

Appendix A - Definition of Parental Responsibility

Taken from [Parental rights and responsibilities: Who has parental responsibility - GOV.UK](https://www.gov.uk/government/topics/parental-rights-and-responsibilities)
(www.gov.uk)

Who has parental responsibility?

A mother automatically has [parental responsibility](#) for her child from birth.

A father usually has parental responsibility if he's either:

- married to the child's mother, or
- listed on the birth certificate (after a certain date, depending on which part of the UK the child was born in).

You can [apply for parental responsibility](#) if you do not automatically have it.

Births registered in England and Wales.

If the parents of a child are married when the child is born, or if they've jointly adopted a child, both have parental responsibility.

They both keep parental responsibility if they later divorce.

Unmarried parents

An unmarried father can get parental responsibility for his child in 1 of 3 ways:

- Jointly registering the birth of the child with the mother (from 1 December 2003).
- Getting a parental responsibility agreement with the mother.
- Getting a parental responsibility order from a court.

Births registered in Scotland.

A father has parental responsibility if he's married to the mother when the child is conceived, or marries her at any point afterwards.

An unmarried father has parental responsibility if he's named on the child's birth certificate (from 4 May 2006).

Births registered in Northern Ireland.

A father has parental responsibility if he's married to the mother at the time of the child's birth.

If a father marries the mother after the child's birth, he has parental responsibility if he lives in Northern Ireland at the time of the marriage.

An unmarried father has parental responsibility if he's named, or becomes named, on the child's birth certificate (from 15 April 2002).

Births registered outside the UK.

If a child is born overseas and comes to live in the UK, parental responsibility depends on the UK country they're now living in.

Same-sex parents

Civil partners: Same-sex partners will both have parental responsibility if they were civil partners at the time of the treatment, eg donor insemination or fertility treatment.

Non-civil partners: For same-sex partners who are not civil partners, the 2nd parent can get parental responsibility by either:

- [applying for parental responsibility](#) if a parental agreement was made.
- becoming a civil partner of the other parent and making a parental responsibility agreement or jointly registering the birth.