

REGISTRATION OF BIRTHS AND DEATHS BILL, 2015

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REGISTRATION OF BIRTHS AND DEATHS BILL, 2015

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REGISTRATION OF BIRTHS AND DEATHS ACT, 2015

AN ACT to revise the law for the registration of births, foetal deaths and deaths and to provide for related matters.

PASSED by Parliament and assented to by the President:

Births and Deaths Registry

Establishment of Births and Deaths Registry

1. (1) There is established by this Act a Births and Deaths Registry referred to in this Act as the “Registry”.

(2) The Registry comprises

(a) the National Office located in the national capital, Accra;
and

(b) district offices in all the district capitals.

(3) The National Office of the Registry is responsible for the collation and registration of each birth and death in the country.

(4) An office of the Registry is responsible for the performance of the functions assigned to an office of the Registry under this Act.

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Registrar of births and deaths

2. (1) The President shall, in accordance with article 195 of the Constitution, appoint a Registrar of Births and Deaths.

(2) The Registrar is responsible for the day to day administration of the affairs of the Registry.

(3) The Registrar shall keep and maintain the national register of births, foetal deaths, and deaths.

(4) The Registrar shall prescribe the qualification, expertise and professional competence of the District Registrars.

District Registrar

3. (1) A District Assembly shall, in consultation with the Registrar, appoint a District Registrar of Births and Deaths for the district office of the Registry.

(2) A District Registrar shall keep and maintain the register of birth, register of foetal death and register of death, of that District.

(3) The District Registrar shall submit the collated register of births, foetal deaths and deaths to the District Assembly and the Registrar.

Registration Officer and Registration Assistant

4. (1) A District Assembly shall, in consultation with the Registrar, appoint a Registration Officer for the district office of the Registry.

(2) Members of the Unit Committee in each district constitute the Registration Assistants in the district.

(3) A Registration Officer or a Registration Assistant shall register births, foetal deaths and deaths in the areas constituting the Urban, Zonal, Town and Area Councils.

(2) The Registration Officer or Registration Assistant shall submit the collated registered births, foetal deaths and deaths to the District Registrar within the first week of every month.

Register of births and deaths

5. (1) There shall be three national registers one each for births, foetal deaths and deaths which shall be kept at the National Office of the Registry and in which shall be recorded each birth, foetal death and death in this country.

(2) There shall be kept and maintained for each district a register of births, a register of foetal deaths, and a register of deaths for each district in which shall be recorded each birth, foetal death and death, in the district.

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Power to take affidavit

6. (1) For the purposes of the registration of a birth, foetal death or death, the Registrar or the District Registrar may accept the affidavit or statutory declaration of a person on payment of the specified fee determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793).

(2) The specified fee determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793) shall be paid into the bank account of the District Assembly.

Disclosure of information

7. A person shall not

- (a) communicate or cause to be communicated to another person, information obtained under this Act; or
- (b) allow any other person to inspect or have access to any record containing information obtained under this Act, except in accordance with law.

Registration of birth and related matters

Registration of birth

8. (1) A parent or a person responsible for a child shall register the birth of that child in the district in which the child is born.

(2) Where a living new born child is found deserted and information as to the place of birth is not available, the District Registrar for the district in which the child is found shall register the birth.

(3) Except in the case specified in subsection (2), the prescribed particulars for registration shall be provided to the District Registrar

- (a) by the father and the mother of the child; or
- (b) in the case of the death or incapacity of the father and mother by
 - (i) the occupier of the premises in which the child is born, if the occupier has knowledge of the birth;
 - (ii) a person present at the birth; or
 - (iii) a person who has charge of the child.

(4) A person referred to in subsection (3) shall register the birth of a child within twenty-one days of the date of birth.

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(5) A person referred to in subsection (3) may register the birth of the child after twenty-one days if the person pays the specified fee for late registration determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793).

(6) Where a birth is not registered within the twenty-one days period, the District Registrar may by notice in writing summon any of the persons referred to in subsection (3) to attend personally at the Births and Deaths Registry to provide the prescribed particulars for the registration of the birth within the prescribed time and the person summoned shall pay the specified fee for late registration determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793).

(7) A birth shall not be registered after the expiration of twelve months from the date of birth except with the written authority of the District Registrar of Births and Deaths and upon the payment of the specified fee for late registration determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793).

Doubtful paternity

9. (1) Where the paternity of a child is in doubt, the putative father of the child shall not give information concerning the birth of the child.

(2) The District Registrar shall not enter the name of a person as father of the child, unless at the joint request of the mother and the person acknowledging himself as the father of the child.

(3) The person acknowledging himself as father of the child shall sign the register together with the mother or make a declaration in the prescribed form acknowledging himself to be the father of the child.

(4) Where the mother of the child is dead the entry in the register may be made at the request of the person claiming to be the father of the child and upon the written consent of the family of the deceased mother.

Registration of name subsequent to registration of birth

10. (1) The parent or guardian of a child may, within twelve months after the registration of the birth of the child, deliver to the District Registrar

- (a) where a birth is registered and it is intended to change the name of the child; or
- (b) where a birth is registered in accordance with section 8 (2) without a name and a name is subsequently given to the child,

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a baptismal certificate issued and signed by the officiating Minister of Religion or any other relevant document.

(2) The District Registrar shall, on receipt of the certificate and on payment of the specified fee determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793), enter in the register the name mentioned in the certificate as given to the child without an erasure of the original entry.

Birth certificate

11. The District Registrar shall, on registration of the name, issue a birth certificate free of charge to the father, mother, a person authorised by a Court or a person authorised in writing by the father or mother of the child.

Registration of death and related matters

Registration of foetal death

12. A District Registrar shall register every foetal death that occurs in an Urban, Zonal, Town and Area Council.

Person responsible for the registration of foetal death

13. Where a foetal death occurs, the person who would have been responsible for the registration of the birth under section 8(3), shall provide the District Registrar with a statement in respect of the foetal death as follows:

- (a) a written certificate in respect of the foetal death signed by a registered medical practitioner or midwife who was in attendance at the occurrence of the foetal death or who has examined the foetus; or
- (b) a declaration to the effect that
 - (i) a registered medical practitioner or midwife was not present at the occurrence of the foetal death;
 - (ii) a registered medical practitioner or midwife has not examined the foetus; or
 - (iii) the certificate of a registered medical practitioner or midwife cannot be obtained in respect of the foetal death.

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Burial permit for foetal death

14. Where the District Registrar is satisfied with the certificate or the declaration referred to in section 13, the District Registrar shall register the foetal death and issue a burial permit to the person requiring the burial permit for the purpose of burial or other disposition of the body.

Registration of death

15. (1) The District Registrar in the district in which a death occurs shall register the death within twenty-four hours after the death.

(2) Despite subsection (1), the District Registrar shall only register a death which is reported after the expiration of twenty-four hours after the death has occurred if the specified fee for late registration determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793) has been paid.

(3) The District Registrar shall not register a death after the expiration of twelve months from the date of death, except with the written authority of the Registrar and where the specified fee for late registration determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793) has been paid.

(4) The District Registrar shall enter a note of the written authority of the Registrar in the register.

(5) Where a dead body is found and information as to the place of death is not available, the District Registrar of the district in which the body was found shall register the death.

Persons to furnish information as to death

16. The following persons shall furnish the District Registrar with the prescribed particulars of death:

- (a) the nearest relative of the deceased present at the death or in attendance at the last illness of the deceased;
- (b) a relative of the deceased residing or being within the registration district;
- (c) an occupier of the premises in which the death occurred;
- (d) an adult present at the death or who has knowledge of the death; or

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- (e) a coroner who has been notified of the death and has made an enquiry or held an enquiry regarding the death.

Certificate of medical practitioner

17. (1) The medical practitioner who was in attendance during the illness of the deceased shall issue to the person who provides the particulars of the death, a medical certificate that states the cause of death.

(2) The medical certificate is free of charge to the recipient.

(3) The recipient of the medical certificate shall deliver the certificate to the District Registrar who shall then register the particulars of the deceased in the register of deaths.

Duty of coroner after holding inquiry

18. (1) Where an inquiry in respect of a dead body is held by a coroner, the coroner shall complete and sign a certificate that states the cause of the death.

(2) The recipient of the certificate mentioned in subsection (1) shall deliver the certificate to the District Registrar who shall then register the particulars of the deceased in the register of deaths.

(3) Where a coroner is informed that a dead body has been found, or that a person has died in the district and the coroner has reasonable cause to suspect that that person has died

(a) a violent death or any other unnatural death,

(b) a death of which the cause is unknown,

(c) while detained in a prison, psychiatric hospital or public institution other than a hospital, or

(d) in a place or circumstance which in the opinion of the coroner makes the holding of an inquiry necessary or desirable,

the coroner shall, subject to the Coroners Act, 1960 (Act 18), hold an inquiry as soon as practicable in respect of the death.

(4) The District Registrar shall not register a death or issue a death certificate for a death for which a coroner's inquiry is required unless the coroner orders the registration of the death or the issue of the death certificate.

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Death certificate

19. (1) The District Registrar shall, subject to sections 16 and 18, register a death and issue

- (a) a burial permit in the prescribed form, free of charge; and
- (b) a death certificate in the prescribed form after payment of the specified fee determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793).

(2) Where

- (a) a dead body is brought into the country from another country for disposal, and
- (b) an order in respect of the dead body has not been given by a coroner,

the District Registrar of the district in which it is intended to dispose of the body shall upon application by the person who procures the dead body for disposal and the payment of the specified fee determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793), issue a burial permit if it appears to the District Registrar that the death is not required by law to be registered in this country.

Burial or other disposition

20. A person shall not dispose of the body of a dead person who dies in this country unless the disposition is done in accordance with this Act.

Burial without permit

21. (1) The owner or manager of a burial ground shall not permit the burial of a dead body in the burial ground, unless a burial permit in respect of the dead body has been delivered to the manager or owner of the burial ground.

(2) Where a re-burial is necessary due to authorised exhumation, a burial permit is not required.

(3) The owner or manager of a burial ground shall endorse the burial permit with the prescribed particulars and return the burial permit to the District Registrar of the district in which the burial takes place.

(4) The owner or manager of a burial ground shall, at the end of each month, forward to the District Registrar, the details of the burials that took place in the burial ground for that month.

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Registration of births and deaths occurring on the high seas and air space

Births and deaths on the high seas and air space

22. The Registrar may, on receipt of information in respect of the birth of a child, foetal death, or death of a person on board a ship or an aircraft whose port of destination or place of registration is Ghana, register the birth, foetal death, or death where the Registrar is satisfied with respect to the veracity and sufficiency of the particulars received.

Fraudulent registration and certificates

Cancellation of registration and certificate

23. (1) A District Registrar may, on receipt of a petition in writing that

- (a) a registration under this Act has been falsely or fraudulently obtained; or
- (b) a certificate obtained under this Act is being used for a fraudulent or improper purpose, order the persons concerned to attend the hearing of the petition.

(2) Where the holding of a hearing is not possible, a statutory declaration or other relevant evidence may be produced in response to the petition.

(3) A District Registrar who is satisfied that a registration under this Act has been falsely or fraudulently obtained or a certificate obtained under this Act is being used for a fraudulent or improper purpose, shall

- (a) order a note to be made in the register to that effect; or
- (b) order a certificate issued in respect of that registration to be delivered for cancellation.

(4) A person who receives an order under subsection (3), shall deliver the certificate to the District Registrar within seven days.

(5) The Registrar shall keep a file of the certificates delivered under subsection (4) together with the orders and relevant documents.

Alteration in register

24. (1) A person shall not alter a register of births, a register of foetal deaths or a register of deaths unless authorised under this Act.

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(2) A clerical error in a register of births, a register of foetal deaths, or a register of deaths, may be corrected in the manner specified in subsection (6) and section 25.

(3) A person may, by written application and subject to the payment of the specified fee determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793), request the Registrar or District Registrar to effect corrections in the register of births, register of foetal deaths or register of deaths.

(4) The application in subsection (3) is to be supported by a statutory declaration setting out the nature of the error and the true facts of the case of the birth, foetal death or death in respect of which the error has been made as stated by any of the persons referred to in sections 8 and 16.

(5) Where any of the persons mentioned in subsection (4) is not available, two credible persons who have knowledge of the case may state the true facts of the case.

(6) An error of fact or substance in a register of births, a register of foetal deaths or a register of deaths may be corrected by

- (a) ruling one clear line through the original entry; and
- (b) an entry in the appropriate column which is to be dated and signed by the Registrar or District Registrar who has custody of the register.

Error in the certificate of a coroner

25. (1) Where an error of fact or substance, other than an error relating to the cause of death, occurs in the information given by the certificate of a coroner, the error may be corrected by the certification of the coroner at the request of the Registrar or District Registrar.

(2) The request in subsection (1) is to be supported by a statutory declaration or affidavit setting out the nature of the error.

(3) The coroner shall forward the certification of the error together with the affidavit or statutory declaration to the Registrar or District Registrar who has custody of the register of births, register of foetal deaths or register of deaths to effect the correction in the register of births, a registrar of foetal deaths or register of deaths.

(4) An error of fact or substance in a register of births, a register of a register of foetal deaths or a register of deaths may be corrected by

- (a) ruling one clear line through the original entry, and
- (b) an entry in the appropriate column, of the facts certified by the coroner,

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which is to be dated and signed by the Registrar or District Registrar having custody of the register.

Searches of records

26. (1) A person may by an application in writing, request the Registrar or District Registrar to conduct a search in respect of

- (a) the registration of a birth, foetal death or death; or
- (b) a burial record in the Registry.

(2) The application in subsection (1) is subject to the payment of the specified fee determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793).

(3) The District Registrar shall make a report on the search and the report shall state whether or not the birth, foetal death, death or burial is registered or recorded and if registered, the registration number.

(4) The District Registrar shall not provide any further information in respect of the search.

Miscellaneous matters

Certified copy of entry in the Register of Births

27. (1) A person may by an application in writing to the Registrar or District Registrar request for a certified copy of the entry in the Register of Births.

(2) The application in subsection (1) is subject to the payment of the specified fee determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793).

(3) The District Registrar may issue to the applicant a signed and certified copy of the entry in the Register of Births in respect of a person.

(4) An applicant shall not use the signed and certified copy of the entry in the register for an improper purpose.

Certified copy of entry in the Register of Foetal Deaths

28. (1) A person may by an application in writing to the Registrar or District Registrar request for a certified copy of the entry in the Register of Foetal Deaths.

(2) The application in subsection (1) is subject to the payment of the specified fee determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793).

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(3) The District Registrar shall issue to the applicant a signed and certified copy of the entry in the Register of Foetal Deaths in respect of a person where the District Registrar is satisfied that the applicant will not use the signed and certified copy of the entry in the Register of Foetal Deaths for an improper purpose.

Certified copy of entry in the Register of Deaths

29. (1) A person may by an application in writing to the Registrar or District Registrar request for a certified copy of the entry in the Register of Deaths.

(2) The application in subsection (1) is subject to the payment of the specified fee determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act, 2009 (Act 793).

(3) The District Registrar shall issue to the applicant a signed and certified copy of the entry in the Register of Deaths in respect of a person where the District Registrar is satisfied that the applicant will not use the signed and certified copy of the entry in the Register of Deaths for an improper purpose.

Certificates as evidence

30. A certificate issued under this Act is *prima facie* evidence of the facts contained in the certificate.

Appeals

31. An applicant whose application under this Act has been refused may apply to a District Court for a review of the decision.

Offences and penalties

32. (1) A person who fails to give notice or refuses to provide information, certificate or documents required under this Act within the prescribed time commits an offence and is liable on summary conviction to a fine of not less than five penalty units and not more than fifty penalty units.

(2) A person who provides information contrary to section 7 commits an offence and is liable on summary conviction to a fine not less than twenty penalty units and not more than one hundred penalty units or to a term of imprisonment of not less than twenty penalty units and not more than six months or to both the fine and imprisonment.

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(3) A person commits an offence if that person alters a register of births, a register of foetal deaths or a register of deaths otherwise than in accordance with section 24 and is liable on summary conviction to a fine of not less than twenty penalty units and not more than one hundred penalty units or to a term of imprisonment of not less than one month and not more than six months or to both the fine and imprisonment.

Regulations

33. The Minister may, by legislative instrument, make Regulations
- (a) to provide for the disposal of dead bodies;
 - (b) on the forms and content of a certificate to be issued under this Act;
 - (c) on the particulars for the registration of births and deaths; and
 - (d) on any matter necessary for the efficient and effective implementation of this Act.

Repeal and saving

34. (1) The Registration of Births and Deaths Act, 1965 (Act 301) is repealed.

- (2) Despite the repeal of Act 301,
- (a) Regulations, bye laws, notices, orders, directions or any other act, or
 - (b) an appointment

made or done under the repealed enactment and in force immediately before the coming into force of this Act are deemed to be made under this Act and shall have effect until revoked, cancelled or terminated.

(3) A Register of Births, Deaths or Foetal Deaths in use immediately before the coming into force of this Act and every certificate issued or document prepared under Act 301 is deemed to have been issued or prepared under the corresponding provisions of this Act.

Interpretation

35. In this Act, unless the context otherwise requires,
- “ birth” means live-birth or complete expulsion or extraction from its mother of a product of conception, irrespective

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of the duration of pregnancy, which breathes or shows evidence of lifelike the 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 detached;

“foetal death” means death prior to the complete expulsion or extraction from its mother of a product of conception irrespective of gestation

“disposal” means burial, cremation or any other means;

“district” means the area of authority of a district assembly and of a municipal and metropolitan authority;

“district assembly” includes a metropolitan and a municipal assembly;

“District Registrar” means

(a) a District Registrar of Births and Deaths appointed under section 3 of the Act;

(b) a Registration Officer appointed under section 4 of the Act; or

(c) a Registration Assistant in a district.

“Minister” means the Minister responsible for Local Government;

“occupier” includes

(a) the governor, keeper, master, matron, superintendent or other chief resident officer of an institution; or

(b) a person residing in a house, an apartment or a lodge;

“person responsible for a child” means the person referred to in section 8(3)(b) (i) to (iii);

“putative father” means the person alleged by the mother of a child to be the father of that person;

“Registrar” means the Registrar of Births and Deaths appointed under section 2; and

“relative” includes a relative by marriage.

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Commencement

36. (1) With the exception of this section, the commencement date for any other provision of this Act is postponed to a date to be determined by the Minister in accordance with subsection (2).

(2) The Minister shall, by publication in the *Gazette*, specify the date on which this Act comes into force.

Date of *Gazette* notification: 11th December, 2015.

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MEMORANDUM

Ghana's decentralisation programme is aimed at empowering local populations at the district level to take decisions that affect their lives. As a result, the Local Government Act, 1993 (Act 462) envisaged the reconstitution of the twenty-two decentralised departments at the district level into sixteen departments in the Metropolitan Assemblies, thirteen in the Municipal Assemblies and eleven in the District Assemblies through various forms of mergers. The Minister of Local Government was to bring about the creation of these decentralised departments through a Legislative Instrument. This was done by the Local Government (Department of District Assemblies) Commencement Instrument, 2009 (L.I. 1961). Some of the departments that were to be part of these decentralised departments as specified in the Second Schedule to L.I. 1961 were established by Acts of Parliament. The Acts establishing them therefore needed to be amended or reviewed to bring them in line with the general decentralisation framework.

The Registration of Births and Deaths Act, 1965 (Act 301) was one such legislation. It created the Births and Deaths Registry as a centralised department of government with local offices in the places that were designated as registration districts. The central office was responsible for registration of all births and deaths occurring within the state. The local offices performed only the functions that were prescribed for them.

The implications of this arrangement were that registration of births and deaths only took place in the areas that were declared as registration zones. The local offices were therefore not in all districts of the country. Registration assistants in local offices were also directly responsible to the Registrar in the central office in Accra and did not owe any allegiance whatsoever to the districts or localities from which they operated. This arrangement was not consistent with the national vision for decentralisation.

This review is intended to assign responsibility for the registration of births and deaths to District Assemblies who in consultation with the Registrar are required to appoint a District Registrar of Births and Deaths and Registration Officers for the district office of the Registry. Members

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of the Unit Committee in each district are to constitute the Registration Assistants in each district. The purpose of the review is therefore to allow for the registration of birth and death in the whole country. It is to make the District Registrar responsible to the District Assembly; to ensure that all registration officers at post continue in employment, and to deploy staff of the headquarters to the districts and sub-district Assembly structures.

The purpose of the Bill is to revise the Registration of Births and Deaths Act, 1965 (Act 301) to provide for the decentralization of the Births and Deaths Registry in line with the decentralization programme of the country.

Clause 1 establishes the Births and Deaths Registry. The Registry comprises the National Office located in the national capital, Accra and the district offices in all the district capitals.

Clause 2 provides for the Registrar of births and deaths who is to be appointed by the President in accordance with article 195 of the Constitution. The Registrar is responsible for the day to day administration of the affairs of the Registry and is required to keep and maintain the national register of births, foetal deaths and deaths. The Registrar is required to prescribe the qualification, expertise and professional competence of the District Registrars.

Clause 3 provides for a District Registrar. A District Assembly is to, in consultation with the Registrar, appoint a District Registrar of Births and Deaths for the district office of the Registry. Registration Officers and Registration Assistants are dealt with in *clause 4*.

The Register of births and deaths is provided for in *clause 5*. There shall be three national registers one each for births, foetal deaths and deaths which shall be kept at the National Office of the Registry and in which shall be recorded each birth, foetal death and death in this country. There shall also be a district register of births, foetal deaths, and deaths for each district in which shall be recorded each birth, foetal death and death in the district.

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The power to take an affidavit is provided for in *clause 6*. For purposes of the registration of a birth, foetal death or death, the Registrar or the District Registrar may accept the affidavit or statutory declaration of a person upon payment of the specified fee determined in accordance with the Fees and Charges (Miscellaneous Provisions) Act 2009 (Act 793). A person is not to communicate or cause to be communicated to another person information obtained under this Act or to allow any other person to inspect or have access to any record containing information obtained under this Act, *clause 7*.

Clause 8 deals with the registration of birth. A parent or a person responsible for a child is required to register the birth of that child in the district in which the child is born. Where the paternity of a child is in doubt, the putative father of the child is not to give information concerning the birth of the child, *clause 9*.

Clause 10 deals with the registration of a name subsequent to the registration of birth. The District Registrar is required to, on registration of the name, issue a birth certificate free of charge to the father, mother, a person authorised by a Court or a person authorised by the father or mother of the child, *clause 11*.

Clause 12 deals with the registration of foetal death. A District Registrar is required to register every foetal death that occurs in an Urban, Zonal, Town and Area Council. *Clause 13* provides for the persons responsible for the registration of foetal death.

Clause 14 deals with a burial permit for foetal death and *clause 15* deals with registration of death. The District Registrar in the district in which a death occurs is required to register the death within twenty-four hours after the death.

Clause 16 provides for persons who are required to furnish information as to death.

The medical practitioner who was in attendance during the illness of the deceased is required to issue to the person who provides the particulars of the death, a medical certificate that states the cause of death, *clause 17*.

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Clause 18 deals with the duty of a coroner after holding an inquiry. Where a coroner is informed that a dead body has been found, or that a person has died in the district and the coroner has reasonable cause to suspect that that person has died a violent death or any other unnatural death; a death of which the cause is unknown; while detained in a prison, a psychiatric hospital or a public institution other than a hospital; in a place or circumstance which in the opinion of the coroner makes the holding of an inquiry necessary or desirable; the coroner is, subject to the Coroner's Act, 1960 (Act 18), required to hold an inquiry as soon as practicable in respect of the death.

Clause 19 deals with the issuance of a death certificate by the District Registrar. A person is not to dispose of the body of a dead person who dies in this country unless the disposition is done in accordance with the provisions of this Bill, *clause 20*. *Clause 21* provides for burial without a permit.

The registration of births and deaths occurring on the high seas and air space is dealt with in *clause 22*. *Clause 23* deals with the cancellation of registration and a certificate. A person shall not alter a register of births, foetal deaths or deaths unless authorised under this Act, *clause 24*.

Clause 25 provides for where there is an error in the certificate of a coroner and *clause 26* provides for searches of records. Provisions for a certified copy of entry in the Register of Births, in the Register of Foetal Deaths and in the Register of Deaths are as specified in *clauses 27, 28 and 29* respectively. A certificate issued under this Act is prima facie evidence of the facts contained in the certificate, *clause 30*.

Clause 31 deals with appeals. An applicant whose application under this Act has been refused may apply for a review of the refusal to a District Court. Offences and penalties are provided for in *clause 32*.

Regulations are provided for in *clause 33*. Under this clause, the Minister may, by legislative instrument, make Regulations to provide for the disposal of dead bodies, on the forms and content of a certificate to be issued under this Act, on the particulars for the registration of births and deaths, and on any other matter necessary for the effective implementation of this Act.

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Clause 34 deals with repeal and saving. The Registration of Births and Deaths Act, 1965 (Act 301) is repealed. Despite the repeal of Act 301, Regulations, bye laws, notices, orders, certificates, directions or any other act and an appointment lawfully made or done under the repealed enactment and in force immediately before the enactment of this Bill shall continue to have effect until revoked, cancelled or terminated. A Register of Births, Deaths or Foetal Deaths in use immediately before the enactment of this Bill and every document prepared or issued under Act 301 is deemed to have been prepared or issued under the corresponding provisions on the enactment of this Bill.

Clause 35 is on interpretation. The Minister shall, by publication in the *Gazette*, specify the date on which this Act comes into force, *clause 36*.

HON. COLLINS DAUDA (M.P.)
Minister for Local Government and Rural Development.

Date: 2nd December, 2015.