

REGISTRATION OF BIRTH

It is obligatory (and also important) for the father, the mother, or the two parents together, to declare the child's birth to the Registry of Births in the municipality where the child is born. If the parents are not married and both of them want to acknowledge their child, they have to register this notification together. This acknowledgement is -in most cases- possible before the birth as well: in this case the registration of birth can (afterwards) be done by only one of the parents. When undocumented parents register the birth, they will receive the required documents with which they can pick up a certificate of birth in the municipality where the child is born. This registration has to be made within fifteen days following the birth. If this does not happen, the hospital, the doctor (gynaecologist) or the midwife will make the registration, though with the risk of a very incomplete certificate of birth.

CERTIFICATE OF BIRTH

The certificate of birth is a very important document with regard to the future of the child. Some examples: when you apply for a passport for a child, when a child wants to go to school, for his/her marriage... in all this cases the child has to be able to show his/her certificate of birth. In addition, the certificate of birth is an official document, which clearly establishes the affiliation. Even if both parents are residing illegally here, the child has every right to obtain a certificate of birth. In this case, however, the child will not be registered in the citizens register or in the immigration register. The certificate of birth mentions, among other things, the date of birth, and the place of birth of the parents and the parent's family and first names. To draw up a certificate of birth, it is therefore necessary to be able to show official documents from the parents, from their country of origin. If that is not possible, the description 'declares to bear the name of' will be used. If one of the parents disposes of documents of legal residency, the certificate of birth will be sent to the Registry of Births, Deaths and Marriages of the municipality where this parent is registered. After this, the child will be registered in this municipality starting from his/her date of birth, and he/she will receive the best statute of stay of the two parents. In other words, it is important that this parent

acknowledges the child and that his/her name is mentioned in the certificate of birth as well. It is advisable to mention the name of the parent staying illegally as well in the certificate of birth, because this document can serve as evidence in the event of a procedure of regularization.

The following leaflets are available in Dutch, French, German, English, Spanish, Russian, Arabic, Portuguese, Romanian and Chinese. These leaflets as well as other publications can be downloaded for free from our website.

- 'Urgent medical care' for illegal residents,
- Pregnancy, childbirth and postnatal care for illegal female residents,
- Health insurance for illegal residents,
- Authorization of residence for medical reasons,
- Medical visa,
- Leaflet introducing Medimmigrant



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PREGNANCY – CHILDBIRTH & POSTNATAL CARE

FOR WOMEN
RESIDING ILLEGALLY



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PREGNANCY

It is important that a pregnancy is supervised medically. For this purpose, you can consult a general practitioner and/or a gynaecologist, who in most cases can recycle the costs of these preventative consultations from the Centre for Social Welfare. This is possible under the terms of the Royal Decree (R.D.) about 'urgent medical care' for illegal residents. There's an easier way to regulate this as well: via the preventative care centres of "Kind en Gezin" (Child and Family) in the Flemish provinces and Brussels; or via the "Office de la Naissance et de l'Enfance (ONE)" (Birth and Childhood Office) in the Walloon provinces and Brussels. These centres offer free consultations and some basic examinations in order to supervise the pregnancy. After childbirth, you can get help from these centres as well.

CHILDBIRTH

Childbirth without the intervention of health insurance (mutuelle / ziekenfonds) is very expensive. The cost of the childbirth itself often exceeds 1.000 Euro. In addition to this cost, there can be the cost for some days of supplementary hospitalisation. All these on the assumption that no complications arise, which necessitate supplementary and specialized care for mother or child. Therefore it is important to think, realistically and well in advance, about the childbirth and its payment. There are private health insurances, which, for instance, intervene in the cost of childbirth, when illegal residents has subscribed to such insurance before her pregnancy. If you do not dispose of sufficient financial means you can also appeal to the R.D. relative to 'urgent medical care' for illegal residents; since childbirth obviously meets the criteria of this R.D.

PRECARIOUS STAY DURING PREGNANCY

Being pregnant is not enough to obtain a title of legal stay. Only if there are serious (risks of) complications during pregnancy or childbirth it is advisable to apply for an authorization to postpone the departure, because of (exclusively) medical reasons.

HOW TO PROCEED FOR AN EASY COURSE OF THE PROCEDURE OF 'URGENT MEDICAL CARE'

A If your gynaecologist works with a public hospital:

- You have to present yourself at the emergency service of the hospital at the time of childbirth. You do not have to wait longer than a person staying legally and with health insurance.
- You have to declare that you are not staying legally in Belgium and that you do not dispose of any health insurance. Remember that the medical staffs are bound by a duty of professional confidentiality and that it is not punishable to render humanitarian aid.
- You have to ask your gynaecologist to write a medical certificate in which he/she declares that you have been hospitalised and helped in the context of 'Urgent Medical Care'
- You have to contact the social service of the hospital and ask them to start the procedure of 'Urgent Medical Care' for illegal residents. Remember it is advisable to start this procedure as soon as possible. If you wait till you have the bill, it is often too late.

B If your gynaecologist works with a private hospital:

In theory, this procedure is the same as the procedure described above (in a public hospital). In practice, however, certain Centres for Social Welfare aren't exactly tolerant with regard to private hospitals. To be absolutely safe, it is advisable to take the following steps:

- Ask your gynaecologist to write a medical certificate and to address it to the Centre for Social Welfare of your actual municipality of residence. In this document your

gynaecologist should request an agreement of pay (this is called a requisition or a medical card) for the childbirth within the scope of the R.D. relative to 'Urgent Medical Care'. He/she should also mention the supposed date of the childbirth, as well as the name of the hospital he/she works with. Since a woman prefers to give birth in the presence of the gynaecologist who has supervised her pregnancy, it is preferable to demand, in this matter, particular attention of the Centre for Social Welfare.

- When it comes to the repayment of the bills, the Ministry of Public Health does not make a distinction between a bill from a private hospital and one from a public hospital. Nevertheless, many Centres for Social Welfare only accept to take charge for certain (often public) hospitals.
- After childbirth, you have to contact as soon as possible the hospital's social service to ask them to continue the procedure of the R.D. relative to 'urgent medical care'.

C If you want to give birth at home:

- It is possible to give birth at home and to apply the R.D. relative to 'urgent medical care'.

THE NOTIFICATION OF BIRTH

The notification of birth implies, among other things, the official statement that a child is born, who the mother is and whether it is a boy or a girl. The hospital, the midwife or the gynaecologist will inform the Registry of Births, Deaths and Marriages of the municipality where the child is born. This must be done the first workday after the birth.

