

REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES ORDINANCE 1935-1941. ⁽¹⁾

An Ordinance Relating to the Registration of Births, Deaths, and Marriages and for other purposes.

BE it ordained by the Legislative Council for the Territory of New Guinea, in pursuance of the powers conferred by the *New Guinea Act 1920-1932*, as follows:—

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the *Registration of Births, Deaths, and Marriages Ordinance 1935-1941*.⁽¹⁾

Short title.
Amended by
No. 3 of 1934,
s. 50.

2. This Ordinance shall commence on a date to be fixed by the Administrator by notice in the *New Guinea Gazette*.⁽¹⁾

Commencement.

3.—(1.) All ministers of religion registered under the *Marriage Ordinance 1912-1914* of the Territory of Papua⁽²⁾ in its application to the Territory of New Guinea as amended by the *Marriage Ordinance 1931*⁽³⁾ of the Territory of New Guinea as ministers for celebrating marriages within the Territory at the commencement of this Ordinance shall be deemed to have been registered under this Ordinance to celebrate marriages within the Territory.

Saving.

(2.) All books, seals, or stamps prescribed or authorized to be used under the *Registration of Births Deaths and Marriages Ordinance 1912* of the Territory of Papua⁽²⁾ in its application to

(1) The *Registration of Births, Deaths, and Marriages Ordinance 1935-1941* comprises the *Registration of Births, Deaths, and Marriages Ordinance 1935*, as amended by the other Ordinance referred to in the following Table:—

TABLE.
ORDINANCES OF THE LEGISLATIVE COUNCIL.

| Short title, number and year. | Date of assent by Administrator. | Date notified in <i>N.G. Gaz.</i> as not disallowed by Gov.-Gen. in Council. | Date on which came into operation. |
|--|----------------------------------|--|--|
| <i>Registration of Births, Deaths, and Marriages Ordinance 1935</i> (No. 22 of 1935) | 31.7.1935 | 15.2.1936 | 2.3.1936 (<i>N.G. Gaz.</i> of 15.1.1936) |
| <i>Registration of Births, Deaths, and Marriages Ordinance 1941</i> (No. 8 of 1941) | 22.4.1941 | 31.7.1941 | 22.4.1941 (<i>Laws of T.N.G.</i> , Vol. XV, p. 150) |

(2) As from 2.3.1936 these Ordinances ceased to apply to the Territory of New Guinea: see the *Laws Repeal and Adopting Ordinance* (No. 2) 1935. The relevant Ordinances are now the *Marriage Ordinance 1935-1936* and the *Registration of Births, Deaths, and Marriages Ordinance 1935-1941*.

(3) Repealed by the *Marriage Ordinance 1935-1936*, which replaced the *Marriage Ordinance 1912-1914* (Papua, adopted) as amended by the *Marriage Ordinance 1931*.

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the Territory of New Guinea and in use at the commencement of this Ordinance, and all registrations of births, deaths, and marriages made under that Ordinance, shall be deemed to have been prescribed, authorized, or made under this Ordinance.

Parts.

4. This Ordinance is divided into Parts, as follows:—

- Part I.—Preliminary.
- Part II.—Establishment of Registry Districts and Registries and Appointment of the Registrar-General and of District Registrars.
- Part III.—Powers and Duties of the Registrar-General and of District Registrars.
- Part IV.—Registration of Births.
- Part V.—Registration of Deaths.
- Part VI.—Registration of Clergymen for Celebrating Marriages.
- Part VII.—Miscellaneous.

Definitions.

5. In this Ordinance, unless the contrary intention appears—

“clergyman” means a minister of religion ordinarily officiating as such;

“District Registrar” means the Registrar of Births, Deaths, and Marriages for a Registry District, and includes a Deputy District Registrar, the Registrar-General, or the Deputy Registrar-General;

“ex-nuptial child” means a child not born in lawful wedlock;

“occupier of the building or place” means the principal occupier for the time being of any building or place and, in the case of a prison, hospital, lunatic asylum, or other public or charitable institution, the principal officer or the person in actual charge thereof;

“officer” means an officer in the Public Service of the Territory within the meaning of the *Public Service Ordinance 1922-1934*⁽⁴⁾;

“parent” means the father or the mother, and includes the guardian;

“Registry District” means a Registry District for the purposes of this Ordinance;

(4) Now the *Public Service Ordinance 1922-1940*.

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“stillborn child” means any child of seven months’ gestation or over, not born alive, and includes any child not born alive which measures at least fourteen inches in length, but does not include any child which has actually breathed;

“undertaker” includes any person having charge of the burial of dead body.⁽⁵⁾

PART II.—ESTABLISHMENT OF REGISTRY DISTRICTS AND REGISTRIES AND APPOINTMENT OF THE REGISTRAR-GENERAL AND OF DISTRICT REGISTRARS.

6. Each District shall for the purposes of this Ordinance be a Registry District. Registry Districts.

7.—(1.) Subject to the *Public Service Ordinance 1922-1934*,⁽⁴⁾ the Administrator may, by notice, appoint an officer to be the Registrar-General and another officer to be the Deputy Registrar-General. Registrar-General.

(2.) Subject to the direction of the Administrator, the Registrar-General shall be charged with the administration of this Ordinance.

(3.) The Deputy Registrar-General shall, in the absence of the Registrar-General, perform all the duties and exercise all the powers and functions of the Registrar-General.

8.—(1.) The District Officer administering a District other than the District in which the town of Rabaul is situated, shall be the District Registrar for the Registry District constituted by that District. District Registrars.

(2.) Subject to the *Public Service Ordinance 1922-1934*,⁽⁴⁾ the Administrator may, for each Registry District, by notice, appoint officers to be Deputy District Registrars.

(3.) Subject to the control and direction of the District Registrar, a Deputy District Registrar shall have and may exercise all the powers, duties, and functions of the District Registrar.

(4.) The fact of a Deputy District Registrar’s exercising any power, duty, or function under this Ordinance shall be conclusive evidence of his authority to do so, and no person shall be concerned to inquire whether he is authorized to do so.

(5.) The office of District Registrar for the Registry District

(4) Now the *Public Service Ordinance 1922-1940*.

(5) The words “of dead body” appeared in the original Ordinance. The word “any” has now been inserted after the word “of” by the First Schedule of the *Ordinances Reprint and Revision Ordinance 1947* of the Territory of Papua-New Guinea.

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in which the town of Rabaul is situated shall be vested in the Registrar-General.

Registers.

9.—(1.) The office of the Registrar-General shall be called the “General Registry for the Territory of New Guinea” and shall be in the town of Rabaul.

(2.) The office of the District Registrar shall be called the “District Registry” for the Registry District in which it is situated.

PART III.—POWERS AND DUTIES OF THE REGISTRAR-GENERAL AND OF DISTRICT REGISTRARS.

Registers.

10.—(1.) A District Registrar shall record in the prescribed manner such particulars, in regard to every birth, death, or marriage occurring in his Registry District and every birth or death occurring on a vessel arriving in a port in his Registry District while in the port or at sea proceeding to the port, as are prescribed.

(2.) All births, deaths, and marriages occurring in the Territory shall be registered by making in the respective registers entries in accordance with the prescribed forms; and the registers shall be called respectively “Register of Births”, “Register of Deaths”, and “Register of Marriages”.

(3.) The information necessary for registration shall, subject to this Ordinance, be—

- (a) given without fee or reward;
- (b) given in accordance with the prescribed form; and
- (c) declared to be true in all respects.

(4.) Before making any entry in any register, a District Registrar shall make such inquiries as he thinks necessary to inform himself correctly of the particulars required to be entered.

(5.) Any person wilfully giving false information or refusing to answer questions asked by a District Registrar in relation to the registration of a birth, death, or marriage, shall be guilty of an offence.

Penalty: One hundred pounds or imprisonment for six months.

Forms to be provided.

11. The Administrator shall cause to be furnished at the public expense—

- (a) to the Registrar-General and to District Registrars, forms and books for the registering of births, deaths, and marriages; and

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(b) to all persons authorized under the *Marriage Ordinance* 1935⁽⁶⁾ to celebrate marriages, forms requisite for the performance of their duties under this Ordinance and the *Marriage Ordinance* 1935.⁽⁶⁾

12. The Registrar-General and each District Registrar shall have a seal or stamp and shall sign and cause to be sealed or stamped with his seal or stamp all certificates, or certified copies, or certified extracts, of any entry in any register in his custody. Seals.

13. A certified copy, signed and sealed or stamped by the Registrar-General or a District Registrar, of any entry in a register, shall be received for all purposes as *prima facie* evidence of the fact of the birth, death, or marriage to which the entry relates. Evidence of registration.

14.—(1.) A certified copy of any entry in any register shall bear a certification in accordance with the prescribed form. Form of certified copy of entry or of certified extract of entry.

(2.) A certified extract of any entry in any register shall bear a certification in accordance with the prescribed form.

15.—(1.) The Registrar-General shall be entitled to the custody of, and shall retain in his office, any official registration or record of any birth, death, or marriage made before the ninth day of May, One thousand nine hundred and twenty-one; and any person having any such registration or record in his possession shall deliver it to the Registrar-General. Records made before 9th May, 1921.

(2.) A copy, or a copy of a translation, of any official registration or record referred to in the last preceding sub-section shall, if certified by the Registrar-General to be a true copy duly made from records in his custody, be received for all purposes as *prima facie* evidence of the fact of the birth, death, or marriage to which the registration or record relates.

16. A certificate under the hand of the Registrar-General that any Register of Births, any Register of Deaths, or any Register of Marriages relating to any specified period and Registry District is lost or destroyed, shall be received for all purposes as evidence of the loss or destruction. Certificate of loss or destruction of register.

17.—(1.) Every District Registrar shall, on making any entry in any register, forward to the Registrar-General a copy of the entry certified under his hand. Returns to Registrar-General.

(2.) All copies referred to in the last preceding sub-section shall be kept in the office of the Registrar-General in such order and manner as the Registrar-General directs.

(6) Now the *Marriage Ordinance* 1935-1936.

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Indexes.

18.—(1.) The Registrar-General shall cause to be made and kept at the General Registry for the Territory of New Guinea, indexes of all registrations of births, deaths, and marriages in the Territory.

(2.) Every District Registrar shall cause to be made and kept at the District Registry, indexes of the registers in his custody.

Searches.

19. On the application of any person and on payment of the prescribed fee, the Registrar-General or the District Registrar shall cause a search to be made in the registers and the indexes of the registers in his custody, and shall give a certified copy, or certified extract, of any entry in any register in his custody.

Rectification of errors.

20.—(1.) Where any District Registrar discovers any error, omission, or misstatement in any entry in a register in his custody, or receives further particulars in relation to any entry in any register in his custody, he shall, in the manner provided in this section, rectify the entry so as to make it accord with the true facts.

(2.) Before making any rectification referred to in the last preceding sub-section, the District Registrar may require any person having knowledge of the facts to furnish him with a statutory declaration regarding them.

(3.) The rectification shall—

- (a) be made within one month after the discovery of the error, omission, or misstatement is made, or within such further time as the Registrar-General permits;
- (b) in relation to any entry of the birth of a child, be made in the presence of, and attested by, the parents of the child;
- (c) in relation to any entry of a death, be made in the presence of, and attested by, the person who gave the information upon which the entry was made and whose name appears in the register in relation thereto or, failing that person, by the occupier of the building or place where the death occurred, if the occupier is conversant with the facts;
- (d) in relation to any entry of a marriage, be made in the presence of, and attested by, the parties to the marriage; and
- (e) in the case of the death, or absence from the Territory, of the persons whose presence is required in pursuance of the last three preceding paragraphs, be

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made on the written authority of the Registrar-General, or be made in the presence of, and attested by, any two credible witnesses who have knowledge of the true facts upon which the rectification is based.

(4.) The District Registrar shall make the rectification in the margin of the register, opposite the entry containing the error, omission, or misstatement, without any alteration of the entry containing the error, omission, or misstatement, and shall sign the marginal entry and add thereto the day of the month and year when the rectification is made.

(5.) The District Registrar, on making a rectification under the last preceding sub-section, shall make a certified copy of the entry containing the error, omission, or misstatement and of the marginal entry made under that sub-section, and shall forward it to the Registrar-General, who shall make in the margin of the copy of the entry containing the error, omission, or misstatement in his custody, an entry corresponding to the marginal entry appearing in the certified copy forwarded to him under this sub-section.

(6.) Where any rectification is made in any entry in a register after the issue of any certified copy, or certified extract, of the entry to any person, the officer who issued the certified copy or certified extract shall, where practicable, advise that person.

(7.) If the original entry containing the error, omission, or misstatement in a register in the custody of the District Registrar has been lost or destroyed, the record in the office of the Registrar-General shall be rectified by the Registrar-General in accordance with the provisions of this section.

(8.) Nothing in this section shall apply to the rectification of any entry in a register, not being a matter of substance, for the purpose only of complying with general instructions of the Registrar-General with respect to the making of entries, but any such rectification may be made in accordance with the written direction of the Registrar-General.

(9.) The provisions of this section other than those of sub-section (6.) of this section, shall not apply to any entry made in a register under section thirty-one, thirty-two, or forty of this Ordinance.

21. If it is proved to the satisfaction of the Registrar-General that the registration of any birth, death, or marriage is false or has been illegally made, he may, with the consent in writing of the Crown Law Officer, direct the registration to be cancelled in the prescribed manner.

Power to cancel false or illegal registration.

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Acceptance of other than prescribed forms.

22. Nothing in this Ordinance shall prevent the acceptance by the Registrar-General or a District Registrar of declarations, certificates, notices, or applications in accordance with any form legally in use immediately before the commencement of this Ordinance, or prevent the registration of any birth, death, or marriage by virtue of any such declaration, certificate, notice, or application.

PART IV.—REGISTRATION OF BIRTHS.

Non-application of Part to natives.

23. The provisions of this Part shall not apply to the birth of any native.

Notification of births.

24.—(1.) The father or mother of any child born in the Territory shall, within sixty days after the birth, furnish to the District Registrar such particulars as are required for the registration of the birth, in accordance with the prescribed form.

(2.) The occupier of the building or place where a child is born shall, within sixty days after the birth, give notice of the birth to the District Registrar and, if required by the District Registrar, furnish such particulars for the registration of the birth as have come to his knowledge.

(3.) The father of an ex-nuptial child shall not be required to furnish particulars under this Ordinance concerning the birth of that child.

Births outside the Territory.

25. In the case of a child under the age of nine months born outside the Territory whose parents or other persons having lawful charge of the child are about to take up or have taken up their abode in the Territory, the Registrar-General, upon a statutory declaration by one of the parents or a person having lawful charge of the child verifying the particulars for registration and declaring that the birth has not been registered outside the Territory, may, at any time within six months after the child's arrival in the Territory, register the birth of the child.

Births on vessels at sea.

26. The master or person in charge of a vessel arriving in any port in the Territory shall forthwith furnish to the District Registrar or an Administration medical officer or a Collector of Customs or a European member of the New Guinea Police Force such particulars, verified by a statutory declaration, as are prescribed for the registration of every birth which has occurred on the vessel while in the port or at sea proceeding to the port.

Registration of ex-nuptial child.

27.—(1.) Except as provided in any Ordinance, a District Registrar shall not register any person as the father of an ex-nuptial child unless at the joint request of the mother and of the person acknowledging himself to be the father.

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(2.) Where a person is registered as the father of an ex-nuptial child under the last preceding sub-section, then for all purposes the surname of the child shall be deemed and taken to be the same as the surname of the father.

(3.) A District Registrar shall bring the provisions of this section under the notice of every informant of the birth of any ex-nuptial child.

28. Where any newborn child is found exposed, the person who discovers the child shall report the discovery to the nearest European member of the New Guinea Police Force, who shall furnish to the District Registrar such particulars as have come to his knowledge regarding the discovery and the place of discovery of the child.

Notification required where newborn child found exposed.

29. The birth of every stillborn child shall, within sixty days after the birth, be registered in both the Register of Births and the Register of Deaths, and for all the purposes of the registration of births and deaths the child shall be deemed to have been born alive and to have subsequently died.

Stillborn child.

30.—(1.) Where the provisions of section twenty-four of this Ordinance have not been complied with, the District Registrar shall not register the birth of any child born in the Territory unless within a period of nine months from the date of the birth of the child, a parent of the child, or some person present at the birth of the child, furnishes the particulars concerning the birth of the child required in accordance with the prescribed form and makes a statutory declaration in accordance with the prescribed form.

Registration in cases where birth not registered within prescribed period.

(2.) At any time after sixty days, and not later than nine months, after the birth of any child born in the Territory, the District Registrar may, by notice in writing, require a parent of the child, or some person present at the birth of the child, to attend personally at his office within the time specified in the notice, being not less than seven days after the receipt of the notice and not more than nine months after the birth, and make a statutory declaration, according to the best of his knowledge and belief, of the particulars required to be registered.

Sub-section (2) amended by No. 8 of 1941, s. 2.

(3.) Upon the statutory declaration referred to in the last preceding sub-section being made, the District Registrar may register the birth according to the information of the person making the statutory declaration.

(4.) Any person summoned to attend before the District Registrar who fails to appear or, having appeared, refuses to make the

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statutory declaration referred to in sub-section (2.) of this section, shall be guilty of an offence.

Penalty: Fifty pounds.

Registration of name given in baptism.

31.—(1.) Where a name, other than a name by which the child is registered, is given in baptism to a child after the registration of its birth, the clergyman officiating at the baptism shall, immediately after the baptism, sign and give to a parent of the child a certificate, in duplicate, of the baptism.

(2.) The parent shall forward the duplicate certificate to the District Registrar within twenty-one days after the date of the baptism.

(3.) Upon receipt of the duplicate certificate, the District Registrar shall—

- (a) without erasure of any part of the original entry, enter in the Register of Births the name of the child as it appears on the duplicate certificate;
- (b) indorse the duplicate certificate “Entered in the Register”; and
- (c) return the duplicate certificate to the parent.

Registration of additional name given before District Registrar.

32. Where, after the registration of the birth of a child, an additional name is given to the child by its parent in the presence of the District Registrar, the District Registrar shall enter in the Register of Births the additional name.

Person not to obtain registration of birth in contravention of Ordinance.

33. A person shall not obtain, contrary to the provisions of this Ordinance, the registration of the birth of a child.

Power of District Registrar to require identification of child.

34. The District Registrar may, if he thinks fit, on any application for the registration of the birth of a child, require the child to be produced and identified.

Power of Registrar-General to authorize registration of births.

Section 35 substituted by No. 8 of 1941, s. 3.

35.—(1.) Notwithstanding anything in this Ordinance, the District Registrar may, with the written authority of the Registrar-General, at any time register the birth of any person born in the Registry District:

Provided that such proof as he deems necessary of the fact, time, and place of the birth and the particulars of the parents, shall be received by the Registrar-General before he gives such written authority.

(2.) Where a period of over seven years has elapsed after the date of the birth of a person, the Registrar-General shall not give

the written authority referred to in the last preceding sub-section, without the consent in writing of the Crown Law Officer.

(3.) The particulars of the birth and of the nature of the proof received by the Registrar-General shall be entered by the Registrar-General in a separate book to be kept by him for that purpose.

PART V.—REGISTRATION OF DEATHS.

36. The provisions of this Part shall not apply to the death of any native. Non-application of Part to natives.

37. In the case of a death occurring in any building or place, the occupier of the building or place shall, within thirty days thereafter, give notice of the death to the District Registrar and, if required by the District Registrar, furnish such other particulars for the registration of the death as have come to his knowledge. Notification of deaths.

38. In the case of the death of any person who has been attended during his last illness by a legally qualified medical practitioner, that practitioner shall forthwith sign and forward to the District Registrar a certificate of death stating the cause of death and such other particulars as are required in accordance with the prescribed form. Medical certificate of death.

39. Where, under any law of the Territory, any coroner or any European member of the New Guinea Police Force receives notice of the finding of any dead body, he shall forthwith notify the District Registrar. Notification of finding of dead body.

40.—(1.) Where any inquest is held into the death of any person, the coroner shall notify the District Registrar of the finding, in accordance with the prescribed form. Notification of result of inquest.

(2.) The District Registrar, upon receipt of the notification, shall register the death or, if the death has already been registered, enter such further particulars as may have come to his notice.

41.—(1.) The District Registrar, upon registering any death, shall, without fee or reward, upon request, deliver to the undertaker a certificate in accordance with the prescribed form that the death has been duly registered. Certificate of registration to be furnished to undertaker.

(2.) The coroner holding an inquest, or giving a certificate that it is unnecessary to hold an inquest, upon any dead body for which the certificate referred to in the last preceding sub-section has not been delivered by the District Registrar, may order the body to be buried before registration of the death, and shall in that case give to

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the undertaker an order in writing under his hand and notify the District Registrar accordingly.

Deaths on vessels
or at sea.

42.—(1.) The master or person in charge of a vessel arriving in any port in the Territory shall forthwith furnish to the District Registrar or an Administration medical officer or a Collector of Customs or a European member of the New Guinea Police Force such particulars, verified by a statutory declaration, as are required for the registration of every death which has occurred on the vessel while in the port or at sea proceeding to the port.

(2.) Where a person has disappeared from any vessel at sea in such circumstances that it may be concluded that he has died, the particulars shall be furnished as prescribed in the last preceding sub-section and may be registered by the District Registrar, who shall state in the entry whether the dead body of the person has been found and such other particulars as have come to his knowledge.

(3.) Where a vessel proceeding from one port in the Territory to another port in the Territory is lost at sea in such circumstances that it appears to the District Registrar that any person on board the vessel has died at sea, the District Registrar may make an entry in the Register of Deaths in accordance with the last preceding sub-section, even though the dead body of the person has not been found.

PART VI.—REGISTRATION OF CLERGYMEN FOR CELEBRATING
MARRIAGES.

Registration of
clergymen.

43.—(1.) A clergyman shall not be registered to celebrate marriages within the Territory unless he belongs to a religious denomination declared by the Administrator by notice⁽⁷⁾ to be a recognised religious denomination.

(2.) An application for the registration of a clergyman to celebrate marriages shall be made in writing to the Registrar-General and shall be signed by the applicant and, if the applicant is not

(7) Pursuant to Section 43, the Administrator, by notices, particulars of which are set out in the Table below, declared the religious denominations referred to in the third column to be recognised religious denominations.

| Date on which notice made by Administrator. | Date on which published in <i>N.G. Gaz.</i> | Religious denominations declared. |
|---|---|---|
| 20. 3. 1936 | 31. 3. 1936 | { The Church of England The Roman Catholic Church The Methodist Church The Lutheran Church The Seventh-day Adventist Church |
| 2. 4. 1938 | 14. 4. 1938 | The Presbyterian Church |

the head in relation to the Territory of the religious denomination to which he belongs, be signed by such head or, if there is no such head, by two clergymen of that religious denomination.

(3.) The application shall state—

- (a) the Christian names and the surname of the applicant;
- (b) the religious denomination to which he belongs;
- (c) his designation and whether, according to the rules of the denomination, he is a clergyman of such status as entitles him to celebrate marriages;
- (d) that he ordinarily officiates as a clergyman of the denomination;
- (e) the place where he formerly officiated as a clergyman;
- (f) his usual place of residence; and
- (g) such other particulars as are prescribed.

(4.) If the Registrar-General is satisfied of the truth of the statements made in the application and that the applicant is a fit and proper person to celebrate marriages, and if the religious denomination to which the applicant belongs is a religious denomination declared by the Administrator under sub-section (1.) of this section to be a recognised religious denomination, the Registrar-General may, without fee, register the applicant to celebrate marriages within the Territory.

(5.) The Registrar-General shall, within one month after the registration under this Part of any clergyman, publish in the *New Guinea Gazette* a notice of the registration, showing the name and religious denomination of the clergyman.

(6.) The Administrator may, by notice, cancel the registration under this Part of any clergyman for misconduct in the celebration of any marriage or for wilful breach of this Ordinance or for conviction of any indictable offence or for any other reason he thinks fit; and the clergyman shall, from the date of the publication of the notice, cease to be a registered clergyman within the meaning of this Ordinance.

44.—(1.) The Registrar-General shall, in the month of February in each year, publish in the *New Guinea Gazette* a list of names of all clergymen for the time being registered to celebrate marriages within the Territory, showing their religious denominations.

Annual list of registered clergymen.

(2.) The Registrar-General shall omit from the list the name of any clergyman who has died or has ceased ordinarily to officiate as a clergyman within the Territory, or whose name has been removed under the provisions of sub-section (6.) of the last preceding section.

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(3.) The list referred to in sub-section (1.) of this section shall be conclusive evidence for all purposes that the persons therein named are at the time of its publication clergymen registered under this Part to celebrate marriages within the Territory.

PART VII.—MISCELLANEOUS.

Injuring records.

45. Any person who injures any records kept under this Ordinance shall be guilty of an offence.

Penalty: One hundred pounds.

Offences of District Registrars.

46. Any District Registrar who knowingly registers any false particular in relation to any birth, death, or marriage shall be guilty of an offence.

Penalty: Imprisonment for two years.

Persons pretending to be clergymen.

47. Any person who, knowing himself not to be a clergyman, causes himself to be registered under Part VI. of this Ordinance shall be guilty of an offence.

Penalty: Imprisonment for two years.

Penalties.

48. Any person who commits an offence against, or contravenes any provision of, this Ordinance or the Regulations made under section fifty of this Ordinance, shall, where no other penalty is provided, be liable in respect of the offence or contravention to a penalty not exceeding Fifty pounds.

Registration of births and deaths of natives.

49.—(1.) The Administrator in Council may make such regulations⁽⁸⁾ as he thinks fit providing for the registration of births and deaths of natives.

(2.) Regulations made under the last preceding sub-section may prescribe penalties not exceeding Ten pounds for breaches of the Regulations.

(3.) Regulations made under sub-section (1.) of this section may be of general application or may be limited to a particular area, or may apply to any particular area with such modifications as the Administrator by notice directs.

Power to make regulations.

50. The Administrator in Council may make regulations,⁽⁹⁾ not inconsistent with this Ordinance, prescribing all matters which are

(8) The only regulations that have been made under this Ordinance are the *Registration of Births, Deaths, and Marriages Regulations*, printed on p. 4338. These Regulations do not relate to the registration of births and deaths of natives.

(9) See the *Registration of Births, Deaths, and Marriages Regulations*, printed on p. 4338.

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necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance, and in particular prescribing matters providing for and in relation to—

- (a) the forms to be used in connection with this Ordinance;
- (b) the fees to be charged for the performance of the several acts, matters, and things provided for in this Ordinance;
- (c) the duties of District Registrars; and
- (d) the imposition of penalties not exceeding Fifty pounds for breaches of the Regulations.