

Certificate access policy



Acknowledgement of Traditional Custodians



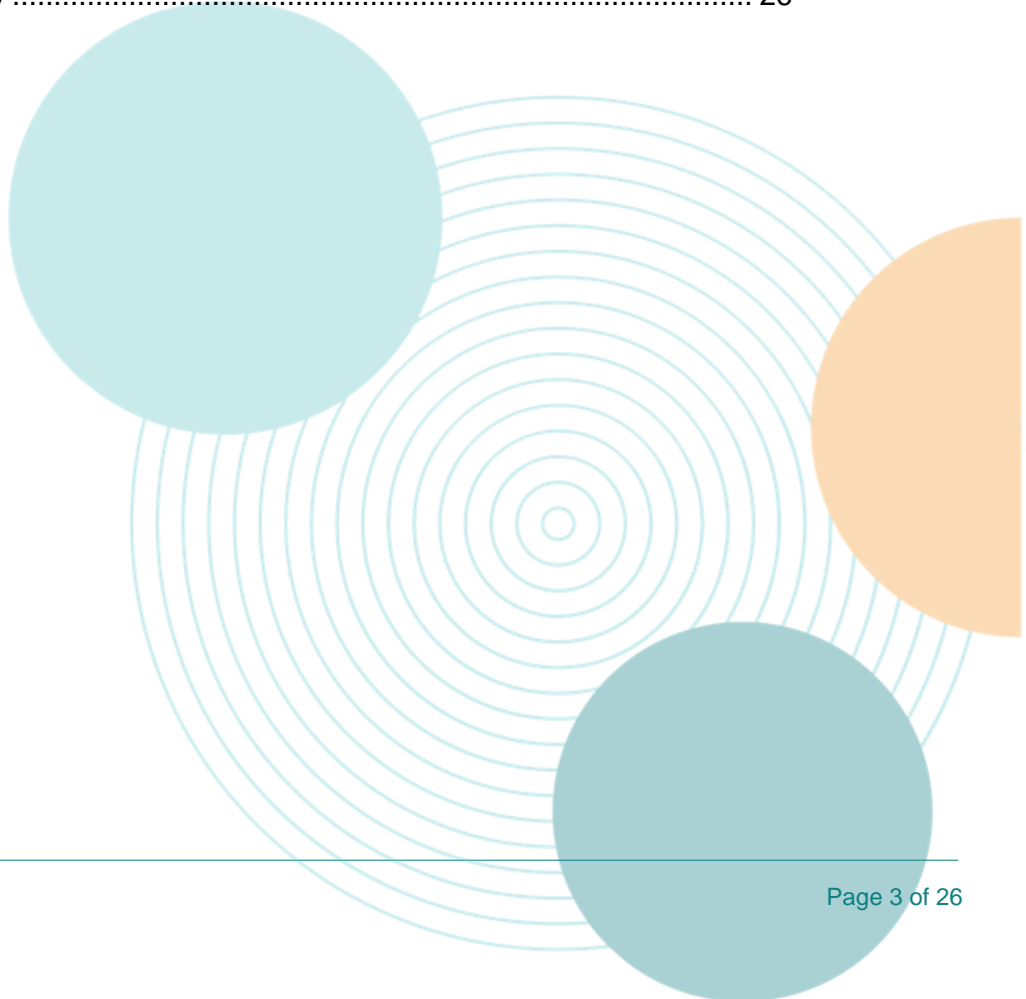
The Department of Justice and Attorney-General recognises and acknowledges Aboriginal and Torres Strait Islander peoples as the First Peoples of Queensland and as the Traditional Custodians of Queensland's precious land and waters. We pay our respects to their Elders past, present and emerging.

We recognise and celebrate the unique and continuing position of Aboriginal and Torres Strait Islander peoples in Australia's history, culture and future, and acknowledge their ongoing strength, resilience and wisdom. We are working to translate this recognition into fair, safe and inclusive practices, policies and services for Aboriginal and Torres Strait Islander peoples.



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1.0 Policy overview

The Registry of Births, Deaths and Marriages (RBDM) collects and holds records of Queensland life events such as births, deaths, marriages, civil partnerships, and changes of name.

Anyone can apply to RBDM to access information from life event records. RBDM can provide information in any of the following ways:

1.	Issue an official certificate .
2.	Provide a certified copy of a source document used to register the life event (like a registration form).
3.	Give the information in another format (if appropriate).

While some records are more sensitive and restricted (like those relating to adoptions), information from most records can be given to anyone who has an 'adequate reason' for needing it.

This policy explains how RBDM's Registrar decides if a person applying for a life event record has an adequate reason, which helps:

- Customers to understand the application process and rules, and
- RBDM staff to make fair and consistent decisions.

The policy includes [tables](#) with common scenarios of persons applying for life event records, detailing the information and supporting evidence they must provide to RBDM to show they have an adequate reason.

If there is an unusual case that is not covered by this policy, the Registrar may still decide to release the information if satisfied that the applicant has an adequate reason for obtaining it.

2.0 Scope

This policy explains how members of the public or agencies may apply to RBDM to access certificates, information, or source documents from life event records.

It does not cover:

- Arrangements between RBDM and other agencies to provide information in the public interest
- Right To Information (RTI) applications
- Publication of statistical information by RBDM
- Applications for an original 'recognised details certificate' (replacement recognised details certificates are covered).

3.0 General principles

The rules for accessing certificates, information, or source documents from RBDM are set by law in the *Births, Deaths and Marriages Registration Act 2023* (BDMR Act).

Generally, the Registrar must be satisfied of all the following:

1.	The identity of the person applying.
2.	The application fee has been paid or waived (see fee waiver policy).
3.	The person applying has an adequate reason for obtaining the certificate, information, or source document.
4.	Any intrusion on the privacy of persons named in the record is justified.

Some records have additional access restrictions and can only be issued to specific persons or agencies, or only in limited circumstances. These include original birth records that were closed following a:

- Legal transfer of parentage through adoption, surrogacy arrangements, and cultural recognition orders, or
- Change to the person's record of sex.

Fewer access restrictions apply to 'historical records'.

3.1 What are historical records?

When RBDM mentions 'historical records', it means:

1.	Birth records registered more than 100 years ago.
2.	Death records registered more than 30 years ago.
3.	Marriage or civil partnership records registered more than 75 years ago.

Most restrictions do not apply to 'historical records', which can be accessed by anyone for any reason through RBDM's [family history research service](#).

RBDM will review applications to access family records that are not yet 'historical records' for family history purposes individually.

A fee must be paid to access historical records.

3.2 What is an adequate reason?

When RBDM mentions an 'adequate reason', it is referring to a specific test that is set by the law. By law, the Registrar must consider the following criteria before providing any requested certificate, information or source document:

1.	The relationship between the person(s) named in the record and the person applying.
2.	The reason the person applying wants the information.
3.	How the person applying intends to use the information.
4.	The age of the information.
5.	The contents of the information or document.
6.	The sensitivity of the information.
7.	Whether the person or entity is authorised by another law to access the information.
8.	Any other relevant factors.

Each of these criteria is discussed in more detail below.

The relationship between the person applying and the person(s) named in the record

The key factor in determining if someone has an adequate reason to access a record is their relationship to the person(s) named in the record.

The persons listed below are considered the primary 'record owners' of each type of record:

1.	Birth record: The person whose birth is registered.
2.	Marriage record: The two persons who are/were married.
3.	Civil parentship record: The two persons who are/were in a civil partnership.
4.	Change of name record: The person whose name was changed.

5.	Recognised details record: The person whose sex was altered by the recognised details certificate.
6.	Death record: The deceased person. <i>While a deceased person cannot apply for their own record, record access is decided based on the applicant's relationship to the deceased person.</i>

Unless there are special circumstances, record owners have complete right of access to all certificates, information and source documents associated with their record.

In all other cases, the ability to access information depends on the relationship between the person applying and the record owner. Applicants must indicate their relationship to the record owner on their application form.

Depending on the situation, persons who are not directly connected to the record owner may need to provide additional evidence to support their application. [Tables 1 to 6](#) set out the specific evidence needed based on the relationship between the applicant and the record owner.

Reason the information is needed and how it will be used

A person applying for access to a certificate, information, or source document must state both:

- Why they need it, and
- How they intend to use it.

In certain cases, an applicant who doesn't have a direct relationship with the record owner may have an unusual or exceptional reason for wanting access.

The Registrar will review these cases individually, taking into account the information and supporting evidence submitted with the application. If access is denied, applicants are typically not eligible for a refund of the application fee – see [RBDM's Refund Policy](#).

Age of the information

As time passes, information contained in a record becomes less sensitive and the risk of fraudulent misuse decreases. Unusual applications requesting access to older records are more likely to be granted compared to applications for newer records.

Sensitivity of information

Access to information in a record may be refused if the information is considered sensitive.

Birth record sensitivity

Birth records are among RBDM's most sensitive records. This is because a birth certificate is a legal identity document and contains personal information that may be requested for identity verification purposes, or password recovery (such as 'parent's maiden name' or 'place of birth').

Birth records also contain details about the person's recorded sex, which is considered by law to be sensitive information. It is for this reason that RBDM has specific requirements for accessing current and previous sex information in a birth record:

1. Birth records showing current recorded sex

The person applying must both:

- Have an adequate reason for accessing the birth record (see [Table 1](#)), and
- Already know the current recorded sex of the record owner (current sex is correctly stated on the application form).

If the person does not already know the record owner's current recorded sex, they must get the record owner's consent, or have a specific and adequate reason for accessing information about the person's recorded sex.

2. Birth records showing a previous recorded sex

By law, only specific persons can apply for this information, and they must have an adequate reason for requesting it (see [Table 6](#)).

Similarly, a person may not be eligible to obtain information from the birth record of a person who has changed their name, if they are unaware of the name change and are unable to provide an adequate reason for needing that information.

Marriage and civil partnership record sensitivity

Records relating to marriages or civil partnerships (previously called 'registered relationships') contain personal information about two persons in a relationship. As a result, access to this information is considered sensitive and restricted. If access were allowed to a close family member of one of the parties, the privacy of the other party would be affected.

Death record sensitivity

As the record owner is deceased, death information and certificates carry a lower risk of privacy invasion compared to other types of records. Therefore, access to this information or certificates is less restricted. Many persons related to the deceased may need information or a certificate regarding their death, including for insurance purposes and legal matters concerning the deceased's estate.

Legal authorisation

In some cases, investigators and other government agencies may seek access to information in RBDM's life event records. The Registrar will consider whether the laws governing the functions and powers of these investigators or agencies grant them a lawful right or adequate reason for accessing the information. The agencies must provide RBDM with the specific circumstances of their request and any legal provisions they are relying on.

Unless the agency's legislation says it is exempt from paying fees for information requests, agencies seeking information from RBDM must pay the application fee.

Any other relevant factors

RBDM may also consider other things when deciding whether certificates, information or source documents should be given to an applicant. This will include any public policy consideration that outweighs, or does not conflict with, the privacy interests and human rights of a record owner.

For instance, RBDM may refuse a parent access to a child's birth record if they are aware that the parent no longer has legal parental responsibility for a child and/or if there are allegations of domestic and family violence committed by the parent against the other parent or child.

Decisions involving consideration of unusual or exceptional factors will be made by the Registrar. It is not possible for RBDM to advise whether an unusual request outside of this policy will be granted until an application is received.

3.3 Proof of identity

Persons applying for certificates, information, or source documents from a life event record must prove their identity to the Registrar. This is necessary to confirm their relationship to the life event record, and to assess whether the reason they need the record is acceptable.

RBDM collects personal information from proof of identity documents solely for the purpose of safeguarding the security and privacy of registered information. RBDM will not use this personal information for any other purpose, unless required or authorised by law.

Proof of identity requirements

[Table 7](#) sets out the documents that an applicant must provide to prove their identity.

Applicants should be aware that they may be asked to provide additional identification documents if the Registrar is not satisfied of their identity. Also, in exceptional or unusual situations, the Registrar may accept alternative documents as proof of an applicant's identity.

Proof of identity documents may be presented to RBDM either:

1.	<p>In person. When applying in person, the person applying can show their <u>original</u> proof of identity documents to a customer contact officer.</p> <p><i>Note: applications can be submitted in person at RBDM's Customer Service Centre. Some applications can also be submitted at a Queensland Magistrates Court or Queensland Government Agent Program (QGAP) offices. Check the application form for specific instructions.</i></p>
2.	<p>By mail. Persons mailing their application to RBDM must include <u>certified copies</u> of their proof of identity documents.</p>

Certification of copies of proof of identity documents

If you send your application to RBDM by post, the copies of identification documents you attach must be certified by a qualified witness.

Qualified witnesses in Australia	
1.	Justice of the Peace
2.	Commissioner for Declarations
3.	Barrister or solicitor
4.	Notary public
Qualified witnesses outside Australia	
1.	Notary public
2.	Australian embassy or consulate officer

The certification must be on the front of the photocopy (not on the back of the document), and must include all the following details:

1.	The statement: <i>'I certify that this is a true and correct copy of the original document, which I have sighted'.</i>
2.	The date of the certification.
3.	The signature of the qualified witness.
4.	Details of the qualified witness and/or their official stamp.

Agents

An applicant may direct another person (an agent) to attend RBDM to do either or both of the following tasks for them:

- Submit their application
- Collect certificates, information, or source documents.

RBDM can only process applications received from agents if:

1.	The person instructing the agent completed and signed the application form (the agent cannot complete or sign the application for the person).
2.	The application includes all information and supporting documents the applicant would have needed to submit if they applied without an agent (see Tables One – Six).
3.	The agent also produces <u>both</u> : <ul style="list-style-type: none"> • A letter of authority, dated and signed by the applicant, naming the agent and stating they act on their behalf and • Sufficient evidence of the agent's identity, such as a driver licence, passport, or employee identification card.

4.0 Reviewing the decision of the Registrar

Any person not happy with a decision made by the Registrar can seek a review of the decision by applying to QCAT in accordance with the procedures outlined in the *Queensland Civil and Administrative Tribunal Act 2009*.

5.0 Compatibility with human rights

RBDM is committed to upholding, safeguarding, and advancing human rights. Under the *Human Rights Act 2019*, RBDM is required to act and make decisions in a manner that aligns with human rights. When assessing whether request for a certificate, information, or source document should be granted, decision-makers must give careful consideration to human rights and ensure compliance with this obligation.

6.0 Commencement and version

Commencement date: 24 June 2024

Version: 2.1

Approved: Registrar-General

Table 1: Accessing birth records

Table 1: Accessing birth records		
Type of access	Who is applying	Requirements
Historical access	Anyone	<p><u>Births registered over 100 years ago</u></p> <ul style="list-style-type: none"> Information about applying for historical birth records is available through RBDM's Family History Research Service at https://www.familyhistory.bdm.qld.gov.au/
Registered person (the record owner)	Person whose birth is registered	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements.
Family access	Registered person's registered parent	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements.
	Other primary carer or guardian of the registered child , including under Aboriginal kinship and Ailan Kastom child rearing practices	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements; and Documents demonstrating the primary care relationship: <ul style="list-style-type: none"> Legal guardianship or parental responsibility orders; or State or federal government acknowledgement of a primary care relationship (e.g. shared Medicare or Centrelink registration); or Statements or reports that show the primary care relationship is recognised in the community, such as school letters or letters from service providers (these may be required to supplement government acknowledgement of a care relationship).
	Child or other descendent of the registered person	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements; and <p><u>Where the registered person or their parents are living:</u></p> <ul style="list-style-type: none"> Written authority from and Proof of Identity of the registered person or their parent; or Documents evidencing legal authority to make decisions on behalf of the registered person or their parent (e.g. power of attorney). <p><u>Where the registered person and their parents are deceased, uncontactable or the parties are estranged:</u></p> <ul style="list-style-type: none"> Proof that the registered person and their parents are deceased; or An explanation regarding why the registered person or their parent's consent cannot be obtained; and The reason for access must be stated (e.g. the certificate is needed as part of an application for a citizenship certificate).

Table 1: Accessing birth records

Table 1: Accessing birth records		
Type of access	Who is applying	Requirements
	Spouse	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and <p><u>Where the registered person is living:</u></p> <ul style="list-style-type: none"> • Written authority from and Proof of Identity of the registered person or their parent; or • Documents evidencing legal authority to make decisions on behalf of the registered person (e.g. power of attorney). <p><u>Where the registered person is deceased:</u></p> <ul style="list-style-type: none"> • Proof that the registered person is deceased; and • Proof that the applicant was a spouse of the registered person (e.g. death certificate displaying spouse details); and • The reason for access must be stated.
Guardianship for adult with impaired capacity	A person who has an operational guardianship order for: <ul style="list-style-type: none"> • the registered person; or • the registered parent of the registered person. 	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and • A current guardianship order for the registered person or registered person's registered parent.
Enduring Power of Attorney for adult with impaired capacity	A person who has an operational Enduring Power of Attorney for: <ul style="list-style-type: none"> • the registered person; or • the registered parent of the registered person. 	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and • A copy of the Enduring Power of Attorney for the registered person or registered person's registered parent; and • An assessment from a medical professional that the subject of the Enduring Power of Attorney lacks decision making capacity for personal matters, or financial matters (if the certificate or information is needed by the Enduring Power of Attorney to carry out a financial matter).
Surrogacy related access to information on a 'closed register'	Birth parent/s, intended parent/s, or the registered person (once over 18 years)	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements.
	Guardian for the registered person, intended parent or birth parent Administrator or personal representative of the registered person Officer or person acting for a law enforcement body	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and • Document establishing that the person is a relevant Guardian, Administrator or Personal Representative, officer or person acting for a law enforcement body (for example, a guardianship or administrator order from the Queensland Civil and Administrative Tribunal or the appointment of a person as a personal representative under a will); and • The reason for access must be stated.

Table 1: Accessing birth records

Table 1: Accessing birth records		
Type of access	Who is applying	Requirements
Legal/Estate access	Executor or administrator of estate matter (including the Public Trustee)	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and • Applicant must name deceased person and show evidence of executor or administrator status (e.g. certified copy of the deceased's will); and • The reason for access must be stated (e.g. for administration of an estate).
	Solicitor	<ul style="list-style-type: none"> • A signed letter on company letter head clearly stating the reason for access (details of the identity of their client, the legal matter their client is involved in, and why the certificate is relevant); and • A certified copy of their practising certificate or law society card.
Statutory, government or organisation access	Church or other non-governmental body or equivalent (local or interstate), supporting the registered person	<ul style="list-style-type: none"> • A signed letter on organisational letter head clearly stating: <ul style="list-style-type: none"> ○ That the organisation is supporting the registered person; and ○ The reason for access; and ○ If the registered person has insufficient Proof of Identity, the reasons why; and • Available proof of identity for the registered person the organisation is supporting; and • Evidence that the registered person consents to the organisation applying on their behalf; and • Proof that the applicant is employed with the organisation they claim to represent.
	Consulate office of the registered person's, or their parents', country of origin	<ul style="list-style-type: none"> • A signed letter on official consulate letterhead: <ul style="list-style-type: none"> ○ Stating the reason for access; and ○ Confirming the registered person's or their parents' citizenship of a foreign country; and • If the person is alive, written authority from the registered person or a parent; and • If a fee waiver is requested: <ul style="list-style-type: none"> ○ a copy of the relevant treaty, citing the relevant provisions relating to the free provision of requested information.
	Any law enforcement or other government body requiring access	<ul style="list-style-type: none"> • Evidence that the requesting officer is employed by the relevant agency (letterhead, email from relevant domain); and • Details of statutory provisions authorising access; and • Why the information is needed, and how it will be used.

Accessing information about current sex

In addition to the requirements listed in Table 1 above, a person seeking a certificate, information, or source document showing the record owner's current sex must meet additional requirements.

Must know current sex

The person or agency applying for a certificate, information or source document showing a person's current recorded sex must show they already know that information by:

- nominating the record owner's current recorded sex on the application form.

If current sex unknown

If the person or agency applying does not know the record owner's current recorded sex, RBDM will not release that information unless the person applying has either:

- the record owner's:
 - written consent, and
 - certified proof of identity documents as per the Proof of Identity requirements

OR

- a specific and adequate reason for requesting information about the record owner's current recorded sex.

Table 2: Accessing death records

Table 2: Accessing death records		
Type of access	Who is applying	Requirements
Historical access	Anyone	<p><u>Deaths registered over 30 years ago</u></p> <ul style="list-style-type: none"> Information about applying for historical death records is available through RBDM's Family History Research Service at https://www.familyhistory.bdm.qld.gov.au/
Family access	Spouse, parent, sibling or child of the registered person or The informant for the death registration	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements; and <p>If the applicant is not listed on the certificate, evidence establishing the relationship to the registered person.</p>
	Other primary carer or guardian of a deceased child , including through Aboriginal kinship and Ailan Kastom child rearing practices	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements; and Documents demonstrating the primary care relationship: <ul style="list-style-type: none"> Legal guardianship or parental responsibility documents; or State or federal government acknowledgement of a care relationship (i.e. shared Medicare or Centrelink registration); or Statements or reports that show the primary care relationship is recognised in the community, such as school letters or letters from service providers (these may be required to supplement government acknowledgement of a care relationship).
Guardianship for adult with impaired capacity	A person who has an operational guardianship order for: <ul style="list-style-type: none"> The registered person's spouse, parent, or child, or The informant. 	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements; and A current guardianship order for the registered person's spouse, parent, or child; or A current guardianship order for the informant.
Enduring Power of Attorney for adult with impaired capacity	A person who has an operational Enduring Power of Attorney for: <ul style="list-style-type: none"> The registered person's spouse, parent, or child, or The informant. 	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements; and An Enduring Power of Attorney for the spouse, parent or child of the registered person; or An Enduring Power of Attorney for the informant; and An assessment from a medical professional that the subject of the Enduring Power of Attorney lacks decision making capacity for personal matters, or financial matters (if the certificate or information is needed by the Enduring Power of Attorney to carry out a financial matter).
Legal/Estate access	Executor or administrator of estate matter (including the Public Trustee)	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements; and The applicant must name deceased person and show evidence of executor status (e.g. a certified copy of the deceased's will); and The reason for access must be stated (e.g. for administration of an estate).

Table 2: Accessing death records

Table 2: Accessing death records		
Type of access	Who is applying	Requirements
	Solicitor	<ul style="list-style-type: none"> A signed letter on company letter head clearly stating the reason for access (details of the identity of their client, the legal matter their client is involved in, and why the certificate is relevant); and A certified copy of their practising certificate or law society card.
	Funeral Director	<ul style="list-style-type: none"> Application made on behalf of the registered person's spouse, parent, child, or the informant, within three (3) months of registration of death.
	Financial institution or superannuation fund (e.g. to write off debt or effect entitlement)	<ul style="list-style-type: none"> A signed letter on company letterhead clearly stating the reason for access; and Proof of employment with the firm or organisation which the applicant claims to represent.
Statutory or government access	Consulate office of the registered person's, or their parents', country of origin	<ul style="list-style-type: none"> A signed letter on official consulate letterhead: <ul style="list-style-type: none"> Stating the reason for access; and Confirming the registered person's or their parents' citizenship of foreign country; and If a fee waiver is requested: <ul style="list-style-type: none"> a copy of the relevant treaty, citing the relevant provisions relating to the free provision of requested information.
	Any law enforcement or other government body requiring access (e.g. Centrelink, Immigration, Veterans' Affairs, Health, Department of Communities, Department of Child Safety, the Public Trustee and Public Guardian)	<ul style="list-style-type: none"> Evidence that the requesting officer is employed by the relevant agency (letterhead, email from relevant domain); and Details of: <ul style="list-style-type: none"> Statutory provisions authorising access; and Why the information is needed, and how it will be used.

Table 3: Accessing marriage records

Table 3: Accessing marriage records		
Type of access	Who is applying	Requirements
Historical access	Anyone	<p><u>Marriages registered over 75 years ago</u></p> <ul style="list-style-type: none"> Information about applying for historical marriage records is available through RBDM's Family History Research Service at https://www.familyhistory.bdm.qld.gov.au/
Registered person (record owner)	Person whose marriage is registered	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements.
Family access	Child or other descendant of the registered person/s	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements; and <p><u>Where either registered person is living:</u></p> <ul style="list-style-type: none"> A registered person's: <ul style="list-style-type: none"> Written authority; and Proof of Identity as per Proof of Identity requirements; or An explanation for why written authority from a registered person cannot be obtained; and the reason for access must be stated. <p><u>Where registered persons are both deceased:</u></p> <ul style="list-style-type: none"> Proof that the registered persons are deceased; and The reason for access must be stated.
Guardianship for adult with impaired capacity	Any person who has an operational guardianship order for a registered person	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements; and A current guardianship order for the registered person.
Enduring Power of Attorney for adult with impaired capacity	Any person who has an operational Enduring Power of Attorney for the registered person	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements; and An Enduring Power of Attorney for the registered person; and An assessment from a medical professional that the registered person does not have decision making capacity in relation to personal matters, or financial matters (if the certificate or information is needed by the Enduring Power of Attorney to carry out a financial matter).
Legal/Estate/ Agent access	Executor or administrator of Estate Matter (including Public Trustee)	<ul style="list-style-type: none"> Proof of Identity of applicant as per the Proof of Identity requirements; and Applicant must name deceased person and show evidence of executor status (e.g. certified copy of will); and The reason for access must be stated (e.g. for the administration of an estate).
	Solicitor	<ul style="list-style-type: none"> A signed letter on company letter head clearly stating the reason for access (details of the identity of their client, the legal matter their client is involved in, and why the certificate is relevant); and A certified copy of their practising certificate or law

Table 3: Accessing marriage records

Table 3: Accessing marriage records		
Type of access	Who is applying	Requirements
		society card.
	Celebrant for the wedding	<ul style="list-style-type: none"> • Application made on behalf of the registered persons within three (3) months of registration of marriage. • The marriage information or certificate will only be sent to the registered person/s directly, not to the celebrant.
Statutory, government or organisation access	Church or other non-governmental body or equivalent (local or interstate) supporting a registered person	<ul style="list-style-type: none"> • A signed letter on organisational letterhead clearly stating: <ul style="list-style-type: none"> ○ That the organisation is supporting the registered person; and ○ The reason for access; and ○ If the registered person has insufficient Proof of Identity, the reasons why; and • Available proof of identity for the registered person the organisation is supporting; and • Evidence that the registered person consents to the organisation applying on their behalf; and • Proof that the applicant is employed with the organisation they claim to represent.
	Consulate office of the registered person's, or their parents', country of origin	<ul style="list-style-type: none"> • A signed letter on official consulate letterhead: <ul style="list-style-type: none"> ○ Stating the reason for access; and ○ Confirming the registered person's or their parents' citizenship of foreign country; and • If the person is alive, written authority from the registered person; and • If a fee waiver is requested: <ul style="list-style-type: none"> ○ a copy of the relevant treaty, citing the relevant provisions relating to the free provision of requested information.
	Any law enforcement or other government body requiring access (e.g. Centrelink, Immigration, Veterans' Affairs, Health, Department of Communities, Department of Child Safety, the Public Trustee and Public Guardian)	<ul style="list-style-type: none"> • Applicant must provide evidence that the requesting officer is employed by the relevant agency (letterhead, email from relevant domain); and • Details of the statutory provisions authorising access; and • Why the information is needed, and how it will be used.

Table 4: Accessing change of name records

Table 4: Accessing change of name records		
Type of access	Who is applying	Requirements
Registered person	Person whose name was changed	Proof of Identity of applicant as per the Proof of Identity requirements.
Family access	Parent or guardian who applied for name change for child (where child is under 18 years old)	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements.
	Other primary carer or guardian of a child whose name was changed (where child is under 18 years old), including under Aboriginal kinship and Ailan Kastom child rearing practices	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and • Documents demonstrating the primary care relationship: <ul style="list-style-type: none"> ○ Legal guardianship or parental responsibility orders; or ○ State or federal government acknowledgement of a primary care relationship (e.g. shared Medicare or Centrelink registration); or ○ Statements or reports that show the primary care relationship is recognised in the community, such as school letters or letters from service providers (these may be required to supplement government acknowledgement of a care relationship).
Guardianship for adult with impaired capacity	Any person who has an operational guardianship order for the registered person	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and • A current guardianship order for the registered person.
Enduring Power of Attorney for adult with impaired capacity	Any person who has an operational Enduring Power of Attorney for the registered person.	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and • An Enduring Power of Attorney for the registered person; and • An assessment from a medical professional that the registered person does not have decision making capacity in relation to personal matters, or financial matters (if the certificate or information is needed by the Enduring Power of Attorney to carry out a financial matter).
Legal/Estate access	Executor or administrator of estate matter (including the Public Trustee)	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and • The applicant must name deceased person and show evidence of executor status (e.g. certified copy of will); and • The reason for access must be stated (e.g. for the administration of an estate).
	Solicitor	<ul style="list-style-type: none"> • A signed letter on company letter head clearly stating the reason for access (details of the identity of their client, the legal matter their client is involved in, and why the certificate is relevant); and • A certified copy of their practising certificate or law society card.

Table 4: Accessing change of name records

Table 4: Accessing change of name records		
Type of access	Who is applying	Requirements
Statutory, government or organisation access	Church or other non-governmental body or equivalent (local or interstate) supporting the registered person	<ul style="list-style-type: none"> • A signed letter on organisational letterhead clearly stating: <ul style="list-style-type: none"> ○ That the organisation is supporting the registered person; and ○ The reason for access; and ○ If the registered person has insufficient Proof of Identity, the reasons why; and • Available proof of identity for the registered person the organisation is acting on behalf of; • Evidence that the registered person consents to the organisation applying on their behalf; and • Proof of employment with the organisation which the applicant claims to represent.
	Consulate office of the registered person's, or their parents', country of origin	<ul style="list-style-type: none"> • A signed letter on official consulate letterhead: <ul style="list-style-type: none"> ○ Stating the reason for access; and ○ Confirming the registered person's or their parents' citizenship of foreign country; and • If the person is alive, written authority from the registered person or a parent (where the application relates to a child); and • If a fee waiver is requested: <ul style="list-style-type: none"> ○ a copy of the relevant treaty, citing the relevant provisions relating to the free provision of requested information.
	Any law enforcement or other government body requiring access (e.g. Centrelink, Immigration, Veterans' Affairs, Health, Department of Communities, Department of Child Safety, the Public Trustee and Public Guardian)	<ul style="list-style-type: none"> • Applicant must provide evidence that the requesting officer is employed by the relevant agency (letterhead, email from relevant domain); and • Details of: <ul style="list-style-type: none"> ○ Statutory provisions authorising access; and ○ Why the information is needed, and how it will be used.

Table 5: Accessing civil partnership records

Table 5: Accessing civil partnership records		
Type of access	Who is applying	Requirements
Registered person	Person whose civil partnership is registered	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements
Family access	Child or other descendant of the registered persons	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and <p><u>Where either registered person is living:</u></p> <ul style="list-style-type: none"> • A registered person's: <ul style="list-style-type: none"> ○ Written authority and ○ Proof of Identity as per Proof of Identity requirements; or • An explanation for why written authority from a registered person cannot be obtained; and • the reason for access must be stated. <p><u>Where registered persons are both deceased:</u></p> <ul style="list-style-type: none"> • Proof that the registered persons are deceased; and • The reason for access must be stated.
Guardianship for adult with impaired capacity	Any person who has an operational guardianship order for a registered person	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and • A current guardianship order for the registered person
Enduring Power of Attorney for adult with impaired capacity	Any person who has an operational Enduring Power of Attorney for the registered person	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and • An Enduring Power of Attorney for the registered person; and • An assessment from a medical professional that the registered person does not have decision making capacity in relation to personal matters, or financial matters (if the certificate or information is needed by the Enduring Power of Attorney to carry out a financial matter).
Legal/Estate/ Agent access	Executor or administrator of estate matter (including the Public Trustee)	<ul style="list-style-type: none"> • Proof of Identity of applicant as per the Proof of Identity requirements; and • Applicant must name deceased person and show evidence of executor status (e.g. certified copy of will); and • The reason for access must be stated (e.g. for the administration of an estate).
	Solicitor	<ul style="list-style-type: none"> • A signed letter on company letter head clearly stating the reason for access (details of the identity of their client, the legal matter their client is involved in, and why the certificate is relevant); and • A certified copy of their practising certificate or law society card.
	Civil partnership notary who officiated the ceremony	<ul style="list-style-type: none"> • Application made on behalf of the registered persons within three (3) months of registration of civil partnership.

Table 5: Accessing civil partnership records

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Type of access	Who is applying	Requirements
		<ul style="list-style-type: none"> The civil partnership information or certificate will only be sent to the registered person/s directly, not to the notary.
Statutory, government or organisation access	Non-governmental body or equivalent (local or interstate) supporting the registered person	<ul style="list-style-type: none"> A signed letter on organisational letterhead clearly stating: <ul style="list-style-type: none"> That the organisation is supporting the registered person; The reason for access; If the registered person has insufficient Proof of Identity, the reasons why; and Available proof of identity for the registered person the organisation is supporting; Evidence that the registered person consents to the organisation applying on their behalf; and Proof that the applicant is employed with the organisation they claim to represent.
	Consulate office of the registered person's, or their parents', country of origin	<ul style="list-style-type: none"> A signed letter on official letterhead of the consulate stating the reason for access and verification of the registered person's or their parents' citizenship of a foreign country; and If the person is alive, written authority from the registered person; and If a fee waiver is requested: <ul style="list-style-type: none"> a copy of the relevant treaty, citing the relevant provisions relating to the free provision of requested information.
	Any law enforcement or government body requiring access (e.g. Centrelink, Immigration, Veterans' Affairs, Health, Department of Communities, Department of Child Safety, the Public Trustee and Public Guardian)	<ul style="list-style-type: none"> Applicant must provide evidence that the requesting officer is employed by the relevant agency (letterhead, email from relevant domain); and Details of the statutory provisions authorising access; and Why the information is needed, and how it will be used.

Table 6: Accessing records about a person's previous record of sex

Table 6: Accessing records about a person's previous record of sex

Access to records about the alteration of a person's record of sex in Queensland is restricted. Applications for this information outside of the situations listed below cannot be granted.

Type of access	Who is applying	Requirements
Replacement recognised details certificate	If the <u>person named on the recognised details certificate is over 16 years</u> <ul style="list-style-type: none"> The person named on the certificate 	<ul style="list-style-type: none"> Proof of Identity of applicant as per the proof of identity requirements
	If the <u>person named on the recognised details certificate is under 16 years</u> <ul style="list-style-type: none"> The person named on the certificate The person who made the original recognised details certificate application. For example: <ul style="list-style-type: none"> Parent of the child Person with parental responsibility for the child 	<ul style="list-style-type: none"> Proof of Identity of applicant as per the proof of identity requirements
Information about a person's previous sex (known as a closed record) or A birth certificate including a notation about a person's previous sex	The registered person <i>(the record owner)</i>	<ul style="list-style-type: none"> Proof of Identity of applicant as per the proof of identity requirements
	Parent or person with legal parental responsibility for the registered person <i>Cannot access after registered person turns 18</i>	<ul style="list-style-type: none"> Proof of Identity of applicant as per the proof of identity requirements; and Documents demonstrating parental responsibility (e.g. birth certificate, or court order); and The reason for access must be stated; and <u>If the registered person is 16 or 17 years old:</u> Written consent from the registered person agreeing to the release of previous registered sex information to the parent or person with parental responsibility.
	Child of the registered person	<ul style="list-style-type: none"> Proof of Identity of applicant as per the proof of identity requirements; and Birth certificate (to show relationship with registered person); and The reason for access must be stated (e.g. details about the legal process where information about the parents previous sex are needed).
	Administrator appointed under the <i>Guardianship and Administration Act 2000</i> for the registered person	<ul style="list-style-type: none"> Proof of Identity of applicant as per the proof of identity requirements; and Order appointing the applicant as an administrator for the registered person under section 14 of the <i>Guardianship and Administration Act 2000</i>; and The reason for access must be stated.
	Personal representative for the registered person (i.e. the	<ul style="list-style-type: none"> Proof of Identity of applicant as per the proof of identity requirements; and Evidence of appointment as the registered person's

Table 6: Accessing records about a person's previous record of sex

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Access to records about the alteration of a person's record of sex in Queensland is restricted. Applications for this information outside of the situations listed below cannot be granted.

Type of access	Who is applying	Requirements
	executor or administrator of the registered person's estate)	<p>personal representative (such as a certified copy of the letter of administration from the court, or court order granting probate); and</p> <ul style="list-style-type: none"> The reason for access must be stated.
	Chief executive of Corrective Services	<ul style="list-style-type: none"> Evidence that the applicant is the chief executive of Corrective Services or acts on their authority (letterhead or email from relevant domain and, if relevant, evidence of delegated authority); and Details of the legislative function or duty, and factual circumstances, of the request.
	An officer of, or a person acting for, a law enforcement body	<ul style="list-style-type: none"> Evidence that the applicant is employed by a law enforcement body (letterhead, email from relevant domain); and Details of the statutory provisions authorising access; and The reason for access must be stated.
	A person with a QCAT or court order	<ul style="list-style-type: none"> Proof of Identity of applicant as per the proof of identity requirements; and An order from an Australian court, or an order of QCAT, requiring RBDM to accept an application under section 110 or 112 of the BDMR Act.

Table 7: Proof of Identity

Each applicant must provide certified copies of either:

- **One** Personal ID, **One** Community ID, and **One** Home Address evidence
- **Two** Community ID, and **One** Home Address evidence.

All forms of ID must be either:

- **Current** – document has an expiry date, is valid, and not past the expiry date; **OR**
- **Recent** – document does not have an expiry date and was issued no more than 6 months before being submitted to us.

If you currently live overseas, you may use the local equivalent for the ID items listed. For documents not in English, you must also provide a translation from a translator accredited by the National Accreditation Authority for Translators and Interpreters (NAATI).

This list is not exhaustive. Please contact RBDM to discuss other types of ID that may be accepted

Types of ID (Categories)

Personal ID <i>Documents showing who you are</i>	Community ID <i>Documents showing you are active in the community</i>	Home Address evidence <i>Documents showing where you live</i>
<ul style="list-style-type: none"> • Australian photo driver licence, front and back • Australian passport • Overseas passport • Adult Proof of Age card (formerly 18+ card) issued by the Queensland Department of Transport and Main Roads 	<ul style="list-style-type: none"> • Medicare card • Concession or Healthcare card • Student ID • School or other educational report from the last 12 months • Salary advice or payslip • Private Health Provider ID card • Defence Force or Police Service photo ID card • Australian Firearms licence • Document of identity issued by the Passport Office • Naturalisation, citizenship, or immigration certificate • Birth certificate (does not expire) • Security guard/crowd control licence • Government employee photo ID • Blue card 	<ul style="list-style-type: none"> • Utility account (gas, electricity, home phone, etc) • Rent or lease agreement • Rates notice • Vehicle registration or driver licence renewal notice from the last 12 months • Official correspondence from Government service providers (not from RBDM) • Electoral enrolment document • Insurance policy notice from the last 12 months <p><i>Please provide only the page that displays the person's name and current home address.</i></p> <p><i>If the home address evidence provided is older than 6 months, we may still accept it.</i></p>