from them. This applies whether or not the father's name is on the birth certificate.

When should a birth be registered?

The birth of a child must be registered within 3 months of the birth.

Choosing a surname

Parents can choose

- Mother's surname.
- Father's surname (but only if the father's name is going on the birth certificate).
- Both parents' surnames – a double-barrelled surname – hyphenated and in any order (but, again, only if the father's name is going on the birth certificate)

How can the father's name be registered?

- Both parents can register the birth together by going to the registrar in the hospital or local office, or
- Either parent can present to the registrar a form signed by the other parent, and correctly witnessed, called a Statutory Declaration (available from the registrar's office) swearing that the father is the father, or
- Either parent can bring to the registrar a copy of any court order naming the father in respect of the child, e.g. access, maintenance or guardianship and have the father's name entered on the birth certificate, without the consent of the other parent. 'The other parent will be informed before any change is made to the birth certificate. The consent of both parents is required to change the child's surname.



Re-Registration

If the child has been registered in the mother's name alone, it is possible to re-register the birth at any future date in order to have the father's details included, using any of the methods outlined above for registration.

Changing a child's surname in the Birth Register

If the birth is being re-registered to add the father's name and the original registration was after October 1997 the surname already chosen can be changed where both parents agree.

If the birth is being re-registered to add the father's name and the original registration was before October 1997 then a surname must be chosen on re-registration as no surname was assigned at the original registration.

Where both parents are registered on the birth certificate the child's surname can only be changed where the parents marry each other and where they both agree.

Other ways of changing a child's surname

The surname of a child can be changed by Deed Poll or by Common Usage but neither of these can change the entry in the Register of Births. The **Deed Poll**, which is the official process by which a person changes his / her name, is presented together with the birth certificate.

A person's name can be changed by **common usage** - that is where a new name is adopted and it is "commonly used" by that person, for example on school reports, bank or post office accounts etc. Two pieces of identification are needed for official purposes.

If you are/were married to a man who is NOT the father of your baby and you want to put the birth father's name on the birth certificate

In order to proceed you must have a sworn statement from the father swearing he is the father and have either:

a sworn statement from your husband saying he is not the father

or

a deed of separation drawn up more than 10 months before the birth of your child and a sworn statement from you saying you were living apart from your husband for that period

or

an Irish divorce granted at least 10 months before your child was born. (To make sure a foreign divorce is valid it must be referred to the General Register Office.) and a sworn statement from you saying that you were living apart from your husband for that period

or

any court order which names the father as father.