

LAWS OF TRINIDAD AND TOBAGO

REGISTERS OF BIRTHS, DEATHS AND
MARRIAGES ACT

CHAPTER 44:02

Act
18 of 1940

Current Authorised Pages

<i>Pages</i>	<i>Authorised</i>
<i>(inclusive)</i>	<i>by L.R.O.</i>
1-7	.. 1/2006

LAWS OF TRINIDAD AND TOBAGO

2

Chap. 44:02 *Registers of Births, Deaths and Marriages*

Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note on Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 120/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 44:02

**REGISTERS OF BIRTHS, DEATHS AND
MARRIAGES ACT**

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Powers of Registrar General to inspect and take possession of registers.
4. Preparation of copies of registers.
5. Powers of Registrar General in relation to registers and copies.
6. Certificates of Registrar General.
7. Effect of Registrar General's certificate.
8. Special provision relating to marriage registers.
9. Incidence of expense of carrying out the Act.

SCHEDULE.

CHAPTER 44:02

REGISTERS OF BIRTHS, DEATHS AND
MARRIAGES ACT

1950 Ed.
Ch. 29 No. 6.
18 of 1940.

An Act to provide for the copying of registers of births, deaths and marriages and to declare the legal force and effect of such copies.

Commencement.

[31ST DECEMBER 1940]

Short title.

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

Interpretation.

2. In this Act—

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

Ch. 45:02.

Ch. 45:03.

“register” does not include any register of marriages for which provision is made in the Muslim Marriage and Divorce Act, or Hindu Marriage Act, or for which provision is, or was, made in any law now or heretofore in force in Trinidad and Tobago 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 Trinidad and Tobago, 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 possession of registers.

3. The Registrar General may—

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

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 Minister, may cause a copy of the register or part thereof, as the case may be, to be prepared.

Preparation of 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. The Registrar General may with the permission of the Minister—

Powers of Registrar General in relation to registers and copies.

- (a) destroy the whole or any part of any register which, in the opinion of the Registrar General, is unserviceable;
- (b) cause any copy prepared in accordance with section 4 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 Act, 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.

Certificates of Registrar General.

Form A Schedule.

(2) Whenever, in accordance with the provisions of this Act, 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.

Form B Schedule.

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

LAWS OF TRINIDAD AND TOBAGO

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 section 6 such new register shall have the same force and effect for all purposes, including the purposes of this Act as if it were the register, or part of a register, of which it is a copy, and the 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 section 6 the entries to which it relates shall have the same force and effect for all purposes, including the purposes of this Act, 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 section 6 it shall be presumed unless the contrary is proved that all the provisions of this Act 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 appears to the Registrar General that any marriage has been duly registered in the register of the officer or person by whom the marriage was solemnised (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, the Registrar General may with the approval of the Minister, cause a copy to be prepared of the entry relating to the marriage in the register of the Marriage Officer and 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.

Form C Schedule.

(3) The Registrar General shall endorse on every such copy a certificate substantially in Form C in the Schedule and shall sign the certificate and shall date the 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 Act, as if it were an entry in such register made in accordance with the provisions of law (other than this Act) which are, or were, applicable to the registration of the marriage.

9. All expenses incurred in giving effect to the provisions of this Act shall be defrayed out of moneys provided by Parliament. Incidence of expense of carrying out the Act.

SCHEDULE

FORM A

Section 6(1).

I hereby certify that this register has been prepared in accordance with the provisions of the Registers of Births, Deaths and Marriages Act, (Ch. 44:02).

Dated

Registrar General.

FORM B

Section 6(2).

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 Act, (Ch. 44:02).

Dated

Registrar General.

FORM C

Section 8(3).

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 Act, (Ch. 44:02).

Dated

Registrar General.