

## Regulation | Cases

### ARRANGEMENT OF SECTIONS

Cap. 337. |Acts 32 of 1969 S. 2 (2) |42 of 1969 3rd Sch. |36 of 1976 Sch. |17 of 1980 |6 of 1982 2nd Sch.

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## **1. Short title.**

1. This Act may be cited as the Registration (Births and Deaths) Act.

## **2. Interpretation.**

2. In this Act -

"appointed fee" means the fees appointed in the Second Schedule;

"civil status registers" means and includes all registers containing records or transcripts of records relating to births, baptisms, marriage, deaths and burials;

"counterfoil" means the duplicate portion of the registration form which is bound in the registration book which remains in the registration form book after the registration form has been separated;

"general search" means a search during any number of successive hours, not exceeding six, without stating the object of the search;

"house" includes a public institution as herein defined;

"occupier" includes the governor, keeper, master, matron, superintendent or other chief resident officer, of any public institution, and where a house is let in separate apartments or lodgings or separate apartments are immediately held, or his agent;

"particular search" means a search over any period not exceeding five years for any given entry;

"prescribed form" in any section shall mean the form prescribed for the purpose of that section by any regulations made under section 72;

"Private hospital" means any hospital or nursing home, not being a public institution, which is established under any enactment and any nursing home registered under the Nursing Homes Registration Act;

"public institution" means a prison, lock-up, work-house, mental, hospital, hospital, and any prescribed public or charitable institution conducted by the Government of Jamaica, or by the Kingston and Saint Andrew Corporation or by any Parish Council;

"register" shall be deemed to refer to the "general register of births" or the "general register of deaths", as the case may be;

"Registrar" in connection with any birth or death or other event shall, unless the contrary is expressed, be deemed to refer to the Registrar for the district within which such birth, death or other event took place;

"Registrar-General" means the Registrar-General of births and deaths for the time being appointed under this Act;

"registration form" means a birth, death or still-birth registration form in accordance with Form A, B or C respectively in the First Schedule;

"relative" includes a relative by marriage;

"still-born" and "still-birth" shall apply to any child which has issued forth from its mother after the twenty-eighth week of pregnancy and which did not at any time after being completely expelled from its mother, breathe or show any other signs of life.

### **3. Entries in register admissible.**

3. All entries in the registers kept under and in pursuance Law 19 of 1877 (repealed) and all certified copies of the same shall be admissible as evidence of the birth or death to which they relate.

### **4. Appointments of Registrar-General and of General Register Office.**

4. It shall be lawful for the Governor-General to appoint a fit person to be the Registrar-General of Births and Deaths in Jamaica, who shall hold office during the pleasure of the Governor-General and be removable by him, and there shall be appointed an office to be the office of the Registrar-General and the General Register Office for keeping a register of all births and deaths in this Island.

### **5. Appointment of clerks, etc.**

5. The Governor-General may from time to time appoint such officers, clerks and servants, as he may deem necessary for carrying on the business of the General Register Office, and may at pleasure remove any of them.

### **6. Payment of salaries, etc.**

6. The salaries of the officers, clerks and servants, and all such salaries and all other expenses of carrying this Act into execution not herein otherwise provided for, shall be paid out of the Consolidated Fund; and the salary appointed for the Registrar-General shall be deemed to include the remuneration for all duties which he may be at any time required to perform.

### **7. Assistant to the Registrar-General.**

7. It shall be lawful for the Governor-General to appoint a fit person to be assistant to the Registrar-General and such assistant shall have all the powers and duties of the Registrar-General, and be subject to all the provisions and penalties declared by this Act, except that such assistant shall not have power to make or declare any general rule, or to rescind or alter any order, regulation or approval, signified by the Registrar-General, or made by the Registrar-General in writing under his hand.

### **8. Power to make regulations for the government of office, etc.**

8. The Minister or the Registrar-General with the regulations approval of the Minister, shall from time to time make regulations for the management of the General Register of Office, and for the

discharge of the duties of the Registrar-General, officers, clerks and servants of the said office, and of the Registrars, and their deputies hereinafter mentioned, and from time to time may add to, rescind, or modify the same, so that such regulations be not contrary to the provisions of this Act: And the regulations so made and approved shall be binding on such Registrar-General, officers, clerks and servants of the said office. and on the Registrars and their deputies respectively.

**9. Fees of Registrar-General to be paid into Treasury.**

9. All fees received by or on account of the Registrar General under the provisions of this Act shall be accounted for and paid by the Registrar-General, at such times as the minister shall from time direct, into the Treasury.

**10. Publication of acts required to be done in registering births and deaths.**

10. The Registrar-General shall from time to time cause printed notices to be placed on the outside of the several churches and chapel doors, or in other public and conspicuous places within the respective registration districts, which said notices shall specify the several acts required to be done for the purpose of registering any birth or death under the provisions of this Act.

**11. Whose duty it is to inform Registrar of Birth.**

11. (1) Subject to the provisions of section 12 in the case of every child born alive after the coming into operation of this Act, it shall be the duty of the father and mother of the child, and in default of the father and mother of the occupier of the house in which to his knowledge the child is born, and of each person present at the birth, and of the person having charge of the child, to give to the Registrar, within forty-two days next after such birth, information of the particulars required to be registered concerning such birth, and indicated in Form A of the First Schedule, and in the presence of the Registrar to sign the registration form and counterfoil.

11. (2) In subsection (1), in relation to any child, the word "father" means a person who is married to the mother of the child at the time of conception or at any time there after and prior to the child's birth.

**12. Birth in public institution or private hospital.**

12. (1) In the case of any child born alive in any public institution or in any private hospital it shall not be necessary for the person in charge of such institution or private hospital to attend personally before the Registrar to give information of the particulars required to be registered concerning such birth or to sign the registration form and counterfoil; but it shall be the duty of the chief resident officer of any such institution and of the person in charge of such private hospital within fourteen days of the birth to send to the Registrar a certificate in the prescribed form giving the particulars required to be registered concerning such birth and thereupon the Registrar shall, if the birth has not been previously registered, register the same.

12. (2) The parent or other person furnishing the particulars required to be registered shall subscribe his signature to the said particulars on the certificate provided under this section.

12. (3) The Registrar-General, whether by reason of the small number of births occurring in any private hospital or for any other reason, may, by notice published in the *Gazette*, exempt such private hospital from the provisions of this section.

**13. Power of Registrar to require Persons to attend.**

13. Where a birth has, from the default of the parents Power of or other persons required to give information concerning it, not been duly registered, the Registrar may, at any time persons to after the end of forty-two days from such birth, by notice in writing require any of the persons required by this Act to give information concerning such birth to attend personally at the Registrar's Office, or at any other place appointed by the Registrar within his district, within such time (not less than seven days after the receipt of such notice and not more than three months from the date of the birth) as may be specified in such notice, and to give information to the best of such person's knowledge and belief of the particulars required to be registered concerning such birth, and to sign the registration form and counterfoil in the presence of the Registrar, and it shall be the duty of such person, unless the birth is registered before the expiration of the time specified in such requisition, to comply with such requisition.

**14. Whose duty it is to inform as to birth of a new-born child found exposed.**

14. In case any living new-born child is found exposed, it shall be the duty of any person finding such child, and of any person in whose charge such child may be placed, to child found give to the best of his knowledge and belief to the Registrar, within seven days after the finding of such child, such information of the particulars required to be registered concerning the birth of such child as the informant possesses, and in the presence of the Registrar to sign the registration form and counterfoil.

**15. Midwife to notify Registrar of birth.**

15. In the case of any birth other than a birth in a public institution or private hospital, at which a midwife shall be in attendance, it shall be the duty of the midwife to give, within forty-eight hours of such birth, notice thereof in writing to the Registrar.

**16. Duty of Registrar as to births and registering same.**

16. It shall be the duty of the Registrar to inform himself carefully of every birth which happens within his district, and upon receiving personally from the informant, at any time within three months from the date of the birth of any child or the finding of any living new-born child, information of the particulars required to be registered concerning the birth of such child, forthwith in the prescribed form and manner to register the birth and the said particulars (if not previously registered), without fee or reward from the informant, except that if in pursuance of a written requisition he registers the same at the residence of the person making such requisition, or at the house in which the birth took place, he shall, unless the birth took place in a public institution, be entitled to the appointed fee.

**17. Registration of a birth.**

17. After the expiration of three months next after the birth of any child a Registrar shall not

register such birth of any child a Registrar shall not register such birth except as in this section provided; that is to say, in case the birth of any child has not been registered in accordance with this Act the Registrar may, after three and not later than twelve months next after the birth, by notice in writing, require any of the persons required by this Act to give information concerning the birth to attend personally at the Register Office within such time (not less than seven days after the receipt of the notice, and not more than twelve months after the date of the birth) as may be specified in the notice, and make before him and some Justice or in default of such Justice some other respectable witness, a solemn declaration, according to the best of the declarant's knowledge and belief, of the particulars required to be registered concerning the birth, and sign the registration form and counterfoil in the presence of the Registrar and Justice or other witness; and upon any of the said persons attending before a Registrar and Justice or other witness, whether in pursuance of a requisition or not, and making such a declaration as aforesaid, and giving information concerning the birth, the Registrar shall then and there in the presence of such Justice or witness register the birth according to the information of the declarant, and the Justice or witness before whom the declaration is made shall, as well as the Registrar and declarant, sign the entry of the birth.

After the expiration of twelve months next after the birth of any child that birth shall not be registered, except with the written authority of the Registrar-General for registering the same, and except in accordance with the prescribed rules, and the fact of such authority having been given shall be entered on the registration form and counterfoil. Such authority shall not, however, be given by the Registrar-General after any child is ten years of age, unless the Registrar-General is satisfied by evidence that there were good and sufficient reasons to account for the delay in registration.

Every person who registers or causes to be registered the birth of any child in contravention of this section shall be liable to a penalty not exceeding twenty dollars.

#### **18. How a person who has removed from the proper district may give information.**

18. Any person required by this Act to give information concerning a birth who removes before such birth is registered out of the district in which such birth has taken place within three months after such birth, give the information by making and signing in the presence of the Registrar of the district in which he resides a declaration in writing of the particulars required to be registered concerning such birth; and such Registrar, on payment of the appointed fee, shall receive and attest the declaration and send the same to the registrar of the district in which the birth took place; and the last-mentioned Registrar shall in the prescribed manner enter the birth on the registration form and counterfoil, and the entry so made shall be deemed, for the purpose of this Act, to have been signed by the person who signed the declaration.

A person making a declaration in pursuance of this section in the case of any birth shall be deemed to have complied with the provisions of this Act as to giving in formation concerning that birth, and with any requisition of the Registrar made under this Act within the said three months to attend and give information concerning that birth.

#### **19. Child of unmarried mother.**

19. (1) Where the parents of a child are not married Child or to each other at the time of the

child's birth and were not married to each other at, or since, the time of its conception, the name of, and any particulars relating to, any person as father of that child shall be entered by the Registrar in the registration form and counterfoil in the circumstances specified hereunder and, subject to subsections (2) and (3), not otherwise, that is to say -

(a) if the mother and the person acknowledging himself to be the father jointly request at the time of registration that such an entry be made and both the mother and that person together sign the form and counterfoil:

Provided that, if the mother is dead or cannot be found, it shall be sufficient if the request is made by the father alone, and the signature of any other person required to give information as to the birth may be accepted in place of the mother's signature; or

(b) if the Registrar is furnished with a declaration-

(i) in the prescribed form signed by the mother of the child and by the person acknowledging himself to be the father of such child; and

(ii) executed by each of those persons in the presence of an attorney-at-law or a Justice of the Peace or a Clerk of the Courts or a registered medical practitioner or a minister of religion or a marriage officer or a midwife or the headmaster of any public educational institution as defined in the Education Act; or

(c) if either the mother or the person acknowledging himself to be the father -

(i) attends personally before the Registrar;

(ii) requests the Registrar in writing to enter in the register the name of the person alleged or acknowledging himself to be the father; and

(iii) presents a declaration from the other of the two parents signed in accordance with paragraph (b), and the request and declaration are both to the same effect; or

(d) if, subject to section 19B

(i) the mother of the child furnishes a declaration in the prescribed form signed by her and naming some person as the father of the child; and

(ii) the Registrar is satisfied that the prescribed notice has been served on the person named as father of the child and that that person has, within the prescribed period, either admitted or has not denied paternity of the child.

(2) If at any time after the registration of the birth of a child whose father's name or any other particulars relating to him are not, in accordance with the provisions of subsection (1), entered in the register, the Registrar-General is satisfied by statutory declaration or such other evidence as

he may deem sufficient that both the mother and the person acknowledging himself to be the father require the name of or any other particulars relating to the father to be entered in the register, the Registrar-General may authorize the entry in the register of the particulars required to be entered as aforesaid:

Provided that in any such case it shall not be necessary for the person acknowledging himself to be the father to sign the register:

Provided also, that if the mother is dead or cannot be found it shall be sufficient if the request is made by the father alone.

(3) If at any time after the registration of the birth of a child whose father's name is not registered the Registrar-General is satisfied that a declaration of paternity in respect of the child has been made by the Supreme Court or the Family Court or that the father has been made a guardian of the child by virtue of subsection (2) of section 3 of the Children (Guardianship and Custody) Act, the Registrar-General shall authorize the entry in the register of the name of the father and such other particulars relating to the father as are supplied to him.

**19A. Father's particulars.**

19A. Where the birth of any child whose parents were not married to each other at the time of the child's birth is registered pursuant to section 12, (which relates to birth in a public institution or private hospital) the name of, or any other particulars relating to, the father shall not be entered in the register unless the Registrar-General is satisfied that-

19A. (a) the parents of the child were married to each other either at the time of his conception or after his conception and before his birth; or

(b) a declaration of paternity in respect of the child has been made by the Supreme Court or the Family Court or the father has been made a guardian of the child by virtue of subsection (2) of section 3 of the Children (Guardianship and Custody) Act, or both the mother and the person acknowledging himself to be the father of the child consent to the entry:

Provided that, in the last-mentioned case, if the mother is dead or cannot be found, the consent of the father alone shall be sufficient.

**19B. Procedure where father named under section 19 (1) (d).**

19B. (1) A person named as the father of a child pursuant to section 19 (1) (d) may by counter notice to the Registrar in the prescribed form, at any time within three months of receipt by him of the notice under that section, deny paternity of that child; and thereupon, without prejudice to the provisions of subsections (2) and (3) of section 19, no action shall be taken by the Registrar to register the name or particulars of that person as father of that child pursuant to section 19 (1) (d).

(2) A person whose name is entered in the register pursuant to section 19 (1) (d) as father of a child may apply to a court for an order for removal of his name from that entry in the register

and, the court, if satisfied that -

(a) such entry was made pursuant to false information given by the mother of the child or by any other person; or

(b) the prescribed notice did not in fact come to the attention of the person named as father; or

(c) having regard to the circumstances of the particular case, the time permitted for denial of paternity was inadequate, and

it is reasonable so to do, may direct that the Registrar General, in such manner as may be prescribed -

(aa) cause the name of, or any particulars relating to, that person to be removed from the register; and

(bb) cause the mother of the child or any other person to deliver up for cancellation any certificate of registration issued in respect of that child; and

(cc) cause a new certificate of registration to be issued omitting reference to the applicant as being the father of the child.

(3) A person who -

(3) (a) wilfully for the purposes of section 19(1) (d) or of this section, gives to the Registrar any information which that person knows to be false or does not reasonably believe to be true; or

(b) fails, without reasonable excuse, to deliver up a certificate of registration when requested by the Registrar-General so to do pursuant to subsection (2), shall be guilty of an offence and liable on summary conviction before a Resident Magistrate to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

(4) The Minister, or the Registrar-General with the approval of the Minister, may make regulations prescribing all matters which are required or authorized to be prescribed under the provisions of section 19 (1) (d) or this section and, without prejudice to the generality of the foregoing, may make regulations for any of the following matters-

(a) the form and content of notices and counter notices and other documents required for the purposes of section 19 (1) (d) or this section;

(b) the manner in which, and the time within which, any such notice or other document as aforesaid is to be served;

(c) the manner in which any change to entries on the registration form and counterfoil or the register is to be effected;

(d) the payment of any fees under this section.

(5) Regulations made under subsection (4) shall be subject to negative resolution of the House of Representatives.

(6) In this section "court" means a Resident Magistrate's Court or the Family Court.

**20. Registry of name or altered name of child given since first registration.**

20. (1) When the birth of any child has been registered Registry of and the name (if any) by which it was registered is altered, altered name or if it was registered without a name, when a name is given to it, the parent or guardian of such child, or other person procuring such name to be altered or given, may within twelve months next after the registration of the birth deliver to the Registrar such certificate as hereinafter mentioned; and the Registrar on receipt of such certificate, and on payment of the appointed fee, shall forthwith, if he still have in his possession the registration form book containing the counterfoil of the registration of such child, without any erasure of the original entry, enter on such counterfoil the name mentioned in the certificate as having been given to the child, and shall state on the certificate the fact of such entry having been made, and shall send the certificate to the Registrar-General, who shall thereupon, without any erasure of the original entry, enter into the general register of births, at the place where the birth of such child is registered, the name mentioned in the certificate as having been given to the child, and shall write upon such certificate the fact of such entry having been made, and if the registration form book containing the counterfoil of the registration of such child is in his possession shall do such acts and things as are hereinbefore required to be done by the Registrar in cases where such book is in his possession. And the Registrar-General shall, without any erasure, cause the index book, in cases where the birth of such child is already indexed, to be altered accordingly.

20. (2) Every minister or person who performs the rite of baptism shall deliver a certificate in the prescribed form of name given in baptism within two days of demand being made, on payment of a fee not exceeding ten cents and this shall be the certificate required under subsection (1):

Provided that in the case of the death, absence or removal of the minister who performed the rite of baptism, the minister or person in charge of the church, chapel or place of worship at which such baptism was performed shall on such demand and on payment of such fees furnish a copy of the record of such baptism from the register of such church, chapel or place of worship and shall endorse thereon a certificate in the prescribed form.

(3) Where a child has not been baptized or where it is proved to the satisfaction of the Registrar-General that the record of baptism has been lost or destroyed the certificate required under subsection (1) shall be a certificate of naming in the prescribed form and shall be signed by the father, mother or guardian of the child or other person procuring the name of the child to be given or altered. No fee shall be payable by any person procuring a name of a child to be given, if such person shall deliver a certificate of naming to the Registrar within forty-two days of the

birth of such child:

Provided that after the expiration of twelve months next after the registration of the birth of any child, the name (if any) by which it was registered shall not be altered on, or if it was registered without a name, and a name has since been given, such name shall not be added to the registration entry, except with the written authority of the Registrar-General, and the fact of such authority having been given shall be entered on the registration form and counterfoil. In every such case the parent or guardian of the child shall deliver to the Registrar-General such certificate as is required by this section' and on payment of the appointed fee, the Registrar-General shall enter or cause to be entered On the registration form and counterfoil containing the registration of birth of such child, the name mentioned in the certificate as having been given to the child, and the Registrar-General shall cause the index book of births to be altered. Such authority shall not, however, be given by the Registrar-General after any child is ten years of age unless the Registrar-General is satisfied by evidence that there were good and sufficient reasons to account for the delay in registration.

**21. Registrar's certificate of registration. Fee therefor.**

21. (1) Subject to subsection (2), a Registrar shall, upon demand made at the time of registering any birth by the person giving the information concerning the birth, upon payment of the appointed fee deliver to such person a certificate under his hand in the prescribed form, of having registered that birth.

(2) Where application is made under the provisions of paragraph (d) of subsection (1) of section 19 for the registration of particulars concerning the father of a child, the Registrar shall not deliver to any person a certificate of registration in respect of that child unless the Registrar is satisfied either-

(a) that the requirements of that paragraph have been met; or

(b) that, after such period as he considers reasonable, it appears to him unlikely that those requirements will be met, so, however, that where the Registrar acts pursuant to paragraph (b) he shall ensure that the certificate does not show the name and particulars of the person named as father.

**22. Death and cause of death to be registered.**

22. The death of every person dying in Jamaica after death to tee the coming into operation of this Act, and the cause of such registered death, shall be registered by the Registrar in the manner directed by this Act.

**23. Information and registry of any death in a house.**

23. When a person dies in any house it shall be the duty of the nearest relatives of the deceased present at the death in a house or in attendance during the last illness of the deceased, and in default of such relatives of every other relative of the deceased dwelling or being in the same Registrar's district as the deceased, and, in default of such relatives, of each person present at the death, and of the occupier of the house in which to his knowledge the death took place, and in

default of the persons hereinbefore in this section mentioned of each inmate of such house, and of the person causing the body of the deceased person to be buried or cremated, to give to the best of his knowledge and belief to the Registrar, within the five days next following the day of such death, in the Form B in the First Schedule, information of the particulars required to be registered concerning such death, and in the presence of the Registrar to sign the registration form and counterfoil.

**24. Information of any death or of any body found elsewhere than in a house.**

24. Where a person dies in a place which is not a house, or a dead body is found elsewhere than in a house, it be the duty of every relative of such deceased person having knowledge of any of the particulars required to be registered concerning the death, and in default of such relative of every person present at the death, and of any person finding, and of any person taking charge of the body, and of the person causing the body to be buried or cremated, to give to the Registrar, within the five days next after the death or the finding, such information of the particulars required to be registered concerning the death as the informant possesses, and in the presence of the Registrar to sign the registration form and counterfoil.

**25. Extension of time if written notice, etc., sent.**

25. If a person required to give information concerning any death sends to the Registrar a written notice of the occurrence of the death, accompanied by such medical certificate of the cause of the death as required by this Act to be delivered to a Registrar, the information of the particulars required by this Act to be registered concerning the death need not be given within the said five days but shall, notwithstanding such notice, be given within fourteen days next after the day of the death by the person giving such notice, or some other person required by this Act to give the information.

**26. Powers of Registrar to require persons to attend.**

26. Where any death has, from the default of the persons required to give information concerning it, not been registered, or notice has not been given under the provisions of section 25, the Registrar may, at any time after the expiration of five days and within twelve months from the day of such death or from the finding of the dead body elsewhere than in a house, by notice in writing require any person required by this Act to give information concerning such death to attend personally at the Registrar's Office or at any other place appointed by the Registrar within his district, within such time (not less than seven days after the receipt of the notice, nor more than twelve months after the death or finding of the dead body) as may be specified in the notice, and to give the said information to the best of the informant's knowledge and belief, and to sign the registration form and counterfoil in the presence of the Registrar; and it shall be the duty of such person, unless the death is registered before the expiration of the time specified in the requisition, to comply with the requisition.

**27. Duty of Registrar as to deaths and registering them.**

27. It shall be the duty of the Registrar to inform himself carefully of every death which happens within his to deaths district and upon receiving personally from the informant, at any time within twelve months after the date of any death or of the finding of any dead body, information of the

particulars required to be registered concerning the death from any person required by this Act to give the same, forthwith in the prescribed form and manner to register the death and the said particulars (if not previously registered) without a fee or reward from the informant, except that if in pursuance of a written requisition he registers the same at the residence of the person making such requisition or at the house where the deceased died he shall, unless the death took place in a public institution, be entitled to the appointed fee.

**28. Certificate of death for friendly society.**

28. If a Registrar at the time of entering the death of any person is informed that the deceased was a member of a friendly society registered under the Friendly Societies Act, he shall give on demand and on payment of the appointed fee a certificate under his hand in the prescribed form that he has registered the death of the said deceased.

**29. Registration of a death after twelve months.**

29. After the expiration of twelve months next after any death or after the finding of any dead body elsewhere than in a house, that death shall not be registered except with the written authority of the Registrar-General for registering the same, and except in accordance with the prescribed rules, and the fact of such authority having been given shall be entered on the registration form and counterfoil.

Every person who registers or causes to be registered any death in contravention of this section shall be liable to a penalty not exceeding twenty dollars.

**30. Coroner to certify as to inquest and finding, registration thereon.**

30. (1) When an inquest is held on any death or dead body the jury shall inquire of and find the particulars required by this Act to be registered concerning the death, and the Coroner shall send to the Registrar for the district, within five days after the finding of the jury is given, a certificate under his hand giving information concerning the death, and specifying any finding of the jury with respect to the said particulars and to the cause of death, and specifying the time and place at which the inquest was held; and the Registrar shall, if the death has not been previously registered, register the same and enter on both the form and the counterfoil the date of the inquest, the name of the Coroner or other officer holding the same, and the verdict of the jury, and he shall then attach the said certificate to the said form and send them in due course to the Registrar-General.

(2) If the death has been previously registered, and the registration form book containing the counterfoil of such registration is still in his possession, the Registrar shall enter on such counterfoil the above particulars, and send the certificate to the Registrar-General.

(3) The Registrar-General in any such case shall, in addition to the things by this Act required to be done in ordinary cases, cause the above-mentioned particulars touching the inquest to be entered on the registration form in his possession, and in the event of the registration form book having been sent to the General Register Office, he shall cause such particulars to be entered also on the counterfoil containing the entry, and shall cause the said certificate to be put away with the registration form, in such place as may be provided.

(4) Where an inquest is held on any death or dead body, no person shall, with respect to such death or dead body, be liable to attend on a requisition of a Registrar, or be subject to any penalty for failing to give any information in pursuance of any other provision of this Act.

(5) Where the Coroner sends a certificate pursuant to section 10 or section 15 of the Coroners Act the Registrar shall, if the death has not previously been registered, register the same and take such action as may be necessary under this Act in relation to the particulars specified in the certificate aforesaid; and the provisions of subsections (2) and (3) shall apply mutatis mutandis to such certificate.

### **31. Registration of still-births.**

31. (1) The birth of every still-born child shall be registered by the Registrar in a Register of Still-births containing the heads of information prescribed in Form C of the First Schedule.

(2) In the case of every still-birth, it shall, unless there has been an inquest, be the duty of the person who would, if the child had been born alive, have been required by this Act to give information concerning the birth, to give information to the Registrar of the particulars required to be registered concerning the still-birth; and every person upon giving such information shall either -

(i) deliver to the Registrar a written certificate that the child was not born alive, signed by a registered medical practitioner or certified midwife who was in attendance at the birth or who has examined the body of such child: or

(ii) make a declaration in the prescribed form to the effect that no registered medical practitioner or certified midwife was present at the birth, or has examined the body, or that his or her certificate cannot be obtained and that the child was not born alive.

(3) The provisions of sections 13, 14, 16, 41, 42, 43, 44, 46, 53, 64, 65 and 66 shall apply to the registration and entry of a still-birth in like manner as they apply to the registration or entry of the birth of a child born alive and the word "birth" in the said sections shall be construed to include still-birth unless such construction is inconsistent with the context.

### **32. Registrar's certificate and order for burial.**

32. (1) The Registrar, upon registering any death, or upon receiving such written notice of the occurrence of a death accompanied by a medical certificate as is before provided by this Act, shall forthwith, give, without fee or reward, to the person giving information concerning the death or sending the notice, a certificate under his hand in the prescribed form that he has registered or received notice of the death, as the case may be.

(2) In the case of the death of any person in which a Coroner, Justice of the Peace or Officer or Sub-Officer of the Constabulary shall either -

(a) direct a medical practitioner to make a post mortem examination under the Coroners Act of

the body of the deceased person and upon the receipt of the report on such examination shall authorize the burial of the body; or

(b) decide, after investigation, that the circumstances of the death are not such as to require the making of a post mortem examination under the Coroners Act,

the said Coroner, Justice of the Peace or Officer or Sub-Officer of the Constabulary shall deliver to the person causing the body to be buried an order for burial in the prescribed form and shall notify the Registrar in writing within forty-eight hours that the said order has been delivered to the said person.

(3) Every certificate of the Registrar and every order for burial issued under this section shall be delivered to the person effecting the burial of the body of the deceased person, and any person to whom such certificate was given by the Registrar who fails so to deliver or cause to be delivered the same shall be liable to a penalty not exceeding four dollars.

(4) The body of a deceased person shall not be buried before a certificate of the Registrar or an order for burial issued under this section has been delivered to the person effecting the burial, that is to say -

(a) in the case of burial in a burial ground, to the person who has control over or ordinarily buries bodies in such burial ground;

(b) in the case of burial not in a burial ground, to the relative, friend or legal representative having charge of or being responsible for the burial;

(c) in the case of burial in a public cemetery to the keeper of the cemetery:

Provided that a person effecting the burial may proceed with the burial, if he satisfies himself by obtaining a written declaration in the prescribed form that a Registrar's certificate or order for burial has in fact been issued in respect of the deceased.

(5) The person effecting the burial of the body of a deceased person shall, within ninety-six hours of the burial, deliver to the Registrar in the prescribed manner a notification as to the date and place of the burial.

(6) Any person who effects the burial of the body of a deceased person in contravention of this section or who fails to deliver to the Registrar a notification of the date and place of the burial as required by this section shall be liable to a penalty not exceeding twenty dollars.

### **33. Burial of still-born child.**

33. (1) The Registrar, upon registering any still-birth Burial of or upon receiving a written certificate or a written declaration concerning a still-birth as before provided by this Act, shall forthwith, if requested to do so, give without fee or reward to the person giving information concerning the still-birth a certificate under his hand in the prescribed form that he has registered

or received notice of the still-birth as the case may be.

(2) A person who has control over or ordinarily buries bodies in any burial ground shall not permit to be buried or bury in such burial ground any still-born child before there is delivered to him a Registrar's certificate as provided under this section, or an order for burial under section 32. Any person who acts in contravention of this subsection shall be liable to a penalty not exceeding twenty dollars.

**34. As to burial of two bodies in one coffin.**

34. Where there is in the coffin in which any deceased person is brought for burial the body of any other deceased person, or the body of any still-born child, the undertaker or other person who has charge of the funeral shall deliver to the person who buries or performs any funeral or religious service for the burial of such body or bodies, notice in writing, signed by such undertaker or other person, and stating to the best of his knowledge and belief with respect to each such body the following particulars -

(a) if the body is the body of a deceased person the name, sex and place of abode, of the said deceased person;

(b) if the body has been found exposed and the name and place of abode are unknown, the fact of the body having been so found and of the said particulars being unknown; and

(c) if the body is that of a deceased child without a name or a still-born child, the name and place of abode of the father, or if it is illegitimate, of the mother of such child.

Every person who fails to comply with the requirements of this section shall be liable to a penalty not exceeding twenty dollars.

**35. As to certificate of cause of death.**

35. With respect to certificates of the cause of death the following provisions shall have effect -

(a) The Registrar-General shall from time to time furnish to every Registrar printed forms of certificates of cause of death by registered medical practitioners, and every Registrar shall furnish such forms gratis to any registered medical practitioner residing in such Registrar's district.

(b) In case of the death of any person who has been attended during his last illness by a registered medical practitioner that practitioner shall sign, and give to some person required by this Act to give information concerning the death, a certificate stating to the best of his knowledge and belief the cause of death, and such person shall upon giving information concerning the death, or giving notice of the death, deliver that certificate to the Registrar, and the cause of death as stated in that certificate shall be entered in the register, together with the name of the certifying medical practitioner.

The cause of death shall in such certificate be stated as nearly as may be in plain English.

(c) When a post mortem examination is made on the body of any deceased person under the

Coroners Act it shall not be necessary that the cause of death as stated in a medical certificate of death shall be entered in the register, but there shall be entered -

(i) in case where an inquest is held concerning the death of such person, the cause of death stated in the certificate of the Coroner under the provisions of section 30;

(ii) in case where no inquest is held, the cause of death stated in the certificate sent to the Registrar by the Coroner under the provisions of the Coroners Act.

If any person to whom a medical certificate is given by a registered medical practitioner in pursuance of this section fails to deliver that certificate to the Registrar, he shall be liable to a penalty not exceeding four dollars.

### **36. As to uncertified deaths.**

36. (1) In case of any death in respect of which no medical certificate of the cause of such death can be obtained and no post mortem examination under the Coroners Act has been made, the person required to give information concerning the death shall deliver to the Registrar a written declaration that no medical practitioner attended the deceased during his last illness or, if the deceased were so attended, shall declare in writing the reasons why a medical certificate cannot be obtained. On receipt of such declaration the Registrar may register the death or if it appears to him that it will be possible in the future to obtain a medical certificate of the cause of death of the deceased, the Registrar may, without registering the death, issue a certificate under section 32 that he has received notice of the death of the said deceased:

Provided that anywhere there is reasonable cause to suspect that the deceased has died either a violent or an unnatural death, or has died a sudden death of which the cause is unknown, or has died in such place or under such circumstances, as to require an inquest in pursuance of any law, such death shall not be registered until investigation under the Coroners Act shall have been made.

(2) In any case where the Registrar has received notice of a death in respect of which no medical certificate of cause of death can be obtained and in which no post mortem examination under the Coroners Act has been ordered he shall forthwith send notice in writing of such death to the Medical Officer (Health) of the parish in which such death occurred; and if as a result of investigations into the circumstances of the death such Medical Officer (Health) shall, at any time within forty-two days of the date of death, send a written certificate of the cause thereof, the Registrar shall enter the particulars of such cause on the counterfoil of the registration form, or on the form and counterfoil if both are still in his possession, and shall send such certificate in due course to the Registrar-General.

### **37. Report of births and deaths on board ships or coasting vessels.**

37. In the case of births or deaths on board any ship moored in port or harbour or other water within the limits of the Island, the master or chief officer shall be bound to report such birth or death in like manner, and subject to the like penalties in case of disobedience, as is required of the occupier of a house on shore, and the master or chief officer of any coastal craft

shall also in like manner, and subject to the like penalties as aforesaid, report in like manner every birth or death on board of any such craft, whether moored or on any coasting or other voyage within the Island.

**38. Registrar's districts; their formation and alteration.**

38. The Minister shall divide each parish of this Island into such districts as he shall think fit; and every such district shall be called by a distinct name, and shall be a Registrar district; and the Minister, or the Registrar-General with the sanction of the Minister, may from time to time if it seem to him fit, alter the districts of Registrars, by the alteration of the boundaries of districts, by the formation of new districts, or by the union of districts, and may take or cause to be taken all measures which seem to him to be necessary for carrying such alteration into effect, and such alteration shall be made and measures taken accordingly; and every such division of a parish or change in the district of a Registrar shall be published in the Gazette, and by advertisement or otherwise as the Registrar-General may direct as being in his opinion best calculated for giving information to all persons in the parishes or districts concerned.

**39. Appointment, etc., of Registrars.**

39. The Minister, or the Registrar-General with the approval of the Minister, shall appoint fit persons, with such qualifications as the Minister may by any general rule Registrars declare to be necessary, to be Registrars of births and deaths within each Registrar's district in this Island, and in every case of vacancy in the office of Registrar shall forthwith fill up the vacancy; and every Registrar shall hold his office during the pleasure of the Minister, and be removable by him.

**40. Appointment and duties, etc., of deputies of Registrars.**

40. Every Registrar shall, subject to the approval of the Registrar-General, appoint by writing under his hand a fit person to act as his deputy in case of the illness or unavoidable absence of such Registrar; and every such Registrars deputy while so acting shall have all the powers and duties, and be subject to all the penalties, herein declared concerning Registrars, and in case of the death or resignation of the Registrar shall act as Registrar until another Registrar is appointed, and every Registrar shall be civilly responsible for the acts and omissions of his deputy; every such deputy shall hold his office during the pleasure of the Registrar by whom he is appointed, but shall be removable from his office by the Registrar-General.

**41. Registrar to reside or have his office within his district.**

41. Every Registrar and Deputy Registrar shall either dwell in or have a known office within the district of which he is Registrar or Deputy Registrar.

Every Registrar shall, if so directed by the Registrar-General, appoint within or contiguous to his district a station or stations as may be directed by the Registrar-General; every such station shall, for the purposes of the provisions of this Act with respect: to the attendance of persons and registration of births and deaths at the office of the Registrar, be deemed to be his office.

Every Registrar and Deputy Registrar shall attend at his dwelling-house or office, and at each such station on the days and at the hours approved by the Registrar-General. for the purpose of registering births and deaths.

Every Registrar shall cause to be placed, in some conspicuous place on or near the outer door of the dwelling-house or office which he has within his district, his name, with the addition of Registrar for the district for which he is Registrar, and the hours of his attendance as approved by the Registrar-General; and a list of such Registrars in any parish, with their residences, shall be kept at the office of the parish council of such parish, and at each police station, and at each post office within such parish.

**42. Registrar to furnish certified returns as required.**

42. Every Registrar, when and as required by or under the authority of any enactment for the time being in force, or of any general or special order to be made by the Minister, shall transmit by post or otherwise a return, certified under the hand of such Registrar to be a true return, of such of the particulars registered by him concerning any birth or death as may be specified in any requisition addressed to him by any public officer or government department by or under any such authority.

The officer or department may, by any such requisition, supply a form for the purpose of the return, and in that case the return shall be made in the form so supplied.

The Registrar making such return shall be entitled to the appointed fee therefor which fee shall be paid by the officer or department requiring the return:

Provided that no fee shall be payable for the particulars required to be supplied by the Registrar to the Medical Officer (Health) under subsection (2) of section 36.

**43. Register books and forms to be provided.**

43. The Registrar-General shall cause to be provided for the use of the Registrars such number of books, herein called registration form books, for registering births and deaths respectively, and of forms, as shall be necessary for the execution of this Act. Each page of such books shall contain one form attached to a counterfoil as strewn in Forms A, B and C of the First Schedule, and the said form and counterfoil shall have such matter printed thereon as is indicated in the said Schedule. Each form thus constituting a separate page in the said book shall together with its counterfoil be numbered progressively from the beginning to the end of the book, beginning with member one, and shall moreover have, before or after such number, letters or figures to distinguish the book to which they respectively belong. Each form and counterfoil shall be printed on one side only.

**44. How births and deaths to be registered.**

44. The registration of any birth or death under the provisions of this Act shall be effected by the Registrar filling up, on one of the forms contained on one page of the said book, and on the counterfoil thereof, the information required by this Act to be given respecting a birth or death and indicated in Forms A, B and C of the First Schedule, and by procuring the said form and counterfoil to be signed in his presence in cases where it is by law required to be signed.

**45. Transmission monthly of registration forms as filled up.**

45. (1) Subject to the provisions of subsection (2), the Registrar shall, within the first three days of every calendar month, separate from the counterfoil aforesaid the registration forms that have been filled up during the preceding month, and send the same by post to the Registrar-General, who shall then cause the said forms to be filed and safely preserved in his office in such manner as may be approved of by the Minister.

(2) Where the Registrar is requested to register particulars concerning the father of a child pursuant to section 19 (1) (d), the Registrar shall send the registration forms to the Registrar-General at such times as may be prescribed.

**46. Custody of registration form book by District Registrars.**

46. Every District Registrar shall keep safely the births form book and deaths registration form books supplied to him for the purposes of this Act until every place of entry therein is filled, or until he ceases to be Registrar of Births and Deaths, and shall then return them to the Registrar-General.

**47. Registration form books to be examined by the Registrar-General.**

47. The registration form books shall, on receipt thereof, be compared with the registration forms filed and preserved in the office of the Registrar-General in accordance with the provisions of section 43, and shall further be examined by the Registrar-General in such way as may appear to be necessary.

**48. Examination and custody thereof, by Registrar-General.**

48. The Registrar-General shall, after making such examination of the said registration form books as may appear to be necessary, deposit the same for safe custody in such place other than his office as may be approved of by the Minister.

**49. Constitution of general register of births and deaths.**

49. The birth registration forms and death registration Constitution forms which have been filled up during any period and which register of have been filed and preserved in the office of the Registrar-General in accordance with the provisions of section 45 shall constitute the general register of births and the general register of deaths respectively for that period.

**50. Transfer of books, etc., to successor in office of Registrar.**

50. In every case in which any Registrar shall die, or be removed from or otherwise cease to hold his office, all register boxes, keys, books, documents and papers, in his possession as such Registrar, or which shall come into the possession of his representatives, shall be given up as soon as conveniently may be to his successor in office; and if any person shall refuse to give up any such box, key, book, document or paper, in such case as aforesaid, it shall be lawful for any Justice for the parish where such person shall be or reside, upon application made for that purpose, to issue a warrant under his hand and seal for bringing such person before any court of summary jurisdiction for the said parish, and upon such person appearing or not being found it shall be lawful for such court to hear and determine the matter in a summary way; and if it shall appear to the court that any such box, key, book, document or paper, is in the custody or power of any such person, and that he has refused or wilfully neglected to deliver the same to the person in

whose custody the same ought to be. the said court shall commit such offender to the common goal, or any prison within such parish, there to remain without bail until he shall have delivered up the same, or until satisfaction shall have been given in respect thereof; and the said court may grant a warrant to search for any such box, key, book, document or paper, as in the case of stolen goods, in any dwelling-house or other premises in which any credible witness shall prove upon oath before the said court that there is reasonable cause to suspect the same to be; and the same when found shall be delivered to the person in whose custody it ought to be.

### **51. How errors to be corrected.**

51. With regard to the correction of errors in registers of births and deaths and in registration form books it shall be enacted as follows -

- (a) No alteration in any such book shall be made except as authorized by this Act.
- (b) Any clerical error which may from time to time be discovered in any such book may be corrected by any person authorized in that behalf by the Registrar-General, subject to the prescribed rules.
- (c) An error of fact or substance in any such book may be corrected by entry in the margin (without any alteration of original entry) by the officer having the custody of such book, upon payment of the appointed fee, and upon production to him by the person requiring such error to be corrected of a statutory declaration setting forth the nature of the error and the true facts of the case, and made by two persons required by this Act to give information concerning the birth or death with reference to which the error has been made, or in default of such persons then by two credible persons having knowledge of the truth of the case.

### **52. Re-registration of birth of legitimated persons.**

52. (1) The Registrar-General may, on production of such evidence as appears to him to be satisfactory, and, subject to subsection (3), on payment of the appointed fee, authorize at any time the re-registration of the birth of a legitimated person whose birth is already registered under this Act, and such re-registration shall be effected in such manner and at such place as the Registrar-General with the sanction of the Minister may by regulations prescribe:

Provided that the Registrar-General shall not authorize the re-registration of the birth of any legitimated person in any case where information with a view to obtaining such re-registration is not furnished to him by both parents, unless -

- (a) the name of the person acknowledging himself to be the father of the legitimated person has been entered in the register in pursuance of section 19; or
  - (b) the paternity of the legitimated person has been established by an affiliation order under the Affiliation Act or otherwise by an order of a competent court.
- (2) It shall be the duty of the parents of a legitimated person, or where one of the parents is dead, of the surviving parent, within the time hereinafter specified, to furnish to the Registrar-General

information with a view to obtaining the re-registration of the birth of that person, that is to say -

(a) if the legitimation took place before the date of the coming into operation of this Act. then within six months thereafter; or

(b) if the legitimation takes place on or after the date of the coming into operation of this Act, the;., within three months after the date of legitimation.

(3) No fee for the re-registration of a legitimated person under this Act shall be payable if the necessary information for the purpose is furnished within the time above specified.

(4) Upon the re-registration of the birth of a legitimated person the Registrar-General shall cause a note as to the fact of such re-registration to be entered in the margin of the original entry of such birth in the general register of births and in the margin of the entry in the registration form book deposited in accordance with the provisions of section 48, and thereafter no certified copy of such original registration shall be issued under the provisions of section 55 except on the order of a court.

### **53. Registrar-General to report annually to the Minister.**

53. The Registrar-General shall once in every year transmit to the Minister a general report of the working of the department, and as to births and deaths registered during the foregoing year, in such form, and dealing with such particulars, and comprising such analytical and other tables, and at such date, as the Minister shall from time to time prescribe; and every such annual general report shall be laid before the Senate and the House of Representatives.

### **54. Indices to registers in General Register Office. Searching and office copies.**

54. The Registrar-General shall cause indices of all registers of births and deaths and of all civil status registers kept by him to be made and kept in the General Register Office; and every person shall, subject to such rules as shall from time to time be made by the Registrar-General with the approval of the Minister, and on payment of the appointed fee, be entitled to search the said indices between the hours of half past nine in the morning and half past three in the afternoon of every day, except Sundays, Christmas Day and Good Friday, and such other days as the Registrar General subject to the approval of the Minister may appoint.

### **55. Certified copy of entry in registers.**

55. (1) Any person upon making application in the prescribed form and upon payment of the appointed fee shall be entitled to obtain from the Registrar-General a certified copy of any entry in the registers of births and deaths or in the civil status registers kept by the Registrar-General and such. copy shall show all particulars which appear on the original entry and all corrections or additions thereto made under the provisions of this Act.

(2) Any person upon making application in the prescribed form and upon payment of the appointed fee shall he entitled to obtain from the Registrar-General a certificate in the prescribed form of the birth of any person compiled from the register of births and no certificate issued under this subsection shall include any particulars except the name, surname, sex and date and

place of birth and such other particulars if any, as may be prescribed, not being particulars relating to parentage:

Provided that the Registrar-General may refuse to issue a certified copy or a certificate under this section in any case where there are reasonable grounds to suspect that such certified copy or certificate will be used for an unlawful purpose.

**56. Registrar to forward account to Registrar-General.**

56. Every Registrar shall make out an account for such periods as shall from time to time be appointed by the account to Registrar-General of the number of births, deaths and still-births which he has registered and of the number of other entries made under this Act for which a fee payable by the Registrar-General from the public revenues shall be appointed, and shall forward the said account to the Registrar-General, who, if satisfied with the correctness of such account, shall pay the appointed fees to the said Registrar:

Provided that no fee shall be paid for any registration or for any other entry made unless such registration or entry has been made in accordance with the instructions of the Registrar-General.

**57. Seal of office; its use.**

57. The Registrar-General shall cause to be made a seal of the General Register Office and shall cause to be sealed or stamped therewith all certified copies of entries given in the said office; and every certified copy of an entry purporting to be sealed or stamped with the seal of the said General Register Office (which seal it shall not be necessary to prove) shall be admissible, subject to the provisions of the next section as evidence of the birth or death to which the same relates, without any further or other proof of such entry, and no certified copy purporting to be given in the said office shall be of any force or effect which is not sealed or stamped as aforesaid.

**58. How far certified copies evidence.**

58. An entry of a birth or death in a registration form book shall not be given in evidence of such birth or death unless such entry purports to be signed by some person professing to be the informant, and such person purports to be such a person as is required by law at the date of such entry to give to the Registrar information concerning such birth or death, or unless such entry purports to have been made upon a certificate from a Coroner or from some other person duly authorized to give the same.

When from any such entry as aforesaid it appears that more than three months intervened between the day of the birth and the day of the registration of the birth of any child, such entry shall not be evidence of such birth unless the same purports -

(a) if it appear that not more than twelve months have so intervened, to be signed by the witnesses by this Act required to witness the entry as well as by the Registrar; or

(b) if more than twelve months have so intervened, to have been made with the authority of the Registrar-General and in accordance with the prescribed rules.

When more than twelve months have intervened between the day of a death or the finding of a dead body and the day of the registration of the death or the finding of such body, the entry made of the death in any registration form book under this Act shall not be evidence of such death unless such entry purports to have been made with the authority of the Registrar-General and in accordance with the prescribed rules.

In the case of a certified copy of an entry in any register under this Act, such entry shall be assumed to be accurately taken from a registration form in manner required by this Act; but such copy shall not be given in evidence as aforesaid unless it purports to be a copy of an entry taken from a registration form signed or made as above stated.

**59. Exemption from stamp duty.**

59. Certified copies of registers under this Act shall be exempt from all stamp duty from stamp duty.

**60. Expenses of carrying out this Act.**

60. All expenses of carrying this Act into execution not Expenses of herein otherwise provided for shall be paid by the Accountant-General out of the Consolidated Fund.

**61. Registrar-General to keep civil status registers.**

61. The Registrar-General shall have the custody of and Registrar shall be responsible for the safe keeping of all civil status registers.

**62. Existing Registers in Record Office to be transferred to the Registrar-General.**

62. All civil status registers and documents relating thereto that may be in the Island Record Office on the tenth day of May, 1890, shall be transferred to the custody of the Registrar-General, and shall be deposited and kept in the General Register Office.

**63. Entries in registers, how far evidence.**

63. Subject as regards entries of births and deaths to the provisions of section 58, every copy of an entry in a civil status register sealed and stamped with the seal of the General Register Office, shall be admissible as evidence of the facts therein set forth in all proceedings and before all Courts.

**64. Refusal or omission to register, or losing or injuring register books.**

64. Every Registrar who refuses or without reasonable cause omits to register any birth or death, or particulars concerning which information has been tendered to him by an informant and which he ought to register, and every person having the custody of any register book of births and deaths who carelessly loses or injures or allows the injury of the same, shall be liable to a penalty not exceeding one hundred dollars.

**65. Omissions to give information or certificate required by this Act.**

65. Every person required by this Act to give information concerning any birth or death, or any

living new-born child, or any dead body, who wilfully refuses to answer any question put to him by the Registrar relating to the particulars required to be registered concerning such birth or death, or fails to comply with any requisition of the Registrar made in pursuance of this Act, and every person who refuses or fails without reasonable excuse to give or send any certificate in accordance with the provisions of this Act, shall be liable to a penalty not exceeding four dollars for each offence; and the; parent of any child who fails to give information concerning the birth of such child as acquired by this Act shall be liable to a like penalty; and a person required by this Act to give information concerning a death in the first instance and not merely in default of some other person shall, if such information as is required by this Act is not duly given, be liable to the same penalty.

**66. False certificates and documents.**

66. Every person who intentionally and unlawfully -

(a) falsifies, destroys, injures, defaces, removes or conceals any public register of births or deaths or any certified copy thereof with intent to defeat or obstruct or pervert the course of justice, or to defraud or injure any person; or

(b) gives any false certificate of birth, death or burial; or

(c) certifies any document to be a copy or extract of such register, knowing such document or register to be false in any material particular; or

(d) utters any such false certificate, shall be guilty of felony, and being convicted thereof shall be liable to imprisonment with hard labour for any term not exceeding seven years.

**67. Accidental or unavoidable failures to comply with Act.**

67. No penalty shall be exacted in any case when it shall appear to the satisfaction of the court adjudicating upon the same that the person failing to comply with the provisions of this Act in relation to the giving notices or information under the same has not wilfully been guilty of such failure but that such failure has been occasioned by an unavoidable accident, and where he had used every reasonable endeavour towards compliance with such, provision:

**68. Penalties, in what Courts, and how recoverable and applicable.**

68. All fines forfeitures and penalties, imposed by this Penalties, Act may, except where otherwise directed, be recovered on summary conviction. and when so recovered shall be paid into the Treasury in such manner as the Minister may from time to time direct, and be carried to the Consolidated Fund.

Where the court of summary jurisdiction, before whom a person is charged summarily with an offence under this Act which is also punishable on indictment, think that proceedings ought to be taken against such person by indictment, they may adjourn the case to enable such proceedings to be taken.

It shall be lawful for Resident Magistrates' Courts to try any indictable offence against this Act.

**69. Prosecution by Registrar.**

69. It shall be lawful for any Registrar, subject to the prescribed rules, to prosecute any person guilty of any offence under this Act committed within the district of such Registrar, and the costs incurred by the Registrar in such prosecution which are not otherwise by law provided for shall be defrayed out of the Treasury.

**70. Time limit of prosecution on indictment.**

70. A prosecution on indictment for an offence under this Act shall be commenced within three years after the indictment. commission of such offence.

**71. Forms in First Schedule incorporated.**

71. The forms in the First Schedule, or forms as nearly resembling the same as circumstances admit, shall be used In all cases in which they are applicable, and when so used shall be valid in law.

**72. Powers to alter forms, and make and alter regulations.**

72. It shall be lawful for the Minister or the Registrar-General with the sanction of the Minister, by order to alter from time to time all or any of the forms contained in the First Schedule, or in any order under this section, in such Schedule manner as may appear best for carrying this Act into effect to prescribe new forms for that purpose and from time to time make regulations prescribing any matters authorized by this Act to be prescribed. and to revoke and alter such regulations.

Any order made in pursuance of this section shall be published in the Gazette, and shall be laid before the Senate and the House of Representatives, if they are sitting, within fourteen days after the issue of the same, or if they are not then sitting, within fourteen days after the commencement of the then next session.

Every form when altered in pursuance of this section shall have the same effect as if it had been contained in a Schedule, and every regulation made in pursuance of this section shall, while in force, have the same effect as if it were enacted in this Act.

**73. Power to alter appointed fees.**

73. It shall be lawful for the Minister by order to alter Power so from time to time the appointed fees contained in the Second Schedule.

**FIRST SCHEDULE**

**FORM A**

**Birth Registration Form**

BIRTH IN THE DISTRICT OF \_\_\_\_\_

PARISH No.

Place of birth } \_\_\_\_\_ Date of Birth ..... Sex  
..... Name of Child ..... Physician or registered midwife  
in attendance } \_\_\_\_\_ *Usual Residence of Mother*  
..... Town or Village  
..... Parish .....

No. of Children previously born to mother } \_\_\_\_\_  
*Father* Name and Surname } \_\_\_\_\_ Age at time of birth  
..... Years Occupation ..... Birthplace  
..... *Mother* Name and Maiden  
Surname } \_\_\_\_\_ Age at time of birth ..... years  
Occupation ..... Birthplace

*Informant* Name and Surname } \_\_\_\_\_ Residence  
..... Qualification  
..... Town or Village  
..... Parish

*Registrar's Certificate* Signed in presence by the said informant  
\_\_\_\_\_ (or) Entered by me  
from the particulars on a certificate received from

\_\_\_\_\_ (Witness) Signed  
..... Date

\_\_\_\_\_ *Registrar*

*Name if added after Registration of Birth* Name  
..... Date added  
..... Authority

FORM B

DEATH REGISTRATION FROM

DEATH IN THE DISTRICT OF .....  
PARISH No.

*Place of death Usual Residence of Deceased* .....  
Town or Village ..... Parish .....

*Particulars of Deceased* Date of Death } ..... Full Name  
..... Sex ..... Condition ..... Age  
.....yrs.....months.....days Occupation or calling .....  
Birthplace ..... *Cause of Death* I. (a).....  
(Immediate) due to (b)..... due to (c)..... II. (Contributory)  
..... Certified ..... Qualification  
*Informant* Name and Surname } ..... Residence

..... Qualification ..... Town or  
 Village ..... Parish .....  
*Registrar's Certificate* Signed in my presence the said informant  
 \_\_\_\_\_ (or) Entered by me from the particulars  
 on a certificate received from \_\_\_\_\_ (Witness) Date  
 ..... Signed ..... *Registrar*

FORM C

STILL-BIRTH REGISTRATION FORM

STILL-BORN IN THE DISTRICT OF .....  
 PARISH No.

Place of still-birth} ..... Date of still-  
 birth} ..... Sex  
 ..... Certificate of Declaration upon which  
 registered ..... *Usual*  
*Residence of Mother* Town or Village ..... Parish  
 ..... *Cause of still-birth* (a) Foetal Cause  
 } ..... (b) Maternal Cause} ..... Did child die  
*before or during labour*  
*Father* Name and Surname} ..... Age at time of still-birth  
 ..... Years Occupation .....  
 Birthplace ..... *Mother* Name and Maiden  
 Surname} ..... Age at time of still-birth ..... years Occupation  
 ..... Birthplace .....  
*Informant* Name and Surname} ..... Residence  
 ..... Qualification  
 ..... Town or Village .....  
 Parish .....  
*Registrar's Certificate* Signed in my presence by the said informant  
 \_\_\_\_\_ (or) Entered by me from the  
 particulars on a certificate received from \_\_\_\_\_ (Witness)  
 Signed ..... Date ..... *Registrar*

**SECOND SCHEDULE (Section 73)**

L.Nn 100A/1991  
 141C/1995  
 186B/1996

Section of Act Service performed or other occasion for fee Amount of fee

PART I. - FEES PAYABLE TO REGISTRARS FROM PUBLIC REVENUE

*A - By the Registrar-General*

56 Registration of each birth, death and still-birth -

(a) Where the Registrar is not a postmaster or a postmistress,

For every registration \$5.00

(b) Where the Registrar is a postmaster or a postmistress,

For every registration \$5.00

19 (1) Entering the name of the father of the child of a single woman \$5.00

20 Entering a name mentioned in a certificate of naming if such certificate be delivered to the Registrar within forty-two days of the birth \$1.00

*B - By other Public Officer or Government Department*

42 Furnishing upon requisition to any public officer or government department a return of particulars concerning any birth or death registered

For each separate birth in such return, a fee not three cents. \$1.00

For making a return of births registered and in respect of which vaccination notices are issued Nil

For making a return to the Medical Officer (Health) of all deaths registered. \$1.00

For furnishing a return when no birth or death required by the return has been registered \$1.00

PART II. - FEES PAYABLE TO REGISTRARS (OR TO THE REGISTRAR-GENERAL) BY PRIVATE PERSONS

16 & 27 Attending, in pursuance of a written requisition, at the residence of the person making such requisition or at the house in which a birth or death took place and the re registering such birth or death (payable by the person making the requisition) \$10.00

17 Registering a birth after the expiration of three months from the date of birth, in the presence of a Justice of the Peace or other witness (payable by the informant; unless the

Registrar, having knowledge of the birth, failed to issue a requisition within three months of the date thereof or unless the delay was due to the Registrar's default) \$5.00

17 Registering a birth after the expiration of twelve months on the authority of the Registrar-General (payable by the informant or declarant) \$200.00

Ninety cents of this fee is payable to the Registrar-General

18 Taking, attesting and transmitting a declaration of particulars of a birth required to be registered in another District (payable by the informant) \$5.00

20 Entering the baptismal or other name on the registration form and counterfoil (or on the counterfoil only) of a birth already registered (payable by the informant except in case of a name entered on the authority of a certificate of naming within forty-two days of the date of birth)

(i) if entered within twelve months of the date of registration \$5.00

(ii) if entered, on the authority of the Registrar-General, after the expiration of twelve months from the date of registration \$70.00

Ninety cents of this fee is payable to the Registrar-General.

21 Delivering a certificate of having registered a birth upon demand to the person giving information concerning the birth (payable by the person demanding the certificate)\$5.00

28 Delivering a certificate of having registered the death of a deceased person who was a member of a Friendly Society (payable by the person demanding the certificate) \$5.00

29 Registering a death after the expiration of twelve months, on the authority of the Registrar-General (payable by the informant or declarant unless the Registrar, having knowledge of the death, failed to issue a requisition or unless the delay was due to the Registrar's default) \$200.00

Ninety cents of this fee is payable to the Registrar-General.

51 Correcting an error of fact in the register or registration form book, to be paid by the person requiring the error to be corrected to the officer required to correct the same \$70.00

19 (2) and 55 and section 8 of Status of Children Act Enter name of the father of the child of a single woman where no entry was made under section 19 (1) \$200.00

### PART III. - FEES PAYABLE TO THE REGISTRAR-GENERAL ONLY

52 Re-registration of birth of legitimated person after specified time \$70.00

- 54 For every search (to be paid by the applicant for the search)  
If a general search, for each day or portion thereof \$70.00  
If a particular search \$10.00
- 55 For a certified copy of an entry in a register (to be paid by the applicant) \$100.00
- 55 For each additional copy of the same certificate applied for at the same time \$35.00
- 55 Expedition fee for each service (to be paid in addition to the regular fee). \$500.00