

CHAPTER 93.**BIRTHS AND DEATHS (PROTECTORATE)
REGISTRATION.**

ARRANGEMENT OF SECTIONS.

SECTION.

1. Short title and application.
2. Interpretation.
3. Declaration that births and deaths in chiefdoms shall be registered.
4. Appointment of Chiefdom Registrar.
5. Obligation to register birth.
6. Obligation to register death.
7. Registration of births and deaths—how effected.
8. Certified copy of entry to be given free at time of registration.
9. Searches and certificates.
10. Monthly returns.
11. Registration out of time.
12. Alteration of register.
13. Voluntary registration.
14. Offences.
15. Penalty.
16. Rule-making powers.
17. Governor may vary schedules.

SCHEDULES.

CHAPTER 93.**BIRTHS AND DEATHS (PROTECTORATE)
REGISTRATION.**

14 of 1948.
13 of 1954.

An Ordinance to Provide for the Registration of Births and Deaths in the Protectorate.

[1ST JANUARY, 1951.]

Short title
and
application.

1. This Ordinance may be cited as the Births and Deaths (Protectorate) Registration Ordinance; it shall apply to the Protectorate.

Interpreta-
tion.

2. In this Ordinance, unless the context otherwise requires—
(a) “ Chief Registrar ” means the person holding the office of Assistant Director of Medical Services in the Protectorate, or in his absence a person appointed by the Governor;

(b) "district" means a tract of country declared by the Governor in Council under the Protectorate Ordinance, to be a district; Cap. 60.

(c) "Registrar" means the Chiefdom Registrar;

(d) "still-born" and "still-birth" shall apply to any child which has issued forth from its mother after the twenty-eighth week of pregnancy and which did not at any time after being completely expelled from its mother breathe or show any other signs of life.

3. The Governor in Council may by order in relation to any Chiefdom, declare that as from a date named in the order, registration of births and deaths shall be compulsory in that Chiefdom. Declaration that births and deaths in chiefdoms shall be registered.

4. The Governor may appoint a Registrar for each Chiefdom. Appointment of Chiefdom Registrar.

5. When any child, whether born alive or still-born, is born in a Chiefdom declared under section 3 to be a Chiefdom in which registration is compulsory, it shall be the duty of the father or mother, and in default of father or mother the senior occupant of the house in which such child is born, or the village headman, to register the birth in the manner hereinafter set out: Obligation to register birth.

Provided that where any child is born in any hospital or institution it shall, in default of registration by the father or mother, be the duty of the medical officer, the midwife, nurse or other person-in-charge of such hospital or institution, to register the birth of such child.

6. When a person dies in any Chiefdom declared to be a Chiefdom in which registration shall be compulsory, 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 such relatives, of every other relative of the deceased dwelling or being in the same district as the deceased, and, in default of such relatives, of each person present at the death, and of the person causing the body of the deceased to be buried, to give, to the best of his knowledge and belief, to the Registrar, information of the particulars required to be registered concerning such death, and in the presence of the Registrar to sign the register: Obligation to register death.

Provided that where any death occurs in any labour lines, it shall be the duty of the employer or other person in control of

such labour lines to give the required information to the Registrar:

And provided further that where a person dies in a hospital or institution it shall be the duty of the medical officer, the midwife, nurse or other person-in-charge of such hospital or institution to give the required information to the Registrar.

Registration of births and deaths—how effected.

7. Births and deaths in any Chieftdom shall be registered by delivering or sending, within one month of the date of the birth or death, as the case may be, to the Registrar the appropriate form as set out in Schedule I hereto, duly completed.

The Registrar shall cause to be entered the particulars shown on the form in the register provided for the purpose.

Certified copy of entry to be given free at time of registration.

8. A certified copy of the entry in the Births or Deaths Register shall be given without fee, at the time of registration, by the Registrar, to the person registering the birth or death.

Searches and certificates.

9. (1) Every Registrar shall at all reasonable times, upon payment of the appropriate fee in Schedule II or Schedule III, as the case may be, allow searches to be made in any register, and upon payment of the appropriate fee in Schedule II or Schedule III, as the case may be, shall give a certified copy of any entry of registration as may be requested.

(2) Any person shall, on payment of the fee of sixpence and on furnishing the prescribed particulars, be entitled to obtain from a Registrar a certificate in the prescribed form of the birth of any person compiled from the entry of registration of such birth. Any such certificate shall contain such particulars as may be prescribed not being particulars relating to parentage or adoption.

Monthly returns.

10. Every Registrar shall on the first day of every month forward to the Chief Registrar a return in duplicate in the form in Schedule IV hereto, in relation to all births and deaths occurring in the Chieftdom during the immediately preceding month.

Registration out of time.

11. It shall be lawful for the Chief Registrar, on being satisfied by affidavit that it was impossible within the time specified in section 7 to register a birth or death as the case may be, to authorise the registration of any such birth or death and the fact of such authority having been given shall be recorded in the register:

Provided that no birth shall be registered later than seven years after the date of such birth.

12. (1) No alteration shall be made in any register unless an application, supported by affidavit, is made to the Registrar having custody of the register in which the birth or death in respect of which the application is made is registered, and on receipt of such application the Registrar shall amend the register accordingly.

Alteration of register.

(2) Notification of every such alteration shall be given by the Registrar forthwith to the Chief Registrar.

13. (1) It shall be lawful for any person resident in any Chiefdom, in which the registration of births and deaths is not compulsory, voluntarily to register any birth or death occurring in such Chiefdom.

Voluntary registration. 13 of 1954.

(2) The Governor may appoint a Registrar for each Chiefdom in which the registration of births and deaths is not compulsory and voluntary registration under this section shall be effected at the office of such Registrar in the register provided for the purpose:

Provided that the District Commissioner of the district shall be deemed to be the Registrar for the purposes of this section for any Chiefdom for which no Registrar has been appointed.

(3) A Registrar, appointed under this section, and a District Commissioner, who is deemed to be a Registrar for the purposes of this section, shall have the powers and duties of a Registrar of a Chiefdom in which the registration of births and deaths is compulsory, in respect of the following matters, that is to say, the alteration of the registers, the rendering of returns to the Chief Registrar, the permitting of searches and the issuing of certified copies of entries in the register or of certificates of birth.

(4) On the making of an order under section 3 in respect of any Chiefdom, a Registrar appointed under this section for that Chiefdom shall continue to be Registrar as if he had been appointed under section 4:

Provided that this shall not apply to a District Commissioner who is deemed to be a Registrar.

* The Governor has delegated his power of appointment under sub-section (2) of section 13 to the Assistant Director of Medical Services in the Protectorate in his capacity as Chief Registrar for registration under this Ordinance. (P.N. 30 of 1955.)

Offences.

14. It shall be an offence—

(a) for any person on whom the duty is by this Ordinance imposed to fail to register a birth or death as the case may be within the time specified;

(b) for any person whose duty it is to register a birth or death as the case may be wilfully and knowingly to give false or misleading information;

(c) for any Registrar wilfully or negligently to make an incorrect or incomplete entry in a register, or to issue any incorrect or incomplete copy of any entry, or to furnish any return, knowing any particulars therein to be false; or

(d) for any person wilfully or negligently to fail to carry out any duty imposed on him by this Ordinance, or by any rules made thereunder.

Penalty.

15. Any person guilty of an offence under this Ordinance shall be liable on a summary conviction, for a first or second offence to a fine of two pounds, and for a third or subsequent offence to a fine of five pounds or to imprisonment for a period of one month.

Rule-making powers.

16. The Governor in Council may make rules prescribing—

(i) the manner in which registration under this Ordinance shall be effected;

(ii) the manner in which registers shall be kept and the manner of their custody and safe-keeping;

(iii) when and to whom Registrars shall produce their registers for examination;

(iv) when, and how, searches in registers may be made; and

(v) generally for the carrying out of the provisions of this Ordinance.

Governor may vary schedules.

17. The Governor in Council may by order vary, alter or revoke any of the schedules hereto, either in whole or in part.

SCHEDULE I.

Sec. 7.

FORM A.—BIRTH.

FORM B.—DEATH.

<p><i>Chiefdom—</i> <i>Signature of Registrar</i>..... <i>When registered</i>..... <i>Name and description of informant</i>..... <i>If still-born</i>..... <i>Where born</i>..... <i>When born</i>..... <i>Occupation of Father</i>..... <i>Mother's name</i>..... <i>Father's name</i>..... <i>Sex</i>..... <i>Name</i>..... <i>Number</i>.....</p>	<p><i>Chiefdom—</i> <i>Signature of Registrar</i>..... <i>When registered</i>..... <i>Name and description of informant</i>..... <i>Medical Officer's name</i>..... <i>Duration of illness</i>..... <i>Cause of death</i>..... <i>Place of death</i>..... <i>Place of birth and Chiefdom</i>..... <i>Residing at</i>..... <i>Occupation</i>..... <i>Age</i>..... <i>Sex</i>..... <i>Name</i>..... <i>Number</i>.....</p>
--	--

SCHEDULE II.

Sec. 9.

FEES.—BIRTHS.

										s. d.
1.	For searching registers	...	...	...	...	...	...	...	...	1 0
2.	For furnishing certified extract (at any time except at time of registration)	...	...	...	...	...	...	...	...	1 0

SCHEDULE III.

Sec. 9.

FEES.—DEATHS.

										s. d.
1.	For searching registers	...	...	...	...	...	...	...	...	1 0
2.	For furnishing certified extract (at any time except at time of registration)	...	...	...	...	...	...	...	...	1 0

SCHEDULE IV.

Sec. 10.

MONTHLY SUMMARY.

<i>Chiefdom</i>	<i>Month</i>	<i>Year</i>		
(1) <i>Births</i> ... ..	... Boys.....	Girls.....		
(2) <i>Still-births</i> ... ..	... Boys.....	Girls.....		
(3) <i>Deaths under 1 year.</i>	1-15 years.	15-50 years.	Over 50.	
M. F.	M. F.	M. F.	M. F.	
— —	— —	— —	— —	