

LAWS OF PITCAIRN, HENDERSON, DUCIE
AND OENO ISLANDS

Revised Edition 2014

CHAPTER XIX

**BIRTHS AND DEATHS REGISTRATION
ORDINANCE**

Arrangement of sections

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Ordinances Nos:
3 of 1952.
2 of 1985.
2 of 2014.

An ordinance to make provision for the registration of births and deaths.

[16th October, 1952]

Short title.

1. This ordinance may be cited as the Births and Deaths Registration Ordinance.

Interpretation.

2. In this ordinance unless the context otherwise requires—

“Registrar” means the person appointed to be the Registrar of Births and Deaths under this ordinance and includes the Deputy Registrar when acting in the place of the Registrar.

Registrar of Births and Deaths.

3.—(1) The Governor shall appoint some person or the holder of some office to be the Registrar of Births and Deaths for the Islands.

(2) In the case of the inability of the Registrar to carry out his functions by reason of illness or other cause, the Governor may appoint a Deputy Registrar to act in his place.

Register to be kept.

4. The Registrar shall keep a register of all births and deaths in the Islands.

Duty of Registrar.

5.—(1) The Registrar shall register every birth and death required by this ordinance to be registered together with such particulars as are in each case required to be registered.

(2) Save as otherwise provided in this ordinance, registration shall be free of charge.

Particulars.

6. The particulars required to be registered concerning a birth or death shall be the particulars specified in Forms 1 and 2 respectively in the First Schedule hereto.

First Schedule

Registrar may demand particulars.

7. It shall be lawful for the Registrar to demand of any person applying to register any birth or death any of the particulars required to be registered by this ordinance.

Notice of birth.

8. In each case of the birth of a child in the Islands it shall be the duty of the parents to inform the Registrar within two months next after such birth of all the particulars concerning the same according to the form of registration hereinbefore referred to.

Limit time for registration.

9. After the expiration of two months from the date of the birth of any child the Registrar shall not register such birth unless the persons required by section 8 to give information concerning the same make a statutory declaration to the best of the declarants’ knowledge and belief of the particulars required to be registered. After the expiration of twelve months from

the date of birth of any child, such birth shall not be registered without the consent of the Governor and upon payment of the fee specified in that behalf in the Second Schedule hereto.

Second Schedule

10. If any child whose birth has been registered at any time afterwards has any name duly given to it, the parent shall within one month next thereafter deliver to the Registrar a certificate signed by the minister or other person who gave such name, which certificate such minister or other person is hereby required to deliver whenever demanded on payment to him of the fee of ten cents, that the child was baptized by such name or had such name duly given to it, and the Registrar upon receipt of such certificate shall, without any erasure of the original entry of birth, forthwith register such name therein and shall thereupon certify upon the said certificate the additional entry so made and shall return the same to such parent.

Registration of name.

11. Where a birth has, from the default of the persons required to give information concerning it, not been duly registered, the Registrar may at any time after the end of two months from such birth by notice in writing require any of such persons to give information to the best of such person's knowledge and belief of the particulars required to be registered concerning such birth, and such person, unless the birth is registered before the expiration of the time specified in such requisition, shall comply therewith.

Requisition of Registrar for information.

12. When any living newborn child is found exposed it shall be the duty of any person finding such child and of any person in whose charge such child may be placed to give, to the best of his or her knowledge and belief, to the Registrar as soon as practicable after the finding of such child such information of the particulars required to be registered concerning the birth of such child as the informant possesses, and the Registrar shall register the same accordingly.

Finding of newborn child exposed.

[13. The Registrar must register, as part of the birth information of a child, information about the identity of a parent if —

Registration of parents' details.

- (a) the information has been notified on a form signed by both parents; or
- (b) the information relates to the child's father and a Court has made a finding of paternity declaring the man to be the child's father; or
- (c) the parent requests, in writing, his or her details to be included and the other parent does not dispute the accuracy of the information; or

- (d) the Registrar is satisfied that the person is a parent of the child.]

(Repealed and replaced by Ordinance No. 2 of 2014)

Appeals relating to registration of parents' details.

[13A.—(1) This section applies to a person affected by a decision of Registrar under section 13 to —

- (a) register as part of a child's birth information any information indicating or purporting to indicate that a person is the child's parent; or
 (b) decline to register as part of a child's birth information any information indicating or purporting to indicate that a person is the child's parent.

(2) The person affected may appeal against the decision to the Supreme Court.]

(Inserted by Ordinance No. 2 of 2014)

Notice of death.

14. In each case of the death of any person it shall be the duty of the occupier of the house or place and each person present at the death to furnish to the Registrar, within one week next thereafter, information to the best of his or her knowledge and belief of all the particulars concerning the same according to the forms of registration hereinbefore referred to.

Searches and copies.

15. Every person, on payment of the fee specified in that behalf in the Second Schedule hereto and on stating in writing the particular entry which he wishes to find, may between such reasonable hours as may be fixed by the Governor search the register and, on payment of the fee specified in that behalf in the Second Schedule hereto, shall be entitled to a copy of any entry in the register certified by the Registrar.

Certified copies of entries in register.

16. A copy of an entry of a birth or death in the register purporting to be certified by the Registrar and to be signed by him shall be received as *prima facie* evidence in all courts of law of the fact of such birth or death.

Correction of errors in register.

17.—(1) No alteration in any register shall be made except as hereinafter authorized.

(2) Any clerical error which may from time to time be discovered in the register may be corrected by the Registrar.

(3) An error of fact or substance in the register may be corrected by the Registrar by making and signing a new entry adding the date of the correction and every certified copy of such entry shall show the original entry and the correction.

(4) The Registrar shall not make a correction as provided in subsection (3) save upon payment of the prescribed fee and upon being satisfied by the person requiring such error to be corrected of the nature of the error and the true facts of the case.

18. Any person who refuses or neglects to give any information required by this ordinance or wilfully makes or causes to be made for the purpose of being inserted in the register any false statement touching any of the particulars required to be registered under this ordinance shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred dollars.

Offences.

19. Any prosecution for an offence under this ordinance may be instituted within three years after the commission of such offence.

Time for prosecution of offences.

20. All fees received by the Registrar under the provisions of this ordinance shall be paid and applied as the Governor from time to time directs.

Fees to be paid to revenue.

22. The Registrar shall make such returns to the Governor as the Governor may from time to time require.

Returns.

23. The jurisdiction of the Supreme Court shall be exercised in accordance with the provisions of this ordinance.

Jurisdiction of Supreme Court.

FIRST SCHEDULE

(Section 6)

FORM No.1

REGISTER OF BIRTHS

20 .

Registered by
Date

Birth

No.	Child			Parents		Informants	Registration
	When and where born	Name	Sex	Father	Mother		
				(1) [Full name, full name at birth (if different), and usual occupation, profession, or job;] (2) Age; and (3) Birthplace (1) When and where married; (2) Previous issue living and deceased	(1) [Full name, full name at birth (if different), and usual occupation, profession, or job;] (2) Age; and (3) Birthplace		
						Signature, description (profession, etc.) and residence of informants	When registered and where Name, if added after registration of birth

(Amended by Ordinance No. 2 of 2014)

FORM No.2

REGISTER OF DEATH

20 .

Death

} Registered by
Date

No.	Description				Signature, description and residence of informant and witness	Burial		Where born and how long in the Islands	If deceased was married	
	Date of Death and where it occurred	Name and surname, rank and profession	Sex and Age	(1) Cause of death; (2) Duration of last illness; (3) Medical attendant by whom certified; (4) When he last saw deceased		When buried, and where	Name and religion of Minister, or names of witnesses of burial		(1) Where; (2) At what age; (3) To whom	Issue in order of birth; their names and ages

(Amended by Ordinance No. 2 of 2014)

SECOND SCHEDULE

(Sections 9 and 16)

Every search in any index.....	\$5.00
Every certified copy of any entry (including necessary search).....	\$5.00
Every late registry of birth.....	\$5.00