

Birth Certificates

Why you need one

How to get one

What is a Birth Certificate?

This is a very important document which shows what all your names are, where you were born and who your parents are.

Why is it needed

This certificate is required throughout your whole life. It is required when you register your child for school and when the child is sitting for Grade 7, ZJC and "O" level.

It is required when applying for a National Registration card or passport and also at a College or University and when seeking employment.

What does the law say about birth certificates?

The law says every parent must register the birth of a child within six weeks of the birth of the child.

Where do you go for a birth certificate

There are birth registration offices in all districts, so the parents should go to the Registration offices in the district where the child was born. If the parents live far away from that district, they can go to the nearest Birth Registration office.

Who should register a birth

- Either parent can go to register a birth, as long as all the necessary documents are produced;
- If the parents do not have a registered marriage, and they want the father's name to be recorded, both parents must go to register;
- If both the parents have died, relatives can register the birth, as long as they produce all the documents and the death certificates;
- If the person whose birth is being registered is sixteen years or older, he or she must be present at the time of registration;
- If a child has been left with grandparents or another relative and the parents have disappeared, the relative looking after the child can register him or her;
- If the mother has disappeared, the father can register the child with witnesses from the mother's family;
- In a few special cases an adult can register him or herself but the District Registrar will have to do the registration.

What Documents Must Be Produced

When registering a baby born in a hospital or clinic

If the parents are legally married with a marriage certificate, one parent can register and must bring

- Mother's and father's national identity cards.
- Birth confirmation record from the hospital.
- Parent's marriage certificate.
- Death certificate for any parent who has died.

If the parents are customarily married and have no marriage certificate, both parents must be present and must bring

- Mother's and father's national identity cards.
- Birth confirmation record from the hospital.
- Both parents will have to sign a form declaring that the man is the father of the child.

When registering a baby born out of hospital

If the parents are legally married, with a marriage certificate, one parent can register and must bring

- Mother's and father's national identity cards.
- The parent's marriage certificate.
- A witness with a national identity card, preferably a midwife; for a child born on a farm it could be a witness or a letter from the farmer.

If the parents are customarily married, without marriage certificate, both parents must be present to register and must bring

- Mother's and father's national identity cards.
- A witness with a national identity card, preferably a midwife.
- A chief or headman's letter or where the child is born on a farm, a letter from the farmer.
- Both parents will have to sign a form declaring that the man is the father of the child.

When registering a child over one year, but under sixteen years

- The same documents will be needed as shown above.
- If the child is in school, a letter from the headmaster.

When registering a child sixteen years old and above

- The same documents will be needed as shown above, except two witnesses will be required for a child born out of hospital.
- A letter from the headmaster of the primary school attended and the present school.
- The child must be present and must obtain a national identity card; this will be issued at the same time as the birth certificate.
- Both parents will still have to sign that the man is the father if the parents are not legally married.

When the father is registering in the absence of the mother

He must bring

- The father's national identity card.
- The marriage certificate if there is one.
- One of the mother's close relatives such as her mother, sister or brother who will swear an affidavit saying their relative is the mother of the child.
- One other witness.
- A death certificate of the mother or other evidence explaining why she is not present.

When grandparents or other relatives are registering the child in the absence of both parents

They must bring

- The birth record if available, or witness to the birth.
- The marriage certificate of the parents if it is available.
- Relatives of both mother and father to swear affidavits that those are the parents of the child.
- Death certificates, if the parents have died.
- If the parents have not died, any form of identification, which can be produced.
- If the parents have disappeared, a court declaration that they are missing persons will have to be applied for. The court will only issue this, if there is evidence of abduction or possible death; if there is no such evidence, the court will not issue a declaration until the parents have been missing for several years.

Registering A Child Whose Parents Are Foreigners

- If the parents are legally living in Zimbabwe, the child can be given a birth certificate indicating that it is not a citizen.

- The procedure is the same as for Zimbabweans except that the parents must also provide their passports.
- If the parents have been living in Zimbabwe since before Independence, they should produce a national registration card showing the date when they officially entered the country.

Registering A Child Who Has One Zimbabwean Parent and One Foreign Parent

- The child will be registered in the same way as any other child.
- Whether it is the mother or the father who is Zimbabwean, the child will still qualify to be a Zimbabwean Citizen.

Registering A Child Who Was Born Outside Zimbabwe

The person or persons registering the child will have to bring

- The father's and mother's identity cards.
- A foreign birth certificate or a foreign birth confirmation record.
- A marriage certificate if there is one.
- If there is no marriage certificate, the father and mother will have to be present to sign the form stating he is the father.

Registering An Adult

Whether or not your parents are still alive to register you, the officer will want as much evidence as you can possibly provide to prove when and where you were born.

These must include

- Your national identity card.
- A certificate of baptism if you have one.
- Two witnesses, either your parents or close relatives.
- School records.
- A letter from your employer if you are employed.

The officer will probably ask you many questions as they must be convinced that your evidence is true and you have never been registered before.

Registering A Child Whose Parents Are Not Married

A single mother will have to decide whether to register her child using the father's name, but she can only do this if he agrees.

Either

The mother can register her child using her own surname. She must produce:

- Her own national identity card.
- The birth confirmation record from the hospital; or a witness if the child was born at home; or a letter from the farmer if the child was born on a farm.

The result will be

- The mother is the legal guardian and will sign all papers and documents on behalf of the child.
- She can still apply for a maintenance order so that the father maintains the child.
- If the mother dies, it is still possible for the father to sign a statement saying he is the father; he could apply for guardianship, but may not be given it.
- If the mother and father later get married, they can go to the registration office with their marriage certificate and have the child's surname changed.

Or

The child can be registered using the father's surname, but only if the father agrees.

They must do the following:

- The father's name must be used at the hospital for the birth confirmation record, if the baby is born in hospital.
- They must take both parents' national identity cards and the birth confirmation record or a witness.
- Both parents must go to the registration office, and the mother and father will sign a form agreeing that they are the parents.

The result will be

- The mother will be the legal guardian, and can legally sign papers for the child, but she may find that officials ask for the father's signature when she applies for official documents.

Important Things To Think About When Registering A Birth

- Think carefully about the names you want to give the child, or yourself if you are an adult. These will be the person's names for the rest of his or her life and will appear on the National Registration card, passport, school certificates and any other document.

It is expensive to get a name changed once it has been registered on a birth certificate.

- If the person's birth has already been registered, it is against the law to register him or her again. You can register a birth only once.
- Check the certificate as soon as you get it. If the registration office has made a mistake, such as a spelling error, get the office to correct it immediately.
- Do not tell a lie when registering a birth. It is against the law, and may cause problems later.

The Punishment For Giving False Information When Registering A Birth Is A Fine Of \$ 40 000 Or Imprisonment Of Up To 12 Months

Things to Remember after the Birth has been Registered

- Always use the name that appears on the birth certificate when taking the child to the clinic, when registering the child at school, for exams, for a National Registration card. All official documents should show the same name and spelling.
- Parents must show school children their birth certificates. This is to make sure they write the same name that is on the birth certificate, and spell it correctly. Parents must explain how important it is for each child to write his/her name correctly on ALL documents (e.g. when registering for exams, job applications, etc.)
- It is illegal to change any of the information on the birth certificate without going to a lawyer.
- Keep your birth certificate in a safe place. Never send the original away; if you need to send a copy to get a passport, or apply for anything, make a photocopy. Then take the original and the copy to the police station, where a police officer will stamp the copy to say it is the same as the original. This is called a certified copy. You can send it away, because you can always get another copy certified.

Changing A Name On A Birth Certificate

- Once a birth is registered, the name on the birth certificate is the legal name of that person.
- It can be changed only with the help of a lawyer, and this costs a lot of money.
- It is better to make sure when you register that you give names which will not embarrass the child when he becomes an adult.
- If you feel you must change a name on a birth certificate, you go to a lawyer who will arrange for a notarial deed. Then you will have to change the name on your other documents as well.

What To Do When The People In The Registration Office Are Unhelpful

The officials in the Registration Office are employed to assist you do what the law requires you to do. You **MUST** have a birth certificate. If there is any problem, you have the right to be assisted, and they have the duty to give you assistance.

Sometimes people do not have all the documents needed to register a birth, or for some reason are unable to get one of the documents. The people working in the Registration Office should explain to you what to do. However, sometimes they are not helpful, and do not answer your questions or tell you how to solve your problem.

If this happens, and you do not know what to do next, you can ask the Community Relations Liaison Officer at the police station, or visit your nearest Legal Advice Centre for assistance. You can get the address of the Legal Advice Centre from the District Administrators Office or the police station.

There are Legal Advice Centres at the following places:

Mashonaland: Bindura, Guruve, Harare, Marondera, Mt. Darwin, Murehwa and Mutoko

Masvingo: Chiredzi, Zaka, Gutu and Masvingo

Matabeleland: Beitbridge, Bulawayo (City Centre, Njube, Pumula, and Tshabalala), Gwanda, Hwange, Lupane, Nkayi and Plumtree

Midlands: Gokwe, Gweru, Kwekwe and Zvishavane

Manicaland: Mutare, Chipinge, Murambinda and Nyanga

This pamphlet is revised and published by the Legal Resources Foundation WO 41/84
February 2004

The production of this pamphlet was funded by the Friedrich Naumann Foundation and is distributed free of charge.