

To be construed with Ord. 6 of 1930, 15 of 1936.  
Ord. 15 of 1934.

## CHAPTER 139.

### REGISTRATION OF BIRTHS AND DEATHS.

[No. I of 1868.]

[1st October, 1868.]

Short title.

1. This Ordinance may be cited as the Registration of Births and Deaths Ordinance.

Inter-pretation.

2. In this Ordinance, unless the context otherwise requires,—

“the Registrar General” means the Registrar General of births and deaths in the colony for the time being, and, in case of his absence, also means and includes the person appointed by him as his deputy;

(a) “occupier,” for the purposes of the notification of births and deaths for registration under this Ordinance, includes the governor, keeper, master, superintendent, or other chief resident officer of every gaol or prison, school, reformatory, hospital, lunatic or leper asylum, or other public or charitable institution, and, where any house is let in separate apartments or lodgings, includes the person under whom those separate apartments or lodgings are immediately held, and any agent or servant of that person residing in that house;

(b) in the case of births and deaths among labourers resident upon any plantation, estate, farm, mining claim, or wood-cutting establishment, the manager or other superintendent for the time being of the plantation, estate, farm, mining claim, or wood-cutting establishment, shall be deemed to be the occupier of the house in which the birth or death occurs;

“general search” means a search during any number of successive days, not exceeding six, without stating the object of search;

“particular search” means a search over any period not exceeding five years for any given register of birth or death;

reference to forms is made to the forms contained in the first schedule to this Ordinance.



## PART I.

## CENTRAL ADMINISTRATION.

*The Registrar General.*

3.—(1) The Governor may appoint a Registrar General of births and deaths in the Colony. Appointment of Registrar General, and establishment of general register office.

(2) The office of the Registrar General shall be called the general register office. Appointment of deputy.

4.—(1) The Registrar General, subject to the approval of the Governor, shall appoint by writing under his hand a fit person to act as his deputy in case he is at any time ill, or unavoidably absent otherwise than on leave. Appointment of deputy.

(2) The deputy shall have, at all times during the illness or unavoidable absence of the Registrar General, all the powers and be subject to all the duties and liabilities of the Registrar General, save and except that the deputy shall not have power to make, rescind or alter any general order, regulation, or form, or to rescind or vary anything done by the Registrar General or approved by him in writing under his hand.

5. The Governor, on behalf of His Majesty, may appoint such and so many clerks as may from time to time be necessary for carrying on the business of the general register office, and at pleasure may remove any of them; and the clerks shall be paid the salaries annually assigned to them by the Legislative Council. Appointment and salaries of clerks.

6.—(1) The Registrar General shall cause to be made a seal of the general register office, and all certified copies of entries given in the office to be sealed or stamped therewith. Provision and use of seal.

(2) All certified copies of entries purporting to be sealed or stamped with the seal of the office (which seal it shall not be necessary to prove) shall be admissible as evidence of the birth or death to which they relate without any further or other proof of an entry; and no certified copy purporting to be given in the office shall be of any force or effect which is not sealed or stamped as aforesaid.

7.—(1) The Registrar General, with the approval of the Governor in Council may alter the forms herein contained, regard being always had to the objects and purposes of this Ordinance and to rendering the same more effectual. Power to alter forms. First schedule.



(2) Any alteration of the forms shall be published in the Gazette, and shall thereupon be deemed the forms hereby required to be used.

Regulations for management of office.

8. The Registrar General, with the approval of the Governor in Council, may from time to time make regulations for the management of the general register office and for the discharge of the duties of the Registrar General, of the clerks of the office, and of the superintendent registrars and registrars and their deputies hereinafter mentioned.

Notices of acts required to be done under the Ordinance.

9. The Registrar General shall from time to time cause to be fixed or placed on the outside of the several church and chapel doors, or other public and conspicuous buildings or places, within the respective registration divisions and districts, printed notices specifying the several acts required to be done for the purpose of registering a birth or death under the provisions of this Ordinance.

Receipt and paying over of fees.

10. All fees received by or on account of the Registrar General under the provisions of this Ordinance shall be entered in a cash book to be kept for that purpose, and shall be paid over monthly to the Colonial Treasurer.

*Supply of Books and Boxes.*

Register books.

11.—(1) The Registrar General shall cause to be provided at the public expense a sufficient number of the register books and forms necessary for the execution of this Ordinance.

(2) The register books shall be of durable materials, and in them shall be printed upon each side of every leaf the heads of information herein required to be known and registered of births and deaths respectively; and every page of each book shall be numbered progressively from the beginning to the end of the book, commencing with number one, and every place of entry shall be also numbered progressively from the beginning to the end of the book, commencing with number one; and every entry shall be divided from the following entry by a printed line.

(3) The Registrar General shall furnish for the use of the registrars a sufficient number of register books of births and register books of deaths, and of forms for certified copies thereof, from time to time required for the purposes of this Ordinance.

Iron boxes for register books.

12.—(1) The Governor shall cause to be furnished at the public expense, on the application of the registrar



general, for the use of the registrars appointed under this Ordinance, a sufficient number of strong iron boxes to hold the register books kept by each registrar.

(2) Each box shall be furnished with a lock and two keys and no more, and one key shall be kept by the registrar and the other key by the superintendent registrar appointed under this Ordinance.

(3) The register books of each district, while in the custody of the registrar and not in use, shall always be kept in the register box, which shall always be kept locked.

## PART II.

### REGISTRATION DISTRICTS AND DIVISIONS.

13.—(1) The Governor in Council may divide the colony into registration districts, and sub-divide the districts into registration divisions, and add to or diminish the number of districts or divisions, and alter the limits of any of them as from time to time appears necessary.

Registration districts and divisions.

(2) Every division, addition, diminution, or change of district or division when made shall be published in the Gazette, and also within the several districts or divisions so appointed in manner directed by the Governor.

14. The Governor may appoint a fit person to be Superintendent registrar of births and deaths in each district, and in like manner may appoint a fit person to be registrar of births and deaths within each division, and may remove him from office, and, in every case of vacancy in the office of superintendent registrar or of registrar, may forthwith fill up the vacancy.

Appointment of superintendent registrars and registrars.

15.—(1) The Governor may require all or any of the commissaries of taxation, revenue officers, officers of police, wardens or government officers appointed under the mining laws of the colony, and magistrates' clerks, to act as superintendent registrars or as registrars (as the case may be) under this Ordinance, without receiving additional remuneration for the performance of that duty.

Governor may require certain officers to act in execution of ordinance.

(2) Whenever the commissary, revenue officer, officer of police, warden or government officer appointed under the mining laws of the colony, or clerk, ceases to hold his office, he shall cease to be a superintendent registrar or a registrar (as the case may be) under this Ordinance.



When office of superintendent registrar is vacant.

16. Whenever the office of superintendent registrar for a registration district becomes vacant, any district commissary of taxation whose district comprises the whole or any part of that registration district shall at once become superintendent registrar of the whole or that part of the district, and shall so remain until the appointment of a superintendent registrar to that district.

Superintendent registrar to act as registrar when office vacant.

17. Whenever from any cause whatsoever there is no registrar or deputy registrar in any registration division, the superintendent registrar of the district in which that registration division is situate may perform the duties of registrar of the division, and receive the fees therefor, until a registrar is appointed; and any copies of registers transmitted from that division to the general register office during any period in which a superintendent registrar is performing the duties of registrar shall be sufficiently certified by his signature alone.

Appointment of deputy Superintendent registrars and registrars.

18.—(1) Subject to the approval of the Governor every superintendent registrar and registrar shall appoint by writing under his hand a fit person to act as deputy in case of his illness or unavoidable absence.

(2) The deputy while so acting shall have all the powers and duties and be subject to all the penalties herein declared concerning superintendent registrars and registrars respectively, and, in the event of the death or resignation of the superintendent registrar or registrar, as the case may be, shall so act until another superintendent registrar or registrar is appointed.

(3) Every superintendent registrar or registrar shall be civilly responsible for the acts and omissions of his deputy.

Transfer of official property on death or removal of superintendent registrar or registrar.

19.—(1) Whenever any superintendent registrar or registrar dies, or is removed from or ceases to hold his office, all register boxes, keys, books, documents, and papers in his possession as superintendent registrar or registrar, or which come into the possession of his representatives, shall be given up as soon as conveniently may be to his successor in office.

(2) If anyone in that case refuses to give up any box, key, book, document, or paper, any justice of the peace, on application made for the purpose, may issue a warrant under his hand for bringing that person before a magistrate, and on the person appearing or not being found the magistrate may hear and determine the matter in a summary way.



(3) If it appears to the magistrate that the box, key, book, document, or paper, is in the custody or power of the person, and that he has refused or wilfully neglected to deliver it to the person in whose custody it ought to be, the magistrate shall commit the offender to the common gaol of the county, there to remain without bail until he surrenders it or until satisfaction has been given in respect thereof; and the magistrate may grant a warrant to search for the box, key, book, document, or paper, as in the case of stolen goods, in a dwelling-house or other premises in which it may be proved upon oath before him that there is reasonable cause to suspect it to be; and when found it shall be delivered to the person in whose custody it ought to be.

20.—(1) Each superintendent registrar and registrar, with the approval of the Registrar General, shall appoint some suitable house, either his dwelling-house or otherwise, to be his office within his district.

Offices in registration districts.

(2) The Registrar General shall cause to be printed and published in the Gazette, and within their respective registration districts, the name, place of abode, office, and hours of business of every superintendent registrar and registrar.

21. Every superintendent registrar and registrar appointed under the provisions of this Ordinance shall be free and exempt from service on any jury or inquest and from every parochial and corporate office whatever.

Exemption from service on jury, etc.

### PART III.

#### REGISTRATION OF BIRTHS AND DEATHS.

22. Subject to the regulations to be made under this Ordinance, every registrar is hereby authorised and required to inform himself carefully of every birth and death which happens within his division, and to learn and register, as soon after the event as conveniently may be, without fee or reward save as herein provided, in one of the register books the particulars required to be registered according to forms 1 and 2, touching that birth or death, as the case may be, each entry being made in order from the beginning to the end of the book.

Ascertaining and registering births and deaths;

Forms 1 and 2.

23. The parent or parents of any child born in the colony after the commencement of this Ordinance, or the occupier of the house or tenement in which to his or her knowledge a child has been born, or the nurse or anyone present at the birth of the child, shall, at any time within

Obligation on certain persons to give notice of birth of child.



twenty-one days next after the day of the birth, give notice thereof to the registrar of the division within which the child has been born; and the parent or person above specified, whether he or she has given the notice or not, on being required personally or by written requisition of the registrar within three months after the date of the birth, shall attend at the office of the registrar of the division in which the birth has occurred, or otherwise at the residence of the parent or person, and give information to the registrar, according to the best of his or her knowledge and belief, of the several particulars by form 1 hereto required to be registered touching the birth of the child, and shall sign the register in the presence of the registrar.

Form 1.

Special provision as to liability of occupier in certain cases.

**24.**—(1) In the event of a birth in any gaol or prison, or in any school, reformatory, hospital, lunatic or leper asylum, or other public or charitable institution, or upon any plantation, estate, farm, mining claim, or wood-cutting establishment, the occupier thereof within the meaning of the last preceding section and of section two of this Ordinance, shall be liable in the first instance, and notwithstanding the liability of the parent or parents of the child, to report and give the particulars of its birth to the registrar of the division.

Liability of successor to defaulting occupier.

(2) In the event of any default on the part of the occupier being discovered after he has ceased to hold office in the public institution, or the management or superintendence of the plantation, estate, farm, mining claim, or wood-cutting establishment, the proceedings under this Ordinance in respect of that default may be instituted and prosecuted against his successor, after fourteen days' notice in writing has been given to the successor to have the birth registered in due course of law.

Form of notice given by occupier in certain cases.

(3) Every occupier in this section aforesaid who is liable to give notice to a registrar of a birth or death, may do so by filling in and transmitting to the registrar of the division a form, to be prescribed by the Registrar General, at the times and in the manner required by him, and the Registrar General may from time to time alter and vary the form and the times and manner of giving the notice.

Penalty for default under sections 23 and 24.

**25.** Everyone in default of doing anything required, or prescribed by the Registrar General, to be done by him under or in pursuance of the last two preceding sections, shall be liable to a penalty not exceeding five dollars.



26.—(1) Anyone giving information of a birth or death happening in any part of the colony within the limits set forth in the second schedule hereto, instead of attending personally and signing the original entry in the register book of the birth or death, may write the particulars of that birth or death, as required by this Ordinance, upon a printed form (two copies of which shall be sent to him on application by letter or message to the nearest registrar), and sign the same, with the name and residence and description of the informant, or make his mark thereto in presence of a witness, and send the printed form to that registrar, either by some safe messenger or by post.

Giving notice in writing instead of in person.

Second schedule.

(2) If the receipt of the information is not acknowledged by the registrar within ten days, the informant shall be bound to make and send in like manner a duplicate of the printed form.

27.—(1) The registrar, immediately on receiving notice in any manner of a birth or death in any part of the colony within the limits set forth in the second schedule hereto shall transmit to some one or more of the persons who are bound to give information of the particulars of the birth or death such printed forms (two copies to each of them) as may be furnished to him for the purpose by the Registrar General, and shall require everyone to whom a form may be transmitted to fill up one copy of it in terms of the last preceding section; and, on the form being filled up and returned to him, shall acknowledge the receipt thereof by letter addressed to the informant and sent by some safe messenger or by post.

Registrar's duty in that case.

(2) The registrar shall then proceed to register the birth or death in the register book, filling up the name, residence, and description of the informant in the proper column, and adding his own initials at the foot of the column, and completing the entry in the same manner as if the informant had signed it; and the form shall be preserved by the registrar and delivered to the superintendent registrar, together with the certified copies for the quarter next ensuing.

28. Nothing in either of the last two preceding sections shall excuse any informant from signing the original register in due form, when he is personally present with the registrar and an entry is tendered to him by the registrar for signature.

Informant to sign original register, if present.



Neglect to give notice of birth or death under the Ordinance.  
Penalty.

**29.** If anyone who resides in any part of the colony within the limits set forth in the second schedule hereto, and who is bound to give information of a birth or death, does not, within three months from that birth or death, give the information in either of the ways prescribed by this Ordinance, he shall be liable to a penalty not exceeding five dollars.

Extension of provisions as to notice in writing ;  
second schedule.

**30.** The Governor in Council, from time to time by order to be published in the Gazette and one newspaper of the colony, may extend the provisions of the last four preceding sections to other places than those mentioned in the second schedule hereto, and, at the expiration of three weeks from the time of the first publication of the order, the provisions of those sections shall apply to any place mentioned in the order, in the same manner as if it had been included in that schedule.

Entry of name of person as father of illegitimate child.

**31.** No registrar who receives information of the birth of an illegitimate child shall enter in the register of births the name of anyone as the father of that child except at the joint request of the mother, and of the person who acknowledges himself to be the father, and the person shall in that case sign the register together with the mother.

Registration after expiration of three months from birth.

**32.**—(1) After the expiration of three months following the birth of a child, no registrar may register the birth, save as hereinafter provided; that is to say, if the birth of the child has not been registered according to the provisions hereinbefore contained, anyone present at the birth of the child, or the father or mother or guardian thereof, at any time within twelve months next after its birth may make before the superintendent registrar a declaration in writing of the particulars required to be known touching the birth according to the best of his or her knowledge and belief (which declaration the superintendent registrar is hereby authorised to take), and the registrar may, then and there in the presence of the superintendent registrar, register the birth of the child, according to the information of the person making that declaration; and the superintendent registrar before whom the declaration is made shall sign the entry of the birth as well as the registrar.

(2) For every entry last aforesaid the superintendent registrar shall be entitled to receive a fee of sixty cents from the person requiring the birth to be registered, and the registrar, over and above the fee by this Ordinance authorised to be taken in respect of every birth registered



by him, shall be entitled, unless the delay has been occasioned by his own default, to take a fee of sixty cents from the person requiring the birth to be registered.

(3) No register of births shall be given in evidence to prove the birth of a child where it appears that more than three months have intervened between the day of the birth and the day of the registration of the birth of that child, unless the entry is signed by the superintendent registrar as well as by the registrar.

~~33. After the expiration of twelve months following the birth of a child, no registrar shall register the birth of that child, and no register of births shall be given in evidence to prove the birth of a child where it appears that twelve months have intervened between the day of the birth and the day of the registration of the birth of that child.~~

No registration of birth after twelve months.

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34.—(1) If any child born in the colony, whose birth has been registered as aforesaid, has any name given to it in baptism after the registration of its birth, the parent or guardian of the child, or other person procuring that name to be given, may, within twelve months after the birth of the child has been registered, or, if after twelve months, then only with the written authority of the magistrate of the district in which the parent or guardian resides (which authority, upon a statement of the circumstances of the case submitted to him, the magistrate may give), procure and deliver to the registrar or superintendent registrar of the district in whose custody the register of the birth of the child then happens to be, a certificate according to form 3 or to the like effect, signed by the clergyman, or minister, or officiating person who has performed the rite of baptism (which certificate he is hereby required to deliver immediately after the baptism, whenever the same is demanded, on payment of the fee of twenty-four cents, which he shall be entitled to receive for the same), and the registrar or superintendent registrar, on receipt of that certificate and on payment of the fee of twenty-four cents (which he shall be entitled to receive for the same), shall, without any erasure of the original entry, forthwith register therein that the child was baptized by that name and also the date of the registration of the baptismal name.

Registration of name given in baptism.

First Schedule form 3.

(2) The registrar or superintendent registrar shall thereupon certify upon the certificate the additional entry so made, and shall forthwith send the certificate through the post or otherwise to the Registrar General.



(3) Whenever a baptismal name has been added to an entry of the birth subsequently to the transmission to the general register office of the return of certified copies containing that entry, a duly certified copy of the entry, containing the baptismal name and the date of the entry, shall in like manner be sent to the Registrar General, who shall cause it to be duly entered in the register without any erasure of the original entry; and whenever the certificate of baptism is received by the registrar or superintendent registrar after the register book containing the original entry of birth and the certified copy thereof have both been transmitted to the Registrar General, the registrar or superintendent registrar shall transmit the certificate to the Registrar General, who shall in like manner cause it to be duly entered in the register.

Registration of name given without baptism after registration.

**35.**—(1) In the case of a child of parents not recognizing the sacrament of baptism or infant baptism, when any name has been given to the child by its parents or guardians other than that by which it may have been registered, the parents or guardians, within twelve months after its birth has been registered, or, if after twelve months, then only with the written authority of the magistrate of the district in which the parents or guardians reside (which authority, upon a statement of the circumstances of the case submitted to him, it shall be lawful for the magistrate to give) may deliver to the registrar or superintendent registrar in whose custody the register of the birth of the child then happens to be, a certificate in form 4, or to the like effect, signed by the parents or guardians; and thereupon, and on payment of a fee of twenty-four cents, that registrar or superintendent registrar, without any erasure of the name by which the child may have been registered, shall register therein the name of the child.

First schedule form 4.

(2) The certificate shall be certified and transmitted by the registrar or superintendent registrar to the Registrar General in the like manner and to the like effect as is in this Ordinance prescribed regarding certificates in relation to names given in baptism.

Obligation on certain persons to give notice of death.

**36.** Someone present at the death, or in attendance during the last illness, of anyone dying in the colony, or the occupier of the house or tenement in which the death has taken place, or, if the occupier is the person who has died, then some one or more of the persons residing in the house



in which the death has taken place, shall, within seven days next after the day of the death, give notice thereof to the registrar of the division in which it has occurred; and everyone aforesaid, or if the death has not taken place within a house, then anyone present thereat, or having a knowledge of the circumstances attending it, shall, whether he has given notice or not, on being required personally or by written requisition of the registrar, within fourteen days after the date of the death, attend personally at the office of the registrar of the division in which the death has occurred, or otherwise at the place of residence of that person, and give information to the registrar, according to the best of his knowledge and belief, of the several particulars required by form 2, to be registered touching the death, and shall sign the register in the presence of the registrar.

First  
schedule:  
form 2.

**37.** If anyone finds exposed a new-born child or a dead body, the person first having charge of the child in the case of the new-born child, and the coroner in the case of the dead body, shall forthwith give notice of the discovery and of the place where it was found to the registrar of the division in which it has been found; and the registrar, after proper inquiry, shall register all the several particulars required to be known and registered touching that birth or death, or so much and so many of the particulars as have been ascertained.

Notice on  
finding  
new-born  
child or  
dead body.

**38.** Whenever an inquest is held on a dead body, the jury shall inquire of the particulars by this Ordinance required to be registered concerning the death, and the coroner shall communicate the finding of the jury to the registrar of the division in writing under his hand, and the registrar shall make the entry accordingly:

Entry of  
finding of  
jury upon  
coroner's  
inquest:

Provided that the coroner shall not be required to sign the register as informant; but the registrar shall state in the entry of the death that the information was received from the coroner, and shall transmit the information to the superintendent registrar, who shall send the same to the Registrar General, and the Registrar General shall preserve the information with the records of his office.

Proviso.

**39.—(1)** In the event of a birth or death on board a ship moored in any river in the colony, the master or chief officer shall be bound to report that 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.

Registration  
of birth or  
death on  
board ship.



(2) The master or chief officer of any colony craft shall also, in like manner and subject to the like penalties as aforesaid, report every birth or death on board the craft, whether moored on any coasting or other voyage within the colony.

Report of death on boat in mining district.

**40.** The captain, or in case of his death the bowman, or in case of the bowman's death or absence at the time of a death occurring someone in the boat at the time shall be bound, in the case of a boat going to or returning from any mining district of the colony, to report the occurrence of that death on or from the boat to the nearest registrar of the division in the same manner as other deaths are reported, and subject to the like penalties in case of disobedience, as is required of the occupier of a house on shore.

Signing of register by informant, with specified exceptions.

**41.** Everyone by whom the information contained in any register of birth or death under this Ordinance has been given, except in cases where that information has been given by the coroner or under the provisions hereinbefore contained as to giving notice in writing, shall sign his name, description, and place of abode in the register; and except as aforesaid no register of birth or death according to this Ordinance shall be given in evidence which is not signed by someone professing to be the informant, and to be the party hereby required to give that information to the registrar.

Signing by mark.

**42.—(1)** In case of the inability to write of anyone whose signature is required or necessary under this Ordinance, that person may adhibit, in the presence of the registrar, a cross or other mark, and the registrar shall annex the designation of that person to the cross or other mark.

(2) The cross or other mark shall be in all respects as binding and effectual as the signature of the person would have been if he had been able to write.

Correction of erroneous entry in register :

**43.—(1)** If any error is discovered to have been committed in the entry of a birth or death in a register, the person discovering the error shall forthwith give information thereof to the magistrate of the district.

(2) The magistrate thereupon, or upon otherwise coming to the knowledge of the error, shall summon before him the person who made, and anyone concerned in making, the erroneous entry, or having any knowledge concerning it, and also anyone interested in the effect of it, and



shall examine those persons upon oath; and if the magistrate is satisfied that any error has been committed in the entry, he shall, by authority under his hand, direct the registrar to correct the error.

(3) The registrar shall thereupon correct the error according to the truth of the case, by entry in the margin, without any alteration of the original entry, and shall sign the marginal entry and add thereunto the day of the month and year when the correction is made; and the marginal entry shall be signed by the person applying for the correction.

(4) The registrar shall thereupon make the like alteration in the certified copy of the register book to be made by him as hereinafter provided :

Provided that if the certified copy and the register book from which it was made have been already sent to the general register office, the registrar shall make and send forthwith to the general register office a memorandum of the error and of the correction to be made.

Proviso.

44. Nothing in this Ordinance shall affect the registry of baptisms or burials as now by law established, or the right of any officiating minister to receive any fee now usually paid to him for the performance or registration of a baptism or burial.

Saving of registry of baptisms and burials.

PART IV.

*Repealed by Sec. 162 of Dec. 15<sup>th</sup> 1934.*

EARLY NOTIFICATION OF BIRTH IN PARTICULAR AREA.

45. In this part—

“ local authority ” means a local authority under the Local Government Ordinance;

Chapter 84.

“ the Board ” means the Local Government Board.

46.—(1) The provisions of this section shall have effect in the area of any local authority in which this part is adopted by that authority as hereafter in this part provided.

Notification of births.

(2) In the case of every child born in an area in which this part of this Ordinance is adopted it shall be the duty of the father of the child, if he is actually residing in the house where the birth takes place at the time of its occurrence, and of anyone in attendance upon the mother at the time of, or within six hours after, the birth, to give notice in writing of the birth to the medical officer of health of the district in which the child is born, in manner provided by this section.



(3) Notice under this section shall be given by posting a prepaid letter or postcard addressed to the medical officer of health at his office or residence, giving the necessary information of the birth within thirty-six hours thereafter, or by delivering a written notice of the birth at the office or residence of the medical officer within the same time; and the local authority shall supply without charge addressed and stamped postcards containing the form of notice to any medical practitioner or midwife residing or practising in its area, who applies for them.

Penalty for default.

(4) Anyone who fails to give notice of a birth in accordance with this section shall be liable on summary conviction to a penalty not exceeding five dollars, but he shall not be liable to a penalty under this provision if he satisfies the court that he had reasonable grounds to believe that notice had been duly given by someone else.

(5) The notification required to be made under this part shall be in addition to and not in substitution for the requirements of this or any other Ordinance relating to the registration of births; and any registrar of births and deaths whose registration division or any part thereof is situate within any area in which this part is adopted shall at all reasonable times have access to notices of births received by the medical officer of health under this part, or to any book in which those notices may be recorded, for the purpose of obtaining information concerning births which have occurred in his registration division.

(6) This section shall apply to any child which has issued forth from its mother after the expiration of the twenty-eighth week of pregnancy, whether alive or dead.

(7) Any expenses incurred by a local authority in the execution of this part shall be paid as part of the expenses of that authority in the execution of the Ordinance relating to public health, and in the case of a rural district council shall be paid as general expenses.

Adoption of this part by local authority.

**47.**—(1) A local authority may by resolution adopt this part in its area, and the regulations set out in the third schedule hereto shall have effect with respect to the resolution of adoption, but the resolution of adoption shall not take effect until the consent of the Board has been obtained thereto.

(2) It shall be the duty of any local authority by whom this part is adopted, as soon as the consent of the Board is given to the resolution to bring the provisions of this part to the attention of all medical practitioners and midwives practising in its area.



(3) The Board may by order declare that this part shall be in force in the area of any local authority that has power to adopt it, although it has not been so adopted, if the Board, having regard to the circumstances of the area, thinks it expedient, and in that case the order of the Board shall have the same effect for the purpose as a resolution of adoption duly passed by the local authority of the area and assented to by the Board.

Power of Local Government Board to put this part in force in the area of any local authority.

## PART V

### REGISTRATION OF CAUSES OF DEATH.

48. Each registrar shall furnish from time to time gratis to every duly qualified medical practitioner within his division the necessary forms of certificates of death in form 5, which the Registrar General shall cause to be printed and transmitted from time to time to every registrar for that purpose; and the medical practitioner who may have been in attendance during the last illness and until the death of anyone dying in the colony shall, within ten days after the death of that person, transmit to the registrar of the division in which the death has occurred a certificate of the cause of death in the aforesaid form, the particulars of which shall be entered by the registrar in the register; and, if the certificate is not so transmitted, the registrar shall transmit to that medical practitioner a form thereof, and, by a written or printed requisition under his hand, require the medical practitioner forthwith to return the same to him duly filled up, and the medical practitioner shall do so within three days after the receipt thereof.

Medical attendant to transmit certificate of death to the registrar.

First schedule; form 5.

## PART VI.

### RETURNS, FEES AND BURIAL OF STILL-BORN CHILDREN.

#### *Certified Copies of Registers.*

49.—(1) In the months of January, April, July, and October in every year, on days from time to time appointed by the Registrar General, every registrar shall make and deliver to the superintendent registrar of his district on durable materials, a true copy, certified by him under his

Transmission of certified copies of registers of births and deaths to superintendent registrars, and of register books when filled, to the Registrar General.



Form 6.

hand, according to form 6, of all the entries of births and deaths, made during the quarter of the year last preceding the first day of each of the several months hereinbefore mentioned respectively, in the register book kept by him; and the superintendent registrar shall examine it and if it is found to be correct certify it under his hand to be a true copy.

(2) If there has been no birth or death registered since the delivery of the last certificate, the registrar shall certify the fact, and the certificate shall be delivered to the superintendent registrar as aforesaid and be countersigned by him.

(3) The registrar shall keep safely each of the register books until it is filled and then deliver it to the superintendent registrar to be transmitted forthwith by him to the Registrar General for preservation in the records of the general register office.

Transmission of certified copies of registers of births and deaths to the Registrar General.

50.—(1) Every superintendent registrar, four times in every year, on the days from time to time appointed by the Registrar General, shall send to that officer all the certified copies of the registers of births and deaths which he has so received during the three months next preceding the quarterly days of transmission respectively.

(2) The certified copies so sent shall be thereafter kept in the general register office in such order and manner as the Registrar General, under the direction of the Governor, thinks fit, so that they may be most readily seen and examined.

(3) The Registrar General, if it appears by interruption of the regular progression of numbers or otherwise that the copy of any part of a register has not been duly sent to him shall procure as far as possible consistently with the provisions of this Ordinance that the omission be cured and the copy supplied.

Furnishing of abstract of registers.

51. The Registrar General shall once in every year furnish to the Governor and Legislative Council a general abstract of the number of births and deaths registered during the preceding year, in the form and at the date from time to time prescribed by the Governor.

Indices, searches, and certified copies.

52.—(1) The Registrar General shall cause indices of all the certified copies and original registers herein mentioned to be made and kept in the general register office.



(2) Everyone shall be entitled, on payment of the fees hereinafter mentioned, to search the indices between the hours of ten o'clock in the morning and four o'clock in the afternoon of every day, except Sundays and holidays, and to have a certified copy of any entry in the certified copies of the registers or in the original registers.

(3) For every general search of the indices there shall be paid the sum of five dollars, and for every particular search the sum of twenty-four cents, and for every certified copy the sum of sixty cents and no more.

53. In case the Governor directs the register books in and for the county of Berbice to be kept in the office of the registrar for that county, the Registrar General shall keep and preserve the original register books to be transmitted to him as hereinbefore mentioned, and cause all necessary entries and corrections to be made therein, and also indices of the same to be made and kept with them for reference at the times and in manner provided in respect of the general register office, and shall furnish certified copies and receive and pay over to the Colonial Treasurer the like fees for searches and copies as are by this Ordinance made payable at the general register office.

Provision for keeping register books for Berbice.

54. Every registrar, subject to such regulations as from time to time are made by the Registrar General, shall allow searches to be made of any register book in his custody, and shall give a copy, certified under his hand, of any entry or entries therein, on payment of the fee hereinafter mentioned, that is to say, for every search the sum of twenty-four cents, and for every single certified copy the sum of twenty-four cents.

Searches in register books in registrars' custody.

55. If any certified copy of a register of births or deaths is lost in course of transmission to the general register office, the superintendent registrar by whom it has been sent shall forthwith procure fresh copies to be made and sent to the general register office in lieu of those so lost.

Loss of certified copy of register.

56.—(1) No original register book shall be at any time sent from a registrar to a superintendent registrar or from a superintendent registrar to the general register office, or otherwise, at the same time and by the same person by whom any certified copies are sent.

Original register not to be sent at same time as certified copies thereof.

(2) Any superintendent registrar or registrar who carries, or sends, either by post or in any other way, the



original of a register at the same time as the certified copy, or until the original or copy of the same register previously sent has been acknowledged to have arrived at its place of destination, shall be liable to a penalty not exceeding forty-eight dollars.

Penalty.

Quarterly  
account of  
fees by  
registrar :

57.—(1) Every registrar, four times in every year, shall make out an account of the number of the births and deaths which he has registered since the last quarterly account, and the superintendent registrar shall verify and sign the account.

(2) When the account has been rendered to and certified by the Registrar General, there shall be paid to the registrar from the public revenues, or out of any funds available for that purpose as hereinafter provided (but not otherwise), as the case may be, such sums as he may be entitled to receive on the said account at the rate of twenty-four cents for every entry of birth or death included in the account :

Proviso.

Provided that no fee shall be paid for any entry appearing to the Registrar General to have been made in a careless manner or in an illegible handwriting.

Quarterly  
account of  
fees by  
super-  
intendent  
registrar :

58.—(1) Every superintendent registrar, four times in every year, at such periods as may from time to time be appointed by the Registrar General, shall make out and send to that officer an account of the number of entries in the certified copies so sent by him under this Ordinance to that officer.

(2) If, on examination, the account is found correct, the superintendent registrar shall be entitled to receive from the public revenues, or out of such funds as may be available for that purpose as hereinafter provided (but not otherwise), as the case may be, the sum of four cents for every entry in the certified copies :

Proviso.

Provided that no commissary of taxation, revenue officer, officer of police, warden or government officer appointed under the mining laws of the colony, or magistrate's clerk, shall be entitled to receive any fees under this or the last preceding section as a registrar or superintendent registrar.

Payment of  
fees in case of  
place other  
than George-  
town or New  
Amsterdam.

59. Whenever any amount is payable in respect of fees under either of the last two preceding sections to any registrar or superintendent registrar, the same shall be paid by the Colonial Treasurer on the warrant of the Governor from the public revenues of the colony.



60. All letters sent by post under the provisions of sections twenty-six and twenty-seven, all letters and parcels addressed to any registrar or superintendent registrar or to the Registrar General and all letters from the general register office, shall be transmitted free of postage.

Postage of letters, etc.

61.—(1) No one shall wilfully bury or cause to be buried the body of a deceased child as if it were still-born, except as hereinafter provided.

burial of deceased and still-born children.

(2) No one who has the control over, or ordinarily buries bodies in, any burial ground shall bury or permit to be buried therein the body of a deceased child as if it were still-born, or shall bury or permit to be buried therein any still-born child, before there is delivered to him either—

(a) a written certificate that the child was not born alive, signed by a licensed medical practitioner who was in attendance at its birth, or, in the event of no licensed medical practitioner having been in attendance at its birth, then a certificate of a licensed medical practitioner who has been called in subsequent to its birth, to the effect that he has examined the body of the child and that, to the best of his knowledge and belief, it was not born alive, or,

(b) if there has been an inquest, an order of the coroner who presided at the inquest.

See Ord. No. 1 of 1930 Sec. 2

62.—(1) Everyone who, on presenting the body of a still-born child for burial, then, or within such time as may be allowed by the person to whom the body is so presented, fails to produce to that person one of the certificates of a ~~medical practitioner~~ referred to in the last preceding section, or an order of the coroner if an inquest has been held, shall be liable to a penalty of not less than five dollars and not exceeding fifty dollars.

Production of certificate of medical practitioner by persons presenting body of still-born child for burial.

(2) Everyone who acts contrary to the provisions of the last preceding section with respect to the burying of the body of a still-born child shall be liable to a similar penalty.

Penalties.

63. Everyone who forges, or utters knowing it to be forged, any such certificate or order as is referred to in section sixty-one of this Ordinance shall be guilty of a misdemeanour, and on conviction thereof before the Supreme

Forging or uttering forged certificate. Misdemeanour.

See Ord. No. 6 of 1930 S. 3.



Court in its criminal jurisdiction shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years.

Fee to  
medical  
practitioner.

~~64.—(1) When application is made to a licensed medical practitioner by anyone to view the body of a child alleged to have been still-born and to give a certificate under this Ordinance and that person is unable to pay any fee, the medical practitioner, with the sanction of the Governor, may receive from any money granted for the contingent expenses of justice a fee of two dollars for viewing the body.~~

~~(2) Where a certificate referred to in section sixty-one hereof can be properly given by the medical practitioner, the fee shall include the granting of that certificate.~~

Person  
burying still-  
born child  
shall inform  
registrar.

Penalty.

65. Everyone who buries or causes to be buried the body of any still-born child shall inform the registrar of the division in which the burial has taken place of the fact within seven days after the burial, and if the person fails to do so he shall be liable to a penalty of not less than five dollars and not more than fifty dollars.

## PART VII.

### OFFENCES AND PROCEDURE.

Section 7 of  
Chapter 14  
not to apply.

66. Section seven of the Summary Jurisdiction (Procedure) Ordinance shall not apply to any complaint for an offence under this Ordinance, and that complaint may be made and proceedings taken thereon notwithstanding that more than six months have elapsed since the matter of the complaint arose.

Wilfully  
giving false  
information.

Penalty.

67. Everyone who wilfully makes or causes to be made, for the purpose of being inserted in any register of births or deaths, any false statement touching any of the particulars herein required to be known and registered, shall, on summary conviction thereof, be liable to imprisonment with or without hard labour, for any term not exceeding six months, or to a penalty not exceeding two hundred and fifty dollars.

Incorporation  
of secs. 250  
and 251 of  
Chapter 17.

68. Sections two hundred and fifty and two hundred and fifty-one of the Criminal Law (Offences) Ordinance shall be incorporated and form part of this Ordinance.



69. Every registrar who refuses, or without reasonable cause omits, to register any birth or death of which he has had due notice, or to make any addition to or alteration in the register in accordance with the provisions of this Ordinance, and everyone having the custody of any register book, or certified copy thereof or of any part thereof, who carelessly loses or injures it, or carelessly allows it to be injured whilst in his keeping, shall for each offence be liable to a penalty not exceeding forty-eight dollars.

Not duly registering birth or death, or losing or injuring register.

Penalty.

70. Everyone who under the provisions of this Ordinance is required to deliver registers of births and deaths, or copies thereof, to any superintendent registrar or to the Registrar General and who, after being duly required to deliver the registers or copies aforesaid, refuses, or during one month neglects, to do so, shall for each offence be liable to a penalty not exceeding forty-eight dollars.

Neglect to deliver registers or copies thereof when required.

Penalty.

71. Every medical practitioner who, after being required by the registrar to return him a certificate of cause of death duly filled up under section forty-eight hereof, without reasonable cause refuses or neglects to do so shall for each offence be liable to a penalty not exceeding forty-eight dollars.

Neglect by medical practitioner to transmit certificate of death.

Penalty.

72. Everyone who—

(a) knowingly registers or causes to be registered the birth of a child otherwise than is by this Ordinance required after the expiration of three months following the day of the birth of that child; or

(b) knowingly registers or causes to be registered the birth of a child after the expiration of twelve months following the day of the birth of that child, *except as provided Sec: Thirty-nine*

Improperly registering birth.

Penalty.

shall for each offence be liable to a penalty not exceeding twenty-four dollars.

Failure to give notice of birth or death.

Penalty.

shall be liable to a penalty not exceeding five dollars.

73. Everyone hereby required who, within the period herein specified, fails to give notice of any birth or death to the registrar of the division within which the birth or death has occurred shall be liable to a penalty not exceeding five dollars.

Penalty.

Sec: 39  
Ord: 15/1936



Failure to give information personally to registrar respecting birth or death.

74. Subject to the provisions hereinbefore contained as to giving notice in writing, everyone hereby required who, within the period herein specified, fails to attend personally at the place named by the registrar of the division within which a birth or death has occurred, and to give information to the registrar of the particulars hereby required to be registered touching that birth or death, or refuses to sign the register in the presence of the registrar, shall be liable to a penalty not exceeding ten dollars.

Penalty.

Failure to give notice of finding new-born child or dead body.

75. In the case of finding exposed any new-born child or any dead body, everyone who is hereby required to give notice and does not give notice forthwith of finding it, and of the place where it was found, to the registrar of the division in which it has been found shall be liable to a penalty not exceeding five dollars.

Penalty.

Right to give notice by post.

76. Whenever notice is hereby required to be given, the person required to give the notice shall be held to have sufficiently discharged himself if he proves upon oath that he put into a post office, before the expiration of the period within which the notice is required to be given, a letter addressed to the person to whom and containing the particulars of which the notice is required to be given.

Penalty not exigible if notice given.

77. No penalty hereby imposed on persons failing to give any notice hereby required shall be exacted if any of the persons so required have or has given that notice.

Penalty not exigible where failure not wilful.

78. No penalty hereby imposed shall be exacted in any case where it appears to the satisfaction of the magistrate that the person failing to comply with the provisions hereof in relation to the giving notice or information under them has not wilfully been guilty of the failure, but that the failure has been occasioned by unavoidable accident, or by circumstances over which he had no control, and that he used every reasonable endeavour towards compliance with those provisions.

Procedure and appeal.

79. Every penalty hereby imposed shall be recoverable, and be subject to appeal, in the manner provided by the Ordinances for the time being in force regulating procedure before magistrates exercising summary jurisdiction and appeals from magistrates' decisions.



SCHEDULES.

FIRST SCHEDULE.

FORM 1.

(Sections 22 and 23.)

*Register of Births.*

Births registered in the division of \_\_\_\_\_ in the district of \_\_\_\_\_ in the county of \_\_\_\_\_

No.	Date and place of birth.	Name (if any).	Sex.	Name and surname, and dwelling-place, of father.	Name and surname, and maiden surname, of mother.	Rank or profession of father.	Signature, qualification, and residence of informant.	When registered.	Signature of registrar.	Baptismal name, if added after registration of birth, and date.
1	<i>6th January, 1869.</i>  <i>Lot No. 1, High Street.</i>	<i>John</i>	<i>Male.</i>	<i>James Rea.</i>  <i>Lot No. 1, High Street.</i>	<i>Sarah Rea, formerly Thompson.</i>  [If married more than once, surnames of former husbands should be stated.]	<i>Carpenter.</i>	<i>James Rea, (father) carpenter, Lot No. 1, High Street.</i>	<i>10th January, 1869.</i>	<i>John Cox, registrar.</i>	<i>Robert.</i>  <i>15th February, 1869.</i>

The words and figures in *italics* to be filled in according to the facts.



## FORM 2.

(Sections 22 and 36.)

*Register of Deaths.*

Deaths registered in the division of \_\_\_\_\_ in the district of \_\_\_\_\_ in the county of \_\_\_\_\_.

No.	Date and place of death.	Name and surname.	Sex.	Condition.	Age last birthday.	Rank, profession, or occupation.	Certified cause of death and duration of illness.	Signature, qualification, and residence of informant.	When registered.	Signature of registrar.
1	<i>24th January, 1869. Lot No. 2, High Street.</i>	<i>James Green.</i>	<i>Male.</i>	<i>Married, bachelor, or widower (as the case may be.)</i>	<i>43 years.</i>	<i>Carpenter.</i>	<i>Pneumonia. Two months certified.</i>	<i>Sarah Green widow, High Street, present at the death.</i>	<i>25th January, 1869.</i>	<i>John Cox, registrar.</i>

The words and figures in *italics* to be filled in according to the facts.



FORM 3.

(Section 34.)

*Certificate of baptism.*

I, \_\_\_\_\_ of \_\_\_\_\_ do hereby certify that I have this day  
 baptised by the name of \_\_\_\_\_ a [state the sex] child produced to me  
 by \_\_\_\_\_ as the child of A.B and C.D., of \_\_\_\_\_ and declared  
 by the said \_\_\_\_\_ to have been born at \_\_\_\_\_ in the county  
 of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 1 \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 1 \_\_\_\_\_.

(Signed)

FORM 4.

(Section 35.)

*Certificate of name given without baptism.*

I do hereby certify that the child named \_\_\_\_\_ was born at  
 in the county of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_  
 1 \_\_\_\_\_; that A.B. and C.D., of \_\_\_\_\_ are the  
 parents of the said child; and that the name of \_\_\_\_\_ was given to  
 the said child on the \_\_\_\_\_ day of \_\_\_\_\_ 1 \_\_\_\_\_,  
 according to the rules or usage of the religious persuasion of \_\_\_\_\_  
 to which the said parents belong.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 1 \_\_\_\_\_.

(Signed)

Parent [or guardian].

(Signed)

Magistrate.

FORM 5.

(Section 48.)

*Medical certificate of cause of death.*

To the Registrar of the division of \_\_\_\_\_ in the district of \_\_\_\_\_  
 in the county of \_\_\_\_\_

I hereby certify that I attended \_\_\_\_\_ who was apparently  
 aged [or was stated to be aged] \_\_\_\_\_ years; that I last saw him [or her] on  
 the \_\_\_\_\_ day of \_\_\_\_\_ 1 \_\_\_\_\_, at \_\_\_\_\_;  
 that he [or she] died on the \_\_\_\_\_ day of \_\_\_\_\_ 1 \_\_\_\_\_,  
 at \_\_\_\_\_; that the cause of his [or her] death was \_\_\_\_\_;  
 and that the disease had continued \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 1 \_\_\_\_\_.

(Signed)

Profession,  
 Residence,



## FORM 6.

(Section 49.)

*Certified copy of register of births or deaths.*

I, \_\_\_\_\_ the registrar of births and deaths in the division of \_\_\_\_\_ in the district of \_\_\_\_\_ in the county of \_\_\_\_\_ do hereby certify that this is a true copy of the register book of births [or deaths] within the said division from the entry of the birth [or death] of no. \_\_\_\_\_ to the entry of the birth [or death] of \_\_\_\_\_ no. \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 1 .

(Signed)

Registrar.

## SECOND SCHEDULE.

(Section 26.)

PLACES IN RESPECT OF WHICH NOTICES OF BIRTHS AND DEATHS MAY BE GIVEN IN WRITING.

*County of Essequibo.*

From and exclusive of plantation *Devonshire Castle* to the river Pomeroon and its tributaries and islands; and the *Tapacooma Lake*, and the other lakes on the Essequibo coast, except such parts as belong to cane plantations in cultivation.

The *Supenaam* creek and its tributaries; the river *Essequibo* and its tributaries and islands, from the *Supenaam* creek on the one bank, and plantation *Philadelphia* on the other bank upwards, excepting the penal settlement and the town of *Bartica*; and the islands of *Essequibo*, exclusive of *Leguan*, *Wakenaam*, and *Tiger* islands.

The left bank of the *Boerasirie* creek, beyond where it adjoins any cane plantation.

*County of Demerara.*

The river *Demerara* and its tributaries and islands, from plantations *Vriesland* on the west bank, and plantation *Golden Grove* on the east bank upwards.

The right bank of the *Boerasirie* creek, beyond where it adjoins any cane plantation.

The *Mahaica* creek and its tributaries, above plantation *Cane Grove* on the west bank, and the bridge on the east bank.

The *Mahaicony* creek and its tributaries, above *Relief* village on the east bank, and *Felicity* on the west bank.

The *Abary* creek and its tributaries, above the bridge.

*County of Berbice.*

The river *Berbice* and its tributaries and islands, from plantation *Highbury* on the east bank, and *Ithaca* on the west bank, upwards.

The *Canje* creek and its tributaries, from plantation *Goldstone Hall* on the east bank, and *Sandvoort* on the west bank, upwards.

The *Corentyne* coast, from *Ulverston* upwards to *Anamoronusi*, or no. 66 creek.

The river *Corentyne* and its tributaries on the west bank and islands, from plantation *Skeldon* upwards.



## THIRD SCHEDULE.

(Section 47.)

## RESOLUTION OF ADOPTION.

1. A resolution of adoption must be passed at a meeting of the local authority.
2. One calendar month at least before the meeting of the local authority special notice of the meeting and of the intention to propose the resolution shall be given to every member of the local authority.
3. A resolution of adoption after being passed shall be published by advertisement in some one or more newspapers circulating within the area of the local authority by whom the resolution is passed, and otherwise in such manner as the local authority thinks sufficient for giving notice thereof to all persons interested.
4. A copy of the resolution of adoption shall be sent to the Local Government Board.
5. The resolution of adoption shall come into operation at the time, not less than one month after the first publication of the advertisement, fixed by the Local Government Board.