

THE OFFICIAL GAZETTE 9TH AUGUST, 2021

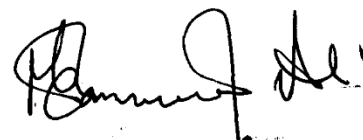
LEGAL SUPPLEMENT — A



ACT NO. 9 OF 2021

REGISTRATION OF BIRTHS AND DEATHS (AMENDMENT) ACT 2021

I assent.



Mohamed Irfaan Ali,

President.

9th August, 2021

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Insertion of new section 34 in the Principal Act.
3. Amendment of section 35 of the Principal Act.
4. Amendment of section 43 of the Principal Act.
5. Insertion of new section 44A in the Principal Act.
6. Amendment of section 49 of the Principal Act.
7. amendment of the Principal Act to insert new Part IVA.

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No. 9] REGISTRATION OF BIRTHS AND DEATHS (AMENDMENT) ACT 2021 [A.D. 2021

AN ACT to amend the Registration of Births and Deaths Act.

A.D. 2021 Enacted by the Parliament of Guyana:-

- Short title. 1. This Act, which amends the Registration of Births and Deaths Act,
Cap. 44:01 may be cited as the Registration of Births and Deaths (Amendment) Act 2021.
- Insertion of new section 34 in the Principal Act. 2. The Principal Act is amended by the insertion immediately after section 33 of the following new section –
- “Parent may choose surname of child. 34. A parent may choose any surname for the child.”.
- Amendment of section 35 of the Principal Act. 3. Section 35 of the Principal Act is amended by the substitution for that section of the following –
- “35. (1) When any name has been given to a child by its parents or guardians other than that by which it may have been registered, or where on registration no name has been given –
- (a) the parents or guardians, at any time after the child’s birth has been registered; or
- (b) that child, on attaining eighteen years or more,
- may deliver to the Registrar General a certificate in Form 3, or to the like effect, signed by the parents or guardians, or the person under paragraph (b), as the case may be, together with the supporting documents specified in subsection (2).
- (2) The supporting documents mentioned in subsection (1) are –
- (a) a sealed certificate of birth;

Cap. 5:09 (b) a declaration, made under the Statutory Declarations Act, by the applicant, signed by a Notary Public, stating the relationship the applicant has with the child; or

(c) any other document that the Registrar General may require.

(3) On receipt of the documents mentioned in subsection (1), and on payment of the fees as may be prescribed by the Minister by order, the Registrar General shall appropriately record the name of the child by completing a new registration form showing the original particulars with the name of the child as corrected or with the name given for the first time, as the case may be.

(4) In addition to the procedure in subsection (3), the Registrar General shall enter in the margin or at the bottom of the previous form the name of the child as corrected, sign the entry and add the date when the correction is made and the entry shall be signed by the parent or guardian or person seeking the correction.

(5) The newly completed form shall be stapled to the previous form and together shall comprise part of the record of the General Register Office.

(6) Where, subsequent to the insertion of the name of a child in the registration form, an application is made for a sealed copy of the certificate of birth, the sealed copy shall be prepared as if the registration of birth has been made in the name so inserted.”.

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Amendment of
section 43 of the
Principal Act.

4. Section 43 of the Principal Act is amended as follows –

(a) in the marginal note, by the insertion immediately after the word “form” of the words “or certificate of birth or death”;

(b) in subsection (2) –

(i) by the substitution for the words “if any error” of the words “if any minor clerical error”; and

(ii) by the substitution for the words “in the entry of a birth or death in a registration form” of the words “in the entry of the particulars of a birth or death in a registration form or a sealed certificate of birth or death”;

(c) in subsection (3), by the insertion immediately after the words “before him”, of the words “the Registrar General,”;

(d) in subsection (4), by the substitution for the words “containing the correct particulars; the newly completed form together with the previous form” of the words “or a new certificate of birth or death containing the correct particulars; the newly completed form or certificate together with the previous form or certificate”; and

(e) by the insertion immediately after subsection (4) of the following new subsection –

“(5) In addition to the procedure in subsection (4), the Registrar General shall enter in the margin or at the bottom of the previous form or certificate the correct particulars, sign the entry and add the date when the correction is made and the entry shall be signed by the person applying for the correction.”.

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Insertion of new
section 44A in
the Principal Act.

5. The Principal Act is amended by the insertion immediately after section 44 of the following new section –

“Where an
adult has
no original
document.

44A. (1) Where an adult requires a certificate of birth and there is no original document containing the particulars of his birth or there is no record of his birth, the Registrar General shall issue a certificate of birth on the basis of any of the following documents containing particulars touching the birth –

Form 3A
First
Schedule

(a) a declaration in Form 3A or to the like effect, signed by a person of high standing in the community, including a community leader or a Toshao;

Cap. 5:09

(b) a declaration, made under the Statutory Declarations Act, by a person of high standing in the community, including a community leader or a Toshao, signed by a Justice of Peace or Commissioner of Oaths stating the particulars of the birth of a person; or

(c) any other document with information indicating particulars of the birth notarised by a Notary Public, including a certificate of baptism or information in the marriage register.

(2) Where an adult has died, and there is no record of his birth to complete his registration of death for the issue of a certificate of death, the Registrar General shall

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accept the particulars of his birth given by any of the three procedures set out in subsection (1).

(3) For the purpose of this section, in lieu of a valid official document, an official document that is expired may be used.”.

Amendment of section 49 of the Principal Act.

6. Section 49 of the Principal Act is amended by the insertion immediately after subsection (2), of the following subsections –

“(3) The Registrar General shall issue a sealed certificate of birth in Form 4 or sealed certificate of death in Form 5 within 45 days from the filing of the original registration form of a birth or a death, or within 45 days from the receipt of an application under subsection (2).

(4) A registrar shall issue in an urgent case a certified copy of the completed registration of birth form or a registration of death form for use for information purposes, until a sealed certificate of birth or death is issued.”.

Amendment of the Principal Act to insert new Part VIA.

7. The Principal Act is amended by the insertion immediately after Part VI of the following new Part –

“PART VIA

REGISTRATION OF ADOPTIONS

65B. In the discharge of the functions of the office of Registrar General under “Part V” of the Adoption of Children Act, entitled “REGISTRATION OF ADOPTIONS” the Registrar General shall ensure, in particular, that, in accordance with section 36(4)(a) of that Act, a certificate of birth for an adopted child or an adopter shall be in the name given to the adopted child by the adoption order and shall not be distinguishable in any

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manner, including the colour of the paper used for the certificate of birth, from any other birth certificate issued for children who are not adopted children.”.

Passed by the National Assembly on the 3rd August, 2021.



S.E. Istiaq,

Clerk of the National Assembly.

(BILL No. 10/2021)