



CERTIFICATE REPLACEMENT POLICY

PART 1: SCOPE

- 1.1 To establish guidelines and a policy for the replacement of certificates free of charge in certain circumstances, and to establish guidelines as to when a fee should be charged for replacement certificates.
- 1.2 The Client Services Division occasionally receives requests to supply replacement certificates in a variety of situations, such as when an incorrect certificate is issued, when a certificate is destroyed by disaster such as bushfires or flood, or when a certificate has been ordered some time ago and is now outdated.
- 1.3 The decision to replace the certificate free of charge, or to charge a fee for the replacement certificate is dependent on the circumstances for each case.
- 1.4 In extenuating circumstances, authorised officers should use their discretion when approving replacement certificates. It is imperative that all decisions made to issue free replacement certificates are clearly documented by the authorised officer.

PART 2: REASONS CERTIFICATES CAN BE REPLACED

2.1 Registry Error

If an amendment is required to a certificate because of a Registry error or omission, then the certificate will be amended and replaced free of charge.

The client will be advised in writing that the original incorrect certificate must be returned to the Registry prior to the amended certificates being issued. Photocopies will not be accepted. A pre-paid self addressed envelope will be included in the letter so that the client can easily return the certificate.

If a client requests the certificate to be replaced prior to the return of the incorrect certificate, approval is required from an Authorised Officer.

If an incorrect certificate has been issued, then the Registry will replace it immediately. A self-addressed envelope will be included in the postage so that the client can easily return the incorrect certificate.

2.2 Client Error

When an error or omission is made by the client (i.e. not a Registry error) the original certificate must be returned to the Registry, along with sufficient evidence to support the amendment. The normal certificate fee will apply for printing a new certificate, irrespective of how long ago the certificate was issued.

It is imperative that the original certificate containing the error be returned and surrendered by the client in order to prevent incorrect certificates remaining in circulation. See Section 59 (3) (c) of the *BDM Registration Act 1995*.

If the client cannot return the original certificate, the Registry must be notified in writing prior to the issue of another certificate.

Error by Funeral Director or Marriage Celebrant

If an error or omission is made by a funeral director or marriage celebrant on a registration, then the record will be amended and a new certificate issued to the client without further charge.

The client will be advised in writing that the original incorrect certificate must be returned to the Registry prior to the amended certificates being issued. Photocopies will not be accepted. A pre-paid self-addressed envelope will be included in the letter so that the client can easily return the certificate.

2.3 Certificate Not Received By Mail

Registered mail should be tracked by Registry staff through Australia Post, and depending on the result of the enquiry, a decision should be made on replacement by an Authorised Officer.

Before a decision is made there must be a minimum of seven working days from the post date to allow sufficient time for delivery of the certificate.

If the system shows that the certificate was never printed, then a replacement will be issued, at no cost to the client.

2.4 Certificate Rejected By Another Organisation

A valid certificate is one that has been issued by the Registry under seal, providing all of the information contained in the register, including registration number, and other fields that will allow the certificate to be validated.

If a valid certificate has been rejected by another organisation because it is damaged or faded, normal fees apply if the customer applies for a new certificate. If it is rejected for other reasons, then an Authorised Officer can make a decision on whether a charge should apply for a replacement based on the merits of the individual case.

Note that: commemorative certificates are not official documents. They are issued at the time of purchase as a package, which includes a standard certificate suitable for official purposes.

Certificates with hand written corrections made by the Registrar under seal.

In some older certificates, it has been found that the Registrar at the time of issue made hand written corrections on the certificates. These are generally not accepted as identity documents as they have been altered. The client is asked to return the corrected certificate and a new one will be issued without charge. These certificates must be converted into Life Data prior to re-printing.

2.5 Certificates Purchased In Error

If a certificate is purchased, issued and is no longer required, or was purchased in error, no refund will be given.

Change of Name request after certificate has been issued.

If a client purchases their birth certificate and then decides to register a change of name immediately, a new birth certificate will be issued and the client charged the full change of name fee.

There are occasions when a client purchases their birth certificate and discovers that the spelling of the birth name is different to the one that they have always used (e.g., Colleen instead of Coleen). In these cases, the Registry checks the original form of information (FOI). If the name in the database matches the name on the FOI, and this is not the spelling that the client uses, then a change of name must be registered in order for the client to continue using that version of the name. The normal change of name procedure fee only will be charged once original birth certificate has been returned.

If however it is found that the name on the FOI matches the spelling that the client uses, but it doesn't match the spelling in the database, then the Registry can change the name in the database to the correct spelling so that the certificate will be correct. The new certificate will be issued free of charge.

2.6 Wrong Address

If the certificate was sent to the wrong address by the Registry, a replacement certificate will be issued at no cost.

2.7 Natural Disasters

The Registry will replace certificates at no cost to those clients affected by natural disasters such as bushfires or floods. Officers may consider circumstances such as whether a natural disaster has been declared.

All natural disaster cases are coordinated through the Manager Operations & Alliances within the Client Services Division.

2.8 Faded, damaged or old certificates

If the type on a certificate has faded over time, or the certificate has been damaged, the client can apply for a new certificate but normal fees will apply. Old style certificates are still valid and will not automatically be replaced. New certificates can be applied for and the normal fee will apply.

If the paper on a recently issued certificate is found to be faulty then it would be replaced. This would be on a case-by-case basis, and be approved by an Authorised Officer.

2.8 Death certificates with Coroner's updates

If a Coroner's inquest is to be carried out, then a death certificate can be issued without a cause of death. The Coroner's advice is added to the record when it is released to the Registry. On application, a new certificate is issued to the family at no cost, once the original certificate has been returned.

PART 3: RETURN OF INCORRECT

3.1 *The NSW Births, Deaths & Marriages Registration Act 1995 (S59(3)(c))* empowers the Registrar to impound incorrect certificates. Incorrect certificates should be returned before replacement certificates are issued.

This is also a requirement under the Registry's Change of Name Policy.

3.2 Authorised Officers

- Registrar
- Assistant Registrar Registration Services
- Assistant Registrar Client Services
- Assistant Registrar Identity Security
- Manager Registrations
- Manager Amendments
- Manager Operations and Alliances
- Manager Metropolitan Services
- Manager Regional Services
- Manager Parramatta
- Project Officer, Executive Unit
- Compliance Officers
- Identity Security Officer
- Team Leader Amendments
- Team Leader Registrations
- Team Leader Client Services, Sydney, Newcastle & Wollongong

Document information

Business Centre:	Registry of Births, Deaths & Marriages
Division:	Client Services and Registration Services
Officer responsible:	Manager Client Services Manager Registration Services
Author:	
Approver:	Greg Curry
Date approved:	29 April 2005

Document history

Version	Date	Reason for Amendment
1	28/07/03	Created
2	01/11/04	Revised
3	18/04/05	Revised
4	17/11/05	Revised
5	09/06/06	Revised
6	03/12/08	Revised

Version	Date	Reason for Amendment
7	02/06/09	Revised
8	20/10/10	Formatting