

## 16. Births, Deaths and Marriages: Notifications

### 16.1 Children Born in New Zealand

If any members of the staff of mission or post (including foreign nationals recruited as local staff), or a member of their family gives birth to a child while in New Zealand:

- the birth must be registered within five working days with the Registrar-General of Births, Deaths and Marriages. In New Zealand that responsibility rests with the person in charge of the premises where the birth took place. This is normally the hospital authorities, a doctor or a mid-wife. In notifying the birth the registry office must be advised that the child is born to a parent or parents who have diplomatic or consular status (see below). A birth certificate will be issued to the parents;
- the birth must be notified in writing to Protocol Division. The notification should be accompanied by a copy of the birth certificate, passport size photos, Notification of Arrival of Dependant Family Member form (MFA 601), together with the child's passport biodata page, to enable the recording of appropriate status. Protocol Division will then arrange for a diplomatic visa to be issued for the new child.

#### 16.1.1 Legal Position Regarding Citizenship

Missions and posts should note that under the Citizenship Act 1977 section 6(2) a person shall not be a New Zealand citizen by virtue of section 6 if at the time of birth, their parent/s have immunity from jurisdiction conferred by or under the Diplomatic Privileges and Immunities Act 1968 or the Consular Privileges and Immunities Act 1971 or any other way and neither parent is a New Zealand citizen. Please refer to the Act for full details.

New Zealand's citizenship legislation and international obligations under both the VCDR and the VCCR makes it clear that no member of the Diplomatic and Consular Corps, or a dependant, or a foreign national appointed as local staff, is eligible to claim New Zealand citizenship for that child if neither parent is a New Zealand citizen. Citizenship cases where one parent is a New Zealander can be complex. If it is believed that a child born in New Zealand may be a New Zealand citizen the mission or post should consult Protocol Division for advice.

### 16.2 Deaths and Marriages

Protocol Division should be advised in writing in the event of the marriage or death in New Zealand of any non-New Zealand staff member, family member or Private Domestic Staff employee.

