

PARLIAMENT OF CEYLON

4th Session 1951



Births and Deaths Registration Act, No. 17 of 1951

Date of Assent : April 12, 1951

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TABLE OF SECTIONS

Sections.

1. Short title and date of operation.

PART I

Administration

2. Appointment of Registrar-General and his duties.
3. Appointment of Assistant Registrars-General and their duties.
4. District Registrars.
5. Registration divisions.
6. Appointment of Registrars, Deputy Registrars, &c.
7. Registrars deemed to be public servants.
8. Residence and office of Registrar.
9. Annual list.

PART II

*General provisions relating to the registration of births,
deaths and still-births*

10. Duty of Registrar to register births, deaths and still-births.
11. Transmission of duplicates to Registrar-General.
12. Replacement of the original entry or duplicate entry in certain circumstances.
13. Replacement of an entry when both the original and duplicate are lost, damaged, or illegible.
14. Substituted copies deemed to be originals or duplicates, &c.

PART III

Registration of births

15. Obligation on certain individuals to give information about birth in person.
16. When and how information about birth may be given by written declaration.
17. Information concerning birth to be given by person finding a new-born child.
18. Requisition by Registrar of information concerning birth.
19. Duty of Registrar to register births without fee or reward.
20. Information about, and registration of birth of, children born, or living new-born children found exposed, in estates.
21. Registration of illegitimate children.
22. Registrar may call for proof of marriage in certain circumstances.
23. Restriction on registration of birth after three months from occurrence.
24. Order for registration of birth after three months from occurrence.
25. Effect of order under section 24.
26. Application of section 24 to certain births occurring before the appointed date.
27. Insertion or alteration of the name of a minor in the register.
28. Amendment of birth registration entries by order of District Court.

PART IV

Registration of deaths

29. When and by whom information concerning a death to be given.
30. When and how information about a death may be given by written declaration.
31. Certificate of medical practitioner as to cause of death.
32. Requisition by Registrar of information concerning death.
33. Duty of Registrar to register deaths without fee or reward.
34. Registration of death occurring in an estate.
35. Restriction on registration of death after three months from occurrence.
36. Order for registration of death after three months from occurrence.
37. Effect of order under section 36.
38. Application of section 36 to certain deaths occurring before the appointed date.
39. Certificate of Inquirer into Deaths.

PART V

Registration of deaths and still-births in certain areas

40. Application of this Part to certain areas by Minister's Order.
41. Registration of deaths, and the burial, cremation or other disposal of the corpses of persons dying within areas in which this Part applies.
42. Removal of corpses from areas in which this Part applies for burial, &c.
43. Registration of still-births in areas in which this Part applies.
44. General duty of registration of Registrars and District Registrars in areas in which this Part applies.
45. Other provisions of Act to apply also to areas in which this Part applies.

PART VI

Miscellaneous

46. Duty of village headman to give information about births and deaths.
47. Duty of certain persons to give information relating to births and still-births occurring in certain areas to Medical Officers of Health, &c.
48. Weekly returns or certificates to be supplied by manager or other person in charge of a private hospital or private maternity or nursing home.
49. Registration consequent on certain prosecutions.
50. Correction of registration entries.
51. Correction of clerical errors, &c.
52. Correction of errors other than clerical errors, &c.
53. Correction of a death registration entry on issue of a certificate by an Inquirer into Deaths.
54. Manner in which amendments to an entry to be made, &c.
55. Power of Court to question the correctness of a registration or entry.

56. Issue of certified copies, &c.
57. Certified copies and extracts to be *prima facie* evidence.
58. Manner in which documents may be sent, &c.
59. Books.
60. Registrar to surrender records on ceasing to hold office.
61. Declaration by non-resident persons, etc.
62. Power of Registrar-General and District Registrars to examine witnesses and call for documents.
63. Government officers' declarations under sections 16 and 30.

PART VII

Offences and Penalties

64. Penalty, in cases of late registrations, for non-observance of provisions of Act, &c.
65. Penalty for failure to issue certificate under section 31, &c.
66. Penalty for non-compliance with section 42.
67. Penalty for destruction of documents and for giving false certificates, &c.
68. Penalty for false statement, &c.

PART VIII

Supplementary Provisions

69. Power to make rules.
70. Interpretation.

PART IX

Repeal and Savings

71. Repeal, &c.
72. Savings and transitional provisions.

FIRST SCHEDULE.

SECOND SCHEDULE.

L.D.—O. 36/48.

AN ACT TO AMEND AND CONSOLIDATE THE LAW RELATING
TO THE REGISTRATION OF BIRTHS, DEATHS, AND
STILL-BIRTHS.

[Date of Assent: April 12, 1951.]

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Senate and
the House of Representatives of Ceylon in this present
Parliament assembled, and by the authority of the
same, as follows:—

1. This Act may be cited as the Births and Deaths
Registration Act, No. 17 of 1951. and shall come
into operation on such date (hereinafter referred
to as "the appointed date") as the Minister may
appoint by Order published in the *Gazette*.

Short title
and date of
operation.

PART I.

Administration.

2. (1) There may be appointed a person to be or
to act as Registrar-General of Births and Deaths for
the Island (hereinafter referred to as the "Registrar-
General").

Appointment
of Registrar-
General and
his duties.

(2) The Registrar-General for the time being shall
be vested with the general control and superinten-
dence of the registration of births, deaths, and still-
births in the Island, and of all persons appointed for,
and engaged in, carrying out the provisions of this
Act.

3. (1) There may from time to time be appointed a
fit and proper person or each of two or more such
persons to be or to act as an Assistant Registrar-
General of Births and Deaths (hereinafter referred
to as an "Assistant Registrar-General").

Appointment
of Assistant
Registrars-
General and
their duties.

(2) An Assistant Registrar-General may, subject to
the authority and control of the Registrar-General
for the time being, exercise, perform or discharge any
power, duty or function conferred or imposed upon
such Registrar-General by or under this Act.

4. (1) For each revenue district there shall be a
District Registrar of Births and Deaths (hereinafter
referred to as the "District Registrar").

District
Registrars.

(2) The Government Agent of a province shall be the District Registrar for the revenue district within which his office is situated, and the Assistant Government Agent of a revenue district, not being a revenue district within which the office of a Government Agent is situated, shall be the District Registrar for that district.

(3) Where the Government Agent of a province is the District Registrar for a revenue district, the Additional Government Agent of that province, the Assistant Government Agent and every Additional Assistant Government Agent of that district, and every Office Assistant to that Government Agent shall be Additional District Registrars for that district.

Where the Assistant Government Agent of a revenue district is the District Registrar for that district, every Additional Assistant Government Agent of that district and every Office Assistant to that Assistant Government Agent shall be Additional District Registrars for that district.

(4) A province which has not been divided into revenue districts shall, for the purposes of the application of the provisions of this Act in that province, be deemed to be a revenue district; and the Government Agent of that province shall be the District Registrar, and the Additional Government Agent, the Assistant Government Agent, and every Additional Assistant Government Agent of that province, and every Office Assistant to that Government Agent shall be Additional District Registrars.

(5) There may be appointed any person as a District Registrar or as an Additional District Registrar in addition to or in place of any officer who is a District Registrar or an Additional District Registrar by virtue of the preceding provisions of this section.

(6) Every District Registrar within his district—

(a) shall have and may exercise and discharge the powers and duties conferred or imposed on a Registrar of a division; and

(b) shall superintend, subject to the direction of the Registrar-General, the registration of births, deaths, and still-births, and the Registrars officiating within such district, and all other persons appointed for or engaged in carrying out the provisions of this Act, within such district.

5. The Minister may, by notification published in the *Gazette*, divide the several revenue districts of the Island into such divisions, for the purposes of the registration of births and deaths, as may appear to him to be expedient, and may at any time by a like notification amend, alter or abolish any such division.

Registration
divisions.

6. (1) There may be appointed (whether by name or by office), for each division into which the revenue districts of the Island are divided, or are deemed to have been divided, under section 5 (hereinafter referred to as a "division"), a Registrar and a Deputy Registrar, and in the prescribed circumstances and for such period as may be specified in the appointment, an Acting Registrar and an acting Deputy Registrar.

Appointment of
Registrars,
Deputy
Registrars, &c.

(2) Every appointment referred to in sub-section (1), which is made by reference to office, not being an acting appointment, shall be notified in the *Gazette*.

(3) No person shall be appointed to be, or to act as, a Registrar or a Deputy Registrar of a division, situated in an area in which Part V of this Act applies, unless he is a registered medical practitioner or is a practitioner of indigenous medicine registered under the Indigenous Medicine Ordinance, No. 17 of 1941, or is a person holding a certificate of competency issued by the Director of Medical and Sanitary Services.

(4) Every acting Registrar and every Deputy Registrar for the time being—

(a) shall have the powers conferred on a Registrar by or under this Act, and may exercise those powers;

(b) shall perform the duties imposed on a Registrar by or under this Act; and

(c) shall be subject to the liabilities and penalties imposed on a Registrar by this Act.

7. Every Registrar and Deputy Registrar for the time being shall, as long as they hold office, be deemed to be public servants within the meaning of the Penal Code.

Registrars
deemed to be
public servants.
Cap. 15.

8. (1) Every Registrar shall dwell in his division and have an office or offices in such convenient place or places in that division as may be appointed in that behalf by the District Registrar of the district in which the division is situated :

Residence
and office of
Registrar.

Provided that such District Registrar may, in the special circumstances of any case and with the prior approval of the Registrar-General, authorise a Registrar to dwell or have his office or offices outside his division.

(2) Every District Registrar shall notify to the Registrar-General the residence and office or offices of every Registrar whose division is situated within his district as soon as such Registrar is appointed or as soon as such Registrar has changed his residence or office.

(3) The Registrar shall attend at his office or each of his offices on such days and during such hours as may be fixed by the Registrar-General or by the District Registrar of the district in which that division is situated; and he shall cause a board bearing his name, the words "Registrar of Births and Deaths", the name of his division, his days of attendance and his hours of work, in legible characters in the English, Sinhalese and Tamil languages, to be exhibited in a conspicuous place at or near the entrance of his office, and in case he has more than one office, at or near the entrance of each of his offices.

Annual list.

9. The Registrar-General may from time to time publish in the *Gazette* in the English, Sinhalese and Tamil languages a list of the Registrars of Births and Deaths in the Island, with their names and the names of their divisions and of their office or offices, and may cause such list to be exhibited conspicuously in the offices of the District Registrars.

PART II.

General provisions relating to the registration of births, deaths, and still-births.

Duty of Registrar to register births, deaths, and still-births.

10. (1) It shall be the duty of every Registrar to inform himself carefully of every birth and death occurring in his division, and to register accurately and with all convenient despatch in the language specified for the purpose by the Registrar-General, in the registers provided by him, the particulars of the matters set out in Forms A and B of the First Schedule hereto.

(2) It shall be the duty of the Registrar of a division which is or is within an area in which Part V of this Act applies, to inform himself carefully of every still-birth occurring in his division, and to register accurately and with all convenient despatch, in the

language specified for the purpose by the Registrar-General, in the registers provided by him, the particulars of the matters set out in Form C of the First Schedule hereto.

(3) Every registration entry consisting of the particulars registered under the preceding provisions of this section—

- (a) shall be made in the order of time in which those particulars were given to the Registrar;
- (b) shall be numbered consecutively and shall be signed by the officer making the entry; and
- (c) shall be prepared in foil and counterfoil (the foil being hereinafter referred to as the "duplicate", and the counterfoil as the "original").

11. (1) Every Registrar of a division shall, at the end of each period fixed in that behalf by the Registrar-General, send to the District Registrar of the district in which that Registrar's division is situated for transmission to the Registrar-General for custody in his office—

Transmission of duplicates to Registrar-General.

- (a) the duplicate of every registration entry made by such Registrar in that division during such period; and
- (b) if no such entry was made during the period, a certificate to that effect :

Provided that a Registrar shall send that duplicate or certificate direct to the Registrar-General, if such Registrar is so directed in writing by the Registrar-General.

(2) Every District Registrar shall, at the end of each period fixed in that behalf by the Registrar-General, send to him for custody in his office—

- (a) the duplicate of every registration entry made by such District Registrar during that period; and
- (b) if no such entry was made during the period, a certificate to that effect.

12. (1) Where the original of a registration entry (prepared under this Act or under any past Ordinance) is lost, damaged, illegible or in danger of becoming illegible, and the duplicate is available, the

Replacement of the original entry or duplicate entry in certain circumstances.

Registrar-General may, after due inquiry, cause to be substituted therefor a copy of the duplicate certified by him to have been made after verification with the duplicate and to be a true copy of the duplicate.

(2) Where the duplicate of a registration entry (prepared under this Act or under any past Ordinance) is lost, damaged, illegible or in danger of becoming illegible, and the original is in the custody of a District Registrar, the Registrar-General may, after due inquiry, cause to be substituted therefor a copy of the original certified by the District Registrar to have been made after verification with the original and to be a true copy of the original.

(3) Where the duplicate of a registration entry (prepared under this Act or under any past Ordinance) is lost, damaged, illegible or in danger of becoming illegible, and the original is in the custody of a Registrar of a division, the Registrar-General may, after due inquiry, cause to be substituted therefor a copy of the original certified by that Registrar to have been made after verification with the original and to be a true copy of the original and countersigned by the District Registrar in whose district that division is situated.

Replacement
of an entry
when both the
original and
duplicate are
lost, damaged,
or illegible.

13. (1) Where both the original and the duplicate of a registration entry (prepared under this Act or under any past Ordinance) are lost, damaged, illegible or in danger of becoming illegible, the Registrar-General may, upon the production of a declaration, made in accordance with the provisions of sub-section (2), or of his own motion, and after such inquiry as he may think necessary, cause to be substituted therefor copies of such original and duplicate bearing his certificates setting out the reasons for such substitution and the sources from which the particulars specified in such copies were obtained:

Provided, however, that where both the original and the duplicate are lost or illegible, copies shall not be substituted as aforesaid unless—

(a) the Registrar-General has made a full report to the appropriate District Court setting out the reasons for the proposed substitution, the particulars proposed to be substituted and the evidence upon which the particulars have been obtained; and

- (b) the District Court has, after holding such inquiry and giving such notice as the court may consider requisite, sanctioned such substitution as the court may deem proper.

No stamp duty shall be payable on any proceedings before a District Court under this sub-section.

(2) The declaration referred to in sub-section (1) shall—

- (a) be made in writing;
- (b) be made by the person upon whose information the original entry was made or any credible person having knowledge of the truth of the particulars relating to such entry;
- (c) be made before the Registrar-General or any District Registrar; and
- (d) set out the reasons why substituted copies are necessary and the sources and nature of the information (relating to the particulars to be specified therein) upon which the declarant relies.

14. (1) The Registrar-General shall cause every copy substituted under section 12 or section 13 to be filed and preserved.

Substituted
copies deemed
to be
originals or
duplicates, &c.

(2) Every copy certified in accordance with the provisions of section 12 (1) or section 12 (2) or section 13, or certified and counter-signed in accordance with the provisions of section 12 (3) shall be deemed for the purposes of this Act to be the original or duplicate, as the case may be, which it replaces.

PART III.

Registration of Births

15. Subject to the provisions of sub-section (1) of section 20, the father or mother of every child born alive, and in case the parents of the child are unable to provide the information relating to the birth hereinafter specified by reason of their death, illness, absence or other inability recognised by the Registrar-General, the occupier of the house or building in which the child was born, each person present at the birth and the person having charge of the child shall, within forty-two days of the date of the birth, give information of such of the particulars relating to the birth required under this Act to be registered as the informant possesses, to the appropriate Registrar and

Obligation
on certain
individuals
to give
information
about birth
in person.

shall, if called upon by the Registrar, sign the register of births in the appropriate place in the presence of the Registrar.

This section shall apply to a birth which has occurred not earlier than forty-two days before the appointed date in like manner as it applies to a birth occurring on or after that date.

When and how
information
about birth
may be given
by written
declaration.

16. (1) If a person required under section 15 to give particulars of a birth occurring in a division cannot conveniently attend the office of the Registrar of that division, it shall be competent for such person—

(a) to make a written declaration containing information of such of the particulars of the birth specified in Form D in the First Schedule hereto as such person possesses, to affix thereon a stamp supplied by the declarant of the value of twenty-five cents and to send the declaration to the Registrar of that division; or

(b) if such person resides in some other division, to make a declaration as aforesaid, to affix thereon stamps of the value of fifty cents to be supplied by the declarant and to send the declaration to the Registrar of such other division.

(2) The Registrar to whom a declaration is sent under sub-section (1) may, by written notice, require the declarant to attend his office within seven days of the receipt of the notice and to supply such written or oral information as he may require.

Where a declaration under sub-section (1) is sent to a Registrar of a division other than that in which the birth to which the declaration relates occurred, it shall be the duty of such other Registrar to receive and attest the declaration and to send it to the Registrar of the division in which the birth occurred.

(3) On receipt of a declaration relating to a birth sent to him under sub-section (1) or under sub-section (2) and such other information as he may obtain under sub-section (2), the appropriate Registrar shall, if such birth has not already been registered, enter in the register of births the particulars relating to that birth required under this Act to be registered, and sign that register in the appropriate place. The declaration shall be attached to the duplicate of the relevant registration entry and shall be sent together with that

duplicate to the appropriate District Registrar for transmission to the Registrar-General for custody in his office.

17. Subject to the provisions of sub-section (2) of section 20, where any living new-born child is found exposed, it shall be the duty of the person finding such child, within seven days of such finding, and of the person in whose charge such child is placed, within seven days of the date on which such child is placed in his charge, to give to the appropriate Registrar information of such of the particulars required under this Act to be registered as the informant possesses and to sign the register of births in the appropriate place in the presence of that Registrar:

Information concerning birth to be given by person finding a new-born child.

Provided that any person obliged, under the preceding provisions of this section, to provide information of a birth to a Registrar may, instead of providing that information to him, give the information to the nearest village headman or to the officer in charge of the nearest police station and, if such information has been so given, the headman or officer shall give the information to the appropriate Registrar and sign the register of births in the appropriate place.

18. (1) Where a birth occurring in a division has, from the default of the persons required to give information concerning the birth under this Act, not been registered, the Registrar of that division, may, after forty-two days from the date of such birth, or, in any case when a new-born child is found, after seven days from the date of such finding, send a written requisition to any such person requiring him to attend personally at the Registrar's office within such time (not less than seven days from the date of the receipt of the notice and not more than three months from the date of the birth or the finding) as may be specified in the notice, and to give information of such of the particulars required to be registered under this Act as he possesses and to sign the register of births in the appropriate place in the presence of the Registrar.

Requisition by Registrar of information concerning birth.

(2) Every person to whom a requisition is sent under sub-section (1) shall, unless the birth to which the requisition relates has been previously registered, comply with the terms of the requisition.

19. It shall be the duty of a Registrar upon receiving from the appropriate informant at any time, not exceeding three months from the date of a birth or of the finding of a new-born child, information of any

Duty of Registrar to register births without fee or reward.

of the particulars required to be registered under this Act, to register, without fee or reward, forthwith in the prescribed form and manner such particulars (if they have not been previously registered), and to sign the register of births in the appropriate place.

Information about, and registration of birth of, children born, or living new-born children found exposed, in estates.

20. (1) Where a birth occurs in an estate, it shall be the duty of the person or persons required by section 15 to give information relating thereto to give such information to the superintendent of the estate, within seven days of the birth, instead of to the Registrar.

(2) Where any living new-born child is found exposed in an estate, it shall be the duty of the person finding such child, within twenty-four hours of such finding, and of the person in whose charge such child is placed, within twenty-four hours of his taking charge of such child, to give to the superintendent of the estate, instead of to the Registrar, the information required by section 17 to be given to the Registrar.

(3) Where the superintendent of an estate receives information of a birth under sub-section (1), he shall, within forty-eight hours of the receipt of the information, make, after verifying the information, a written report of the birth, substantially in the Form E set out in the First Schedule hereto, to the nearest medical officer, or apothecary, appointed under the Medical Wants Ordinance, who shall send that report forthwith to the District Registrar of the district in which the estate is situated.

Cap. 176.

(4) Where the superintendent of an estate receives any information under sub-section (2), he shall, within forty-eight hours of the receipt of the information, make a written report of the information, after verifying it, to the nearest medical officer, or apothecary, appointed under the Medical Wants Ordinance, who shall send that report forthwith to the District Registrar of the district in which the estate is situated.

Cap. 176.

(5) Where a District Registrar receives a report sent to him under sub-section (3) or sub-section (4), he shall register, in the prescribed form and manner, the particulars relating to the birth specified in that report. The superintendent of the estate who has made that report shall, for the purposes of this Act, be deemed to be the informant who supplied the aforesaid particulars and to have signed the entry, consisting of those particulars, made by the Registrar.

21. (1) No person shall, in the case of an illegitimate child, as father of such child, be required to give information under this Act concerning the birth of such child.

Registration of illegitimate children.

(2) The Registrar shall not enter in a register of births (kept under this Act or any past Ordinance) the name of any person as the father of an illegitimate child—

(a) except at the joint request of the mother and of the person acknowledging himself as the father of the child, and unless such person signs the register together with the mother; or

(b) except upon an order of a competent court which is summarised in the register:

Provided that where a Registrar for the purpose of registering a birth takes particulars relating to the birth from a declaration made under section 16 or section 24, or from a superintendent's report made under section 20, or from a certificate of a Magistrate or President of a Rural Court issued under section 49, he shall enter in such register as father of the child the name of any person acknowledging himself as such, if such person has together with the mother signed in the appropriate place such declaration, report or certificate.

(3) Except upon an order of a competent court, no person shall, after the original registration of the birth of an illegitimate child, enter in the register of births the name of any person as the father of such child.

22. If a Registrar has reason to doubt the legitimacy of a child whose birth has been or is to be registered on information supplied by the person required under this Act to give information concerning the birth, he may give notice to any person who may be prejudiced by such registration or intended registration, to appear before him and give such information relating to the birth as he may require, and he may demand from the person required under this Act to give information concerning the birth a certified copy of the entry, relating to the marriage of the alleged parents of the child, in the marriage register, or such other proof as he may think fit; and if such copy or other proof is not produced, he shall

Registrar may call for proof of marriage in certain circumstances.

inform the appropriate District Registrar that such copy, or other proof to his satisfaction, has not been produced, and the District Registrar may, after such inquiry as he may consider necessary, take such steps as he may deem fit.

Restriction on registration of birth after three months from occurrence.

23. No person shall, after the expiration of a period of three months immediately succeeding the date of the birth of any person, register or cause to be registered that birth except upon an order made in that behalf under section 24 by the Registrar-General or the appropriate District Registrar.

Order for registration of birth after three months from occurrence.

24. (1) In any case where the birth of any person is not registered within the period of three months immediately succeeding the date of the birth—

- (a) the Registrar-General or any District Registrar or Registrar may, by notice in writing, direct any person who is required by this Act to give information concerning the birth to attend personally at the office of the Registrar-General or of a District Registrar within such time, not being less than seven days after the receipt of the notice, as may be specified in the notice, and to make before that officer a declaration of the particulars required to be registered under this Act in respect of the birth; or
- (b) any such person or any other person interested may of his own motion attend personally at the office of the Registrar-General or of any District Registrar and make before such officer a declaration of the particulars required to be registered concerning the birth.

(2) Every declaration under sub-section (1) shall be made substantially in the Form F in the First Schedule hereto and shall contain a statement of the particulars required to be set out in the Form according to the best of the knowledge and belief of the declarant.

Every such declaration shall, if made within a period of twelve months from the date of the birth, bear a stamp of one rupee, and, if made at any time thereafter, bear a stamp of five rupees. The stamp shall be supplied by the declarant.

(3) Any District Registrar, not being the appropriate District Registrar, before whom a declaration is made under sub-section (1), shall—

(a) if the declaration is made within the period of twelve months immediately succeeding the date of the birth, transmit the declaration to the appropriate District Registrar to be dealt with as provided in sub-section (5), and

(b) if the declaration is made after the expiration of the said period of twelve months, transmit the declaration to the Registrar-General to be dealt with as provided in sub-section (6).

(4) Where a declaration under sub-section (1) is made before the appropriate District Registrar after the expiration of the period of twelve months immediately succeeding the date of the birth, the District Registrar shall transmit the declaration to the Registrar-General to be dealt with as provided in sub-section (6).

(5) Where a declaration under the preceding provisions of this section is made before any District Registrar within the period of twelve months immediately succeeding the date of the birth, the appropriate District Registrar may, if he is satisfied as to the truth of the matters stated in the declaration, make order directing the appropriate Registrar to enter in the register of births the particulars specified in the declaration. Any such order may be made notwithstanding that a period of twelve months has elapsed after the date of the birth.

(6) Where any declaration is made under sub-section (1) before the Registrar-General or is transmitted to him under sub-section (3) or sub-section (4), he may, if he is satisfied as to the truth of the matters stated in the declaration and if the declaration is made not later than fifty years from the date of the birth to which the declaration relates, make order directing the appropriate Registrar to enter in the register of births the particulars specified in the declaration.

25. (1) Where an order under section 24 is made directing a Registrar to enter the particulars of a birth specified in a declaration, he shall forthwith enter

Effect of
order under
section 24.

those particulars in the register of births and sign the register in the appropriate place. The entry so made shall be deemed for the purposes of this Act to have been signed by the person who made the declaration.

(2) Every written order under section 24 shall be attached to the duplicate of the relevant registration entry and shall be sent together with the duplicate to the appropriate District Registrar for transmission to the Registrar-General for custody in his office.

Application of section 24 to certain births occurring before the appointed date.

26. The provisions of section 24 shall apply to the registration of a birth which has occurred prior to the appointed date, if, but only if, the birth had occurred not earlier than the first day of January, 1868.

Insertion or alteration of the name of a minor in the register.

27. (1) Where the birth of any person has been registered without a name being specified in the registration entry at the time of the registration or if his name has been altered after that time, the Registrar-General or the appropriate District Registrar may, on application made in writing in accordance with the provisions of sub-section (2) amend, after such inquiry as he may consider necessary, the birth registration of such person, by the substitution, addition or insertion of particulars relating to his name:

Provided, however, that in the case of an application relating to the name of a person who is over twenty-one years of age, the Registrar-General or District Registrar shall cause notice of the application to be published in the prescribed manner at the place where that person's birth occurred and at his place of residence.

(2) Every application under sub-section (1) shall be—

(a) made by a parent or guardian of the person to whom the application relates if that person is under the age of twenty-one years, or made by that person himself with the written consent of a parent or former guardian if he is over twenty-one years of age; and

(b) supported by a declaration, substantially in such one of the Forms, G, GG, H and HH set out in the First Schedule hereto as may be appropriate, made before a Justice of

the Peace or any District Registrar and bearing a stamp, supplied by the applicant, of the value of one rupee if not more than two years have elapsed since the registration of the birth and of five rupees if more than two years have so elapsed.

(3) Where an application is received under this section for the amendment of a birth registration entry of a person who at the date of the application is over seven years of age, the Registrar-General or the District Registrar considering the application shall, before he causes such amendment to be made, satisfy himself that the altered name or the name that is now being assigned has been in actual use for a period which in his opinion is reasonable.

(4) The preceding provisions of this section shall apply to a birth registered whether under this Act or under any past Ordinance.

(5) Where the birth of any child has been registered without a name being specified in the registration entry at the time of the registration, it shall be the duty of the father or mother of the child or of the guardian of the child to make an application under the preceding provisions of this section not later than forty-two days from the date of the registration of the birth for the insertion of particulars relating to the name of the child. The failure to make an application within the time herein specified shall not prevent the making of such an application under this section after the end of that period.

(6) Where an application under the preceding provisions of this section for the alteration or insertion of the name of a person has been made otherwise than by a parent or the lawful guardian of that person appointed by a competent court, the decision of the Registrar-General or the District Registrar upon the application shall be published in the prescribed manner at the place where that person's birth occurred and at his place of residence, and any person aggrieved by the decision may appeal to the District Court against that decision. Every such appeal—

(a) shall be made by petition in writing bearing a stamp of one rupee;

(b) shall be preferred within thirty days of the date of the first publication of notice of the decision as aforesaid; and

- (c) shall be heard and determined by the District Court after such summary inquiry as the court may deem requisite.

The decision of the District Court upon any such appeal shall be final, and shall not be subject to an appeal to the Supreme Court.

(7) Notwithstanding that a right of appeal against a decision of the Registrar-General or the District Registrar is conferred by sub-section (6), the decision shall be given provisional effect by the amendment of the birth registration entry to which the decision relates but without prejudice to the duty of the Registrar-General or the District Registrar subsequently to make such further amendments as may be rendered necessary by the decision of the District Court upon any appeal.

Amendment of
birth registration
entries by
order of
District Court.

28. (1) A person whose birth has been registered (whether under this Act or under any past Ordinance), or his parent or guardian, or a person aggrieved by any particulars in the entry relating to that birth, may make a written application to the District Court of the district in which the birth occurred for an order directing—

- (a) the alteration or insertion of the name of the person whose birth was registered, if, but only if, such person's age at the date of the application is not less than twenty-one years; or
- (b) the alteration of all or any of the particulars in the register relating to the name, race, rank or profession of the father of such person, or for the omission of such particulars or for the insertion of fresh particulars, in any case where the original particulars had been falsely or improperly entered; or
- (c) the insertion of the name of the father of such person, in any case where such name was omitted at the time of the original entry; or
- (d) the alteration of the names of the parents of such person, in any case where such names have been altered since the original entry was made; or

- (e) the alteration, insertion or omission of particulars relating to the marriage of the parents of such person; and
- (f) the making in the entry of any consequential amendments resulting from such alteration, insertion or omission:

Provided, however, that an application for any alteration or insertion referred to in paragraph (a) of this sub-section may be made to the District Court only by the person desiring his name to be so altered or inserted.

(2) Every application made under sub-section (1) shall bear a stamp of the value of five rupees supplied by the applicant.

(3) On an application to the District Court, in accordance with the preceding provisions of this section, for the amendment of an entry in a register of births, the District Court may, after due notice to the Registrar-General, the appropriate Registrar, and such other parties and persons as the Court may think fit, and after due inquiry, make such order, whether in terms of the application or otherwise, as the justice of the case may require.

(4) Every order of the District Court shall be subject to an appeal to the Supreme Court.

(5) The District Court shall cause a certified copy of every order made by that Court under sub-section (3) or by the Supreme Court in appeal to be served on the Registrar-General.

(6) The Registrar-General, on receipt of a certified copy of a Court order served on him under sub-section (5), shall give effect to the order, and, where the order includes a direction for the amendment of a registration entry, shall make or cause such amendment to be made.

(7) The procedure in regard to appeals under this section shall, so far as is practicable, be regulated by the law relating to appeals to the Supreme Court from the District Court in the exercise of its criminal jurisdiction.

PART IV.

Registration of Deaths

When and by whom information concerning a death to be given.

29. (1) When a death occurs in a house or building the nearest relatives present at the death or in attendance during the last illness of the deceased, and, in the absence of such relatives, every other relative of the deceased dwelling or being in the same Registrar's division as the deceased, and, in the absence of such other relatives, each person present at the death and the occupier of the house in which the death took place, and, in the absence of the persons hereinbefore specified in this section, and the person causing the body of the deceased to be buried, cremated, or otherwise disposed of, shall, within five days of the death, give, information of such of the particulars relating to the death required under this Act to be registered as is known by such person or persons to the appropriate Registrar, and shall, if called upon by that Registrar sign in his presence the register of deaths in the appropriate place.

(2) When a death occurs in a place other than a house or building, every relative of the deceased having knowledge of any of the particulars concerning the death required to be registered under this Act, and, in the absence of such a relative, every person present at the death, the person taking charge of the corpse, and the person causing the corpse to be buried, cremated or otherwise disposed of, shall, within five days from the date of the death, give information of such of the particulars relating to the death required under this Act to be registered as is known by such person or persons to the appropriate Registrar and shall, if called upon by the Registrar, sign in his presence the register of deaths in the appropriate place.

(3) When a corpse is found in a place other than a house or building, every relative of the deceased having knowledge of any of the particulars concerning the death required to be registered under this Act and, in the absence of such relative, the person finding the corpse, the person taking charge of the corpse, and the person causing the corpse to be buried, cremated or otherwise disposed of, shall, within five days from

the date of the finding of the corpse, give information of such of the particulars relating to the death required under this Act to be registered as is known by such person or persons to the Registrar of the division in which the corpse was found and shall, if called upon by the Registrar, sign in his presence the register of deaths in the appropriate place.

30. (1) If a person required under section 29 to give particulars of a death occurring in a division cannot conveniently attend the office of the Registrar of that division, it shall be competent for such person to make a written declaration substantially in the Form I set out in the First Schedule hereto and send such declaration to the Registrar; and the declaration shall bear a stamp, supplied by the declarant, of the value of twenty-five cents.

When and how information about a death may be given by written declaration.

(2) The Registrar to whom a declaration is sent under sub-section (1) may, by written notice, require the declarant to attend his office within seven days of the receipt of the notice and to supply him such written or oral information as he may require.

(3) Where information relating to a death is supplied under the preceding provisions of this section, the Registrar shall enter the information in the register of deaths and sign the register in the appropriate place. The declaration shall be attached to the duplicate of the relevant registration entry and shall be sent together with that duplicate to the appropriate District Registrar for transmission to the Registrar-General for custody in his office.

31. In the event of the death of any person who has been attended during his last illness by a medical practitioner, a certificate in duplicate, substantially in the Form J set out in the First Schedule hereto, stating to the best of his knowledge and belief the cause of the death shall be forthwith issued without fee or reward by such practitioner to the person required under this Act to give information, and such person shall, at the time he gives to the appropriate Registrar information concerning the death as required by this Act, deliver such certificate to him. On receipt of the certificate, the Registrar shall enter in the register the cause of death as stated in the certificate, together with the name of the medical practitioner who issued the certificate.

Certificate of medical practitioner as to cause of death.

Requisition
by Registrar of
information
concerning
death.

32. (1) Where any death which has occurred in a division has, by reason of the default of the person required under this Act to give information concerning the death, not been registered, the Registrar of that division may, at any time after fourteen days but within three months of the date of such death, and, in the case of the finding of a corpse in a place other than a house or a building, of the date of such finding, send a written notice, substantially in the Form K set out in the First Schedule hereto, to any such person, requiring him to attend personally at the Registrar's office within such time (not less than seven days after the receipt of the notice and not more than three months of the date of the death or of the finding of the corpse) as may be specified in the notice, and to give to the Registrar information of such of the particulars relating to the death required under this Act to be registered as such person possesses, and to sign the register of deaths in the appropriate place in the presence of the Registrar.

(2) Every person to whom a notice is sent under sub-section (1) shall, unless the death is registered before the expiry of the time specified in the notice, comply with its terms.

Duty of
Registrar
to register
deaths
without fee
or reward.

33. It shall be the duty of a Registrar upon receiving from the appropriate informant, at any time not exceeding three months from the date of a death or of the finding of a corpse, information of any of the particulars required to be registered under this Act, to register, without fee or reward, forthwith in the prescribed form and manner such particulars (if they have not been previously registered), and to sign the register of deaths in the appropriate place.

Registration
of death
occurring in
an estate.

34. (1) Where a death occurs in an estate, it shall be the duty of the person or persons required by section 29 to give information relating thereto to give such information to the superintendent of the estate within twenty-four hours of the death instead of to the Registrar.

(2) Where the superintendent of an estate receives information of a death under sub-section (1), he shall, within forty-eight hours of the receipt of the information, make, after verifying the information,

a written report of the death, substantially in the Form L in the First Schedule hereto, to the nearest medical officer, or apothecary, appointed under the Medical Wants Ordinance, who shall send that report forthwith to the District Registrar of the district in which the estate is situated.

Cap. 176.

(3) On receipt of the report of the superintendent referred to in sub-section (2), the District Registrar shall register, in the prescribed form and manner, the particulars relating to the death specified in the report. The superintendent shall, for the purposes of this Act, be deemed to be the informant and to have signed the entry, consisting of those particulars, made by the Registrar.

35. No person shall, after the expiration of a period of three months immediately succeeding the date of the death of any person, register or cause to be registered that death except upon an order made in that behalf under section 36 by the Registrar-General or the appropriate District Registrar.

Restriction
on registration
of death after
three months
from occurrence.

36. (1) In any case where the death of any person is not registered within the period of three months immediately succeeding the date of the death—

Order for
registration
of death
after three
months from
occurrence.

(a) the Registrar-General or any District Registrar or Registrar may, by notice in writing, direct any person who is required by this Act to give information concerning the death to attend personally at the office of the Registrar-General or of a District Registrar within such time, not being less than seven days after the receipt of the notice, as may be specified in the notice, and to make before that officer a declaration of the particulars required to be registered under this Act in respect of the death; or

(b) any such person or any other person interested may of his own motion attend personally at the office of the Registrar-General or of any District Registrar and make before such officer a declaration of the particulars required to be registered concerning the death.

(2) Every declaration under sub-section (1) shall be made substantially in the Form M in the First Schedule hereto and shall contain a statement of the

particulars required to be set out in the Form according to the best of the knowledge and belief of the declarant.

Every such declaration shall, if made within a period of twelve months from the date of the death, bear a stamp of one rupee, and, if made at any time thereafter, bear a stamp of five rupees. The stamp shall be supplied by the declarant.

(3) Any District Registrar, not being the appropriate District Registrar, before whom a declaration is made under sub-section (1), shall—

(a) if the declaration is made within the period of twelve months immediately succeeding the date of the death, transmit the declaration to the appropriate District Registrar to be dealt with as provided in sub-section (5); and

(b) if the declaration is made after the expiration of the said period of twelve months, transmit the declaration to the Registrar-General to be dealt with as provided in sub-section (6).

(4) Where a declaration under sub-section (1) is made before the appropriate District Registrar after the expiration of the period of twelve months immediately succeeding the date of the death, the District Registrar shall transmit the declaration to the Registrar-General to be dealt with as provided in sub-section (6).

(5) Where a declaration under the preceding provisions of this section is made before any District Registrar within the period of twelve months immediately succeeding the date of the death, the appropriate District Registrar may, if he is satisfied as to the truth of the matters stated in the declaration, make order directing the appropriate Registrar to enter in the register of deaths the particulars specified in the declaration. Any such order may be made notwithstanding that a period of twelve months has elapsed after the date of the death.

(6) Where any declaration is made under sub-section (1) before the Registrar-General or is transmitted to him under sub-section (3) or sub-section (4), he may, if he is satisfied as to the truth of the matters stated in the declaration and if the declaration is made not later than twenty-five years from the date of the death to which the declaration relates, make order

directing the appropriate Registrar to enter in the register of deaths the particulars specified in the declaration.

37. (1) Where a written order under section 36 is made to a Registrar to enter the particulars relating to a death, he shall forthwith enter those particulars in the register of deaths and sign the register in the appropriate place. The entry so made shall be deemed for the purposes of this Act to have been signed by the person who made the declaration.

Effect of order under section 36.

(2) Every written order under section 36 shall be attached to the duplicate of the relevant registration entry and shall be sent, together with that duplicate, to the appropriate District Registrar for transmission to the Registrar-General for custody in his office.

38. The provisions of section 36 shall apply to the registration of a death which has occurred prior to the appointed date, if, but only if, the declaration relating to such death is made under that section not later than twenty-five years from the date of such death.

Application of section 36 to certain deaths occurring before the appointed date.

39. (1) Where an inquiry into a death is held under the Criminal Procedure Code, the Inquirer into Deaths who holds the inquiry shall send to the appropriate Registrar, within five days after the conclusion of the inquiry, a certificate under his hand, setting out such of the particulars of the death required under this Act to be registered as the Inquirer possesses, and the time and place of the inquiry.

Certificate of Inquirer into Deaths. Cap. 16.

(2) On receipt by a Registrar of the certificate referred to in sub-section (1), he shall, if the death mentioned in that certificate has not been previously registered, register the particulars relating to such death in the prescribed form and manner, or, if the death has been previously registered, record in the register against the relevant original entry such particulars relating to the death as may be at variance with the particulars specified in the said original entry.

PART V.

Registration of deaths and still-births in certain areas.

40. The Minister may, by Order published in the *Gazette*, declare that the provisions of this Part of this Act shall, on and after a date specified in the Order, apply in any area or areas as may be defined in the Order.

Application of this Part to certain areas by Minister's Order.

Registration of deaths, and the burial, cremation or other disposal of the corpses of persons dying within areas in which this Part applies.

41. (1) No person shall bury, cremate or otherwise dispose of, or cause to be buried, cremated or otherwise disposed of, the corpse of a person dying within any area in which this Part applies, unless there has been obtained—

- (a) a certificate, substantially in the Form N set out in the First Schedule hereto, from the appropriate Registrar, to the effect that the notice of the death of the person whose body is to be buried, cremated or otherwise disposed of was given to him; or
- (b) the certificate of registration issued under section 42 from the appropriate Registrar; or
- (c) a certificate, substantially in the Form O set out in the First Schedule hereto, from a village headman or police officer resident in the division of the appropriate Registrar stating that information of such death, including its cause, was given to such Registrar or to such headman or police officer not less than three hours before the granting of such certificate; or
- (d) the duplicate of the certificate of a medical practitioner issued under section 31; or
- (e) a certificate, substantially in the Form P set out in the First Schedule hereto, from an Inquirer into Deaths who has held, under the Criminal Procedure Code, an inquiry into such death; or
- (f) in the case of a death occurring on an estate, a certificate, substantially in the Form Q set out in the First Schedule hereto, from the superintendent of that estate, stating that he has authorised the burial, cremation or other disposal of the corpse.

(2) Every certificate obtained for the purposes of sub-section (1) shall be issued forthwith in duplicate without fee or reward from the applicants.

(3) The officer or person authorised to issue any certificate referred to in sub-section (1) may, before issuing the certificate, hold such inquiry as he may think necessary for the purpose of ascertaining the particulars that are to be specified in that certificate, and he may for that purpose enter into any house or land or inspect a corpse.

(4) The person in charge of a cemetery or burial ground established or registered under the Cemeteries and Burials Ordinance for an area in which this Part applies shall not permit a corpse to be buried, cremated or otherwise disposed of in such cemetery or burial ground except on the production of a certificate, or a duplicate of a certificate, referred to in sub-section (1).

Cap 181.

(5) The duplicate of the certificate of a village headman or a police officer or a medical practitioner or an Inquirer into Deaths obtained for the purposes of sub-section (1) shall, within five days of the death to which the certificate relates, be sent by the person who obtained the certificate to the appropriate Registrar.

(6) Where a death occurs in an estate situated in an area in which this Part applies, the superintendent of that estate shall, within five days of the death, send a certificate, substantially in the Form L set out in the First Schedule hereto, to the nearest medical officer, or apothecary, appointed under the Medical Wants Ordinance, who shall send that certificate forthwith to the District Registrar of the district in which that estate is situated.

Cap. 176.

(7) A Registrar, on receipt of the duplicate of a certificate sent to him under sub-section (5), and a District Registrar, on receipt of the certificate sent to him under sub-section (6), shall, in the prescribed form and manner, register the particulars specified in such duplicate or certificate.

42. (1) No corpse shall be removed outside an area in which this Part applies for burial, cremation or other disposal in any place except a cemetery or burial ground established or registered for such area under the Cemeteries and Burials Ordinance, unless the person or persons required under this Act to give information concerning the death has—

Removal of
corpses from
areas in which
this Part
applies for
burial, &c.
Cap. 181.

- (a) given information of the death to the appropriate Registrar and obtained from him, on written application made, a certificate, substantially in the Form R set out in the First Schedule hereto, of the registration of the death, and
- (b) obtained written permission for the removal of the corpse from the proper authority within the meaning of the Cemeteries and Burials Ordinance or from the Assistant Government Agent or Magistrate within whose territorial jurisdiction such area is situated or from a public officer authorised in

Cap. 181.

writing in that behalf by the Government Agent or Assistant Government Agent within whose territorial jurisdiction such area is situated:

Provided that the preceding provisions of this sub-section shall not apply to a death occurring in a Government hospital or in an estate.

(2) The certificate of registration referred to in sub-section (1) shall be issued without a fee except in the circumstances specified in sub-section (3) or sub-section (4), where the fees specified therein shall be paid to the Registrar as a personal payment to be retained by him for his own use.

(3) Where the application for the certificate of registration referred to in sub-section (1) is made between the hours of 6 p.m. and 6 a.m. and such certificate is issued between those hours without any inspection of the corpse, the applicant shall pay the Registrar for the certificate five rupees.

(4) Where the application for the certificate of registration referred to in sub-section (1) is made between the hours of 6 p.m. and 6 a.m. and such certificate is issued between those hours after an inspection of the corpse, the applicant shall pay the Registrar for the certificate seven rupees and fifty cents.

Registration
of still-births
in areas in
which this
Part applies.

43. (1) No person shall bury, cremate or otherwise dispose of, or cause to be buried, cremated or otherwise disposed of, the body of a still-born child delivered in an area in which this Part applies, unless there has been obtained—

(a) a certificate, substantially in the Form S set out in the First Schedule hereto, from the appropriate Registrar or from a village headman or police officer resident in such Registrar's division, stating that the occurrence of the still-birth was notified to him; or

(b) in the case of a still-birth occurring in an estate, a certificate from the superintendent of the estate stating that he has authorised the burial, cremation or other disposal of the body; or

(c) a certificate, substantially in the Form T set out in the First Schedule hereto, from the medical practitioner in attendance at the

birth of such child or from a medical practitioner who has examined the body, stating that the child was not born alive.

(2) The certificates referred to in paragraphs (a) and (b) of sub-section (1) shall be issued after such inquiry or inspection of the body of the still-born child as may be necessary and without fee or reward.

(3) A certificate relating to a still-birth obtained for the purposes of sub-section (1) (other than a superintendent's certificate) shall, within five days of the occurrence of the still-birth, be sent by the person who obtained the certificate to the appropriate Registrar.

(4) Where a still-birth occurs in an estate situated in an area in which this Part applies, the superintendent of that estate shall, in the prescribed form and within the prescribed period, send a written report of the still-birth to the nearest medical officer, or apothecary, appointed under the Medical Wants Ordinance, who shall send that report forthwith to the District Registrar of the district in which that estate is situated.

(5) A Registrar, on receipt of a certificate sent to him under sub-section (3), and a District Registrar, on receipt of a report sent to him under sub-section (4), shall, in the prescribed form and manner, register the particulars specified in that certificate or report.

44. The duty of Registrars and District Registrars, officiating in the area in which this Part applies, to register particulars of deaths and still-births under this Part shall be in addition to their duty to register, in the prescribed form and manner, particulars of deaths and still-births of which due information is given directly to them in accordance with the other provisions of this Act.

45. All the other provisions of this Act shall, so far as they are consistent with the provisions of this Part, apply to every area in which this Part applies.

PART VI.

Miscellaneous.

46. (1) It shall be the duty of every village headman to inform himself of every birth and death occurring within his jurisdiction, and to make to the appropriate Registrar, within seven days of such birth or death, a report, substantially in the Form U or Form V set out in the First Schedule hereto, relating to the birth or death.

Cap. 176.

General duty of registration of Registrars and District Registrars in areas in which this Part applies.

Other provisions of Act to apply also to area in which this Part applies.

Duty of village headman to give information about births and deaths.

(2) The Minister may by Order published in the *Gazette* exempt the village headmen of any area specified in that Order from the obligation imposed on them by sub-section (1).

Duty of certain persons to give information relating to births and still-births occurring in certain areas to Medical Officers of Health, &c.

47. (1) The succeeding provisions of this section shall apply in every case where a birth or still-birth occurs—

- (a) in any area in which Part V applies, or
- (b) in any other area declared by Order of the Minister published in the *Gazette* to be an area in which those provisions shall apply.

Every Order under paragraph (b) shall specify the date on and after which those provisions shall so apply.

(2) In every case to which the provisions of this section apply—

- (a) the father of the child, if, at the time of the birth or still-birth, he was residing in the house where the birth or still-birth took place, and
- (b) any person in attendance upon the mother at that time or within six hours thereafter,

shall, within twenty-four hours after that time, attend the office of the Medical Officer of Health within whose area such birth or still-birth occurred and, in regard to such birth or still-birth, give him information of such of the particulars of the matters specified in the Form W set out in the First Schedule hereto as the informant possesses.

(3) If a person required by the preceding provisions of this section to give information regarding a birth or a still-birth to a Medical Officer of Health cannot conveniently attend before that officer, such person may send a written declaration containing such of the particulars of the matters specified in the Form W set out in the First Schedule hereto as such person possesses.

(4) The information required to be given under this section shall be in addition to, and not in substitution for, any information relating to the registration of births and still-births required to be given under any other provision of this Act.

(5) Every Medical Officer of Health who, in accordance with the provisions of this section, receives information regarding a birth or a still-birth which

has occurred within his area shall, within seven days of the receipt thereof, send such information to the appropriate Registrar.

48. The manager or other person in charge of every private hospital or private maternity or nursing home shall, before Wednesday in each week, send to the appropriate Registrar—

Weekly returns or certificates to be supplied by manager or other person in charge of a private hospital or a private maternity or nursing home.

(a) returns, substantially in the Forms X, Y and Z set out in the First Schedule hereto, specifying the particulars relating to the births, deaths and still-births which have occurred in the hospital or nursing or maternity home during the preceding week, or

(b) where no births, deaths or still-births have occurred in that hospital or nursing or maternity home during the preceding week, a certificate to that effect.

49. (1) Upon the conclusion of the trial of a person for giving false information or for not giving to the Registrar information he is required to give under this Act concerning a birth or a death or a still-birth, the Magistrate or President of the Rural Court trying such person shall issue to the appropriate District Registrar a certificate in the Form AA, or the Form AB or the Form AC set out in the First Schedule hereto, as the case may be.

Registration consequent on certain prosecutions.

(2) On receipt by the District Registrar of the certificate referred to in sub-section (1), he shall, in case the birth or death or still-birth mentioned in that certificate has not been registered, cause the appropriate Registrar to register the particulars specified in the certificate in the prescribed form and manner, and in case such birth or death has been previously registered, cause such Registrar to record in the register against the relevant original entry such particulars as may be at variance with the particulars specified in the said original entry.

50. No correction, amendment or other alteration in any register of births, deaths or still-births shall be made except in accordance with the provisions of this Act.

Correction of registration entries.

51. The Registrar-General or any officer authorised by him in that behalf may, from time to time, subject to such rules as may be prescribed, correct any clerical error or supply any inadvertent omission in any registration entry made under this Act or under any past Ordinance.

Correction of clerical errors. &c.

Correction of
errors other
than clerical
errors, &c.

52. (1) Where—

- (a) there is a registration entry made under this Act or under any past Ordinance relating to a birth, death or still-birth that did not take place; or
- (b) more than one registration entry has been made under this Act or under any past Ordinance in respect of the same birth, death or still-birth; or
- (c) the particulars relating to a birth, death or still-birth registered under this Act or under any past Ordinance has been entered in the wrong register; or
- (d) a registration entry relating to a birth, death or still-birth has been made under this Act or under any past Ordinance by a Registrar other than the appropriate Registrar; or
- (e) a registration entry has been made under this Act or under any past Ordinance upon information given by a person other than the person required under this Act to give the information; or
- (f) entries relating to a birth or death registered under this Act or under any past Ordinance after three months of such birth or death have not been made in accordance with the appropriate provisions of the Act or Ordinance; or
- (g) registration entries have been left unsigned by the appropriate Registrar or the person required under this Act to give the information; or
- (h) there is any other error or omission of fact or substance in a birth registration entry, not being an error or omission of fact or substance which can be amended under the other provisions of this Act; or
- (i) there is any other error or omission of fact or substance in a death or still-birth registration entry; or
- (j) by reason of damage or age, any particulars relating to a registration entry are missing or are illegible or are in danger of becoming illegible,

the Registrar-General, upon the production of a declaration made in accordance with the provisions of

sub-section (3), or of his own motion, and after such inquiry as he may think necessary, may—

(i) make, or direct the appropriate District Registrar or Registrar to make, a note or endorsement on the margin or on the reverse side of the entry, specifying the nature of the irregularity in the entry and the true facts relating to that entry; or

(ii) amend or rectify the entry, or direct the appropriate District Registrar to amend or rectify the entry, by the correction of errors or by the supplying of omissions or by the restoration of particulars that are missing, illegible or in danger of becoming illegible; or

(iii) make such other order as he may think fit.

(2) Where the Registrar-General under sub-section (1) directs a District Registrar or Registrar to make a note or endorsement or to amend or to rectify an entry, such District Registrar or Registrar shall, in accordance with that direction, make such note or endorsement, or amend or rectify the entry.

(3) The declaration referred to in sub-section (1) shall—

(a) be in writing;

(b) be made by the person upon whose information the entry was made or any credible person having knowledge of the true facts relating to the entry;

(c) bear a stamp of the value of one rupee if the declaration is necessary for any reason mentioned in paragraph (a) or paragraph (e) or paragraph (h) or paragraph (i) of sub-section (1);

(d) be made before the Registrar-General or any District Registrar; and

(e) set out the nature of the irregularity, error, omission or other defect and the true facts relating to the entry.

Correction of a death registration entry on issue of a certificate by an Inquirer into Deaths.

53. Where an Inquirer into Deaths, on being satisfied by evidence on oath or affirmation, issues to the Registrar-General or the appropriate District Registrar a written declaration under his hand stating that there occurs an error of fact or substance (other than an error relating to the cause of death) in any certificate furnished, under section 39 (1), by him or by any other Inquirer and stating the true facts relating to the particulars specified in the certificate, the Registrar-General or the District Registrar may cause any error in a death registration entry made by reference to such certificate to be corrected in accordance with such written declaration.

Manner in which amendments to an entry to be made, &c.

54. Every amendment made under section 27 or section 28 to any entry, every particular recorded against an original entry under section 39 or section 49, every correction or insertion made under section 51, every note, endorsement, amendment, or rectification made under section 52, and every correction made under section 53 shall be made, without the erasure of any of the particulars of the original entry, in the language in which that entry was made; and the amendments and other alterations made under the said sections shall bear as near thereto as possible the signature of the officers making those amendments or alterations.

Power of Court to question the correctness of a registration or entry.

55. The provisions of sections 27, 28, 51 and 52 for perfecting registration entries shall not be construed as precluding any person from questioning, in any proceedings in any court (not being proceedings taken under this Act), the correctness of any registration or entry although such person may not have observed properly those provisions.

Issue of certified copies &c.

56. (1) Any person shall be entitled, on making a written application to the Registrar-General, or a District Registrar or Registrar, and under such conditions and on payment of such fees as may be prescribed, to refer to any book or document in the possession of the Registrar-General, District Registrar or Registrar, and kept under this Act or under any past Ordinance, and to demand a certified copy of, or a certified extract from, any entry in such book or document.

(2) The applicant shall supply for every written application and for every certified copy or certified

extract a stamp or stamps of such value as may from time to time be prescribed, not exceeding the following amounts:—

	<i>Rs. c.</i>
For an application	0 50
For a certified copy or certified extract	0 25

57. (1) A certified copy or a certified extract of a registration entry issued under section 56 of this Act shall be received as *prima facie* evidence of the birth, death or still-birth to which that copy or extract relates if that entry purports to have been made in accordance with the provisions of this Act, and that copy or extract purports to have been made under the hand of the Registrar-General, and Assistant Registrar-General, or the appropriate District Registrar, or under the hand of the appropriate Registrar and countersigned by the Registrar-General, an Assistant Registrar-General, or the appropriate District Registrar.

Certified copies and extracts to be *prima facie* evidence.

(2) A certified copy or a certified extract of a registration entry issued under the appropriate section of any past Ordinance shall be received as *prima facie* evidence of the birth, death or still-birth to which that copy or extract relates if that entry purports to have been made in accordance with the provisions of such Ordinance and that copy or extract purports to have been made under the hand of the Registrar-General, an Assistant Registrar-General, a Provincial Registrar, or an Assistant Provincial Registrar, or under the hand of the appropriate Registrar and countersigned by the Registrar-General, an Assistant Registrar-General, a Provincial Registrar, or an Assistant Provincial Registrar.

58. (1) All notices, declarations, certificates, requisitions, returns, and other documents required or authorised by or under this Act to be delivered, sent, or given to the Registrar-General, or District Registrar, or Registrar, or Medical Officer of Health, or by a Medical Officer of Health to a Registrar, or by a Registrar to an appropriate informant, may be delivered in person or sent by post.

Manner in which documents may be sent, &c.

(2) Any document referred to in sub-section (1) which is sent by post shall be deemed to be received by

the person to whom it is sent on the date on which it would be delivered to that person in the ordinary course of post.

(3) For the purpose of proving the sending of any document referred to in this section, it shall be sufficient to prove that the letter was prepaid, or, if it be a letter that might according to the rules of the Postal Department of this Island be sent free on His Majesty's Service, that such letter was franked on His Majesty's Service and that it was properly addressed and put into the post.

Books.

59. (1) The Registrar-General and every District Registrar and Registrar shall—

- (a) keep, for the purposes of this Act, books of such form and material as may be specified in that behalf by the Minister or as may be prescribed by any rule made under this Act;
- (b) preserve carefully all books and documents kept under this Act or under any past Ordinance and in their custody; and
- (c) at no time allow such books and documents to remain out of their possession except in obedience to an order of a competent Court or except in accordance with the provisions of this Act or rules made thereunder.

Registrar to
surrender
records on
ceasing to
hold office.

60. (1) A Registrar who ceases to hold office shall forthwith deliver all the books, documents, papers and other articles in his possession as Registrar, with a list thereof, to the District Registrar within whose district his division is situated.

(2) The District Registrar shall carefully arrange and keep in his office all articles delivered to him by a Registrar under sub-section (1) except incomplete books which shall be sent by him to the Registrar's successor forthwith.

Declaration by
non-resident
persons, &c.

61. (1) Where a person who is qualified to make the declaration under section 13 or section 24 or section 27 or section 36 or section 52 is outside the Island, the declaration may be made before any Diplomatic, Consular or Trade Representative of Ceylon, or a British Consul or a Justice of the Peace, or a Commissioner of Oaths; and the amount of the stamp duty in

respect of such declaration leviable under this Act shall be transmitted to the Registrar-General or appropriate District Registrar, who shall affix to the declaration a stamp or stamps of the proper value and cancel such stamp or stamps, or shall be paid to the Diplomatic, Consular or Trade Representative, if any, before whom a declaration is made.

(2) When the person who is qualified to make a declaration is in the Island but unable to appear before the Registrar-General or a District Registrar, the declaration may be made before a Justice of the Peace, a Commissioner for Oaths, or the President of a Rural Court on paper bearing a stamp of the proper value.

(3) A declaration made in accordance with the preceding provisions of this section shall be as valid and effectual as if it had been duly made before the Registrar-General or a District Registrar.

62. (1) The Registrar-General or any District Registrar holding an inquiry under this Act may—

- (a) summon any person whom he thinks necessary for the purposes of the inquiry to appear before him;
- (b) examine such person on oath or affirmation; and
- (c) call upon such person to produce any document in his possession which the Registrar-General or the District Registrar, as the case may be, considers material to the inquiry.

(2) Every person summoned under sub-section (1) shall appear before the officer summoning him, and every person called upon to produce a document under that sub-section shall produce such document, if the document is in his possession.

(3) Rules may be made under section 69 providing for the payment in such circumstances as may be prescribed of travelling allowances to persons summoned under sub-section (1).

Power of Registrar-General and District Registrars to examine witnesses and call for documents.

63. Notwithstanding anything in section 16 or section 30 or in the Form D or the Form I set out in the First Schedule hereto, it shall not be necessary for a declaration under either of those sections made by a Government officer attached to a hospital or jail or other public institution to bear a stamp of the value of twenty-five cents or to be attested by two witnesses.

Government officers' declarations under sections 16 and 30.

PART VII.

Offences and Penalties.

Penalty, in cases of late registrations, for non-observance of provisions of Act, &c.

64. (1) Every person who—

(a) registers or causes to be registered the birth of a child after the expiry of three months from the date of such birth except upon an order made in that behalf under section 24 of this Act by the Registrar-General or the appropriate District Registrar; or

(b) registers or causes to be registered the death of a person after the expiry of three months from the date of such death except upon an order made in that behalf under section 36 of this Act by the Registrar-General or the appropriate District Registrar; or

(c) contravenes the provisions of sub-section (1) or sub-section (2) or sub-section (4) or sub-section (5) or sub-section (6) of section 41, or the provisions of sub-section (1) or sub-section (3) or sub-section (4) of section 4² or the provisions of any rule made or deemed to be made under this Act; or

(d) having custody of a register kept under this Act or under any past Ordinance, carelessly loses, injures or permits the injury of such register,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred rupees.

(2) Every Registrar, police officer, village headman or superintendent of an estate, who, in the discharge of his duties under section 41, knowingly causes unnecessary vexation to any person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred rupees.

(3) Every Registrar who refuses or without reasonable cause omits to register any birth or death or still-birth or any particulars relating to such birth, death or still-birth, concerning which information has been given to him by the appropriate informant and which he ought to register, or knowingly disobeys any direction of the law as to the way in which he is to conduct himself, intending or knowing it to be likely to cause injury to any person or to the Government, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred rupees.

65. Every medical practitioner who neglects or refuses to issue a certificate as required by section 31, and every person who neglects or refuses to deliver the certificate given to him under that section to the Registrar as provided therein, shall be guilty of an offence and shall be liable to a fine not exceeding one hundred rupees.

Penalty for failure to issue certificate under section 31, &c.

66. Every person who, contrary to the provisions of section 42, removes or causes to be removed for burial, cremation or other disposal a corpse, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding three hundred rupees, or to imprisonment of either description for a period not exceeding one month.

Penalty for non-compliance with section 42.

67. Every person who—

- (a) knowingly and wilfully tears, defaces, destroys, or injures any notice, certificate, declaration, book, or document kept under this Act or under any past Ordinance or any part of such notice, certificate, declaration, book or document, or a certified copy of such notice, certificate, declaration or document, or any part of such certified copy; or
- (b) knowingly and wilfully inserts any false particular in any register, certificate, declaration, book or document, kept under this Act or under any past Ordinance, or knowingly and wilfully alters any entry in such register or any such certificate, declaration, book or document; or
- (c) signs or issues any false certificate relating to a birth, death, or still-birth; or
- (d) certifies in writing to be a copy or extract of any book or document kept under this Act or any past Ordinance, knowing such copy or extract to be false in any particular,

Penalty for destruction of documents and for giving false certificates, &c.

shall be guilty of an offence and shall be liable on conviction to rigorous imprisonment for a term not exceeding seven years or to a fine not exceeding five thousand rupees.

68. (1) Every person who—

- (a) refuses or omits to perform any act, or give any information or notice, or make any report required of him under this Act or under any rule made or deemed to be made thereunder; or

Penalty for false statement, &c.

- (b) wilfully makes any false answer to any question put to him by a Registrar, police officer, headman, superintendent of an estate, or a Government officer attached to a hospital or other public institution relating to the particulars required to be registered concerning any birth, death, or still-birth, or wilfully gives to such Registrar, police officer, headman, superintendent, or Government officer any false information concerning any birth, death, or still-birth, or as to the cause of any death; or
- (c) wilfully makes any false certificate, declaration, certified copy or certified extract for the purposes of this Act, or forges or falsifies any order made under this Act or any such certificate, declaration, copy or extract, or, knowing any such certificate, declaration, copy, extract or order to be false or forged, uses it as true, or gives or sends it as true to any person; or
- (d) wilfully makes, gives, or uses any false statement or representation as to a child born alive having been still-born, or falsely pretends that any child born alive was still-born; or
- (e) makes any false statement with intent to have it entered in any register of births, deaths, or still-births, or to obtain a certificate under section 41 or section 43,

shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment for a term not exceeding six months.

(2) The failure on the part of any person making or furnishing any declaration, report or other document required by this Act to set out therein particulars as to any matter of which particulars are required to be set out in the form prescribed by this Act for the purpose shall not be an offence if the failure was due solely to the fact that such person did not have knowledge of such matter.

PART VIII.

Supplementary Provisions.

69. (1) The Minister may make all such rules as may be necessary for carrying out or giving effect to the principles and provisions of this Act.

(2) In particular and without prejudice to the generality of the powers conferred by sub-section (1), the Minister may make rules—

- (a) for the guidance, in the exercise of their powers and the discharge of their duties under this Act, of the Registrar-General, District Registrars, Registrars, acting and deputy Registrars and such other officers and persons as may be appointed for the purposes of the Act;
- (b) for fixing the fees payable for any matter or thing done under, by virtue of, or in pursuance of any of the provisions of this Act and for specifying the persons by whom and to whom such fees shall be payable;
- (c) for amending, modifying, rescinding, or replacing any form set out in the First Schedule hereto; and
- (d) in respect of such matters as may be required by this Act to be prescribed.

(3) No rule made under the preceding provisions of this section shall have effect until that rule has been approved by the Senate and the House of Representatives, and until the rule has been published in the English, Sinhalese and Tamil languages in the *Gazette*.

(4) Every rule approved and published in accordance with the provisions of sub-section (3) shall be as valid and effectual as if it were herein enacted.

70. In this Act, unless the context otherwise requires—

Interpretation.

“ appropriate District Registrar ”, in relation to any matter concerning a birth, death, or still-birth mentioned in this Act, means the District Registrar of the district in which such birth, death, or still-birth took place;

“ appropriate informant ” means the informant required under the provisions of this Act to give the information specified in those provisions;

“ appropriate Registrar ”, in relation to any matter concerning a birth, death, or still-birth mentioned in this Act, means the Registrar of the division in which such birth, death, or still-birth took place;

“ birth ” means a product of conception, which, irrespective of the duration of pregnancy, after complete expulsion or extraction from its mother, breathes or shows any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached;

“ district ” means a revenue district;

“ estate ” means any land of which ten acres or more are in cultivation and which is situated in a district declared under section 3 of the Medical Wants Ordinance to be an estates medical district;

Cap. 176.

“ guardian ”, in relation to any person, means the lawful guardian of that person appointed by a competent court, or the brother or sister of that person being a major, or a grandparent of that person, or a brother or sister of a parent of that person;

“ occupier ” includes the keeper, master, matron, superintendent, or other chief residing officer of a public institution, and, where a house is let in separate apartments or lodgings, includes any person residing in such house who is the person under whom such lodgings or separate apartments are immediately held;

Cap. 94.

“ past Ordinance ” means the Births and Deaths Registration Ordinance, or any other Ordinance at any time heretofore in force relating to the registration of births, deaths and still-births;

“ public institution ” includes a prison, lock-up, lunatic asylum, hospital, reformatory, industrial school, barracks, and any charitable or other institution which is under the management of a Government officer;

“ registered medical practitioner ” means a person registered as a medical practitioner under the Medical Ordinance;

Cap. 90.

“ still-birth ” means death prior to complete expulsion or extraction from its mother of a product of conception which has had a duration of not less than twenty-eight weeks of gestation, death being indicated by the fact that after such separation, the foetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles; and

“ superintendent of an estate ” means the person having the charge and supervision of the labourers and work of an estate.

PART IX.

Repeal and Savings.

71. (1) The Births and Deaths Registration Ordinance is hereby repealed.

Repeal, &c.,
Cap. 94.

(2) The Rural Courts Ordinance, No. 12 of 1945, is hereby amended in the Second Schedule thereto, by the substitution, for the heading “ Chapter 94—The Births and Deaths Registration Ordinance ” and the entries relating to that heading, of the new heading and entries specified in the Second Schedule hereto, such new entries being specified in the appropriate columns of the Second Schedule to the Rural Courts Ordinance.

72. Notwithstanding the repeal of the Births and Deaths Registration Ordinance (hereinafter referred to as the “ repealed Ordinance ”), on and after the appointed date—

Savings and
transitional
provisions.
Cap. 94.

(a) every person who has been appointed under that Ordinance and holding an office or a post on the day immediately preceding that date shall be deemed to have been appointed to hold such office or post under this Act, and the provisions of this Act shall apply to him accordingly;

(b) every notification made under section 4 of the repealed Ordinance and in force on the day immediately preceding that date, shall, in so far as that notification is not inconsistent with the provisions of this Act, be deemed to be a notification made under section 5 of this Act, and the provisions of this Act shall apply accordingly;

- (c) every rule made under section 7 of the repealed Ordinance and in force on the day immediately preceding that date, shall, in so far as that rule is not inconsistent with the provisions of this Act, be deemed to be a rule made under section 69 of this Act, and the provisions of this Act shall apply accordingly;
- (d) every town, district, or place specified in any Order issued under section 30 of the repealed Ordinance shall be deemed to be an area in which Part V of this Act applies, and such Order may be amended or repealed by an Order made under section 40 of this Act;
- (e) every area specified in any Order issued under section 48 of the repealed Ordinance (as amended by Ordinance, No. 53 of 1944) shall be deemed to be an area declared under section 47 (1) (b) of this Act as an area in which sub-sections (2) to (5) of section 47 of this Act applies, and such Order may be amended or repealed by an Order under section 47 (1) (b) of this Act;
- (f) all fees and stamps prescribed under section 41 of the repealed Ordinance and in force on the day immediately preceding that date, shall be deemed to have been prescribed by rule made under section 69 of this Act;
- (g) every inquiry, appeal or other proceeding under the repealed Ordinance which is pending or incomplete on the day immediately preceding that date, shall be carried on and completed as far as possible in accordance with the provisions of this Act;
- (h) all registers, books and other documents supplied to officers under the repealed Ordinance and which are incomplete and in actual use on the day immediately preceding that date, shall be deemed to be of the nature and form prescribed by or under this Act and shall be used with such modifications as may be necessary for the purposes of this Act until they are completed, unless, in the circumstances of any case, the Registrar-General or a District Registrar otherwise orders;

Birth in Division District

(1) Date and place of birth:¹

(2) Name:

(3) Sex:

(4) Father's—

full name:

date of birth:

place of birth:

race:²

rank or profession:

(5) Mother's—

full name:

date of birth:

place of birth:

race:²

residence:

age:

(6) Were parents married? If so, when and where:

(7) If grandfather born in Ceylon³—

his full name:

his year of birth:

his place of birth:

(8) If the father was not born in Ceylon, and if great grandfather born in Ceylon, the great grandfather's³—

full name:

year of birth:

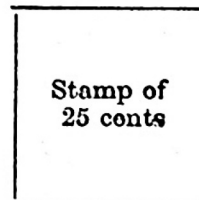
place of birth:

(9) Declarant's full name, rank or profession, and residence, and in what capacity he gives information:

(10) Parents' signatures for purposes of section 21:

I do hereby declare the above to be a true and correct statement.

Witness my hand at, this day of, 19 .



Signature of declarant:

Subscribed in the presence of—

1st witness

Full name:

Residence:

Signature:

52 *Births and Deaths Registration Act,*
No. 17 of 1951

2nd witness

Full name:

Residence:

Signature:

¹ Specify all the particulars relating to the dates, including the month and last portion of the year, in letters, for instance, first day of January 1947 (forty-seven).

² Tamils or Moors must be described as "Ceylon" Tamils or Moors, or "Indian" Tamils or Moors, as the case may be.

³ In the case of a person born in wedlock, information should be given of the paternal grandfather and great grandfather, and in the case of a person not so born, and not legitimated by the subsequent marriage of the parents, information should be given of the maternal grandfather and great grandfather.

N.B.—If the name of the child is not specified in this form, the declarant is bound within forty-two days to make an application under section 27 for the insertion of the name of the child.

Form E.

Report of Birth on an Estate

(Section 20).

(To be transmitted to nearest Medical Officer or Apothecary within forty-eight hours of the receipt of information of the birth.)

No:

Birth on the Estate, in the Medical District
of

(1) Date and place of birth:¹

(2) Name:

(3) Sex:

(4) Father's—

full name:

date of birth:

place of birth:

race:²

rank or profession:

(5) Mother's—

full name:

date of birth:

place of birth:

race:²

age:

(6) Were parents married?

(7) If grandfather born in Ceylon³—

his full name:

his year of birth:

his place of birth:

- (8) If the father was not born in Ceylon and if great grand-father born in Ceylon, the great grandfather's³—
 full name:
 year of birth:
 place of birth:
- (9) Name in full of the Kangany or Kanganies under whom the father and mother work:⁴
- (10) Place where and time when the birth was reported to the Superintendent by the Kangany:⁴
- (11) Parents' signatures for purposes of section 21:

I do hereby declare the above to be a true and correct statement.

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

Superintendent of Estate.

Received on the day of, 19.....

.....
Medical Officer or Apothecary.

¹ Specify all the particulars relating to the dates, including the month, and last portion of the year, in letters, for instance, first day of January 1947 (forty-seven).

² Tamils or Moors must be described as "Ceylon" Tamils or Moors, or "Indian" Tamils or Moors, as the case may be.

³ In the case of a person born in wedlock, information should be given of the paternal grandfather and great grandfather, and in the case of a person not so born, and not legitimated by the subsequent marriage of the parents, information should be given of the maternal grandfather and great grandfather.

⁴ To be filled only in case of labourers.

N.B.—If the name of the child is not specified in this form, the parent or guardian of the child is bound within forty-two days to make an application under section 27 for the insertion of the name of the child.

Form F.

Declaration of Birth after three months (Section 24).

Whereas the birth of the child herein named has not been registered within three months and it is now necessary to register the same, I,, of hereby declare that the following particulars to be registered concerning its birth and name are true and correct to the best of my knowledge and belief:

(1) Date and place of birth:¹

(2) Name:

(3) Sex:

(4) Father's—

 full name:

 date of birth:

 place of birth:

 race:²

 rank or profession:

(5) Mother's—

full name:
date of birth:
place of birth:
race:²
residence:
age:

(6) Were parents married?

(7) If grandfather born in Ceylon³—

his full name:
his year of birth:
his place of birth:

(8) If the father was not born in Ceylon and if great grand-
father born in Ceylon, the great grandfather's³—

full name:
year of birth:
place of birth:

(9) Declarant's full name, and residence, and in what
capacity he gives information:

(10) Parents' signatures for purposes of section 21:

Declared before me at,
this day of, 19

.....
Informant.

.....
Registrar-General or District Registrar.

No. and date of the registration
(to be filled in by the Registrar).

Appropriate
stamp ⁴

¹ Specify all the particulars relating to the dates, including the month and last portion of the year, in letters, for instance, first day of January 1947 (forty-seven).

² Tamils or Moors must be described as "Ceylon" Tamils or Moors, or "Indian" Tamils or Moors, as the case may be.

³ In the case of a person born in wedlock, information should be given of the paternal grandfather and great grandfather, and in the case of a person not so born, and not legitimated by the subsequent marriage of the parents, information should be given of the maternal grandfather and great grandfather.

⁴ If declaration is made within twelve months of birth the stamp shall be of the value of one rupee and if it is made thereafter the stamp shall be of the value of five rupees.

Form G.

(Section 27)

Declaration of Name

I, _____, do hereby declare that the male (or female) child born on the _____, at _____, in _____, to _____ and _____ his wife, and whose birth was registered in the division of _____ on the _____ 19____, has received the name of _____.

Witness my hand this _____, 19____.

.....
Signature.

Appropriate stamp*

Declared before me at
this day of, 19.....

.....
Justice of the Peace or
District Registrar.

* One rupee stamp if not more than two years have elapsed since the registration of birth and five rupees stamp if more than two years have so elapsed.

Form GG.

(Section 27)

Declaration of Name by the person himself

I, _____, do hereby declare that I am the male (female) child born on the _____, at _____, in _____, to _____ and _____ his wife, whose birth was registered in the division of _____ on the _____ 19____, and that I have received the name of _____.

Witness my hand this _____, 19____.

.....
Signature.

I, _____ of _____ the parent/guardian of the above-named declarant hereby consent to this application.

Declared before me at
this day of, 19.....

.....
Justice of the Peace or
District Registrar.

Appropriate Stamp

Form H.

(Section 27).

Declaration of Alteration of Name

I, _____, do hereby declare that the male (or female) child born on the _____ day of _____, 19____, at _____, in _____, to _____ and _____ his wife, and whose birth was registered in the division of _____ on the _____ day of _____, 19____, has since had his (or her) name _____ altered to _____.

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

Signature _____.

Declared before me on this
_____ day of _____, 19____.

Justice of the Peace

or

District Registrar.

Appropriate
Stamp*

* One rupee stamp if not more than two years have elapsed since the registration of birth and five rupees stamp if more than two years have so elapsed.

Form HH.

(Section 27)

Declaration of alteration of name by the person himself

I, _____, do hereby declare that I am the male (female) child born on the _____, at _____, in _____, to _____ and _____ his wife, whose birth was registered in the division of _____ on the _____ 19____, and that my original name _____ has been altered to _____.

Witness my hand this _____, 19____.

.....
Signature.

I, _____ of _____ the parent/guardian of the above-named declarant hereby consent to this application.

Declared before me at
this day of, 19.....

.....
Justice of the Peace or
District Registrar.

Appropriate
Stamp

Form I.

(Section 30).

Declaration of Death

Death in _____ Division, _____ District.

- (1) Date and place of death:
- (2) Full name and residence:
- (3) Sex and race:*
- (4) Age:
- (5) Rank or profession:
- (6) Parents' full names { Father:
Mother:
- (7) Cause of death and place of burial or cremation:
- (8) Declarant's full name, residence, and capacity for giving information:
- (9) Name of registered medical practitioner whose certificate as to cause of death is annexed:

Stamp of
25 cents

I do hereby declare the above to be a true and correct statement.

Witness my hand at,

this day of, 19—.

Signature of declarant:

Subscribed in the presence of

1st witness: Full name:

Residence:

Signature:

2nd witness: Full name:

Residence:

Signature:

* Tamils or Moors must be described as "Ceylon"
"Indian" Tamils or Moors.

Form J.

(Section 31).

Certificate of Cause of Death

To the Registrar of

¹State here the medical qualifications.

I,, ¹..... certify that I attended on of who was apparently aged (or stated to be aged) from the day of (month) to the day of (month) and that his (or her) death was probably caused by

I

* *Disease or condition directly leading to death.* (This does not mean the mode of dying, e.g., heart failure, *asthenia*, etc. It means the disease, injury, or complication which caused death).

(a)
due to (or as a consequence of)

Antecedent causes. Morbid conditions, if any, giving rise to the above cause, stating the underlying condition last. }

(b)
due to (or as a consequence of)

(c)

II.

Other significant conditions contributing to the death, but not related to the disease or condition causing it. }

.....

.....

Medical Practitioner.

Date: _____.

* The disease may be referred to, in the case of a disease specified by the Registrar-General, by reference to its number in the International List of the Cause of Death.

Form K.

(Section 32).

Requisition for Information concerning Death

The death of _____, of _____, which took place at _____ on the _____, not having been reported to me within fourteen days of its occurrence, you (*name of the person*), being legally bound to furnish information concerning such death, are hereby required to appear before me at my office at _____, on the _____, and to give the said information to the best of your knowledge and belief.

Dated at _____, this _____ day of _____, 19____.

Registrar.

to (*name and residence of the person*).

Form L.

(Sections 34 and 41 (6)).

Report of Death on an Estate

(To be fully answered and transmitted to the nearest Medical Officer or Apothecary within forty-eight hours of the receipt of information of the death.)

No.

Death on the Estate, in the Medical District of

- (1) Date and place of death:
- (2) Full name:
- (3) Sex and race: *
- (4) Age:
- (5) Class and rank (whether kangany or labourer, or wife of such, or child):
- (6) Parents' full names { Father:
Mother:
- (7) Cause of death, and, if buried or cremated off the estate, place of burial or cremation:
- (8) Name of kangany in whose gang deceased was employed:
- (9) State whether seen by medical officer, estate dispenser, apothecary, or superintendent during last illness:
- (10) If not treated by any one, briefly give reasons:

I,, do hereby declare the above to be a true and correct statement.

Witness my hand at, this day of, 19 .

.....
Superintendent of Estate.

* Tamils or Moors must be described as " Ceylon " Tamils or Moors or " Indian " Tamils or Moors.

Form M.

(Section 36).

Declaration of Particulars relating to Death for purposes of late Registrations

I, of solemnly, sincerely, and truly declare that the particulars stated below relating to an unregistered death are true and correct to the best of my knowledge and belief and that the death has not been registered within three months from its occurrence or from the finding of the corpse in a place other than a house or a building, for this reason, viz.—

- (a) Date of Death: _____.
1. (b) Place of Death: _____.
- (c) Registration Division and District: _____.

2. Full Name: _____

Form O.

(Section 41 (1) (c))

Certificate of Death by Police Officer or Village Headman

I certify that information of the death, of which particulars are given below, was furnished to the Registrar of (or to me, the Registrar of the division being absent), not less than three hours previously to the granting of this certificate:—

- (1) Date and place of death:
- (2) Full name:
- (3) Sex and race: *
- (4) Age:
- (5) Rank or profession:
- (6) Cause of death:
- (7) Name of last medical attendant:
- (8) Informant's full name and residence:

Dated at, this day of, 19 ..

Police Officer or Headman.

* Tamils or Moors must be described as "Ceylon" Tamils or Moors or "Indian" Tamils or Moors.

Form P.

(Section 41 (1) (e))

Inquirer's Certificate

I,, Inquirer into Deaths, of, certify that I have this day held an inquiry under the provisions of the Criminal Procedure Code on the dead body of, of, and that the particulars stated in the Schedule hereto are true and correct, and I hereby authorise the burial or cremation of the said body.

Cap. 16

Dated at this day of 19...

Inquirer into Deaths.

Schedule

- (1) Date and place of death:
- (2) Full name and residence:
- (3) Sex and race: *
- (4) Age:
- (5) Rank or profession:
- (6) Parents' full names { Father:
Mother:
- (7) Cause of death:

* Tamils or Moors must be described as "Ceylon" Tamils or Moors or "Indian" Tamils or Moors.

Form Q.

(Section 41 (1) (f))

Certificate of Superintendent of Estate

I,, Superintendent of the
Estate, in hereby authorise the burial, crema-
tion or* of the body of (name)
..... whose death took place on the above Estate on
the day of, 19 .

Dated at, this day of
....., 19 .

Superintendent.

* If the body is to be disposed of in some other manner, specify such
manner in the blank space.

Form R.

(Section 42 (1) (a))

Certificate of Registration of Death

No. Division District

I have this day received from of
..... notice of, and registered, the following death:

- (1) Date and place of death:
- (2) Full name:
- (3) Sex and race: †
- (4) Age:
- (5) Cause of death:

Registrar.

....., 19 .

† Tamils or Moors must be described as " Ceylon " Tamils or Moors or
" Indian " Tamils or Moors.

Form S.

(Section 43 (1) (a))

Certificate of Notice of Still-birth

No.

I have this day received from of
..... notice of the following still-birth:

- (1) Date and place of occurrence:
- (2) Race: †
- (3) Sex:
- (4) Mother's full name and rank or profession:

....., 19.....

Registrar,

Police Officer or Village Headman.

† Tamils or Moors must be described as " Ceylon " Tamils or Moors or
" Indian " Tamils or Moors.

Form T.

(Section 43 (1) (c))

Certificate of Still-birth

I certify that the child whose particulars are given below was
not born alive:—

- (1) Date and place of occurrence:
- (2) Race: †

- (3) Sex:
- (4) Mother's full name and rank or profession:
- (5) Mother's age:
- (6) Number of months pregnant at time of still-birth:
- (7) Father's full name and rank or profession:
- (8) Informant's full name, residence, and description:
- (9) Informant's signature:
- (10) Date of information:

Medical Practitioner.

....., 19.....

† Tamils or Moors must be described as "Ceylon" Tamils or Moors or
"Indian" Tamils or Moors.

Form U.

(Section 46 (1)).

Report of Birth by Village Headman

No..... Village Headman's Division Registration
Division

- (1) Date and place of birth:
- (2) Name:
- (3) Sex:
- (4) Father's—
 - full name:
 - date of birth:
 - place of birth:
 - race: †
 - rank or profession:
- (5) Mother's—
 - full name:
 - date of birth:
 - place of birth:
 - race: †
- (6) Were parents married?
- (7) If grandfather born in Ceylon *—
 - his full name:
 - his year of birth:
 - his place of birth:
- (8) If the father was not born in Ceylon and if great grand-
father born in Ceylon the great grandfather's *—
 - full name:
 - year of birth:
 - place of birth:

I certify that the above statement contains true particulars
of a birth which occurred in my division.

Signed at, this day of
....., 19 .

Signature of Village Headman.

† Tamils or Moors must be described as "Ceylon" Tamils or Moors or
"Indian" Tamils or Moors.

* In the case of a person born in wedlock, information should be given
of the paternal grandfather and great grandfather, and in the case of a
person not so born, and not legitimated by the subsequent marriage of the
parents, information should be given of the maternal grandfather and great
grandfather.

Births and Deaths Registration Act, 65.
No. 17 of 1951

Form X.

(Section 48)

Return of births during the week ending 19 ,
taking place at

Date of birth	Sex	Father's full name and address	Mother's full name and address

Signature of Manager or Officer in charge.

Date: , 19 .

Form Y.

(Section 48)

Return of deaths during the week ending 19 ,
taking place at

Date of death	Full name	Sex	Age	Cause of death	Full name and address of person who admitted patient for treatment and his relationship to deceased	Full name and address of person removing dead body for burial or cremation and his relationship to deceased

Signature of Manager or Officer in charge.

Date: , 19 .

Form Z.

(Section. 48)

Return of still-births during the week ending
19 , taking place at

Date of occurrence	Sex	Mother's full name and address	Father's full name and address

Signature of Manager or Officer in charge.

Date: , 19 .

Form AA.

(Section 49 (1))

*Certificate of Magistrate or President of Rural Court relating to
a Birth*

To the District Registrar

I,, Magistrate of or President of the Rural Court for¹, do hereby certify that, of was this day tried by me and convicted (or acquitted) on the charge of giving false information, or of not giving due information (as the case may be) to the Registrar touching the birth of a child, and that the following particulars touching that child appeared in evidence during the trial.

- (1) (a) Date of birth: ²
(b) Place of birth:
(c) Registration division:

(2) Name:

(3) Sex:

(4) Father's—

full name:
date of birth:
place of birth:
race: ³
rank or profession:

(5) Mother's—

full name:
date of birth:
place of birth:
race: ³
residence:
age:

(6) Were parents married?

(7) If grandfather born in Ceylon⁴

his full name:

his year of birth:

his place of birth:

(8) If the father was not born in Ceylon and if great grand-
father born in Ceylon, the great grandfather's⁴—

full name:

year of birth:

place of birth:

(9) Parents' signatures for purposes of section 21:

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

Magistrate of or

President of Rural Court for¹

¹ Strike out if inapplicable.

² Specify all the particulars relating to the dates, including the month and last portion of the year, in letters, for instance, first day of January, 1947 (forty-seven).

³ Tamils or Moors must be described as "Ceylon" Tamils or Moors or "Indian" Tamils or Moors, as the case may be.

⁴ In the case of a person born in wedlock, information should be given of the paternal grandfather and great grandfather, and in the case of a person not so born, and not legitimated by the subsequent marriage of the parents, information should be given of the maternal grandfather and great grandfather.

Form AB.

(Section 49 (1))

*Certificate of Magistrate or President of Rural Court relating to
a still-birth*

To the District Registrar,

I, Magistrate of or President
of Rural Court for¹, do hereby certify that
....., of, was this day tried by me and
convicted (or acquitted) on a charge of giving false information,
or of not giving due information, (as the case may be) to the
Registrar touching a certain still-birth, and that the following
particulars touching such still-birth appeared in evidence during
the trial:

(1) (a) Date of occurrence of still-birth:²

(b) Place of occurrence:

(c) Registration division:

(2) Race:³

(3) Sex:

(4) Mother's full name and rank or profession:

- (5) Mother's age: ²
- (6) Number of months pregnant at time of still-birth:
- (7) Father's full name and rank or profession:

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

Magistrate of or
President of Rural Court for¹

¹ Strike out if inapplicable.

² Specify all the particulars relating to the dates, including the month and last portion of the year, in letters, for instance, first day of January, 1947 (forty-seven).

³ Tamils or Moors must be described as "Ceylon" Tamils or Moors or "Indian" Tamils or Moors, as the case may be.

Form AC.

(Section 49 (1))

*Certificate of Magistrate or President of Rural Court relating to
a death*

To the District Registrar,

I,, Magistrate of or President
of Rural Court for¹, do hereby certify that
....., of, was this day tried by me and
convicted (or acquitted) on the charge of giving false information
or of not giving due information (as the case may be) to the
Registrar touching the death of a certain person (or the finding
of a certain dead body as the case may be), and that the
following particulars touching such deceased person appeared in
the evidence during the trial:

- (1) (a) Date of death: ²
- (b) Place of death:
- (c) Registration division:
- (2) Full name and residence:
- (3) Sex and race: ³
- (4) Age: ²
- (5) Rank or profession:
- (6) Parents' full names: { Father:
 Mother:
- (7) Cause of death and place of burial or cremation:

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

Magistrate of or
President of Rural Court for¹

¹ Strike out if inapplicable.

² Specify the age and all the particulars relating to the dates, including the month and last portion of the year, in letters, for instance, first day of January, 1947 (forty-seven).

³ Tamils or Moors must be described as "Ceylon" Tamils or Moors or "Indian" Tamils or Moors, as the case may be.

SECOND SCHEDULE

(Section 71 (2))

*Births and Deaths
Registration Act*

- | | |
|------------|---|
| 64 (1) (a) | Registration of birth after the prescribed time limit otherwise than in the manner required by the Act. |
| 64 (1) (b) | Registration of death after the prescribed time limit otherwise than in the manner required by the Act. |
| 64 (1) (c) | Disposal of bodies of still-born children otherwise than in the manner required by the Act. |
| 66 | Burial or cremation of corpses otherwise than in the manner required by the Act. |
| 68 (a) | Refusing or omitting to give information required by the Act. |
| 68 (b) | Wilfully giving false answer or false information. |