



How to register the birth of your child

Addressing YOUR questions about birth registration

The Ministry of Home Affairs and Immigration is in the process of replacing the Births, Marriages and Deaths Registration Act of 1963 with a new law that will be more appropriate to the needs of Namibia and more feasible to implement in practice. The Ministry will be engaging in public consultation around the law reform proposals, and hopes that this process will also raise the level of public awareness of the importance of registering all vital life events.

As part of this process, during the following months, the Ministry will be answering some of your questions about birth registration. This column will appear in The Namibian. You can also access the column on the MHA and LAC websites (www.mha.gov.na and www.lac.org.na). The answers are based on the 1963 law which is currently in force.

The mother and father of a child are married but the parents use different surnames. What surname should the child have?

The parents can choose to give either surname to their child.

The mother and father of the child are not married. Can both parents be registered on the birth certificate?

Yes. The father will be listed on the birth certificate only if both parents consent to this. The father should be present, or provide a sworn statement (an affidavit) that he has consented to be listed on the birth certificate. The parents can choose to give either surname to their child. The surname of the father can be used only if he and the mother both consent to this. The surname will otherwise be the surname of the mother.

The mother and father of the child are not married. The father is alive but is not participating in the registration of the child. Can the mother register the details of the father on the birth certificate?

The mother can only register the details of the father if he is present, or has provided a sworn statement (an affidavit) that he has consented to be listed on the birth certificate. If he does not do this, the mother can only give her surname to the child. The birth certificate cannot show the details of another man, such as the child's grandfather or the child's uncle as a substitute for the father because its purpose is to record biological parents. The mother can add the details of the father at a later stage if he changes his mind.

Both parents are dead. Can the child's caregiver register the birth?

Yes. The caregiver will need to show the death certificates. If the child's documents have been lost, the caregiver can use any document that proves the child's identity and place of birth. This could include the parents' identification cards, birth certificates and death certificates, or a letter from a headman, school principal or social worker. The caregiver should not give the child his or her own surname. The child will be given the surname of the parents, provided that there is sufficient information to prove the relationship.

Send your suggestions for law reform or questions about how to register the birth of a child to 081 600 0098. We will select a few of the most common questions to respond to in this column, as space permits. If your question is not addressed in the column, you can contact your nearest Ministry of Home Affairs and Immigration Office for assistance.

UNICEF and the Legal Assistance Centre are supporting the Ministry of Home Affairs and Immigration in this initiative

