



STATUTORY INSTRUMENTS.

S.I. No. 408 of 2009



FOREIGN BIRTHS (AMENDMENT) REGULATIONS 2009

(Prn. A9/1412)

FOREIGN BIRTHS (AMENDMENT) REGULATIONS 2009

I, MICHEÁL MARTIN, Minister for Foreign Affairs, in exercise of the powers conferred on me by section 27 (amended by section 7 of the Irish Nationality and Citizenship Act 2001 (No. 15 of 2001)) of the Irish Nationality and Citizenship Act 1956 (No. 26 of 1956) hereby make the following regulations:

1. (1) These Regulations may be cited as the Foreign Births (Amendment) Regulations 2009.

(2) The Foreign Births Regulations 1956 to 1994 and these Regulations may be cited together as the Foreign Births Regulations 1956 to 2009.

(3) These Regulations shall come into operation on 1st November 2009.

2. In these Regulations “Minister” means the Minister for Foreign Affairs.

3. Subject to Regulation 4, the Minister may amend or delete an incorrect entry in a foreign births entry book or the foreign births register.

4. (1) The Minister shall, not less than 3 months before amending or deleting an incorrect entry in a foreign births entry book or in the foreign births register in accordance with Regulation 3, serve a notice in writing of the proposed amendment or deletion on any person—

(a) likely to be affected by the proposed amendment or deletion concerned, and

(b) whose whereabouts are known and who can readily be found.

(2) A notice under paragraph (1) shall—

(a) specify the text of the proposed amendment or that it is proposed to delete the entry concerned, as the case may be,

(b) state the reasons for the proposed amendment or deletion,

(c) state that the person to whom the notice is addressed may make representations in writing in respect of the proposed amendment or deletion not later than 3 months after the service of the notice, and

(d) state the name and address of the person to whom any such representations shall be made.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 13th October, 2009.

(3) A notice under paragraph (1) shall be addressed to the person concerned by name, and may be served on or given to him or her in one of the following ways:

- (a) by delivering it to the person;
- (b) by leaving it at the address at which the person ordinarily resides or, in a case in which an address for service has been furnished, at that address; or
- (c) by sending it by post in a prepaid registered letter to the address at which the person ordinarily resides or, in a case in which an address for service has been furnished, to that address.

(4) A person to whom a notice under paragraph (1) is addressed may, not later than 3 months after the service of the notice, make representations in writing in accordance with the notice in respect of the proposed amendment or deletion.

(5) The Minister may, at his or her discretion, invite a person who has made representations in accordance with a notice under paragraph (1) to make further representations, orally or in writing, in respect of the proposed amendment or deletion concerned.

(6) The Minister shall, in deciding whether or not to amend or delete an incorrect entry in a foreign births entry book or the foreign births register, have regard to any representations made by a person in accordance with this Regulation.

5. Where the Minister amends or deletes an incorrect entry in a foreign births entry book or the foreign births register under Regulation 3—

- (a) he or she shall cause to be entered in the book or register, as the case may be—
 - (i) a statement that an amendment or deletion in respect of the entry concerned has been made, and
 - (ii) the date of the making of the amendment or deletion, and
- (b) the amendment or deletion shall be authenticated by the signature (beneath or alongside the said statement) of the officer of the Minister who made that amendment or deletion.



GIVEN under my Official Seal,
7 October 2009.

MICHEÁL MARTIN,
Minister for Foreign Affairs.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
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