Baker McKenzie.

I Am Here: obtaining your identification and vital documents

**Nepal** 

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## **National Identification Cards**

## What type of document can youth seek which will allow them to move around the country?

National Identity Card (राष्ट्रिय परिचय पत्र ) (also known as Rastriya Parichaya Patra).

NID Pre-Enrollment (donidcr.gov.np)

## What is the process for getting a National ID card?

Application can be done either through:

- online registration (at donidcr.gov.np; or http://enrollment.donidcr.gov.np/PreEnrollment/); or
- submitting the application at the District Administrative Office. (see https://moha.gov.np/en/offices?office\_type=2 for location of your closest district).

## Where can I find information online about getting a National ID?

Online access can be found through the following links:

- http://enrollment.donidcr.gov.np/PreEnrollment/; or
- 2. https://nepalinerd.com/apply-national-identity-card-nepal/

# What documents do I have to have to get a National ID? Is there any document that I must have to get an ID?

The documents required to apply for National Identity Card in Nepal are:

- Application form
- 2. Passport size Photo
- Citizenship for Identity verification
- 4. Parent's citizenship
- 5. Marriage certificate (Married people only)
- 6. Migration certificate "Basai Sarai" (If changed state permanently)
- 7. Death certificate (If your partner is no more)

Any Nepalese who has citizenship and is 16 years or above can apply for Rastriya Parichaya Patra.

Citizenship Verification (3 above) requires the following:

- (a) The certificate of citizenship of Nepal of his or her father or mother or relative within three generations of his or her lineage (grandparents)
- (b) A recommendation made by the concerned Local Body setting out his or her birth place and relationship or a certificate of birth registration
- (c) In the case where the certificate of citizenship of a relative within three generations of his or her lineage has been submitted, a relationship certificate setting out the relationship to that relative

## What if my documents do not have my correct name/address?

A recommendation can be made by the concerned Local Body certifying that the applicant was born within Nepal and has been permanently residing in Nepal continuously.

This can be done by a public declaration from local inhabitants, who have a certificate of citizenship of Nepal, in presence of a representative of the Local Body, setting out that the applicant was born in Nepal and has been residing permanently within the territory of Nepal continuously.

https://www.lawcommission.gov.np/en/wp-content/uploads/2018/09/nepal-citizenship-rules-2063-2006.pdf

## What if I only have foreign documents?

It is possible to apply as a Nepali Embassy abroad.

The following documents are required:

- 1. Print out of the completed online application form signed by the applicant.
- A copy of a Naturalization/Citizenship Certificate, or US birth certificate (or from other birth country)
- 3. A copy of U.S. (or other) Passport.
- Copy of Nepali citizenship of the applicant (if the applicant remained a Nepali citizen)
  or
- Copy of Nepali citizenship of the father or mother of the applicant, or
- Copy of Nepali citizenship of grandfather or grandmother of the applicant and the document that proves the relationship between the applicant and the grandparent.

## Non Resident Nepali (NRN) ID – Embassy of Nepal, Washington DC, USA (nepalembassy.gov.np)

## What happens if my documents are not accepted to get a National ID card?

The Chief District Officer shall have the power to issue the certificate of citizenship of Nepal by descent, by birth, by the reason of matrimonial naturalized and certificate of naturalized citizenship of Nepal to those offspring of a person having obtained naturalized citizenship of Nepal who were born prior to the obtaining of such citizenship by that person.

## Do I have to be a resident of the country to get a National ID card?

No. The qualification is based on citizenship as such, all Nepalese citizens and non-residents of Nepalese citizens may apply for a National ID.

Foreigners with Nepalese origin (whose grandparents or parents were once the citizens of Nepal) are eligible to apply for a National ID.

Source: Department of National ID and Civil Registration website

## What does it mean to be a resident of this country? How do I prove residency?

- By staying in a place of residence ('natural abode') in Nepal;
- 2. By staying or present in Nepal for 183 days or more in a period of 365 days.
- Employee of Government of Nepal deployed in any foreign country may also be considered as a resident of Nepal.

Source: Income Tax Act. 2058.

## What can I do if I do not have residency in this country?

The qualification for obtaining National ID is not tied to residency status. It is tied to citizenship.

Foreign nationals with Nepalese connection will also be eligible to obtain a Nepalese National ID (see: https://au.nepalembassy.gov.np/nrn-id/)

## 1. For 'FOREIGN CITIZEN OF NEPALI ORIGIN'

All copies of the required documents should write "true copy" at the back of the copies with signature of the applicant and date signed.

- 1. Print out of the completed online application form which is signed by the applicant.
- A copy of S. Naturalization/Citizenship Certificate, or US birth certificate if the applicant was born in the United States.
- A copy of U.S. Passport.

 Copy of Nepali citizenship of the applicant (if the applicant remained a Nepali citizen in the past, first generation NRN)

Or,

 Copy of Nepali citizenship of the father or mother of the applicant (if the applicant is second generation NRN, i.e. the applicant is born as foreign national but his/her father or mother were Nepali citizen)

Or,

 Copy of Nepali citizenship of grandfather or grandmother of the applicant (if the applicant is third generation NRN, i.e. the applicant and his/her father or mother are born foreign national but the applicant's grandfather/grandmother were citizens of Nepal) and the document that proves the relationship between the applicant and the grandparent.

For further information:

#### https://nrn.mofa.gov.np/#/dashboard

## Will I need a mailing address? What can I do if I am homeless?

Application for National ID can be made through the local District Administrative Office. Application can be made in person. See: <a href="https://moha.gov.np/en/contact">https://moha.gov.np/en/contact</a> for details of your local District Administrative Office location and contact details.

## What is the application process? Can I complete it online?

Yes, online application can be made through the website below:

## http://enrollment.donidcr.gov.np/PreEnrollment/

For foreign nationals, please contact your local Nepalese embassy in your country (sample link from the Nepalese Embassy in Australia: <a href="https://au.nepalembassy.gov.np/nrn-id/">https://au.nepalembassy.gov.np/nrn-id/</a>)

## Is there an application fee? Is there a waiver option if I cannot afford to pay it?

It is free of cost for Nepalese citizens. For Foreign Nationals with Nepalese connection, application fees may apply. Please contact the relevant Nepalese embassy in your country (for example see: <a href="https://au.nepalembassy.gov.np/nrn-id/">https://au.nepalembassy.gov.np/nrn-id/</a>).

#### How old do I have to be to apply for a National ID card by myself?

16 years old.

As citizenship is one of the qualification for eligibility, proof of citizenship can provided for any individual who is at least the age of 16. For citizenship by birth the application can be made to the Chief District Police. For those who are born in Nepal, is a permanent resident of Nepal, and registered in the household certificate.

# What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?

Anyone who is 16 and above is eligible to apply for a National ID. No parental or guardian supervision or support is required for making the application.

## At what age can I get a National ID card by myself?

16 years of age is the minimum age

# Are there any special provisions for foster youth (children in custody of the government)?

No special conditions observed.

## Are there any special provisions for homeless youth?

No special provisions found.

## Will I have to take a test?

Not applicable. Provided that the applicant can provide the relevant supporting documentation, there is no testing requirement for applying for a Nepalese National ID.

## If applicable, do I have to make an appointment to take the test?

There is no testing requirement for applying for a Nepalese National ID.

Booking for making an application for National ID may be required. Enrolment booking can be made online: <a href="http://enrollment.donidcr.gov.np/PreEnrollment/">http://enrollment.donidcr.gov.np/PreEnrollment/</a>. In the alternative, the applicant may visit one of the local District Administration Office. Please refer to the weblink <a href="https://moha.gov.np/en/contact">https://moha.gov.np/en/contact</a> for your nearest District Administration Office.

## **Driver's License**

## What organization issues a driver's license in this country?

You can obtain the driver's license from the Department of Transport Management.

Online Driving License Form Registration In Nepal 2023 @ Dotm.gov.np (nepalinerd.com)

## Where can I find information online about getting a driver's license?

See below link for information:

Online Driving License Form Registration In Nepal 2023 @ Dotm.gov.np (nepalinerd.com)

# What documents do I have to have to get a driver's license? Is there any document that I must have to get a driver's license?

Below documents are required for applying the driver's license in Nepal:

- Citizenship (Original and Copy)
- 2. Passport Size photo (Attach to application)
- 3. Printed Application Form with a Rs. 10 stamp
- 4. Medical Report (Available inside the transport office)

Online Driving License Form Registration In Nepal 2023 @ Dotm.gov.np (nepalinerd.com)

## What if my documents do not have my correct name/address?

If the name and address are incorrect, the application will not be accepted online. You may send the issue to the government official by clicking "Report a Problem" for further assessment. You are also encouraged to contact the officials by phone at 014574921, 014574921 or via email to gunaso@dotm.gov.np.

See link at: www.dotm.gov.np.

#### What if I only have foreign documents?

Chapter 4 - provisions relating to driver's licence:

52. Recognition of driving license obtained in foreign country: If any person who has obtained a driving license from a foreign country makes an application pursuant to Section 48 to drive a motor vehicle specified in the

license, the competent authority may issue a driving license to such a person, by collecting the prescribed fees for the driving license.

Provided that, such a person shall not be required to take any examination to obtain the driving license.

53. Automatic recognition of international driving license: Any person who has obtained an international driving license shall be entitled to drive within Nepal all the vehicles which are specified in the license.

#### International Driver's Permit

To drive in Nepal, you must hold either a valid Nepali licence or a valid International Driver's Permit. If you only have foreign documents, you may apply for an International Driver's Permit which will allow you to drive in Nepal.

## Convert or exchange their foreign license

A person can also convert or exchange their foreign driver license. Procedure to do so is listed below:

- 1. Go to the embassy of the country which issued you the license.
- 2. After informing the office that you want to convert your license, you will be required to present, your passport with visa and the foreign drivers license.
- 3. After verifying the documents, the embassy will then issue you:
  - Foreign citizen:
    - A letter or recommendation letter sent from the embassy or consulate or other diplomatic agency of the country that issued your drivers license.
    - A certified copy of your passport and visa.
    - The certified copy of your foreign driver's license.
  - Nepalese citizen:
    - A letter confirming that the foreign driver's license has been issued by the country's official body
    - a certified copy of the foreign driver's license.

- After acquiring the documents mentioned above, you have to approach the Department of Transport Management, to convert a foreign driver license to Nepali Driver License.
- Choose your nearest office location from the information provided under the Office Locations & Contacts heading of this page.
- Make sure you have the basic documents mentioned under the Required Documents section of this page.
- 7. If you documents are approved, you will take a health checkup.
- 8. After you pass health checkup, you need to pay the required fee.
- After completing these all steps, you will be now ready to receive smart driving license from Nepal.

## **Required Documents**

## Foreign citizen:

- A letter or recommendation letter sent from the embassy or consulate or other diplomatic agency of the country that issued your drivers license.
- A certified copy of your passport and visa from the embassy or consulate of the same country that issued your drivers license.
- Passport or official ID in case of an Indian citizen from the Indian Embassy or Consulate or Diplomatic Bureau and a certified copy.
- The driver's license issued from a foreign country and its certified copy from a diplomatic agency.

#### Nepalese citizen:

- A Nepali citizenship certificate.
- A letter from the embassy or consulate of the country from which the driver's license is issued confirming that the driver's license has been issued by the country's official body
- The driver's license issued from a foreign country and its certified copy from a diplomatic agency.

Source: https://www.wikiprocedure.com/index.php/Nepal - Convert or Exchange Foreign Driver License

## What happens if my documents are not accepted to get a driver's license?

Cannot locate exact information. It is unclear, but we can speculate that your application will not progress until you have the correct documentation or equivalent foreign documents. Thus, you may not obtain a driver's license.

## Do I have to be a resident of the country to get a driver's license?

No. To drive in Nepal, you must hold either a valid Nepali licence (There is an online application (see above)) or a valid International Driver's Permit (IDP).

An IDP is only valid in Nepal for 15 days, after which a local licence is required.

An IDP is not a standalone document – you need to carry your national [e.g. Australian] driver licence with you. Ensure your IDP allows you to drive or ride the vehicles you intend to use.

The minimum driving age is 18 years. According to the transpiration Act 2049, a person should be sixteen years old to get the driving license in the case of two-wheel motor vehicles or eighteen years old in the case of a medium and light motor vehicle.

Note: News were spotted that international foreign driving license is no longer being recognized in Nepal. See link at: <u>How can I convert my international driving license to Nepali license?</u> - Nepal Live Today Nepal Live Today.

## What does it mean to be a resident of this country? How do I prove residency?

To be considered as a resident of Nepal: an individual residing in Nepal for more than 182 days in any period of 365 consecutive days is also considered as a resident.

Proof of residence in Nepal includes: Certificate of Citizenship, National ID Card, Passport, electricity and water bill and location map prepared by bank staff on site visit (if necessary), voter identity Card, land ownership document etc.) Temporary Address. (https://nsbl.statebank).

## What can I do if I do not have residency in this country?

You do not need to have residency in Nepal to obtain a driver's license. You can apply for an International Driver's Permit. (e.g. <a href="https://e-ita.org/nepal/">https://e-ita.org/nepal/</a>).

If you do wish to apply for residency in Nepal:

- Receipt of Online application.
- Bank statement of USD 20,000.
- 3. Certificate having regular income at least USD 20,000 per year.
- Character Certificate.
- No Objection letter from concerned country of Embassy.
- 6. Health certificate issued by TU Teaching Hospital.
- 7. The evidence of completing 60 years (or) proof of retirement.
- 8. Photocopies of your passport (including a copy of the latest visa page)

- 9. Photocopy of your Nepal visa
- 10. Payment of the visa fee: USD 700 per year

## Will I need a mailing address? What can I do if I am homeless?

As per the online application form, under Permanent Address section, certain fields are mandatory. For example, you must provide information regarding your zone, village, tole, District, Ward number and mobile number. This is an indication that a person must be able to provide an address in order process an application.

In addition, section 59 states:

Information of change, if any, in the address of driver:

- 1. If the permanent address of a driver is changed, the diver shall give information thereof to the competent authority within one month thereof.
- 2. Upon receipt of the information pursuant to Sub-section (1), the competent authority shall cause to enter also the new address of the driver in the register.

## What is the application process? Can I complete it online?

- Complete application form online https://applydl.dotm.gov.np/login
- Visit DOTM office with required documents.
- Complete biometric check.
- Complete eye & blood test.
- 5. Pay Nrs.500 for a written exam. Usually, the exam is the next day at 7:00 am. In case you have any license (bike, car, or any) and applying for add category like a car, you don't need to take the written exam. In a general, sense, if you have a vehicle license you don't need to attain a written exam.
- 6. Once you pass the exam you will be able to attend for vehicle trial the next day (bike or car or any you intend to apply for). They'll inform you where and when to attend. Bike on rent costs Rs.50 and Rs.500 for car hire at the trial center. Once you pass the trial you should visit the DOTM office and pay revenue Rs.1500 after 10 working days (In case of a new license). To add a category you just need to pay Rs.500. You'll receive a payment slip along with your license number. Also, they'll inform you about approx time to collect your license. Till then you will be able to run the vehicle using the payment slip (Raiaswa Paper).
- 7. Visit DOTM Office with a slip in the time mentioned. The slip works as a license temporarily. You'll have your driving license soon.

## Is there an application fee? Is there a waiver option if I cannot afford to pay it?

There is no cost if you apply online. If you apply in person at the DOTM office you will need to pay 25 rupees for the medical form.

In addition, you will need a 10 rupees stamp for your document certification.

#### Other costs:

- 500 rupees for the written test
- 500 rupees for the practice test, no matter you are going for a two-wheeler (motorbike or scooter) or four wheelers (cars)
- 1,500 rupees fee for category-A and category-K licenses. It will costs you 4,000 rupees if you are obtaining category B as well as A and B.

Source: https://nepalipage.com/how-to-get-a-driving-license-in-nepal/

## How old do I have to be to apply for an state driver's license by myself?

Age of an applicant for two wheelers (category A/K), small vehicles (category B) and other vehicles should be 16, 18 and 21 years respectively.

# What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?

The minimum driving age in Nepal is 18 years. Unclear if the application form requires a parent or guardian for those between ages 16 and 18 who are applying for a 2 wheel vehicle.

## At what age can I get a driver's license card by myself?

The minimum driving age is 18 years.

# Are there any special provisions for foster youth (children in custody of the government)?

Nepal, the government doesn't really provide formal alternative care, it's usually managed by non-state providers.

Informal 'foster care' is a common response to the care of children who were either orphaned or unable to live in parental care for other reasons including those of poverty. This 'foster care' is provided by extended family, but also by other families in the community.

Residential facilities is the primary form of formal alternative care in Nepal, usually managed by non-state providers. There is no fully functioning child protection system, no formal social work system, no accredited profession for social workers.

(https://bettercarenetwork.org/sites/default/files/CELCIS\_-\_Nepal-towards-right-care-for-children-alternative-care-and-deinstitutionalisation-2017.pdf)

Also, in Nepal, there is the issue of fake documentation issued to children when they are placed in residential facilities (Government of Nepal, Ministry of Women, Children and Social Welfare and Central Child Welfare Board (2015) State

of the Child Care Homes in Nepal. Central Child Welfare Board. Kathmandu: Nepal) - This would negatively impact a child's ability to acquire a driving licence, without the necessary documentation.

(https://bettercarenetwork.org/sites/default/files/CELCIS - Nepal-towards-right-care-for-children-alternative-care-and-deinstitutionalisation-2017.pdf)

For children in general - According to the transpiration Act 2049, a person should be 16 years old to get the driving license in the case of two-wheel motor vehicles or 18 years old in the case of a medium and light motor vehicle.

## Are there any special provisions for homeless youth?

I haven't found any.

For youth in general - According to the transpiration Act 2049, a person should be 16 years old to get the driving license in the case of two-wheel motor vehicles or 18 years old in the case of a medium and light motor vehicle.

#### Will I have to take a test?

Yes. You will need to do a written and practice test. You have to submit Rs 500 for a written examination, after which you will be given a receipt and an admit card.

In addition, you will then be tested for colour blindness and blood category at DOTM office. Everything should be done between 10:30 am and 1:30 pm of the working days.

#### If applicable, do I have to make an appointment to take the test?

The appointment for the written test will be made for you the next day after you attend the DTOM office. The practice test will be scheduled if you pass your written test.

## Where can I take the driving test? What can I do if I cannot get to a testing location?

The next day after you finish your registration, you have to sit for a written examination. You have to reach there with your original citizenship certificate, your admit card, and the receipt.

The written examination generally is half an hour long. You are asked 20 multiple-choice questions; getting at least 10 right answers qualifies you for the practical examination (trial). The questions are about transport laws, traffic rules, and the mechanics of driving. The instructor explains all details about the examination as it starts.

The results are announced on the same day after 4 pm. The names and registration numbers of the candidates are stuck on the entrance gates of the concerned offices.

You can also check your results by texting 'WT<space>Application ID' to 31003. The results are also available **online** on the DoTM's website.

If you pass, before you attend the driving test (trial), you will have to pay Rs 500 for both two-wheelers and four-wheelers. In case of a failure, you can reapply after 90 days of the registration form with the same procedure from the beginning.

Once you pass the written exam, the office schedules a driving test for you. Such tests are generally scheduled for every day, but the concerned office fixes a time for you.

You have to reach the exam centre with your original citizenship card, and the receipt of payment for the trial. You can either take your private vehicle for the test or get rented vehicles, outside the compound.

If you pass the examination, your admit card will be forwarded for the driving licence.

If you fail, you can take a retest after 30 days. However, if you fail the third time, you will have to reapply and go through the process from the beginning, with appropriate fines and fees

Source: https://english.onlinekhabar.com/how-to-get-driving-licence-in-nepal.html

## Do I need to get a permit or authorization to practice driving before I get my driver's license?

Once you passed and applied for a new license print you can drive your vehicle using the receipt. As DoTM and Traffic Police allow driving with the receipt until your license gets printed.

## **Birth Certificate**

## What is the document detailing a person's birth called in this country?

Birth Certificate

https://www.tipsnepal.com/how-to-register-a-birth-certificate-in-nepal/

Source: Department of National ID and Civil Registration website

# I'm not sure I have a birth certificate, what can I do to find out if I have one and where to get it?

## Process to re-apply for the lost birth certificate

- First, submit a request to get the copy of the certificate from the local registrar's office.
- Then, to make sure you have the right to obtain the certificate, manage a valid identification to confirm your identity.
- Lastly, pay the application fee and wait for further instructions.

https://www.tipsnepal.com/how-to-register-a-birth-certificate-in-nepal/#Process\_to\_reapply\_for\_the\_lost\_birth\_certificate

## How do I get a copy of my birth certificate?

## Process to re-apply for the lost birth certificate

- First, submit a request to get the copy of the certificate from the local registrar's office.
- Then, to make sure you have the right to obtain the certificate, manage a valid identification to confirm your identity.
- Lastly, pay the application fee and wait for further instructions.

https://www.tipsnepal.com/how-to-register-a-birth-certificate-in-nepal/#Process to reapply for the lost birth certificate

#### Can I order my birth certificate online?

Yes, you can order your birth certificate online in Nepal. The Government of Nepal has launched an online platform called the Civil Registration System (CRS) that allows citizens to access their birth, marriage, and death certificates from the comfort of their homes.

To order your birth certificate online, you need to visit the CRS website and register for an account. Once you have registered, you can apply for your birth certificate by submitting your details and required documents online. You can pay the fee online or through a bank deposit, and your birth certificate will be mailed to your registered address within a few days.

However, please note that the online platform may not be available in all areas, and it may be necessary to visit the local District Administration Office to obtain a birth certificate in certain cases.

Source: Department of National ID and Civil Registration website

## What documents will I need to get my birth certificate?

Eligibility to apply for a Birth Certificate in Nepal

To make a birth certificate, one has to be eligible first. The following are the most basic of the qualities that you need to have to be eligible to apply for the Birth certificate.

- The child should be born in Nepal.
- Proof of the birth of a child in Nepal (via witness or other documents).
- Proof of one of the parents being a Nepali.

Now, let's talk about the two rare cases where a birth certificate is provided.

#### Case 1: Parents are unknown, missing or dead

In this situation, documents or witness of Tole Sachib and other members from the place of birth regarding the birth of the child needs to be presented.

#### Case 2: Foreign Parents but child born in Nepal

In this case, the child will be provided with the birth certificate but will be considered as Nepali child or a citizen of Nepal.

- Documents needed for birth certificate in Nepal
- To make a birth certificate, you need to have a few documents. They are:
- Documents regarding the birth of a child from Hospital (If not available there needs to documents of witness)
- 4. Birth time, date, and place.
- Marriage certificate of parents
- 6. Citizenship Card of parents
- Migration Certificate

#### Proof of Birth

https://www.tipsnepal.com/how-to-register-a-birth-certificate-in-nepal/#Process to reapply for the lost birth certificate

Children of refugee parents can get birth registration certificates.

https://reliefweb.int/report/nepal/children-refugee-parents-get-birth-registration-certificates

## What happens if I don't have some or all of the documents that are required?

In Nepal, the ward secretary verifies and prepares personal events, including birth registration. Even if a child does not have the necessary documents for birth registration, the people's representatives like ward chairman, mayor or deputy mayor of a municipality and chief and deputy chief of a rural municipality can register the child's birth by being an informer.

https://kathmandupost.com/province-no-5/2022/01/18/children-without-father-or-born-through-second-marriages-deprived-of-birth-registration

### How old do I have to be to get a copy of my birth certificate by myself?

18 years old.

Required References

Since you are not mature enough when the need for a Birth Certificate comes, normally a guardian is the one responsible for making the birth certificate of the child. The ones who are eligible to act as the guardian of the child while making birth certificates are:

Father

#### Mother

- Family Head
- Uncles and Brothers
- Ward Sachiv (if he/s is willing to provide a letter)

(combined with the proof or witness of a child being born in that ward)

https://www.tipsnepal.com/how-to-register-a-birth-certificate-in-nepal/

What can I do if I do not have a parent or guardian who can go with me to get a birth certificate (and the application says I have to have one)?

Any of the following can make an application:

- Family Head
- Uncles and Brothers

Ward Sachiv (if he/s is willing to provide a letter)
 (combined with the proof or witness of a child being born in that ward)

If you do not have a parent or guardian who can go with you to get a birth certificate in Nepal, you may be able to provide alternative documents to prove your identity and citizenship.

For example, you can provide a copy of your citizenship certificate, a school certificate, a passport, or any other government-issued identity document that shows your name, date of birth, and citizenship. These documents may be accepted as a substitute for the parent or guardian's identification if they meet the requirements of the District Administration Office (DAO) or Metropolitan City Office (MCO) in the district where you were born.

It is recommended that you contact the DAO or MCO in advance to confirm the specific requirements for obtaining a birth certificate and to discuss any alternative documents that you may be able to provide.

## What is the cost to get a birth certificate?

Costs and Fees

- Free for 35 days from the day of birth.
- After 35 days, Rs 50 is charged.

https://www.tipsnepal.com/how-to-register-a-birth-certificate-in-nepal/#Process\_to\_reapply\_for\_the\_lost\_birth\_certificate

The average cost of basic registration paperwork is Dhs164, although given that children must travel long distances to return to their village or employ lawyers to help to prove their legal rights to property and inheritance, costs increase significantly.

https://www.thenationalnews.com/lifestyle/family/undocumented-in-nepal-how-two-charities-are-helping-vulnerable-children-get-their-birth-certificates-1.925572

## Is there a waiver if I cannot afford the fee?

There is no mention of fee waiver

#### https://www.tipsnepal.com/how-to-register-a-birth-certificate-in-nepal/

In Nepal, the fee for obtaining a birth certificate varies depending on the district where you were born. However, if you are unable to afford the fee, you may be eligible for a waiver. The waiver policy varies by district, but in general, you will need to provide a written request for a fee waiver along with supporting documents that demonstrate your financial need.

It is recommended that you contact the District Administration Office (DAO) or Metropolitan City Office (MCO) in the district where you were born to inquire about their specific fee waiver policy and the required documents. Additionally, some local non-governmental organizations and community groups may also provide assistance with fees related to obtaining a birth certificate.

# Are there any special laws or provisions that can help get a birth certificate if I have been in the foster care system (children in custody of the government)?

No information available yet

Easy Way to Register a Birth Certificate in Nepal - Process, Requirements, Cost • Tips Nepal

The <u>Constitution of Nepal 2015</u> has included child rights in article 39. Sub-article 1 says that every child shall have the right to name and birth registration along with his or her identity.

https://kathmandupost.com/province-no-5/2022/01/18/children-without-father-or-born-through-second-marriages-deprived-of-birth-registration

## Are there any special laws or provisions that can help get a birth certificate if I am homeless?

No information available for homeless

Easy Way to Register a Birth Certificate in Nepal - Process, Requirements, Cost • Tips Nepal

The <u>Constitution of Nepal 2015</u> has included child rights in article 39. Sub-article 1 says that every child shall have the right to name and birth registration along with his or her identity.

https://kathmandupost.com/province-no-5/2022/01/18/children-without-father-or-born-through-second-marriages-deprived-of-birth-registration

Children of refugee parents can get birth registration certificates.

https://reliefweb.int/report/nepal/children-refugee-parents-get-birth-registration-certificates

## Where do I get my birth certificate if I was born in another country?

No information available from the following source if child is not born in Nepal.

I appears that one cannot obtain a birth certificate if the child is not born in Nepal.

To make a birth certificate, one has to be eligible first. The following are the most basic of the qualities that you need to have to be eligible to apply for the Birth certificate.

- The child should be born in Nepal.
- Proof of the birth of a child in Nepal (via witness or other documents).
- Proof of one of the parents being a Nepali.

Now, let's talk about the two rare cases where a birth certificate is provided.

## Case 1: Parents are unknown, missing or dead

In this situation, documents or witness of Tole Sachib and other members from the place of birth regarding the birth of the child needs to be presented.

## Case 2: Foreign Parents but child born in Nepal

In this case, the child will be provided with the birth certificate but will be considered as Nepali child or a citizen of Nepal.

https://www.tipsnepal.com/how-to-register-a-birth-certificate-in-nepal/

## Is there a way to get my birth certificate without going somewhere in person?

The Child needs a guardian to make the birth certificate.

e.g., Parents, Family head

Online application is not available.

## Easy Way to Register a Birth Certificate in Nepal - Process, Requirements, Cost • Tips Nepal

Nepalese law dictates that children must return to the place in which they were born or where their parents are from to register their birth.

https://www.thenationalnews.com/lifestyle/family/undocumented-in-nepal-how-two-charities-are-helping-vulnerable-children-get-their-birth-certificates-1.925572

This website provides advice;

## Online Vital Registration (Birth, Death, Marriage, Migration and Divorce) | Gokarneshwor Municipality

Ministry of Federal Affairs and Local Development has prepared a system of filling the online form for vital registration (Birth Registration). After birth registration, for other registration (Death, Marriage, Migration and Divorce) one should visit the municipality office.

Yes, it is possible to obtain a birth certificate in Nepal without visiting the DAO or MCO in person. You can apply for a birth certificate through the online portal of the Department of Civil Registration. To do this, you will need to create an account on the portal and provide the required information such as your name, date of birth, and the name of your parents. You will also need to upload scanned copies of your citizenship certificate, your parents' citizenship certificates, and other supporting documents. Once you have submitted your application, the DAO or MCO in your district will process it and send the birth certificate to your registered address. The processing time may vary depending on the district, but it usually takes several days. It is recommended to contact the DAO or MCO in advance to confirm the required documents and processing time.

## Where can I find information online about getting a birth certificate?

#### https://www.tipsnepal.com/how-to-register-a-birth-certificate-in-nepal/

Source: Department of National ID and Civil Registration website

You can find information on getting a birth certificate in Nepal on the official website of the Ministry of Home Affairs - Department of Civil Registration. The website provides step-by-step guidelines on obtaining a birth certificate and other related services. You can also find information on the required documents, fees, and processing time. Additionally, you can contact the nearest Nepalese embassy or consulate for further assistance.

## Making changes to government ID documents

## What vital doc should I start with to change my name Is the process easier for one of the IDs?

To change your name on IDs in Nepal, you are required, as part of the application process, to provide reasons for your name change and the reason for the change of name must fit the criteria for which a name change is permitted for that particular ID (i.e. to correct a mistake, for change in surname due to marriage).

A complete name change is still very difficult to achieve in Nepal and is not permitted for specified forms of ID such as a driver's license and citizenship certificate.

The process in getting a name change for correcting a mistake in the name does not appear to be easier for one form of ID over another.

## https://vartagensex.org/2021/02/14/transgender-rights-in-south-asia-trends-crises-and-opportunities/

What vital doc should I start with to change my name? - this has been removed from the question as I could not find information on this.

Answer: shall have to submit an application by mentioning his fact and by enclosing Rs. 1.00 or affixing a postage stamp of equivalent valuation to the Zonal Commissioner/Chief District Officer. Source: Nepal Law Commission - Correction of Age, Name and Surname (Amendment) Rules, 2019 (1962) 2020/2/13 (May 27, 1963).

https://lawcommission.gov.np/en/?p=4229

#### How do I change my name on my birth certificate?

To change your name on your birth certificate due to a mistake or a correction is required, you must submit an application that sets our the reason for your change of name to your local registrar's office.

Please contact your local ward Office for more details.

https://lawcommission.gov.np/en/wp-content/uploads/2019/09/The-Births-Deaths-and-Other-Personal-Events-Registration-Act-2033-1976.pdf

#### Answer:

- Prepare an application to the Registrar of Births and Deaths which comes under your municipal corporation. This letter must include your old name along with your new name and the reason why you have changed your name.
- With the application, you must attach some mandatory documents. In case of name change in Birth Certificate, you must attached the notarized affidavit. Although, if you

- want to change other details like your Parent's name or DOB, the documents might differ from state to state.
- Submit the application along with the supporting documents, to the Registrar of Births and Deaths. The registrar can either reject or accept your request. The rejection comes if the registrar finds any issue with the documents. even though the chances of rejection are very narrow but in case of rejection, you can write a writ of mandamus in High Court, praying the Registrar or other issuing authority, to mention the reasons for rejection. once its accepted or rejected you must follow the process of Gazette Notification or Gazette Certificate.

Source: https://yourdoorstep.co/name-change-in-birth-certificate/name-change-in-birth-certificate-in-tamil-nadu/

## How do I change my name on my National ID?

- Obtain a name change certificate: You first need to obtain a name change certificate
  from the District Court or municipality where you reside. This certificate should state
  your old name, new name, and a reason for the name change.
- Get a copy of your citizenship certificate: You need to obtain a copy of your citizenship certificate from the District Administration Office (DAO) where you are registered.
- Visit the National ID card office: Once you have the name change certificate and a copy of your citizenship certificate, you need to visit the National ID card office in your area. You should bring the original documents as well as a photocopy of each.
- 4. Submit the documents: At the office, you need to submit the name change certificate, a copy of your citizenship certificate, and a photocopy of your old National ID card.
- Wait for the new ID card: The office will process your application and issue you a new National ID card with your updated name.

It's important to note that the process may vary slightly depending on your location, and it's always a good idea to check with your local National ID card office for specific requirements and guidelines.

https://lawcommission.gov.np/en/?p=4229

## How do I change my name on my driver's license?

You can only change your name on your driver's license if there are details missing that need to be added or where there is a mistake that needs correction.

To do so, you must submit an application with details of the correction to the Department of Transport Management or local office that issues driver licenses. The application will be considered and if approved, the name on the driver's license will be corrected.

Source: Department of Transport Management website

To **change** it, just go to the DoTM office location or the branch office and request an update to your **license**. You may need to pay the fee for an update to a **driver's license**.

Source: https://ictbyte.com/nepal/smart-driving-license-in-nepal-everything-you-need-to-know/#:~:text=To%20change%20it%2C%20just%20go%20to%20the%20DoTM,fee%20for%20an%20update%20to%20a%20driver%E2%80%99s%20license.

## At what age can I change my name by myself?

18 years old.

You are still considered a minor if you are under the age of 18 years.

https://www.lawcommission.gov.np/en/wp-content/uploads/2019/07/The-Act-Relating-to-Children-2075-2018.pdf

## What vital doc should I start with to change my gender marker? Is the process easier for one of the IDs?

There are 3 recognised gender markers: Male (M); Female (F); and Others (O). O is the third gender in Nepalese (tesrolingi), and in English is translated as "transgender".

Further Background

In 2012 (BS 2069), following the Supreme Court's initial 2007 ruling in the case of *Sunil Babu Pant and Others vs The Government of Nepal*, the Ministry of Home Affairs promulgated a directive on issuing citizenship certificates to people from gender and sexual minority communities—they were to be able to state their gender marker on official documents as Others. This directive states that Others should be understood as gender and sexual minorities who are neither male nor female. It goes on to define gender and sexual minorities as lesbian, gay, bisexual, transgender, and intersex.

Only changes from M/F to O is possible.

https://www.aidsdatahub.org/sites/default/files/resource/aptn-cost-stigma-2021-nepal.pdf

Generally, a vital doc would be a **medical certificate**. What this entails is an authorised doctor's recommendation on an individual's gender identity.

It is easier to "change" one's gender marker when applying for citizenship certificate based on one's gender identity, and have all other legal documents showing the intended gender marker.

It is not possible to change one's legal documents *prior to* applying for citizenship certificate to align with one's gender identity.

See Rukshana Newa, The Intricacy of Legal Gender Recognition in Nepal, YOUTH VOICES COUNT (Jan. 15, 2020), <a href="https://yvc-asiapacific.org/2020/01/15/the-intricacy-of-legal-gender-recognition-in-nepal">https://yvc-asiapacific.org/2020/01/15/the-intricacy-of-legal-gender-recognition-in-nepal</a> [https://perma.cc/9PK8-LW5H]

## How do I change my gender marker on my birth certificate?

This is presently difficult because of the existing time allowed for changes to birth certificate.

Nevertheless, changes are made at the local Registrar's Office.

https://lawcommission.gov.np/en/wp-content/uploads/2019/09/Births-Deaths-and-Other-Personal-Events-Registartion-Rules-2034.pdf

The National Identity Card and Vital Registration Act of 2076 Source: Department of National ID and Civil Registration website

Section 25 of this Act deals with amending the details in a birth certificate.

It allows for amendment requests within one year of birth registration; there is no provision to allow for a change at a later age.

It is unreasonable to expect trans persons to self-determine their gender identity or come out at such a young age, and there is nothing written into this Act that actually supports the amendment of the birth certificate for transgender persons.

https://www.recordnepal.com/the-reality-of-transgender-rights-in-nepal

## How do I change my gender marker on my National ID?

National ID cards are still fairly new. These cards must be obtained before one can apply for the new e-passport.

## http://www.nidmc.gov.np/PreEnrollment/

To apply for one, one would need to fill up a form online (including providing information on one's gender), and make an appointment with the selected office. Original documents to support the application will need to be brought.

There are two possibilities to record "O" as one's gender:

- . Bring supporting documents showing "O" has been recorded as one's gender (elsewhere on other legal documents) when applying for the National ID.
- Make a request with the Department of National ID and Civil Registration on how to change an existing National ID.

It is unclear if there are systems and process in place for situation 2 above.

## How do I change my gender marker on my driver's license?

Driver's license are now applied online.

## http://www.nidmc.gov.np/PreEnrollment/

To apply for one, one would need to fill up a form online (including providing information on one's gender and record citizenship details), and make an appointment with the selected province and office. One will have the bring the completed form as well as (i) original and photocopy of citizenship; (ii) medical report by doctor; and (iii) original payment voucher.

There are two possibilities to record "O" as one's gender on the driver's licence:

- Bring supporting documents showing "O" has been recorded as one's gender (elsewhere on other legal documents such as the citizenship certificate/national ID) when applying for the driver's licence.
- Make a request with the Department of Transport Management on how to change an existing driver's licence.

It is unclear if there are systems and process in place for situation 2 above.

However, it is likely that it would be easier to record a change if the citizenship certificate or National ID already reflects "O".

https://english.onlinekhabar.com/apply-nepal-driving-licence-online.html

## At what age can I change my gender marker by myself?

From 16 years' of age.

Minor is up to 16 years. https://us.nepalembassy.gov.np/mrp-for-10-to-16-years-of-age/

# What can I do if I don't have a parent or guardian with to change my gender marker and do not have anyone who can help me?

Legally, every child should have a father, mother, guardian or someone entrusted to take care of his/her welfare.

If a child is a victim, he/she can get child friendly justice under Section 25 of the Act Relating to Children. In the process, the Juvenile Court can appoint at least a child welfare authority to take care of such child.

The appointed party can then assist with the change of gender marker.

https://www.lawcommission.gov.np/en/wp-content/uploads/2019/07/The-Act-Relating-to-Children-2075-2018.pdf

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