

CHAPTER 29. No. 6.

REGISTERS OF BIRTHS, DEATHS AND MARRIAGES.

Ordinance
Ch. 29. No. 5—
1940.

AN ORDINANCE TO PROVIDE FOR THE COPYING OF REGISTERS OF BIRTHS, DEATHS AND MARRIAGES AND TO DECLARE THE LEGAL FORCE AND EFFECT OF SUCH COPIES.

Commence-
ment.

[31st December, 1940.]

Short title.

1. This Ordinance may be cited as the Registers of Births, Deaths and Marriages Ordinance.

Interpre-
tation.

2. In this Ordinance—

“entry” means an entry in a register, or in a copy of a register or part of a register prepared under this Ordinance, relating to any one birth, death or marriage;

“register” does not include any register of marriages for which provision is made in the Muslim Marriage and Divorce Registration Ordinance, or Hindu Marriage Ordinance, or for which provision is, or was, made in any law now or heretofore in force in the Colony relating to immigrants, but, subject thereto, means a register of births, deaths or marriages for which provision is, or was, made in any law now or heretofore in force in the Colony, and includes any such register in the custody of the Registrar General which consists of copies or duplicates of original entries.

Powers of
Registrar
General to
inspect and
take posses-
sion of
registers.

3. It shall be lawful for the Registrar General—

(a) to inspect, without payment of fee, any register in the custody of any other person in order to ascertain its condition,

(b) to take temporary possession of any such register

for the purpose of exercising the powers and performing the duties conferred and imposed upon him by this Ordinance.

4. (1) Whenever, in the opinion of the Registrar General, the whole or any part of any register is, or is likely to become, unserviceable by reason of its age or of damage or otherwise, the Registrar General, with the approval of the Governor in Council, may cause a copy of such register or part thereof, as the case may be, to be prepared.

Preparation
to copies of
registers.

(2) If any entry, or part of an entry, in the register is illegible the copy shall be completed, as far as possible, from any corresponding entry in any other register.

(3) All copies prepared under this section shall be checked by such persons and in such manner as the Registrar General shall direct.

5. It shall be lawful for the Registrar General, with the permission of the Governor in Council—

Powers of
Registrar
General in
relation to
registers and
copies.

(a) to destroy the whole or any part of any register which, in the opinion of the Registrar General, is unserviceable;

(b) to cause any copy prepared in accordance with the preceding section to be bound as a new register, or to be substituted in an existing register for any part thereof which he is authorised in accordance with this section to destroy.

6. (1) Whenever, in accordance with the provisions of this Ordinance, copies of a register, or of any part thereof, have been prepared checked and bound as a new register, the Registrar General shall endorse in such new register a certificate substantially in form A in the Schedule hereto.

Certificates
of Registrar
General.

(2) Whenever, in accordance with the provisions of this Ordinance copies of any part of a register have been prepared checked and substituted in such register, the Registrar General shall endorse in such register a certificate substantially in form B in the Schedule hereto.

(3) The Registrar General shall sign and date every certificate endorsed by him under this section.

Effect of
Registrar
General's
certificate.

7. (1) With effect from the date of any certificate of the Registrar General endorsed in a new register in accordance with the preceding section, such new register shall have the same force and effect for all purposes, including the purposes of this Ordinance, as if it were the register, or part of a register, of which it is a copy, and such register or part of a register, as the case may be, shall cease to have any force or effect.

(2) With effect from the date of any certificate of the Registrar General endorsed in an existing register in accordance with the preceding section, the entries to which it relates shall have the same force and effect for all purposes, including the purposes of this Ordinance, as if they were the entries for which they have been substituted and the latter entries shall cease to have any force or effect.

(3) When a certificate of the Registrar General has been endorsed in accordance with the preceding section it shall be presumed unless the contrary is proved that all the provisions of this Ordinance have been complied with in respect of the new register or the entries to which it relates.

Special
provision
relating to
marriage
registers.

8. (1) If it shall appear to the Registrar General that any marriage has been duly registered in the register of the officer or person by whom the marriage was solemnized (which officer or person is in this section referred to as "the Marriage Officer") but has not been registered in the corresponding register in the custody of the Registrar General, it shall be lawful for the Registrar General, with the approval of the Governor in Council, to cause a copy to be prepared of the entry relating to such marriage in the register of the Marriage Officer and to insert such copy in the appropriate register in the custody of the Registrar General.

(2) Every such copy shall, before being so inserted, be checked by such person and in such manner as the Registrar General shall direct.

(3) The Registrar General shall endorse on every such copy a certificate substantially in form C in the Schedule hereto and shall sign such certificate and shall date such certificate as of the date on which it is inserted in the register.

(4) Every such copy, on being inserted in the Registrar General's register and certified in the manner provided in this section, shall be of the same force and effect for all purposes, including the purposes of this Ordinance, as if it were an entry in such register made in accordance with the provisions of law (other than this Ordinance) which are, or were, applicable to the registration of the marriage.

9. All expenses incurred in giving effect to the provisions of this Ordinance shall be defrayed out of the public revenues of the Colony.

Incidence of expense of carrying out the Ordinance.

THE SCHEDULE.

FORM A.

I hereby certify that this register has been prepared in accordance with the provisions of the Registers of Births, Deaths and Marriages Ordinance.

Dated

Registrar General.

FORM B.

I hereby certify that the following entries, namely, _____, have been substituted in this register in accordance with the provisions of the Registers of Births, Deaths and Marriages Ordinance.

Dated

Registrar General.

FORM C.

I hereby certify that this entry has been inserted in accordance with the provisions of section 8 of the Registers of Births, Deaths and Marriages Ordinance.

Dated

Registrar General.