

# LAWS OF TRINIDAD AND TOBAGO

## BIRTHS AND DEATHS REGISTRATION ACT

### CHAPTER 44:01

Act  
13 of 1847

Amended by

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on

Commencement Date

The date of commencement of this Chapter was given in previous revised editions as 16th December 1847. This was in fact the date of the Proclamation notifying its confirmation. The date of commencement was 1st January 1848 (as expressly provided in the original Ordinance).

## CHAPTER 44:01

BIRTHS AND DEATHS REGISTRATION  
ACT

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## CHAPTER 44:01

## BIRTHS AND DEATHS REGISTRATION ACT

## An Act relating to the Registration of Births and Deaths.

1950 Ed.  
Ch. 29 No. 1.

13 of 1847.

Commencement.

\*[1ST JANUARY 1848]

1. This Act may be cited as the Births and Deaths Registration Act. Short title.

2. In this Act— Interpretation.  
[98/1981].  
 “appointed fee” means the fee specified in the Second Schedule; Second Schedule.

“house” includes a Public Institution;

“occupier” includes the Keeper, Master, Matron, Superintendent, or other Chief Resident Officer of every Public Institution, also the owner and the manager of every estate and plantation in Trinidad and Tobago; and where a house is let in separate apartments or lodgings includes any person residing in the house who is the person under whom the lodgings or separate apartments are immediately held, or his agent;

“Public Institution” means a Prison, Industrial School, Orphanage, Asylum, Hospital, and any prescribed Public or Charitable Institution;

“relative” includes a relative by marriage.

3. Where reference is made in this Act to a Registrar or a Superintendent Registrar in connection with any birth or death, or any register, the reference shall (unless the contrary is expressed) be deemed to be made to the Registrar who is the Registrar for the district in which the birth or death took place or who keeps the register in which the birth or death is or is required to be registered, or who keeps the register referred to, and to the Superintendent Registrar who superintends the Registrar as mentioned above. Definition of Registrar and Superintendent Registrar.

4. The Registrar General shall keep at his office in Port-of-Spain a general register of births and deaths in Trinidad and Tobago. General register.

5. The Registrar General shall send, once in every year, to the President a general abstract of the numbers of births Annual abstract of registers to be sent to President.

\*See note on page 2

and deaths registered during the twelve months ending on the last day of December then immediately preceding, in such form as the President from time to time may require; and every such annual general abstract shall be laid before Parliament.

*Superintendent Registrars and Registrars*

Superintendent Registrars for Port-of-Spain, and San Fernando.

6. The President shall appoint such person as he sees fit as Superintendent Registrar of births and deaths within the City of Port-of-Spain, and such other person as he sees fit as Superintendent Registrar of births and deaths within the town of San Fernando.

Revenue Officer to be Superintendent Registrar of births and deaths.

7. (1) Each Revenue Officer in charge of a District Revenue Office shall be the Superintendent Registrar of births and deaths.

(2) All fees received by Revenue Officers under this Act shall be paid into public funds.

Districts.

8. Every Superintendent Registrar, with the approval of the Registrar General, may divide the city, town, county, or ward, of or for which he is Superintendent, into such and so many districts as he thinks fit; and from time to time, with the approval as mentioned above, may alter and vary the number of such districts; and every such district shall be called by a distinct name, and shall be a Registrar's district, and the Superintendent Registrar shall appoint a person with such qualifications as the Registrar General may by any general rule declare to be necessary to be Registrar of births and deaths within each district, and in every case of vacancy in the office of Registrar shall forthwith fill up the vacancy; and every such Registrar shall hold his office during the pleasure of the Registrar General.

District Registrars.

Deputy Registrars.

9. For every district for which a Registrar of births and deaths is appointed the Registrar shall have power, subject to the approval of the Superintendent Registrar, to appoint by writing under his hand a fit person to act as his Deputy in case of the illness or unavoidable absence of the Registrar; and every such Deputy Registrar, whilst so acting, shall have all the powers and duties, and be subject to all the provisions and penalties herein declared concerning Registrars, and in case of the death of the Registrar shall act as Registrar until another Registrar is appointed, and every Registrar shall be civilly responsible for the acts or omissions of his deputy.

10. The Registrar General shall furnish to every Superintendent Registrar, for the use of the Registrars under his superintendence, a sufficient number of strong iron boxes to hold the register books to be kept by the Registrars; and every such box shall be furnished with a lock and two keys and no more, and one of the keys shall be kept by the Registrar, and the other key shall be kept by the Superintendent Registrar, and the register books of each district, while in custody of the Registrar and not in use, shall be always kept in the register box, and the register box shall always be kept locked. Register boxes.

11. In every case in which any Registrar or Superintendent Registrar is removed from or ceases to hold office, all register boxes, keys, books, documents and papers in his possession as Registrar or Superintendent Registrar shall be given up as soon as may be convenient to his successor in office; and if any person refuses to give up any such box, key, books, documents or papers in such case any Justice for the district where the person is or resides, upon application for that purpose, may issue a warrant under his hand for bringing such person before the Magistrate of the district; and upon such person appearing, or not being found, the Magistrate may hear and determine the matter in a summary way; and if it appears to the Magistrate that any such box, key, books, documents, or papers are in the custody or power of any such person, and that he has refused or wilfully neglected to deliver them, the Magistrate shall commit the offender to prison, there to remain without bail until he has delivered up the same, or until satisfaction has been given to the person in whose custody the same ought to be; and the Magistrate may grant a warrant to search for the box, key, books, documents or papers, as in the case of stolen goods, in any dwelling-house or other premises in which any credible witness proves upon oath 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 they ought to be. Transfer of books, etc., on removal of Registrar.

12. Every Registrar and Deputy Registrar shall reside within the district of which he is Registrar or Deputy Registrar, and shall cause his name, with the addition of Registrar or Deputy Registrar (as the case may be) or the district for which he is so appointed, to be placed in some conspicuous place on or near the outer door of his own dwelling-house, and the Superintendent Registrar shall cause to be printed and published in the city, town, county Registrar to reside within the district.

or ward which he superintends, a list of the names and places of abode of every Registrar and Deputy Registrar under his superintendence.

Allowances for use of premises. [4 of 1977 2 of 1985]. Fourth Schedule. Register books.

13. Every Registrar shall be paid an allowance for the use of his premises at the rate set out in the Fourth Schedule.

Forms A, B. First Schedule.

14. The Registrar General shall cause to be printed a sufficient number of register books for making entries of all births and deaths in Trinidad and Tobago, according to Forms A and B of the First Schedule; and such register books shall be of durable materials, and in them shall be printed upon each side of every leaf the heads of information required by this Act to be known and registered, of births and deaths respectively; and every page of each of such books shall be numbered progressively from the beginning to the end, beginning with number one; and every place of entry shall be also numbered progressively from the beginning to the end of the book, beginning with number one; and every entry shall be divided from the following entry by a printed line.

Registrars to inform themselves of all births and deaths.

15. Every Registrar is authorised, and is hereby required, to inform himself carefully of every birth and every death which takes place in his district, and to learn and register, as soon after the event as conveniently may be done, in one of the said books, the particulars required to be registered according to Forms A and B respectively of the First Schedule, touching every such birth or every such death, as the case may be, which are not already registered, every such entry being made in order from the beginning to the end of the book.

Forms A, B. First Schedule.

#### *Registration of births*

Information concerning birth to be given to Registrar within forty-two days.

16. In the case of every child born alive, 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 or tenement in which, or the person in charge of the plantation or estate on which, 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 the birth, information of the particulars required to be registered concerning the birth, and in the presence of the Registrar to sign the register.

Requisition by Registrar of information after forty-two days.

17. Where a birth has, from the default of the parents or other person required to give information concerning it, not been duly registered, the Registrar may, at any time after

the end of forty-two days from 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 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, and not more than three months from the date of birth) as may be specified in the notice, and to give information, to the best of such person's knowledge and belief, of the particulars required to be registered concerning the birth, and to sign the register 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 the requisition, to comply with the requisition.

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

Information respecting finding of new-born child to be given to Registrar.

19. (1) After the expiration of three months next after the birth of any child, a Registrar shall not register the birth except as provided in this section; that is to say, in case the birth of any child has not been registered as required above, 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 Superintendent Registrar's 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 the Superintendent Registrar 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 register in the presence of the Registrar and Superintendent Registrar; and upon any of the said persons attending before a Registrar and Superintendent Registrar, whether in pursuance of a requisition or not, and making such a declaration as mentioned above, and giving information concerning the birth, the Registrar shall then and there, in the presence of the Superintendent Registrar, register the birth according to the

Registry after expiration of three months from birth.

information of the declarant, and the Superintendent Registrar before whom the declaration is made shall, as well as the Registrar and declarant, sign the entry of the birth.

Registry after twelve months from birth.

(2) 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 in the register.

(3) Any person who registers or causes to be registered the birth of any child in contravention of this section is liable to a fine of one thousand dollars.

Registry of birth out of district in case of removal. [2 of 1985].

20. (1) Any person required by this Act to give information concerning a birth, who removes before the birth is registered out of the district in which the birth has taken place, may, within three months after the 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 the birth; and the Registrar, on payment of the appropriate fee set out in the Second Schedule, 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 in the register; and the entry so made shall be deemed, for the purposes of this Act, to have been signed by the person who signed the declaration.

Second Schedule.

(2) 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 information 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.

Child of unmarried mother. [17 of 1981].

21. (1) The Registrar shall not enter the name of any person as the father of a child born out of wedlock except—

- (a) at the joint request of the mother and the person acknowledging himself to be the father of the child (in which case that person shall sign the register together with the mother); or

- (b) at the request of the mother on production of—
- (i) a declaration in the prescribed form made by the mother stating that the said person is the father of the child; and
  - (ii) a statutory declaration made by that person acknowledging himself to be the father of the child.

(2) If on registration of the birth of a child the name of no person has been entered in the register as the father, the Registrar may re-register the birth so as to show a person as the father—

- (a) at the joint request of the mother, and of that person (in which case the mother and that person shall both sign the register) in the presence of the Registrar; or
- (b) at the request of the mother on the production of—
  - (i) a declaration in the prescribed form made by the mother stating that the person in question is the father of the child; and
  - (ii) a statutory declaration made by that person acknowledging himself to be the father of the child,

but no birth shall be re-registered as aforesaid except with the authority of the Registrar General and any such re-registration shall be effected in such manner as may be prescribed.

(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 paternity order in respect of the child has been made by the High Court, or by a Magistrate's Court, or that the child's parents were married after the registration he shall authorise the entry in the register of the name of the father and such other particulars relating to the father as are supplied to him.

21A. 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 15, the name of or any other

Father's  
particulars.  
[17 of 1981].

particulars relating to the father shall not thereafter be entered in the register unless the Registrar General is satisfied that—

- (a) the parents of the child were married to each other; or
- (b) a paternity order in respect of the child has been made by the High Court or by a Magistrate's Court 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.

Register of  
Statutory  
Declarations  
and Orders.  
[17 of 1981].

21B. (1) The Registrar General shall, from the records and registers in his office, make and keep a correct register in respect of—

- (a) all statutory declarations of the kind described in subsection (1) of section 9 of the Status of Children Act, filed in his office or of the duplicates or attested copies of such instruments;
- (b) all copies of paternity orders made under section 10 of the Status of Children Act, forwarded to him in accordance with section 9 of the said Act, by the Registrar of the High Court;
- (c) all copies of orders made by a Magistrate's Court forwarded to the Registrar General in accordance with section 9 of the Status of Children Act, by any Clerk of the Peace for filing in the office.

Ch. 46:07.

(2) For the purposes of subsection (1) the Registrar General shall cause the registration of all declarations and duplicates and copies of declarations filed in his office to be numbered and otherwise systematically filed according to each calendar year and such register shall contain such other particulars as may be prescribed.

(3) The Registrar General shall cause all such statutory declarations and duplicates and copies of declarations to be indexed according to each calendar year and each index shall contain the number and such other particulars of the registration as may be prescribed.

(4) The Registrar General shall cause any certified copy of any such instrument, declaration or order as is referred to in the register kept in accordance with subsection (1) to be sealed and any such sealed copy shall be received as evidence relating to the birth to which it relates without any further or other proof of the instrument, declaration or order, as the case may be, and no certified copy purporting to be given in the said office shall be of any force or effect which is not so sealed.

22. (1) When the birth of any child has been registered and the name, if any, by which it was registered is altered, or if it was registered without a name, when a name is given to it, the parent or guardian of the child, or other person procuring the name to be altered or given, may, within twelve months next after the registration of the birth, deliver to the Registrar or Superintendent Registrar the certificate as mentioned below, and the Registrar or Superintendent Registrar, upon the receipt of that certificate, and on payment of the appointed fee, shall, without any erasure of the original entry, forthwith enter in the register book the name mentioned in the certificate as having been given to the child, and, having stated upon the certificate the fact of the entry having been made, shall forthwith send the certificate to the Registrar General, together with a certified copy of the entry of the birth with the name so added.

Registration of name of child or of alteration of name.  
[51/1980].

(2) The certificate shall be according to Form F or G in the First Schedule, or as near thereto as circumstances admit, and shall be signed by the minister or person who performed the rite of baptism upon which the name was given or altered, or, if the child is not baptised, 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.

Forms F and G.  
First Schedule.

(3) Every minister or person who performs the rite of baptism shall deliver the certificate required by this section on demand, on payment of a fee of one dollar.

23. (1) Any Registrar, immediately upon registering any birth, shall without fee or reward deliver, to the person giving information concerning a birth for the purpose of registering that birth a certificate under his hand in the form set out as Form H in the First Schedule, and the certificate shall be delivered by the parent or guardian of

Registrar to give certificate of registration of birth to informant Form H First Schedule.  
[2 of 1985].

the child or other person who gave information to the Registrar concerning the birth of the child, to the minister or person who is required to perform and who shall perform the rite of baptism and if any child is baptised for which no such certificate has been so delivered, the minister or person who performs the rite of baptism shall forthwith give notice thereof to the Registrar.

(2) Any minister or person who performs the rite of baptism for which no certificate has been duly made and delivered as above, and who has not, within fourteen days, given notice thereof to the Registrar, is liable to a fine of two hundred dollars.

### *Registration of deaths*

Registry of deaths.

24. The death of every person dying in Trinidad and Tobago, and the cause of the death, shall be registered by the Registrar in the manner directed by this Act.

Information where death occurs in house. [16 of 1953].

25. When a person dies in a house, it shall be the duty of the nearest relatives of the deceased present at the death, or in attendance during the last illness of the deceased, and in default of the relatives, of every other relative of the deceased dwelling or being in the same district as the deceased, and in default of the 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 mentioned in this section, of each inmate of the 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 the death, information of the particulars required to be registered concerning the death, and in the presence of the Registrar to sign the register.

Information where death does not occur in house. [16 of 1953].

26. Where a person dies in a place which is not a house, or a dead body is found elsewhere than in a house, it shall be the duty of every relative of the deceased person having knowledge of any of the particulars required to be registered concerning the death, and in default of the 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 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 register.

27. 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 is 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 the notice, be given within ten days next after the day of the death by the person giving the notice or some other person required by this Act to give the information.

Notice preliminary to information.

28. Where any death has, from the default of the person required to give information concerning it, not been registered, the Registrar may, at any time after the expiration of ten days and within twelve months from the day of the 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 the 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 information to the best of the informant's knowledge and belief, and to sign the register 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.

Requisition by Registrar of information concerning deaths from qualified informant.

29. (1) After the expiration of twelve months next after any death, or after the finding of the 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 in the register.

Death not to be registered after twelve months.

(2) Any person who registers or causes to be registered any death in contravention of this section is liable to a fine of one thousand dollars.

Information  
by Coroner.

30. (1) Where an inquest is held on any dead body, the Coroner shall enquire of the particulars required to be registered concerning the death, and the Coroner shall send to the Registrar, within five days after his finding on the inquest, a certificate under his hand giving information concerning the death and specifying his finding 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, in the prescribed form and manner, enter the death and particulars. If the death has been previously registered, the said particulars shall be entered in the prescribed manner without any alteration of the original entry.

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

#### *Burials*

Coroner's  
order and  
Registrar's  
certificate  
for burial.  
Form E.

31. (1) A Coroner, upon holding an inquest upon any body, may, if he thinks fit, by order under his hand, authorise the body to be buried before registry of the death, and shall give such order to the relative of the deceased or other person who causes the body to be buried, or to the undertaker or other person having charge of the funeral; and except upon holding an inquest, no order, warrant, or other document for the burial of any body shall be given by the Coroner.

(2) The Registrar, upon registering any death or upon receiving a written notice of the occurrence of a death, accompanied by a medical certificate as is provided by this Act, shall forthwith, or as soon after as he is required, give, without fee or reward, either to the person giving information concerning the death or sending the notice, or to the undertaker or other person having charge of the funeral of the deceased, a certificate under his hand that he has registered or received notice of the death, as the case may be.

Form D.

(3) Any such order of the Coroner and certificate of the Registrar shall be delivered to the person who buries or performs any funeral or religious service for the burial of the body of the deceased; and any person to whom the order

or certificate was given by the Coroner or Registrar who fails so to deliver or causes to be delivered the same is liable to a fine of one hundred dollars.

(4) The person who buries or performs any funeral or religious service for the burial of any dead body, as to which no order or certificate under this section is delivered to him, shall, within seven days after the burial, give notice thereof in writing to the Registrar, and if he fails to do so is liable to a fine of four hundred dollars.

32. (1) A person shall not wilfully bury or procure to be buried the body of any deceased child as if it were still-born.

Burial of  
deceased  
children as  
still born.

(2) A person who has control over or ordinarily buries bodies in any burial ground shall not permit to be buried in the burial ground the body of any deceased child as if it were still-born, and shall not permit to be buried or bury in the burial ground 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 registered medical practitioner who was in attendance at the birth or has examined the body of the child;
- (b) a declaration signed by some person who would, if the child had been born alive, have been required by this Act to give information concerning the birth, to the effect that no registered medical practitioner was present at the birth, or that his certificate cannot be obtained, and that the child was not born alive; or
- (c) if there has been an inquest, an order of the Coroner.

(3) Any person who acts in contravention of this section is liable to a fine of four hundred dollars.

#### *Certificates of cause of death*

33. With respect to certificates of the cause of death, the following provisions shall have effect:

Regulations as  
to certificates of  
cause of death.

- (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 or practising in the 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 the 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;
- (c) in case of the death of any person who had not the services of a medical practitioner, or who had not been attended by a medical practitioner during his last illness, the Registrar General, a Justice, Superintendent Registrar, District Registrar, Minister of Religion, or any police officer of or above the rank of Assistant Superintendent, may summon the nearest medical practitioner to view the dead body and to certify on the view, and according to the symptoms described to him by those who attended to the deceased person, what he conceives to be cause of death; the medical practitioner is entitled to receive a fee for the certificate on such scale as may be prescribed by the President. The medical practitioner's certificate shall be given to some person required by this Act to give information concerning the death, and the person shall deliver the 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;
- (d) where an inquest is held on the body of any deceased person, a medical certificate of the cause of death need not be given to the Registrar, but the certificate of the finding of the Coroner is sufficient;

- (e) where by reason of inability to obtain the services of a medical practitioner to view a dead body and to certify as in this section required, the Revenue Officer, police officer, Schoolmaster or other of the functionaries mentioned in this section may issue a certificate for the burial of the deceased person;
- (f) 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 is liable to a fine of one hundred dollars.

34. Every Superintendent Registrar and Registrar respectively shall be entitled to the fees specified in the Second Schedule, and every such fee shall be paid to him by the persons and on the occasions pointed out in that Schedule and may be recovered as a debt due to him, and, subject to the prescribed Rules, he may refuse to comply with any application voluntarily made to him until the fee is paid.

35. (1) Every Registrar, when and as required by the Chief Medical Officer for the purposes of the Board of Health, shall transmit by post or otherwise a return, certified under the hand of the Registrar to be a true return, of such of the particulars registered by him concerning any death as may be specified in the requisition of the Chief Medical Officer.

(2) The Chief Medical Officer may supply a form of the prescribed character for the purposes of the return, and in that case the return shall be made in the form so supplied.

#### *Correction of errors*

36. With regard to the correction of errors in registers of births and deaths, the following provisions shall have effect:

- (a) no alteration in any such register shall be made except as authorised by this Act;
- (b) any clerical error which may from time to time be discovered in any such register may be corrected by any person authorised in that behalf by the Registrar General, subject to the prescribed Rules;

Second  
Schedule.

- (c) an error of fact or substance in any such register may be corrected by entry in the margin (without any alteration of the original entry) by the officer having the custody of the register, upon payment of the appropriate fee set out in the Second Schedule, and upon production to him by the person requiring the 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;
- (d) where an error of fact or substance (other than an error relating to the cause of death) occurs in the information given by a Coroner's certificate concerning a dead body upon which he has held an inquest, the Coroner, if satisfied by evidence on oath or statutory declaration that the error exists, may certify under his hand to the officer having the custody of the register in which the information is entered the nature of the error and the true facts of the case as ascertained by him on the evidence, and the error may thereupon be corrected by the officer in the register by entering in the margin (without any alteration of the original entry) the facts as so certified by the Coroner.

*Miscellaneous*

Register when  
not evidence.

37. (1) An entry or certified copy of an entry of a birth or death in a register or in a certified copy of such a register, shall not be evidence of the birth or death, unless the entry either purports to be signed by some person professing to be the informant and to be such a person as is required by law at the date of the entry to give to the Registrar information concerning the birth or death, or purports to be made upon a certificate from a Coroner.

(2) When more than three months have intervened between the day of the birth and the day of the registration of the birth of any child, the entry or certified copy of the

entry of the birth of the child in a register or in a certified copy of such a register, shall not be evidence of the birth, unless the entry purports—

- (a) if it appears that not more than twelve months have so intervened, to be signed by the Superintendent Registrar 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.

(3) Where 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 the body, the entry or certified copy of the entry of the death in a register or in a certified copy of the register, is not evidence of the death, unless the entry purports to have been made with the authority of the Registrar General, and in accordance with the prescribed Rules.

38. Every person required 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 the 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, is liable to a fine of one hundred dollars for each offence; and the parent of any child who fails to give information concerning the birth of the child, as required by this Act, is liable to a like fine; 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 is, if the information as is required by this Act is not duly given, liable to the same fine. Penalty for not giving information.

39. Any person who forges or falsifies any certificate or declaration or order under this Act, or, knowing any such certificate, declaration, or order to be false or forged, uses the same as true, or gives or sends the same as true to any person, is for each offence liable on summary conviction to a fine of four hundred dollars, and, on conviction on indictment to a fine, or to imprisonment for two years. Offences.

Sending certificates, etc., by post.

40. All notices, informations, declarations, certificates, requisitions, returns, and other documents required or authorised by this Act to be delivered, sent, or given to the Registrar General, a Superintendent Registrar, or a Registrar, or by a Registrar to a person who is required to give information concerning any birth or death, or who gives notice of any death, may be sent by post, and the date at which they would be delivered to the person to whom they are sent in the ordinary course of post shall be deemed to be the date at which they are received; and in proving the sending, it shall be sufficient to prove that the letter was properly addressed and put into the post.

Particulars to be registered concerning birth or death. [5 of 1952]. Forms A, B. First Schedule.

41. The particulars required to be registered concerning a birth or death shall be the particulars specified in Forms A and B respectively of the First Schedule, or as altered in pursuance of this Act.

Quarterly accounts. [2 of 1985].

42. Every Registrar shall make out an account four times in every year of the number of births and deaths which he has registered since the last quarterly account, and the Superintendent Registrar shall verify and sign the same, and the Comptroller of Accounts shall pay to the Registrar, on the certificate of the Registrar General, according to the scale set out in the Fifth Schedule.

Fifth Schedule.

Certified copies of registers to be sent quarterly, and register books when filled, to Superintendent Registrar. [4 of 1977. 2 of 1985]. Form C. First Schedule.

43. (1) In the months of April, July, October, and January, on such days as shall from time to time be appointed by the Registrar General, the Registrar of each district shall make and deliver to the Superintendent Registrar of his district, a true copy, on durable materials, certified by him under his hand according to Form C of the First Schedule, of all the entries of births and deaths in the register book kept by him since the last certificate; and the Superintendent Registrar shall verify the same, and, if found to be correct, shall certify the same under his hand to be a true copy; and 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 countersigned by him; and the Registrar shall keep safely each of the register books until it is filled, and shall then deliver it to the Superintendent Registrar, to be kept by him with the records of his office.

Fifth Schedule.

(2) The Comptroller of Accounts shall pay to a Registrar for each copy of an entry of birth or death made

under subsection (1) an allowance at the rate set out in the Fifth Schedule.

44. Every Superintendent Registrar shall, four times in every year, on such days as shall be named by the Registrar General, send to the Registrar General all the certified copies of the registers of births and deaths which he has received during the three calendar months next preceding such quarterly days of transmission respectively; and if it appears by the interruption of the regular progression of numbers or otherwise, that the copy of any part of any book has not been duly delivered to him, he shall procure, as far as possible consistent with the provisions of this Act, that the same may be remedied and supplied; and every Superintendent Registrar shall make out an account, four times in every year, of the number of entries in the certified copies sent to him during the last quarter, and the certified copies so sent to the Registrar General shall be thereafter kept in such order and manner as the Registrar General under the direction of the President, thinks fit, so that the same may be most readily seen and examined.

Superintendent Registrars to send certified copies of registers to Registrar General. [45 of 1979 47 of 1980].

45. Every Registrar who has the keeping for the time being of any register of births or deaths shall, at all reasonable times, allow searches to be made of any register in his keeping, and shall give a copy certified under his hand of any entry or entries in the same, on payment of the appropriate fees set out in the Second Schedule.

Searches and certified copies. [51/1980 [2 of 1985].

Second Schedule.

46. Every Superintendent Registrar shall, when required to do so by the Registrar General, cause indexes of the register books in his office to be made and kept with the other records of his office, and any person is entitled at all reasonable hours to search such indexes, and to have a certified copy of any entry or entries in the register books under the hand of the Superintendent Registrar or, where the register books are kept by a Revenue Officer in the capacity of Superintendent Registrar, of any officer authorised in writing by the Revenue Officer to issue certified copies of entries in the register books on payment of the fees specified in the Second Schedule.

Indexes and searches—Superintendent Registrars. [34 of 1952].

Second Schedule.

47. (1) The Registrar General shall cause indexes of all the certified copies of the registers to be made and kept in his office, and every person is entitled, on payment of the fees referred to in subsection (3), to search the indexes at

Indexes and searches—Registrar General.

any time during office hours, and to have a certified copy of any entry in the certified copies of the registers.

Certified copies given at general register office to be sealed.

(2) The Registrar General shall seal all the certified copies, and all the sealed copies shall be received as evidence of the birth or death to which the same relate, without any further or other proof of the entry, and no certified copy purporting to be given in the said office shall be of any force or effect which is not sealed as mentioned above.

Fees.

Third Schedule.

(3) The Registrar General is entitled to charge the fees specified in the Third Schedule.

Shortened form of birth certificate. [2/1963].

48. Any person shall, on payment of a fee of twenty-five cents and on furnishing the prescribed particulars, be entitled to obtain from the Registrar General, a Superintendent Registrar or a Registrar, a certificate in the prescribed form of the birth of any person compiled from the records and registers in the custody of the Registrar General, or from the registers in the custody of that Superintendent Registrar or Registrar, as the case may be. No certificate issued under this section shall include any particulars except the name, surname, sex and date of birth and such other particulars, if any, as may be prescribed, not being particulars relating to parentage or adoption.

Funds. Fees received by registrar General to be paid into public funds.

49. The President may from time to time cause to be paid from public funds such moneys as may be required for the purpose of carrying this Act into effect, and every sum received under the provisions of this Act by or on account of the Registrar General shall be accounted for and paid by the Registrar General on the expiration of each month into public funds.

Penalty for neglecting to give notice or information.

50. If any person required or directed by this Act to give notice to any Registrar of any birth or of any death, or to give any information when required to do so of any of the particulars hereby required to be known and registered touching any child born or any person dead, omits or refuses to do so within the time limited in that behalf, every person so offending is liable to a fine of two hundred dollars; and one moiety of the fine shall be paid to the informer, and the other moiety shall be paid into public funds.

Application of penalty.

Penalty for not duly registering, or for losing or injuring registers. etc.

51. Any Registrar who refuses or without reasonable cause omits to register any birth or death of which he has had due notice, and any person having the custody of any register book or certified copy thereof, or of any part thereof, who carelessly loses or damages the same, or

carelessly allows the same to be damaged whilst in his keeping, is liable to a fine of two thousand dollars.

52. Every person who wilfully destroys or damages or causes to be destroyed or damaged, any such register book, or any part or certified copy of any part thereof, is guilty of an indictable offence.

Destroying or  
injuring register  
books.  
[45 of 1979].

53. 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.

Forms.  
First Schedule.

54. (1) The Registrar General may, by Order, 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 manner as may appear to him best for carrying this Act into effect, or may prescribe new forms for that purpose, and may make Regulations for prescribing any matters authorised by this Act to be prescribed.

Power to  
alter forms.  
First Schedule.

(2) Any order made in pursuance of this section shall be laid before Parliament within thirty days after the issue of the same.

Regulations.

(3) Every form when altered in pursuance of this section shall have the same effect as if it had been contained in the First 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.

First Schedule.

54A. The President may by Order amend any Schedule.

President  
may amend  
Schedules by Order.  
[2 of 1985].

55. (1) Unless otherwise directed, all offences under this Act may be prosecuted, and all penalties incurred may be imposed or recovered in the manner provided by the Summary Courts Act.

Recovery of  
penalties.

Ch. 4:20.

(2) Where the Magistrate before whom a person is charged summarily with an offence under this Act which is also punishable on indictment, thinks that proceedings ought to be taken against the person by indictment, he may adjourn the case to enable such proceedings to be taken.

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

Limitation.

**FIRST SCHEDULE**

FORM A

Section 14

19.....

Births in the Ward of

No.	When born
1 7 Jan. James	Name, if any
Boy	Sex
William Green	Name and Surname of Father
Rebecca Green, formerly Jennings	Name and Maiden Surname of Mother
Car-penter	Rank or Profession of Father
William Green, father, Carpenter, Co-rynthie Estate	Signature, description and residence of informant
9 Jan.	When registered
John Cox, Registrar	Signature of Registrar
	Baptismal name, if added after registration of Birth
	No. of house or locality where born

FORM B

Section 14

19.....

Deaths in the Ward of

No.	When died
	Name and Surname
	Sex
	Age
	Rank or Profession and country of birth
	Cause of death
	Signature, description and residence of informant
	When registered
	Signature of Registrar
	No. of house or locality where died

FORM C

Section 43(1)

I,.....Registrar of Births and Deaths in the Sub-Division.....  
.....in the Ward of.....do hereby certify that this is a true  
copy of the Registrar's book of births (or deaths) within the said District from the  
entry of the birth (or death) of.....No. 1.....to the entry of  
the birth (or death) of.....No. 34.

Witness my hand this.....day of ....., 19.....

*Registrar.*

FORM D

Section 31(2)

I,.....Registrar of Births and Deaths in the Sub-Division.....  
in the Ward of.....do hereby certify that the death of.....was  
duly registered by me on the .....day of....., 19.....

Witness my hand this.....day of....., 19.....

*Registrar.*

FORM E

Section 31(1)

I,.....Coroner for the.....do hereby order the burial of the body  
now shown to me as the body of.....

Witness my hand this.....day of....., 19.....

*Coroner.*

FORM F

Section 22

**Form Certifying Name given in Baptism**

I,.....of.....in the Ward of....., do hereby certify.....  
that on the....., 19....., I baptized by the name of.....a.....male child  
produced to me by.....as the.....of....., and declared by the said  
.....to have been born at.....in the Ward of .....on the..... 19, ...

*Signed by Officiating Minister.*

FORM G

Section 22

**Form Certifying Name given not in Baptism**

I,.....do hereby certify that the.....male child born on the.....,  
at....., in the Ward of.....to.....and.....his wife, and  
registered in the District of.....on the....., 19....., has (without being  
baptized) received the name of.....

Witness my hand this.....day of....., 19.....

*Signature.*

FORM H

I, .....Registrar of Births and Deaths in the Sub-Division.....in the Ward of .....do hereby certify that the birth of.....was duly registered by me on the.....day of....., 19.....  
 Witness my hand this.....day of.....,19.....

*Registrar.*

(Sections 19, 20, 22, 31, 34, 36, 45, 46, 2/1963 2 of 1985).

SECOND SCHEDULE

FEEs PAYABLE TO REGISTRARS AND SUPERINTENDENT REGISTRARS

	<i>Registrar</i>	<i>Superintendent Registrar</i>
1. For registration of birth payable by informant or declarant where:		
(a) child over three months and not more than twelve months     ...     ...	\$1.25	\$1.25
(b) child over twelve months and with the written authority of the Registrar General     ...     ...	\$2.50	\$2.50

Where the delay in registration is occasioned by the failure of the Registrar to issue a requisition or otherwise by his default, he shall not be entitled to the fees set out in paragraphs (a) and (b) respectively.

	<i>Registrar</i>	<i>Superintendent Registrar</i>
2. For taking, attesting and transmitting a declaration made and payable by an informant in respect of a birth in another district     ...     ...     ...	50c.	
3. For entering the baptismal or other name of a child after registration of birth payable by person procuring the service to Superintendent Registrar or Registrar	\$1.00	\$1.00
4. For correcting an error of fact in a register payable by person procuring the service to Superintendent Registrar or Registrar     ...     ...	\$2.00	\$2.00

	<i>Registrar</i>	<i>Superintendent Registrar</i>
5. Search:		
(a) extending over a period of not more than one year	75c.	
(b) extending over a period of more than one year—for each additional year over the first       ...       ...	50c.	
6.   (a) General search not directed to any particular entry ...       ...       ...		\$2.50
(b) Search for a particular entry       ...       ...		50c.
7. Certified copy of an entry       ...	\$1.00	\$1.25

THIRD SCHEDULE

	\$	c.	Section 47(3) [2/1963 51/1980 45 of 1979 47 of 1980].
1. For every general search not directed to any particular entry	10	00	
2. For every search for a particular entry ...       ...       ...	2	00	
3. For every certified copy of any entry       ...       ...       ...	2	00	

(Section 13).  
[2 of 1985].

## FOURTH SCHEDULE

## ALLOWANCES PAYABLE FOR USE OF PREMISES

<i>District</i>	<i>Allowance per month</i>	
	\$	c.
North-East, Port-of-Spain ... ..	75	00
South-East, Port-of-Spain ... ..	75	00
Central, Port-of-Spain ... ..	150	00
North-West and South-West, Port-of-Spain ... ..	75	00
St. James, Port-of-Spain ... ..	75	00
St. Joseph Road, Laventille East ... ..	75	00
St. Ann's ... ..	75	00
St. Joseph Town and Ward ... ..	75	00
Tunapuna ... ..	75	00
St. Mary's and Paradise ... ..	75	00
Arima Town and Arima East ... ..	75	00
Chaguanas North ... ..	75	00
Upper Couva ... ..	75	00
Sangre Grande and Manzanilla West ... ..	75	00
Tamana North ... ..	75	00
San Fernando North ... ..	75	00
San Fernando South ... ..	150	00
Pointe-a-Pierre South ... ..	75	00
Union/Naparima North ... ..	75	00
Princes Town ... ..	75	00
Point Fortin ... ..	75	00
Tobago Windward ... ..	75	00
Tobago Middle ... ..	75	00
All other districts ... ..	50	00

NOTE:—The allowances set out above apply with effect from 1st January, 1981.

## FIFTH SCHEDULE

(Section 42)  
[2 of 1985].

## PART I

## QUARTERLY ACCOUNTS—SCALE OF PAYMENTS

A basic allowance payable to a Registrar shall be:

(a) for the period commencing January, 1981 to December 31, 1982	... ..	\$360.00 per quarter
(b) for the period commencing January 1, 1983	... ..	\$450.00 per quarter (payments to be made monthly).

For entries of births or deaths in excess of 125 entries per quarter	... ..	\$1.50 per entry
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NOTE:—The Notification published as Government Notice No. 86 of 1960 is revoked.

## PART II

(Section 43)

RATE OF ALLOWANCE FOR ENTRY ON CERTIFIED  
COPY OF REGISTER

For each copy of an entry of birth or death made under section 43(1)	... ..	25 cents.
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SUBSIDIARY LEGISLATION

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REGISTRATION OF BIRTHS REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation and commencement.
2. Officers before whom declaration may be made.
3. Prescribed forms.
4. Mother's request for entry of father's name.
5. Particulars to be produced.
6. Witnessing entry.
7. Signing.
8. Certificate of re-registration.
9. Noting of entries on re-registration.

SCHEDULE.

## REGISTRATION OF BIRTHS REGULATIONS

90/1983

*Made under section 54*

1. These Regulations may be cited as the Registration of Births Regulations, and shall come into operation on Thursday the 9th day of June, 1983.

Citation and commencement.

2. A declaration for the purposes of section 20 of the Act shall be made before a Superintendent Registrar or a Registrar of Births and Deaths other than the Registrar of Births and Deaths for the district in which the birth has previously been registered.

Officers before whom declaration may be made.

3. The form of declaration and the form of statutory declaration for the purposes of section 20 of the Act are hereby prescribed in Forms A and B respectively of the Schedule.

Prescribed forms. Forms A, B. Schedule.

4. Where under section 20(1)(b) and (2)(b) of the Act, a mother requests entry of the father's name in the register—

Mother's request for entry of father's name.

(a) a declaration in the prescribed Form A of the Schedule shall be made by the mother before one of the officers specified in regulation 2;

Form A. Schedule.

(b) the declaration shall be attested by the officer before whom it was made;

(c) a statutory declaration in the prescribed Form B of the Schedule shall be made by the person acknowledging himself to be the father.

Form B. Schedule.

5. (1) Where under section 20(1)(b) and (2)(b) of the Act, a mother requests entry of the father's name in the register the mother shall produce to the Registrar General—

Particulars to be produced.

(a) a declaration together with the statutory declaration in the prescribed Forms A and B of the Schedule;

Forms A, B. Schedule.

(b) evidence of identity of the parents or the child as the Registrar General may require.

(c) such other evidence as the Registrar General thinks fit.

## (2) In the case of—

- (a) re-registration of a birth under section 20 of the Act or the entry of the father's name under section 20A of the Act, the mother shall produce to the Registrar General a certificate of the birth of the child as well as the particulars specified in subregulation (1);
- (b) entry of the father's name under section 20(3) of the Act, the mother shall produce to the Registrar General a certificate of the birth of the child, an office copy of the order of the Court as well as the particulars specified in subregulation (1).

Witnessing  
entry.

6. (1) Parents or a parent, where permissible, may give such information and produce such evidence or particulars to a Registrar who shall as soon as practicable forward the same to the Registrar General.

(2) Where the information, evidence and particulars are satisfactory to the Registrar General the parents or parent shall attend at the office of the Registrar General in Port-of-Spain to witness the entry of the name or any other particulars as provided in regulation 8 within seven days of the date specified in the notice to the parents or parent.

Signing.

7. (1) The Registrar General shall enter the name or any other particulars in the Register provided for that purpose in the presence of the parents or parent, as the case may be, and the parents or parent shall sign the Register in the presence of the Registrar General.

Form C  
Schedule.

(2) Re-registration of the birth of a person under the Act shall be effected at the Registrar General's Office in Port-of-Spain and in a register book kept for that purpose in the form set out as Form C of the Schedule.

Certificate  
of re-regis-  
tration.

8. Where application is made to the Registrar or the Superintendent Registrar for a certified copy of the entry of the birth of a child whose birth has been re-registered in a register in his custody, he shall, upon payment of a fee of one dollar and twenty cents, supply a certified copy of the entry of re-registration.

9. The Superintendent Registrar or the Registrar having custody of the register in which the birth of a child was previously registered shall, when so directed by the Registrar General, note the previous entry relating to the birth with the words "Re-registered under section 20 of the Births and Deaths Registration Act on....." inserting the date of the re-registration and make a certified copy of the note and send the copy to the Registrar General.

Noting of entries on re-registration.

**SCHEDULE**

FORM A

Regulations 3, 4(a), 5(a)

19.....

**BIRTHS IN THE WARD OF**

<b>BIRTH</b>	<b>Entry No.</b>
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**CHILD**

1. Date of birth

2. Place of birth

No. of house or locality where born

3. (a) Name

(b) Surname

4. Sex

**FATHER**

5. Name and Surname

6. Address

7. Rank or Profession

**MOTHER**

8. Name and surname

9. Place of birth

10. If married—

(a) Maiden surname

(b) Surname at marriage

11. Address

I DO SOLEMNLY AND SINCERELY DECLARE that I am the mother of the child the particulars of whose birth are specified above and that the person named in space 5 above is the father of the child, and I request that his name should be recorded as such in the register of births.

Signature Date

Signed and declared by the above-named declarant in the presence of

Registrar of Births and Deaths/Superintendent Registrar

District

FORM B

Regulations 3, 4(c), 5(a)

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE MATTER OF SECTION 9 OF THE STATUS OF CHILDREN ACT, CHAP. 46:07

and

IN THE MATTER OF THE STATUTORY DECLARATIONS ACT, CHAP. 7:04

DECLARATION BY PERSON ACKNOWLEDGING THAT HE IS THE FATHER OF A CHILD IN SUPPORT OF APPLICATION TO ENTER FATHER'S NAME IN THE REGISTER OF BIRTHS

I, \*A.B. of... in the Ward of... in the County of... in the Island of... Occupation

\*A.B.: Father of child C.D.: Child

SOLEMNLY AND SINCERELY DECLARE as follows:

1. I acknowledge that I am the father of \*C.D. born on the ..... day of..... at ..... in the Ward of..... in the County of..... in the Island of..... particulars of whose birth were registered on the..... under the provisions of the Births and Deaths Registration Act, Chap. 44:01 of the Laws of the Republic of Trinidad and Tobago as No. .... in the Registrar's Book of Births in the District of..... in the Ward of..... in the County of.....

2. \*E.F. of ..... is the mother of the said child.

3. The said "C.D." is the same person as "C.D." named in the certificate dated ..... now produced to me marked "A.B. 1" and E.F. is the same person as "E.F." named in the said certificate now produced to me and marked "A.B. 1."

4. On registration of the birth of C.D. I am informed and verily believe no person was entered in the register as the father of "C.D." and I now desire and consent that my name should be recorded as the father of the child in the Register of Births.

And I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Act, Chap. 7:04 of the Laws of the Republic of Trinidad and Tobago and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.

SIGNED..... Declarant

SIGNED..... Declarant

Declared before me

at..... this day of .....19.....

(SIGNED)

\*E.F.: Mother of child.

