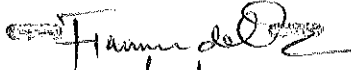


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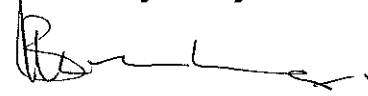
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**Date: 13/07/2023**

**AMENDMENTS TO THE CIVIL REGISTRATION AND IDENTIFICATION BILL  
BILL NO. 3 OF 2023**

**THAT:**

- 1. In clause 1,** substitute the definition of “capture” for the following definition:

““capture” means the making of an entry in an information system maintained by the Ministry for recording information relating to civil events;”.



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2. In clause 1, substitute the definition of “marriage” for the following definition:

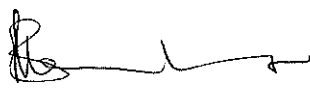
““marriage” means a legal union entered into between persons of opposite sex;”.



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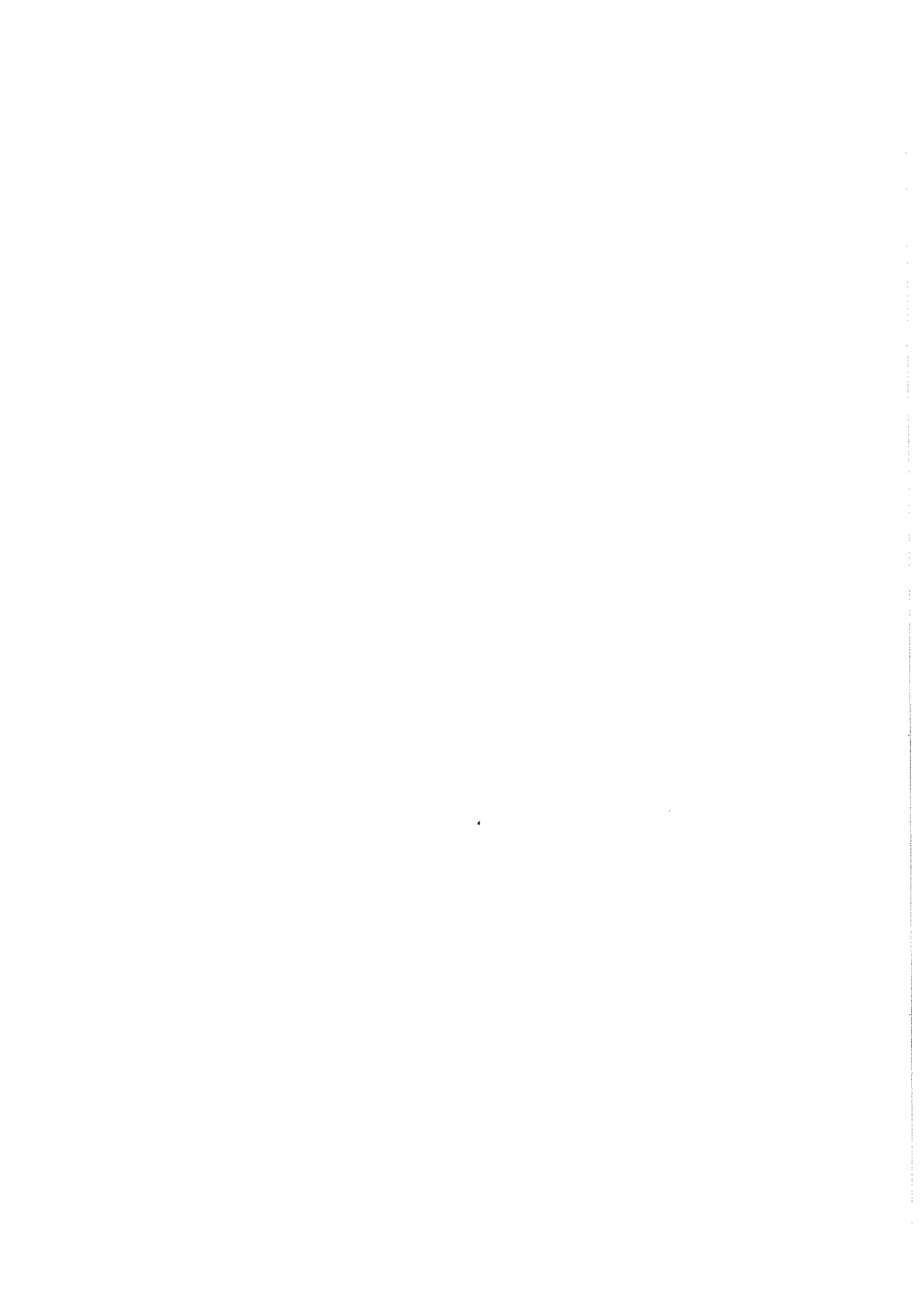
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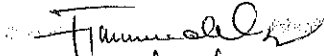
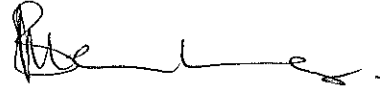
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3. **In clause 1**, substitute the definition of “name change” for the following definition:

““name change” means the change of one or more first names, or a surname, or both the first names and surname in terms of this Act;”.

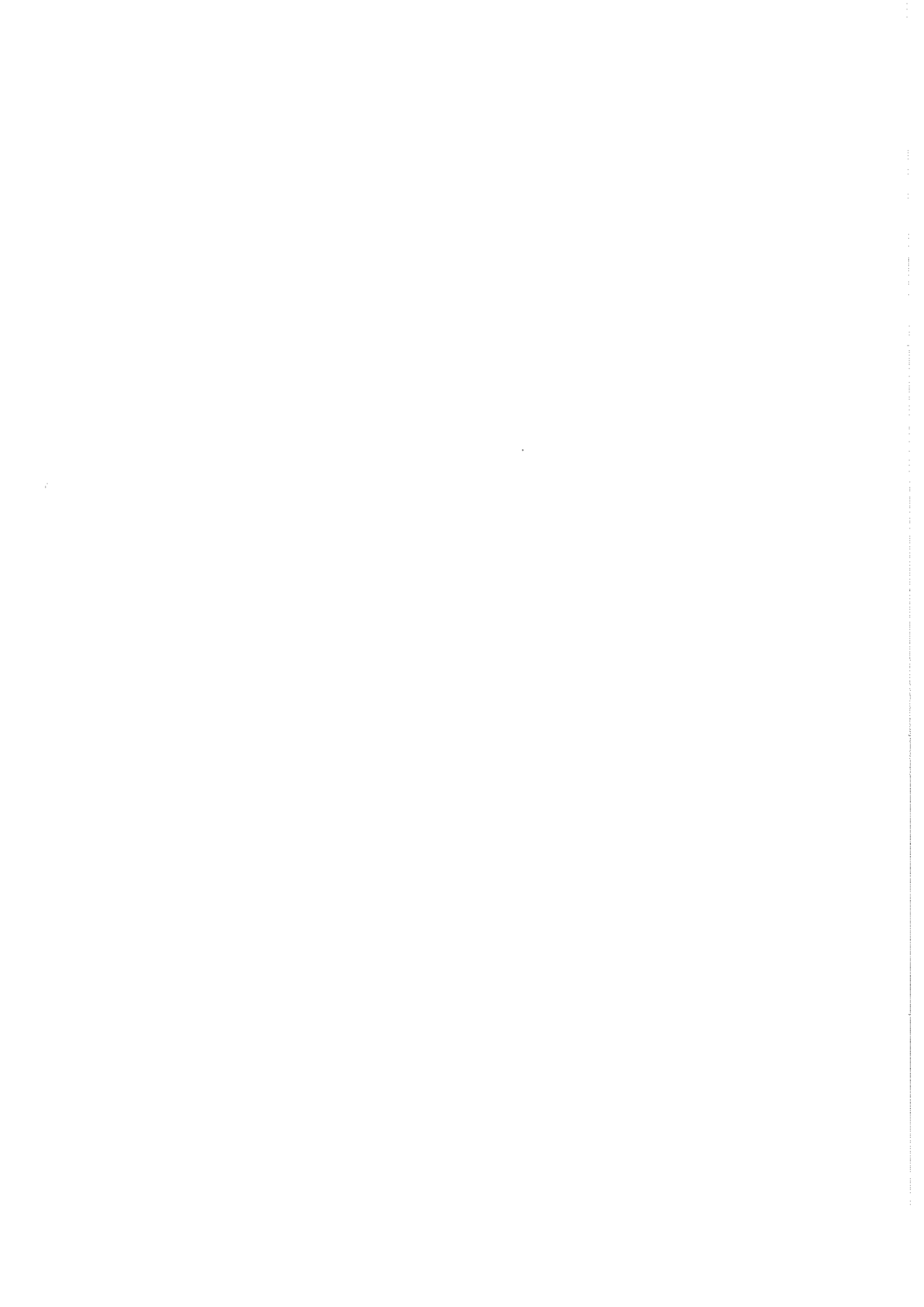


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4. **In clause 1**, substitute the definition of “recognised scientific test” for the following definition:

““recognised scientific test” means a scientific test carried out by a laboratory, approved by the Minister responsible for health and made known by notice in the *Gazette* in terms of section 80, for the purpose of carrying out scientific tests and issuing test results;”.





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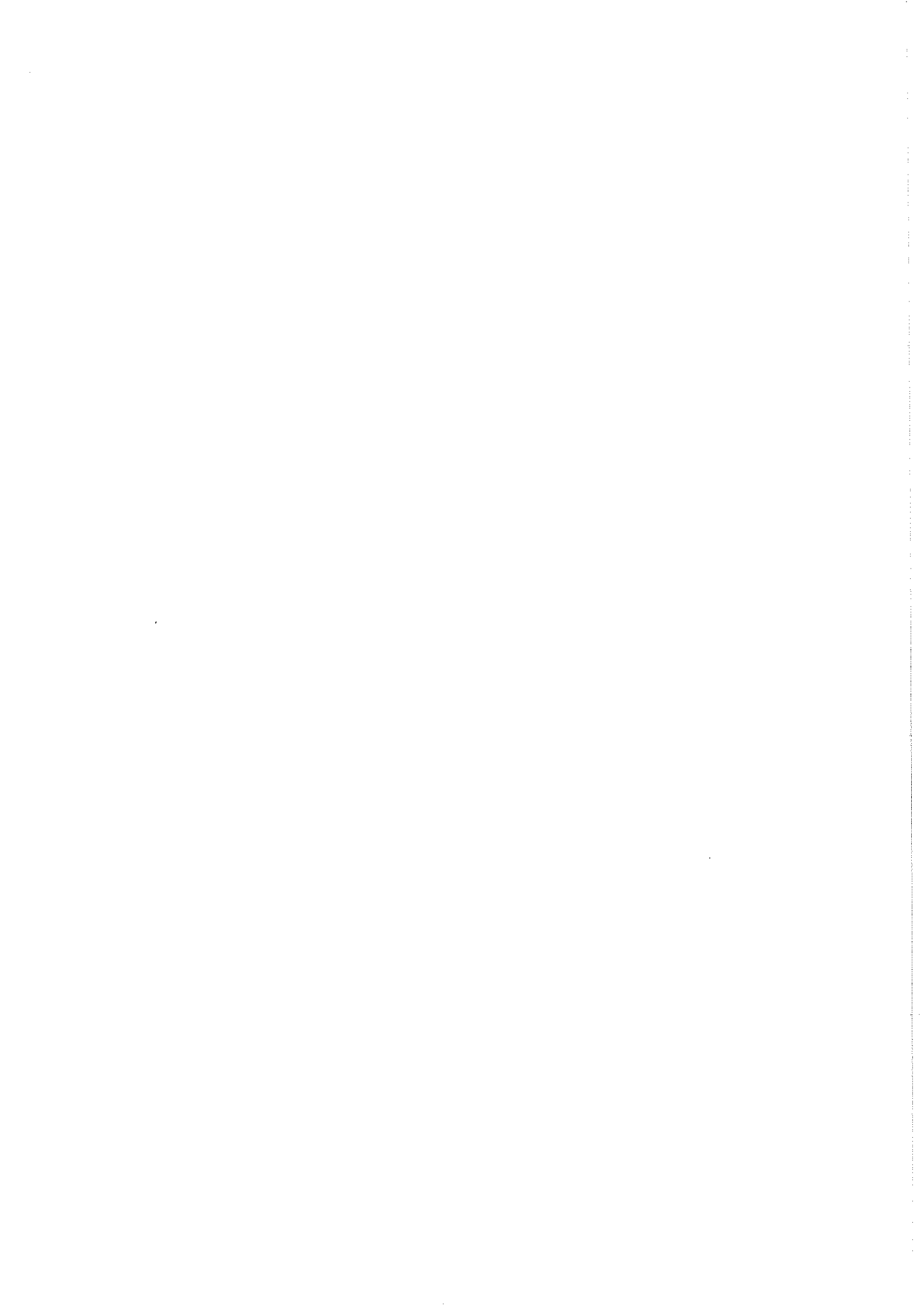
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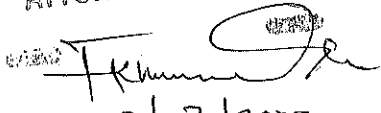


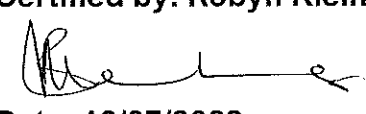
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5. In clause 2, substitute paragraph (a) for the following paragraph:

“(a) provide for a national civil registration system for the notification, registration and certification of births, stillbirths, adoptions under the Child Care and Protection Act, and deaths, name changes, marriages and divorces and for the issuing of identity documents;”



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6. **In clause 4, add the following subclause (5):**

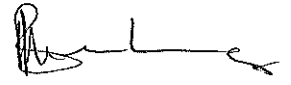
“(5) The Committee must, after consultation with the Registrar-General, refer matters where they could not make a determination based on evidence presented in terms of this Act, to the Ministry responsible for health for a medical determination of age.”.



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7. **In clause 4**, substitute subclause (3) for the following subclause:

“(3) The Committee must elect one of its members to preside at meetings of the Committee and may adopt its own rules of procedure and for the recording of its recommendations or decisions.”.



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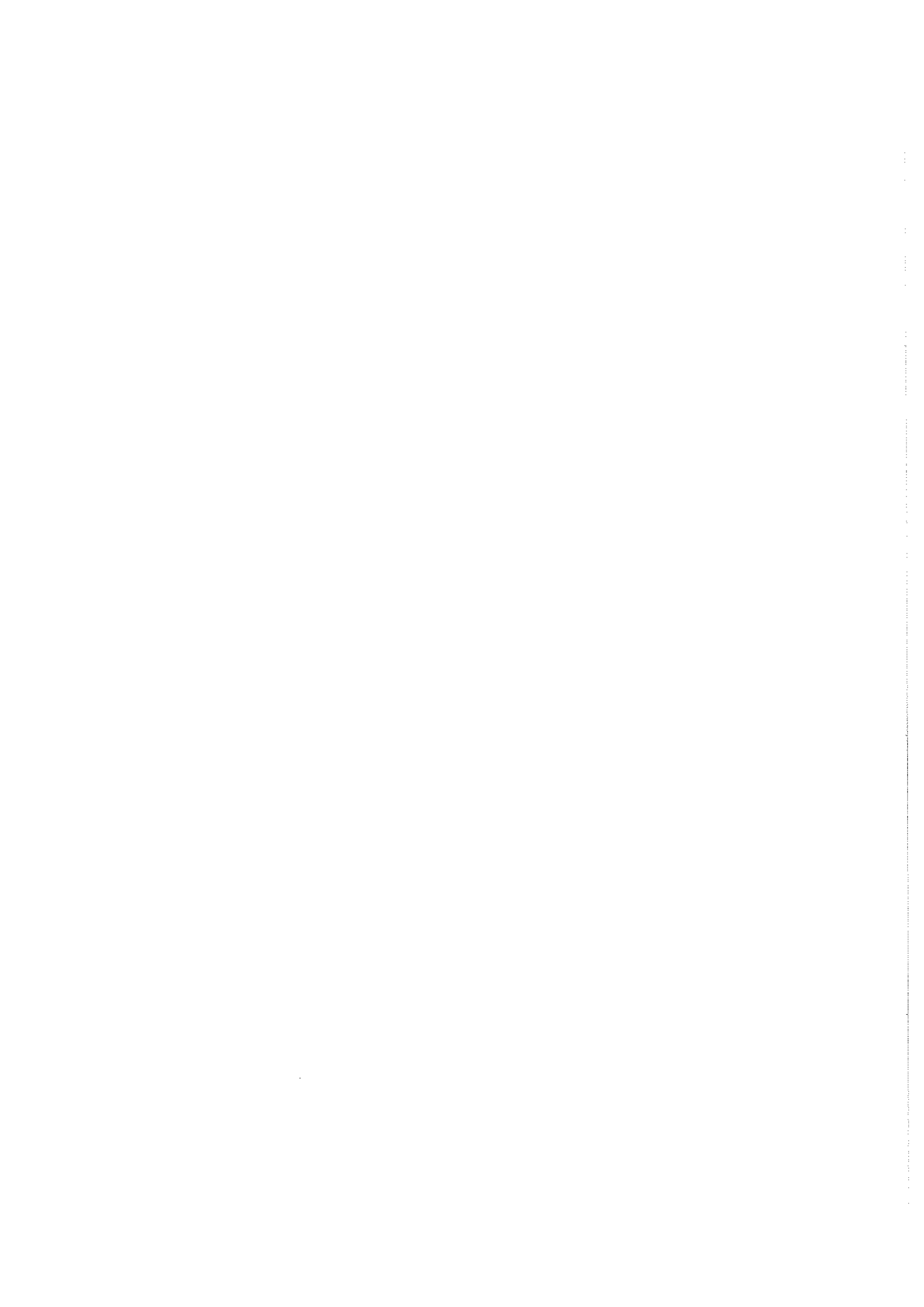
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8. In clause 5, substitute subclause (1) for the following subclause:

“(1) The Minister must compile and maintain a Civil Register for Namibia consisting of -

- (a) the Birth Register, which contains details of all births, stillbirths, adoptions in terms of the Child Care and Protection Act and name changes that take place in Namibia and related civil events required to be registered under this Act or any other law of Namibia;
- (b) the Marriage Register, which contains details of all marriages and divorces concluded in Namibia and any other marriages and divorces required to be registered under this Act or any other law of Namibia;
- (c) the Death Register, which contains details of all deaths that take place in Namibia and any other deaths required to be registered under this Act or any other law of Namibia; and
- (d) the Identity Register, which contains details of persons to whom identification documents are issued under this Act.”.

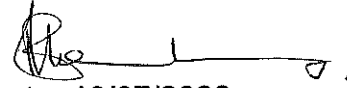




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9. **In clause 6**, substitute paragraph (m) for the following paragraph:

“(m) information on any name changes or other alterations to the Civil Register made under this Act;”.



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10. In clause 8, substitute paragraph (b) of subclause (3) for the following paragraph:

“(b) if e-notice is not possible, must make a manual notification in the prescribed manner at the nearest civil registration point within seven days of the birth.”.



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11. In clause 9, substitute paragraph (b) of subclause (1) for the following paragraph:

“(b) if e-notice is not possible, must make a manual notification in the prescribed manner to the nearest civil registration point within seven days of the stillbirth.”



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**12. In clause 13, substitute –**

(a) paragraph (b) of subclause (2) for the following paragraph:

“(b) the result of a recognised scientific test confirming parentage;”;

(b) paragraph (b) of subclause (3) for the following paragraph:

“(b) the result of a recognised scientific test confirming parentage;”;

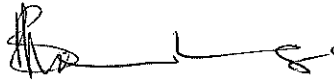
(c) paragraph (c) of subclause (5) for the following paragraph:

“(c) request the informant to provide the result of a recognised scientific test confirming parentage; or”



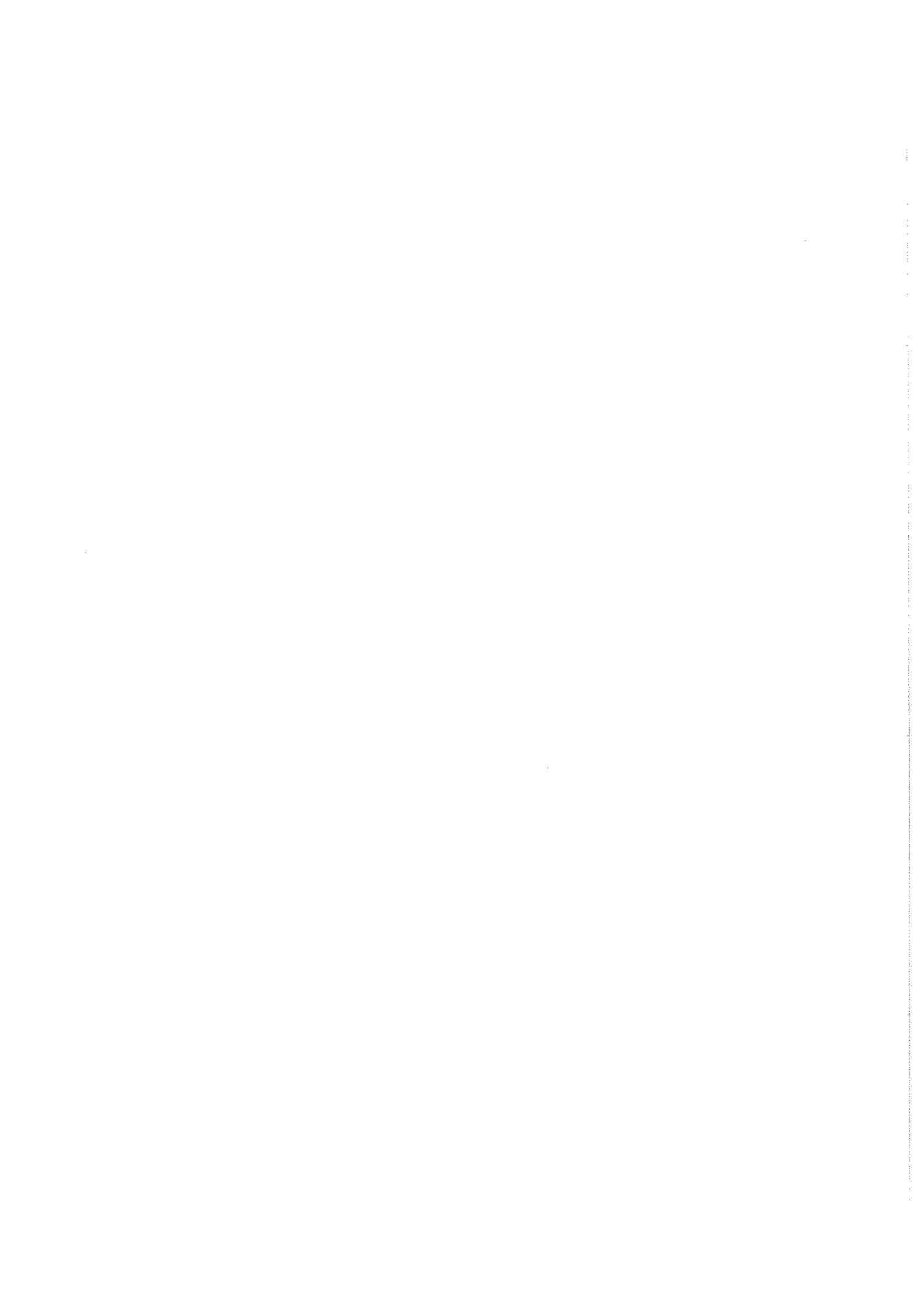


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**13. In clause 21, delete –**

- (a) paragraph (g) of subclause (2); and
- (b) subclause (8).



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14. In clause 22, substitute subclause (1) for the following subclause:

“(1) In this section, “spouse” means a person, being one half of a legal union between a genetically born man of full age and a genetically born woman of full age of the opposite sex of that person in a civil marriage concluded under the laws governing civil marriages in Namibia and a genetically born man or a genetically born woman of full age of the opposite sex of that person in a customary marriage concluded under customary law in Namibia”.



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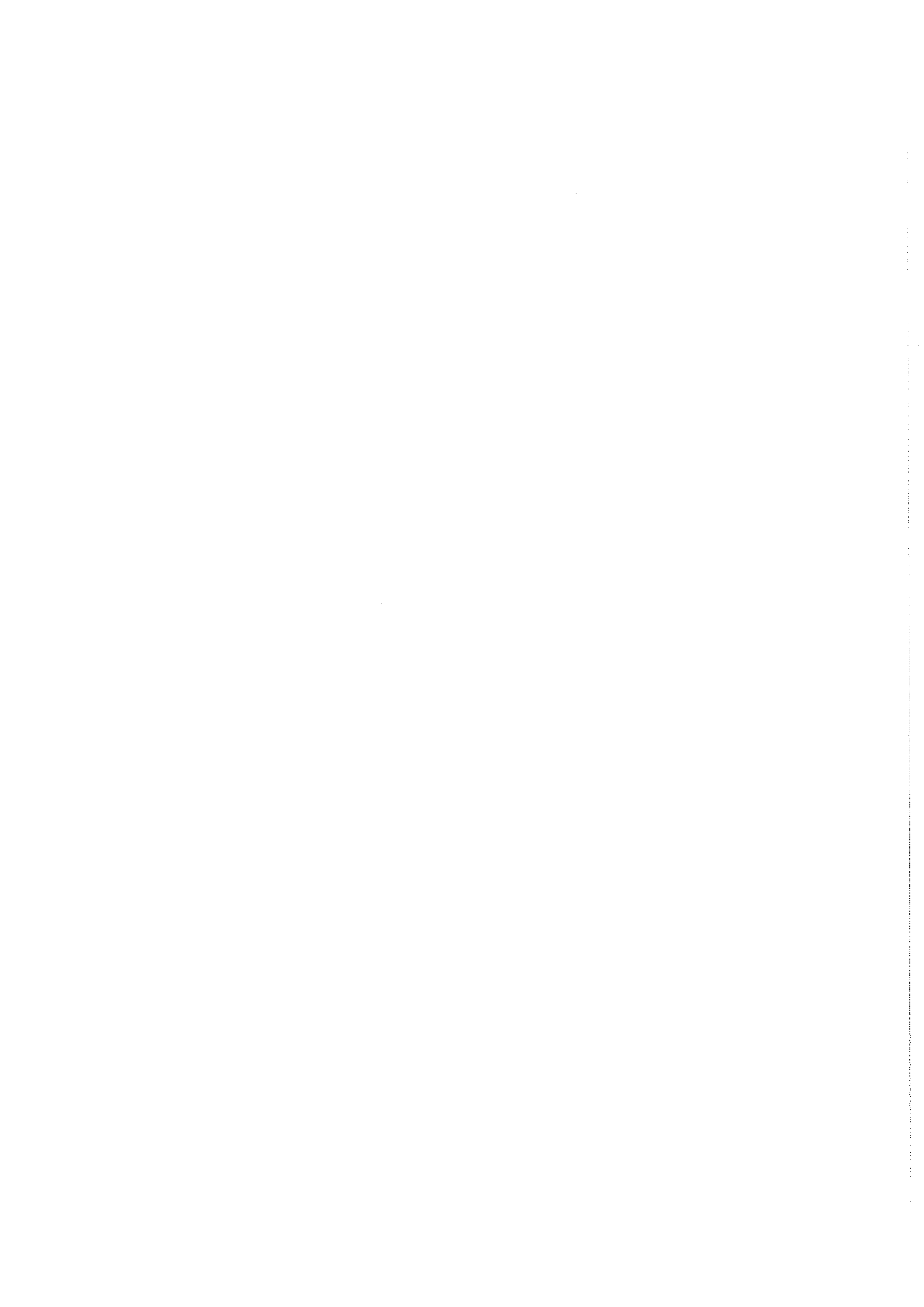
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15. In clause 23, substitute subclause (1) for the following subclause:

“(1) In this section, “spouse” means a person, being one half of a legal union between a genetically born man and a genetically born woman of the opposite sex of that person.”

“

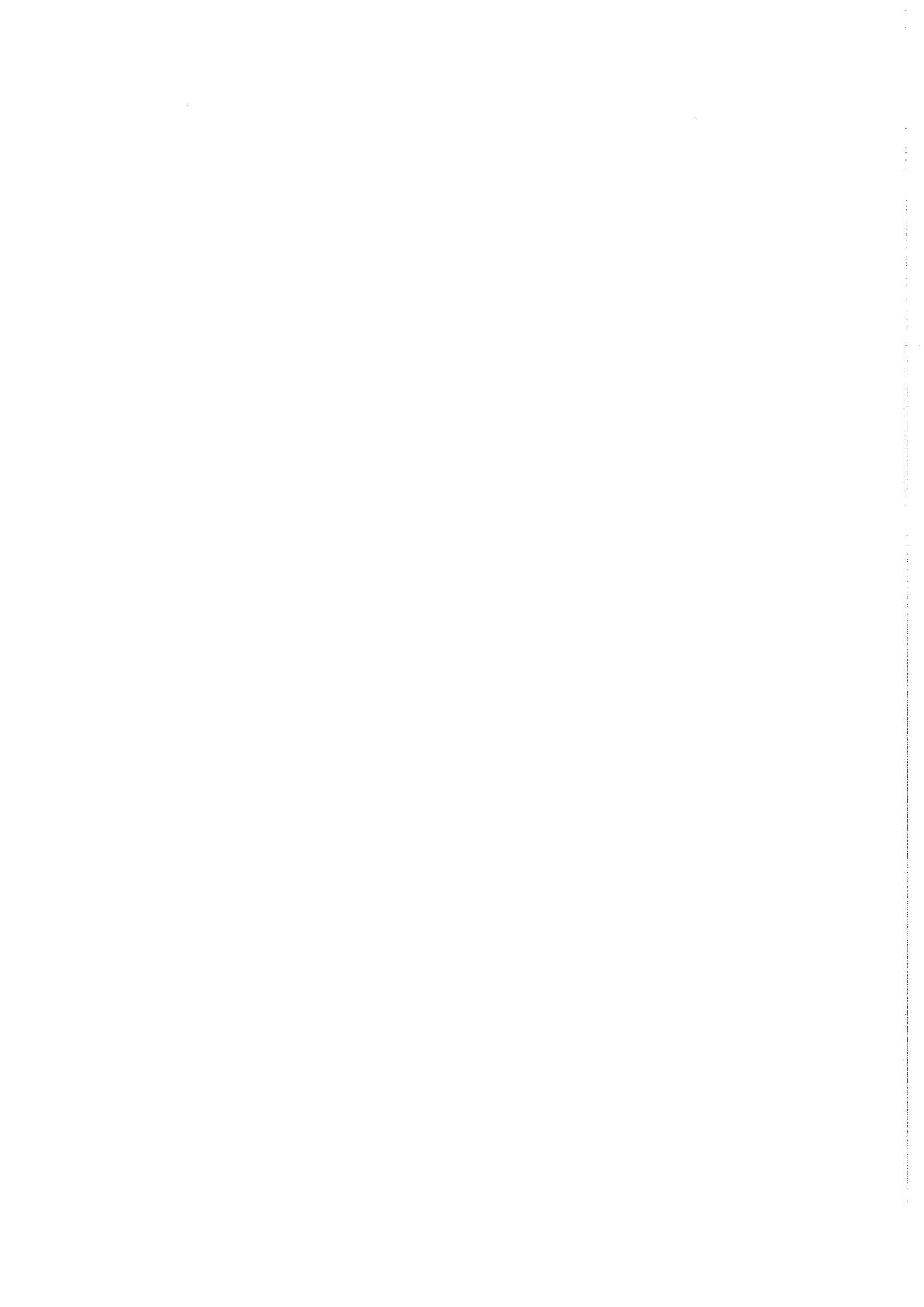


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**16. In clause 24, substitute the definition of “spouse” for the following definition:**

“spouse” means a person, being one half of a legal union between a genetically born man and a genetically born woman of the opposite sex of that person;”.



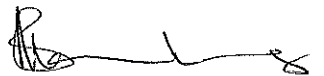


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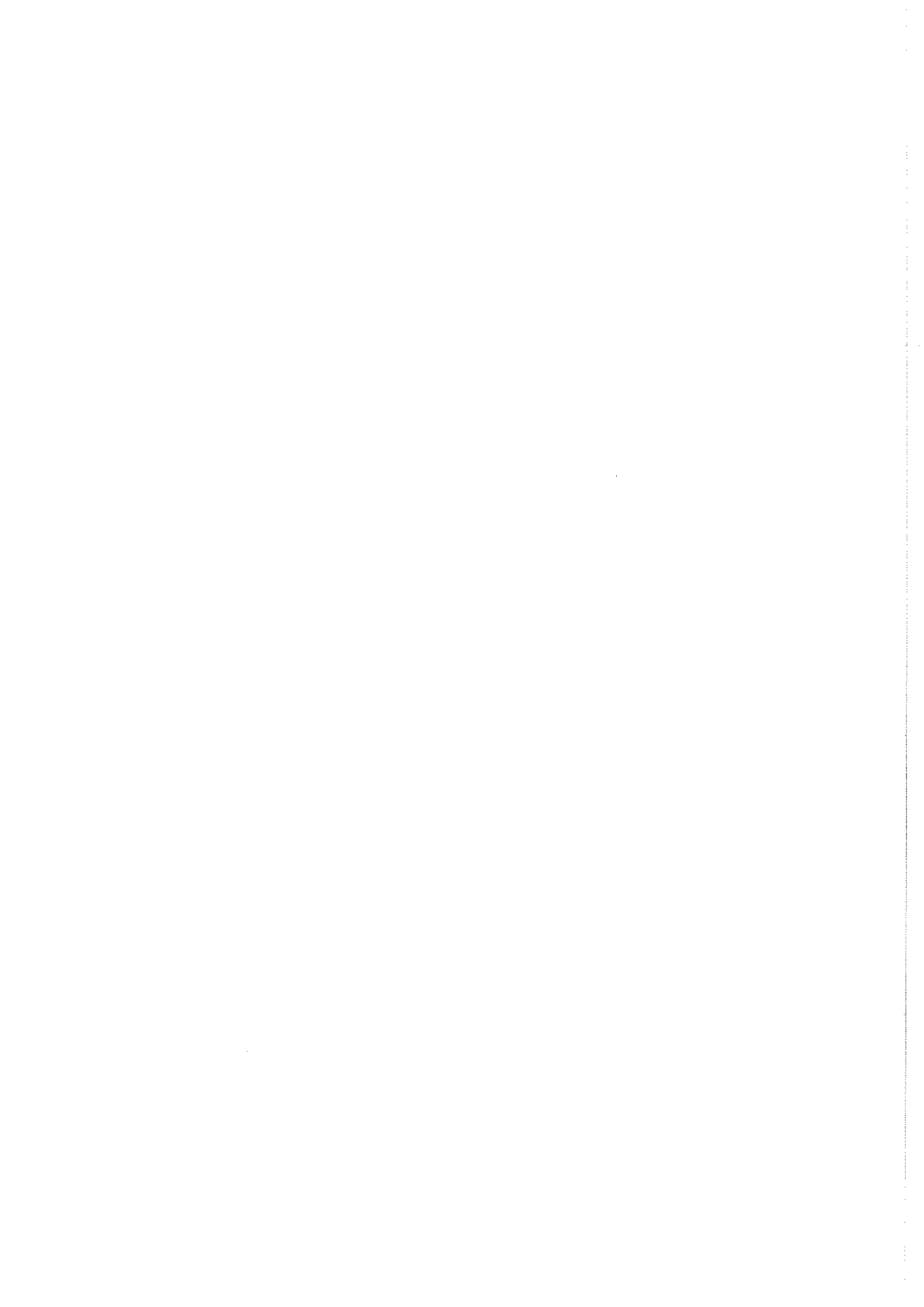


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**17. In clause 31, substitute subclause (1) for the following subclause:**

“(1) “spouse” means a person, being one half of a legal union between a genetically born man and a genetically born woman of the opposite sex of that person; and

“previous spouse” means a person, being one half of a legal union between a genetically born man and a genetically born woman of the opposite sex of that person of a dissolved marriage.”.



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**18. In clause 33, substitute paragraph (b) of subclause (1) for following paragraph:**

“(b) “spouse” means a person, being one half of a legal union between a genetically born man and a genetically born woman of the opposite sex of that person.”.”



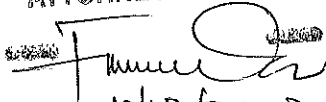
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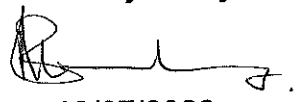
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**19. In clause 40, substitute subclause (1) for the following subclause:**

“(1) In this section “spouse” means a person, being one half of a legal union between a genetically born man and a genetically born woman of the opposite sex of that person.”

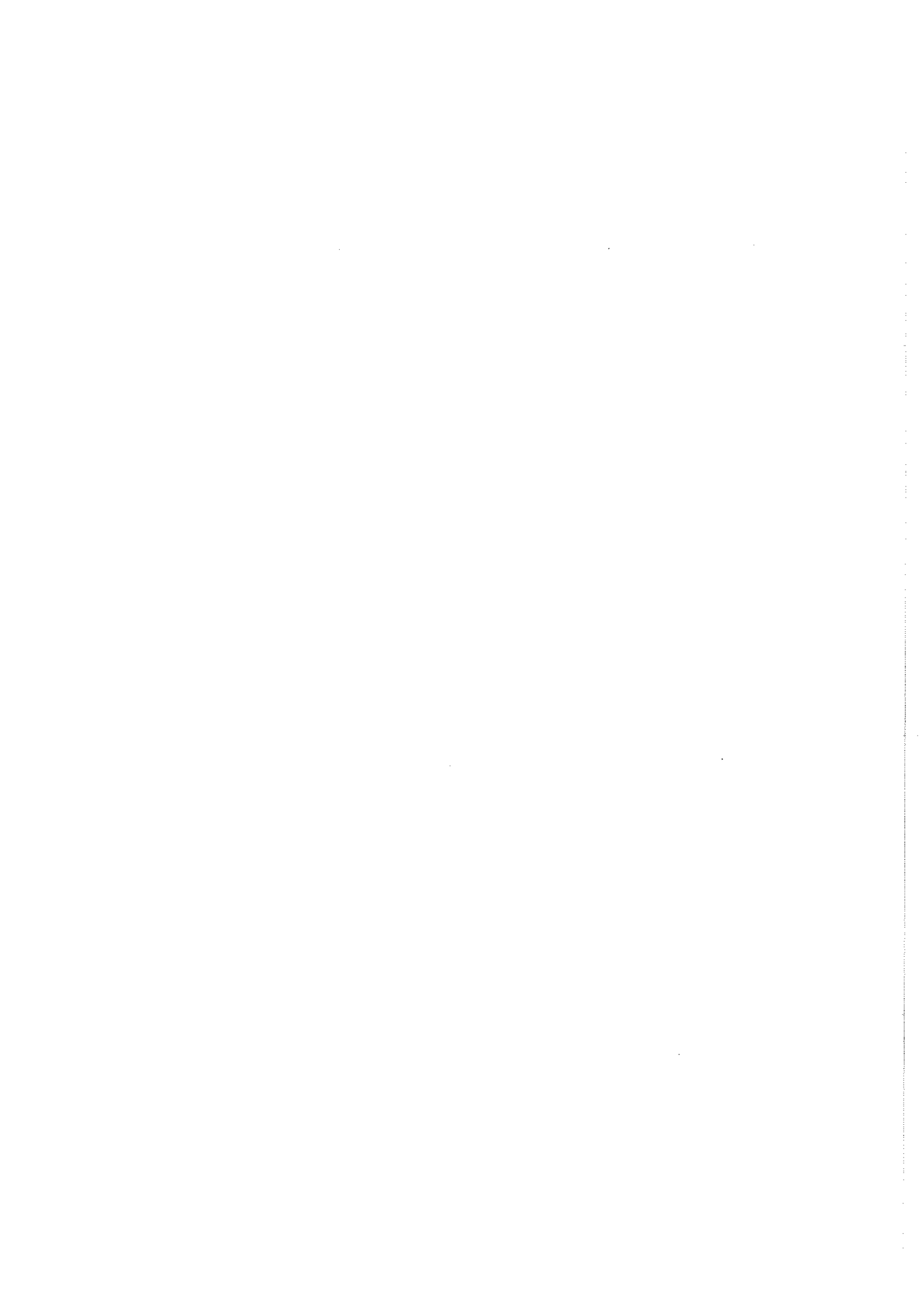


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**20. In clause 41, substitute subclause (1) for the following subclause:**

“(1) In this section, “spouse” means a person, being one half of a legal union between a genetically born man and a genetically born woman of the opposite sex of that person.”





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- 21. **In clause 69, delete paragraph (c).**



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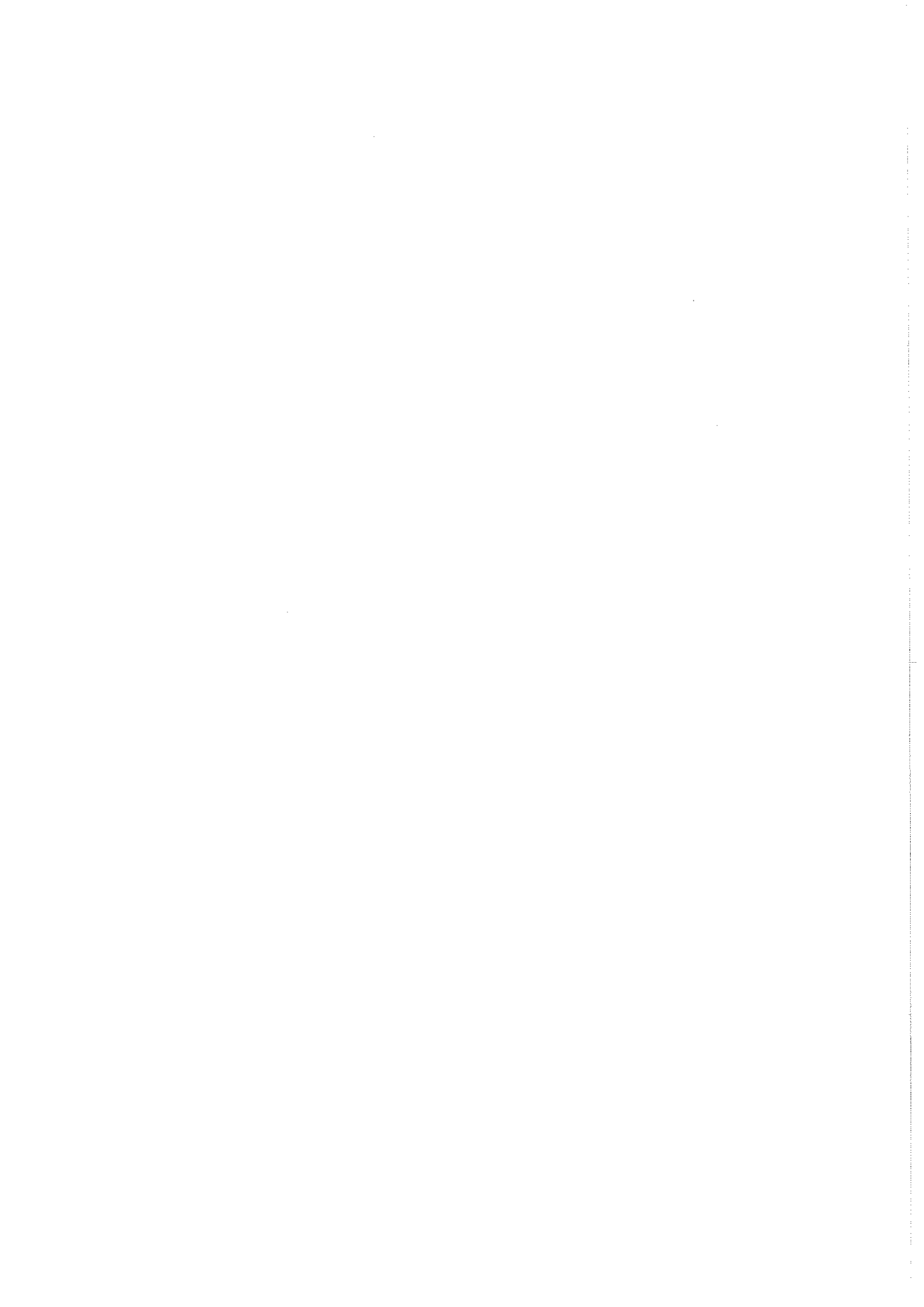
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**22. In clause 80, substitute paragraphs (b) for the following paragraph:**

“(b) positions in health facilities approved by the Minister responsible for health for the purpose of submission of e-notices of births, stillbirths and deaths, which includes capturing the submission on the system and making notations on physical documents;”.



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23. In clause 80, substitute paragraph (e) for the following paragraph:

“(e) laboratories approved by the Minister responsible for health for the carrying out of scientific tests and issuing test results establishing parentage.”.

