
Paternity

Questions about paternity can arise when the mother seeks child support or when a father seeks to spend time with the child. Parentage testing, usually performed by DNA testing and analysis, is used to prove who is the biological parent of a child. The court only accepts evidence from 'accredited laboratories'.

Presumptions of parentage arise from:

- marriage
- cohabitation, in some circumstances
- registration of birth – the father is named as the father on the birth certificate
- acknowledgment – the father acknowledges the child is his
- a finding of the court

A court may make other orders which are necessary and desirable in relation to a parentage testing order, including:

- an order requiring a person to submit a medical sample
- an order requiring a person to provide a bodily sample
- an order requiring a person to provide information relevant to the person's medical or family history

A medical procedure to determine parentage cannot be carried out on a child under 18 years unless a parent or guardian of the child has consented. The results of informal testing, without the knowledge of the other parent and which is not done by an accredited laboratory using the proper procedures, is not evidence which is admissible in court.

The court can draw inferences if either parent does not comply with a parentage order.