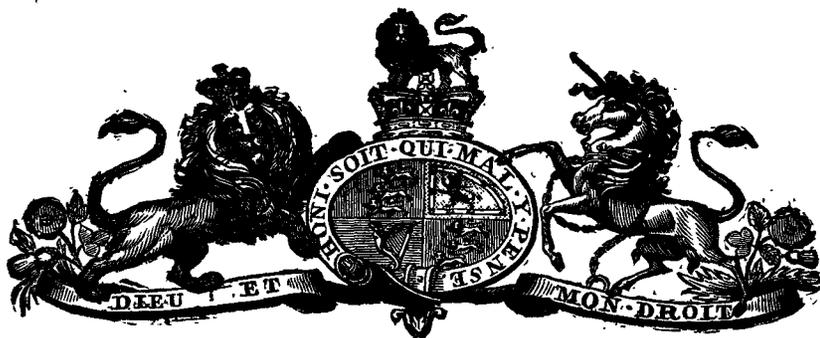


NEW ZEALAND.



TRICESIMO NONO

VICTORIÆ REGINÆ.

No. XXIII.

ANALYSIS.

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| <p>Title.
Preamble.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Repeal of "Registration Act, 1858," and "Registration Act Amendment Act, 1869." 3. Registrar-General to be appointed. 4. Registrars to be appointed. 5. Governor may appoint Deputy of Registrar-General or of any Registrar. 6. When Deputy to act. 7. Registrars' districts. 8. Registrars to dwell in their districts. 9. Fees. 10. Regulations. 11. Books, forms, &c. 12. Entries in register books. 13. Quarterly returns. 14. In case of the loss of any of the duplicate registrations, Registrar may send certified copies of his register to Registrar-General. 15. Registrars not liable to serve on juries. <p style="text-align: center;">REGISTRATION OF BIRTHS.</p> <ol style="list-style-type: none"> 16. Parents and others required to give information of births within sixty-two days. Saving for father of illegitimate child. 17. Limit of time for registration of births. 18. Children born out of the colony. 19. Further limitation of time. 20. Information respecting finding new-born child to be given to Registrar. 21. Registrar may register birth of child within one month after conviction for non-registration. 22. Name given after registration may be registered within twelve months after registration of birth. <p style="text-align: center;">REGISTRATION OF DEATHS.</p> <ol style="list-style-type: none"> 23. Occupier of house and persons present at death to give particulars of death to Registrar. 24. Occupier, who deemed. 25. Case of a dead body being found exposed. 26. Constables to give notice of death. | <ol style="list-style-type: none"> 27. Constables failing to give notice to be liable to a penalty. 28. Entry to be signed by informant. <p style="text-align: center;">CERTIFICATES OF DEATH AND BURIAL.</p> <ol style="list-style-type: none"> 29. Certificates of deaths. 30. Penalty. 31. Penalty for not notifying burial when no certificate of death given. 32. Undertaker to forward certificate of burial. If minister sign certificate, he is not required to give notice of burial to Registrar. 33. Registrar to give notice to proper person to furnish information. 34. Penalty for neglecting to issue notice or refusing to give information. 35. Burial of deceased children as still-born. 36. Certificate of cause of death. Penalty for neglecting to give certificate. <p style="text-align: center;">MISCELLANEOUS PROVISIONS.</p> <ol style="list-style-type: none"> 37. Correction of errors. 38. Existing registers to be delivered into the safe custody of Registrars appointed by Governor. 39. Searches of register books and certified copies. 40. General registry indexes. 41. Certified copies of entries to be received as <i>prima facie</i> evidence. 42. Penalty on refusing or neglecting to give information. 43. Penalties on Registrars. 44. Punishment for false statements. 45. Punishment for certain offences. 46. Recovery of penalties. 47. Application of fees and penalties. 48. Form and effect of declarations required by this Act. 49. Registrar may refuse to do act till fee paid. 50. Aboriginal natives. 51. Books containing entries of births and deaths registered before the coming into operation of "The Registration Act, 1858," to be sent to the Registrar-General. <p>Schedules.</p> |
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Registration of Births and Deaths.

Title. AN ACT to consolidate and amend the Law relating to the Registration of Births and Deaths in New Zealand. [12th October, 1875.]

Preamble. WHEREAS it is expedient to consolidate and amend the law at present in force providing for the registration of births and deaths in New Zealand :

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

Short Title. 1. The Short Title of this Act shall be “The Registration of Births and Deaths Act, 1875,” and it shall come into operation on the first day of January, one thousand eight hundred and seventy-six.

Repeal of “Registration Act, 1858,” and “Registration Act Amendment Act, 1869.”

2. Upon the coming into operation of this Act, “The Registration Act, 1858,” and “The Registration Act Amendment Act, 1869,” shall be and the same are hereby repealed : Provided always that any registration lawfully made and every act or thing whatever lawfully done under the provisions of the said Acts before the coming into operation of this Act shall be as good valid and effectual as though this Act had not been passed.

All appointments made under the Acts hereby repealed, subsisting at the time of the coming into operation of this Act, and all regulations in force under the said repealed Acts at the time aforesaid, shall respectively be deemed to have been made under this Act.

All penalties incurred and all offences which may have been committed prior to the coming into operation of this Act shall respectively be sued for recovered enforced and prosecuted as if the said Acts had never been repealed.

Registrar-General to be appointed.

3. It shall be lawful for the Governor in Council, in the name and on behalf of Her Majesty, from time to time by warrant under his hand, to appoint a fit person to be Registrar-General for the colony, and from time to time to remove such Registrar-General.

Registrars to be appointed.

4. It shall be lawful for the Governor, in the name and on behalf of Her Majesty, to appoint fit persons to be Registrars of Births and Deaths under this Act, and from time to time to remove any person so appointed.

Governor may appoint Deputy of Registrar-General or of any Registrar.

5. It shall be lawful for the Governor at any time to appoint a fit person to be the Deputy of the Registrar-General, or of any Registrar, to act in case of death, illness, or unavoidable absence ; and every Deputy shall during the time he shall so act, have all the powers and privileges and perform all the duties and be subject to all the responsibilities of the Registrar-General or Registrar for whom he shall have been appointed Deputy, except that the Deputy of the Registrar-General shall not have the power given by the tenth section of this Act of making abolishing or altering such regulations as are therein mentioned. The appointment of every such Deputy shall be notified in the *New Zealand Gazette*.

When Deputy to act.

6. Whenever any Registrar shall die, the Deputy appointed as aforesaid shall act as Registrar from the day of such death until the appointment of a new Registrar has been made ; and in case of the illness or absence of the Registrar-General or of any Registrar, the Deputy of the Registrar-General or of a Registrar, as the case may be, shall act as such Deputy from such day as such Registrar-General or Registrar, as the case may be (or in case of illness incapacitating him to do so, his medical attendant), shall certify under his hand to the

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Deputy appointed as aforesaid to act for him that he is ill and unable to perform his duties, or that he is about to be absent; and such Deputy shall cease to act as such from the day on which he shall receive from the officer whose Deputy he is, a certificate under his hand to the effect that such officer has resumed his duties.

No Registrar shall have power to act during such term as his Deputy shall be lawfully acting.

7. It shall be lawful for the Governor from time to time, by Proclamation in the *New Zealand Gazette*, to divide the colony, for the purposes of this Act, into such and so many districts as he shall think fit, and every such district shall be called by a distinct name, and shall be a Registrar's district. Registrars' districts.

The Governor may from time to time alter or revoke any such Proclamation, and issue a new Proclamation dividing the colony or any portion of it anew into districts, or increasing the number of districts, or altering the boundaries of any district or districts, as from time to time he may think requisite; and all births and deaths shall be registered in the district in which they respectively occur: Provided that the districts existing at the time of the coming into operation of this Act, under any of the Acts hereby repealed, shall, until altered under this Act, be deemed to be districts proclaimed under this Act.

It shall be lawful for the Registrar of any district to register any birth or death according to the provisions of this Act, if it shall be shown to his satisfaction that the person upon whom it is obligatory to give the information herein required could not, without considerable difficulty delay or expense, attend at the office of the Registrar of the district in which the birth or death has actually taken place.

8. Every Registrar shall dwell within the district of which he is Registrar, and shall cause the words "Registrar of Births and Deaths" to be placed in some conspicuous place on or near the outer door of his office for registration. Registrars to dwell in their districts.

9. The Registrar-General and every Registrar duly appointed under this Act are hereby respectively empowered to receive and take the several fees specified in this Act; and all fees so received shall be accounted for by them to the Colonial Treasurer, at such times and in such manner as he shall from time to time direct. Fees.

10. It shall be lawful for the Registrar-General from time to time to make amend alter and revoke regulations (not being repugnant to the provisions of this Act) for the general management of the Registry Offices, and the preparation and transmission of all returns required from Registrars, and for the more effectually carrying out the provisions of this Act; and such regulations, after being approved of by the Governor, shall be obeyed accordingly. Regulations.

11. The Registrar-General shall from time to time, at the public expense, furnish to all parties requiring the same such registers books and forms as may be requisite for the purposes of this Act. Books, forms, &c.

12. Every Registrar shall in every case inform himself carefully of the particulars required to be registered by him touching births and deaths under this Act, and shall without fee or reward, except when otherwise specially provided by law, enter and register all such particulars, which shall not have been already registered, in duplicate, according to the forms in Schedules A and B hereunto annexed, in cases of births and deaths respectively: Entries in register books.

Provided always that in case of the registration of a birth when the child is illegitimate, the Registrar shall enter the word "Illegitimate" in the column of Schedule A, headed "Father, when and where" Schedules A and B.

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married ;” or, when the father is unknown, the word “Unknown” shall be entered in the column headed “Name and Surname of Father.”

Quarterly returns.

13. Every Registrar shall, in the months of April, July, October, and January in each year, transmit to the Registrar-General the duplicates of all entries certified under his hand as true copies of all entries of births and deaths made in the Register Books in his office during the three months next preceding, or a certificate under his hand that there have been no such entries, as the case may be; and every Registrar who shall refuse or neglect to do so shall be liable for every such offence to forfeit and pay a sum not exceeding ten pounds, to be recovered in a summary way.

In case of the loss of any of the duplicate registrations, Registrar may send certified copies of his register to Registrar-General.

14. In case of the loss or miscarriage of any of the aforesaid duplicate copies, it shall be lawful for the Registrar, at the request of the Registrar-General, to make and transmit to the Registrar-General true copies, certified under his hand, of the entries, the duplicates of which have been so lost or miscarried, and such copies shall be substituted by the Registrar-General for the duplicates so lost or mislaid.

Registrars not liable to serve on juries.

15. The Registrar-General and every Registrar holding office under this Act, and the Deputy of the Registrar-General or of any Registrar while legally acting for the officer whose Deputy he is, shall be exempt from serving on any jury or inquest.

REGISTRATION OF BIRTHS.

Parents and others required to give information of births within sixty-two days.

16. The father or mother of every child born alive in the colony, or in case of the death absence or inability of the father or the mother the occupier of the house or tenement in which such child shall have been born, and each person present at the birth of such child, shall within sixty-two days (inclusive of the day of birth) give information to the Registrar of the district within which such child shall have been born, according to the best of his or her knowledge and belief, of the several particulars mentioned in Schedule A, and hereby required to be known and registered touching the birth of such child; and every person hereby required who shall refuse or without reasonable cause neglect to give such notice aforesaid, either himself or by an agent duly authorized in writing, and becoming responsible under the provisions and penalties of this Act for the truth of the particulars, shall for every such offence forfeit a sum not exceeding ten pounds.

Schedule A.

Saving for father of illegitimate child.

In the case of an illegitimate child, no person shall, as father of such child, be required to give information under this Act concerning the birth of such child; and the Registrar shall not enter in the register the name of any person as father of such child unless at the joint request of the mother and the person acknowledging himself to be the father of such child; and such person shall in such case sign the register together with the mother.

Limit of time for registration of births.

17. After the said period of sixty-two days following the day of the birth of any child born in the colony it shall not be lawful for any Registrar to register such birth unless the parent, or some person who was present at such birth, shall make a solemn declaration, according to the best of his knowledge and belief, of the particulars required to be registered.

It shall be lawful for the Registrar, at any time after sixty-two days and not later than six months next after the birth, by notice in writing, to require the parent or some person present at the birth to attend personally at his office within such time (not less than seven days after the receipt of the notice and not more than six months after the birth) as may be specified in the notice, and make before the Registrar a solemn declaration as aforesaid.

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Upon such declaration being made, and a fee of five shillings paid to the Registrar, it shall be lawful for the Registrar before whom such declaration is made to register the birth according to the information of the person making the same; or if any person summoned to appear before such Registrar shall refuse or neglect to appear, or having appeared shall refuse to make such declaration, or refuse or neglect to pay the fee above mentioned so as to enable the child to be registered, he shall be liable in any of such cases to the penalty provided by section sixteen for neglecting or refusing to register the birth:

Provided always that if such Registrar shall be satisfied that at the time of the birth of such child, or at any time thereafter, and before the expiration of sixty-two days from such birth, there was not any Registrar or Deputy Registrar qualified to register the birth of such child and acting for the district where such birth ought to have been registered, and that such parent or other person is then applying to register the birth within a period which (excluding the period after such birth during which there has been no Registrar or Deputy Registrar qualified and acting as aforesaid) is not more than sixty-two days from such birth, the Registrar shall register the birth without any fee:

Provided further that no penalty shall be imposed under section sixteen if the birth be registered as provided by this section, and within the limit of time imposed by section nineteen.

18. In every case of the arrival in the colony of a child under the age of eighteen months, at the time of such arrival, born at sea or in any place out of the colony, whose parents or other persons having lawful charge of such child are about to take up their abode in the colony, it shall be lawful for the Registrar, at any time within six months next following the day of such child's arrival, on a solemn declaration by one of the parents or by a person having lawful charge as aforesaid of such child, of the particulars required to be registered, to register without fee or reward the birth of such child in the manner provided for the registration of births taking place within the colony.

Children born out of the colony.

19. It shall not be lawful for any Registrar to register the birth of any child after the expiration of six months following such birth, if in the colony (except as hereinafter provided by section twenty-one), or after the arrival therein of the child, if born at sea or out of the colony; and every person who shall knowingly register or cause to be registered the birth of any child, except as herein provided, after the expiration of six months following such birth or arrival in the colony, shall forfeit and pay for every such offence a sum not exceeding twenty pounds; and no register or certified copy of a register of birth made contrary to this provision shall be received in evidence to prove the birth of any child.

Further limitation of time.

20. In case any living new-born child is found exposed or abandoned, it shall be the duty of any person in whose charge such child may be placed, to give, to the best of his knowledge and belief, to the Registrar, within seven days 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 in the presence of the Registrar to sign the register.

Information respecting finding new-born child to be given to Registrar.

21. If any person whose duty it was to register the birth of any child shall, in consequence of such birth not having been registered, have been duly convicted before a Resident Magistrate or two Justices of the Peace for refusal or neglect to effect such registration, it shall be lawful for the Registrar upon production to him of a certificate signed by the convicting Magistrate or Justices, or by the Clerk of the

Registrar may register birth of child within one month after conviction for non-registration.

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Court, of the conviction of the said person, and of the proof of the birth of the said child, upon application of the parent or guardian of the said child, and within one month of the date of the said conviction, to register the birth of such child without fee or reward; and the Registrar shall in such case, after the entry of the date of registration in the Register Book, state the fact and date of such conviction.

Name given after registration may be registered within twelve months after registration of birth.

22. If any child whose birth shall have been registered in accordance with the provisions of the said Act without a Christian or first name shall, within twelve calendar months next after it shall have been so registered, have any such name given to it, or if any additional Christian name shall have been given within the same period to a child to whom a first or Christian name had been given at the time of the registration of the birth of such child, or if the name originally given to any such child shall have been altered, the person who shall have signed the original entry, or the parent or guardian of such child, may at any time within twelve calendar months from the original registration of the birth, but not afterwards, cause the name so given to be added by the Registrar to the entry on payment of a fee of two shillings and sixpence :

Provided always that the person on whose information any such name shall be added in the Register Book shall sign his or her name to the record of such addition in the column headed "Name if added after Registration of Birth" :

Schedule E.

And provided always that in the case of an alteration of the name a certificate in the form of the Schedule E to this Act, signed by the minister or person who performed the rite of baptism upon which the name was altered, shall be given to the Registrar at the time that the application is made to alter the name of the child in the register. The altered name shall be inserted in the column in the Schedule provided for that purpose, and the Registrar shall notify underneath the name that the certificate above required had been received.

REGISTRATION OF DEATHS.

Occupier of house and persons present at death to give particulars of death to Registrar.

23. In each case of the death of any person it shall be the duty of the occupier of the house or tenement in which such death took place, and of the relatives of the deceased present at such death, and of each person present at such death, and, in default, of the undertaker having charge of the funeral, within thirty-one days (inclusive of the day of the death), to inform the Registrar of the particulars required to be registered concerning such death, and to attend at the Registrar's office and sign the register: Provided that if any of the persons who are required by this section to give to the Registrar information relating to the death shall attend at the Registrar's office and cause the death to be registered, no penalty shall be imposed on the remainder of such persons for not having given the information :

Provided further that either of the persons so required to give information may, by writing under his hand, depute some person, acquainted with and becoming responsible under the provisions and penalties of this Act for the truth of the particulars required to be registered touching such death, to attend at the Registrar's office, inform the Registrar of the said particulars, and sign the register.

Occupier, who deemed.

24. For the purposes of this Act, the master, keeper, chief officer, or other person in actual charge of any gaol prison house of correction hospital lunatic asylum or public or charitable institution respectively, shall be deemed the occupier thereof.

Case of a dead body being found exposed.

25. In case any dead body shall be found exposed, a constable of the district shall forthwith inform the Registrar thereof, and of the

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place where such dead body was found; and when an inquest shall be held on any dead body, the Coroner or Justice of the Peace holding the same shall, within fourteen days after the holding of such inquest, notify to the Registrar of the district the verdict of the jury, with all other particulars required to be registered concerning the death, and such Registrar shall make the entry in his register book accordingly, and the same shall be signed by the Coroner or Justice of the Peace by whom the information has been given.

26. It shall be the duty of all Police Constables to inquire for every death within their respective districts or localities, and to report thereon to the Principal Police Officer of the district, who is hereby required to give notice thereof to the Registrar of the district within which such death occurred, and also respecting some person present at the death or in attendance during the last illness of such deceased person, or respecting the occupier of the house in which such deceased person died, as the case may require.

Constables to give notice of death.

27. Any Police Constable who shall have been informed of any death, and who shall neglect forthwith to report the same, and any Principal Officer of Police receiving such report who shall neglect to send notice thereof within seven days, by writing sent through the post or otherwise, to the Registrar aforesaid, shall be liable to a fine not exceeding forty shillings.

Constables failing to give notice to be liable to a penalty.

For the purposes of this and the last preceding section, the expression "Principal Officer of Police" shall mean the chief or only officer of police in the locality where such death has happened or is believed to have happened.

28. Every person by whom the information contained in any register of birth or death under this Act shall have been given, shall sign his name in the register, to which shall be added, either by himself or by the Registrar in his presence, his description and place of abode; but in case of the inability to write of any person whose signature is required, it shall be lawful for such person to adhibit in the presence of the Registrar a cross or other mark, who shall annex the designation of such person to such cross or other mark; and such cross or other mark shall be in all respects as binding or effectual as the signature of such person if capable of writing would have been; and no register of births or deaths according to this Act shall be given in evidence which shall not be signed as aforesaid by some person professing to be the informant of the Registrar.

Entry to be signed by informant.

CERTIFICATES OF DEATH AND BURIAL.

29. Every Registrar, immediately upon registering any death, or as soon thereafter as he shall be required so to do, shall without fee or reward deliver to the person giving information, or to the undertaker or other person having charge of the funeral, a certificate under his hand, according to the form in Schedule C hereto annexed, that such death has been duly registered, and such certificate shall be delivered by such undertaker or other person to the minister or officiating person who shall be required to bury or perform any funeral or religious service for or at the burial.

Certificates of deaths.

Schedule C.

If any dead body shall be buried for which no certificate shall have been so delivered, the person who shall bury the same or perform any funeral or religious service for or at the burial, or who shall in any other way dispose of the body, shall within seven days give notice thereof in writing, in the form or to the effect set forth in Schedule F hereto annexed, to the Registrar:

Schedule F.

Provided always that the Coroner or Justice of the Peace holding any inquest upon any dead body for which no certificate shall have

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been delivered as aforesaid, may order the body to be buried, if he shall think fit, before registration; and shall in such case give a certificate of his order in writing under his hand, in the form in Schedule D hereto annexed, to the undertaker or other person having charge of the funeral; and except after holding an inquest, no order warrant or other document for the burial of any body shall be given by any Coroner or Justice of the Peace.

Schedule D.

Penalty.

30. Every person to whom such certificate of the Registrar or Coroner or Justice of the Peace was given who fails to deliver it as aforesaid, shall be liable to a penalty not exceeding forty shillings.

Penalty for not notifying burial when no certificate of death given.

31. Every person who shall bury or perform any funeral or religious service for or at the burial of any dead body, or shall in any other way dispose of a dead body for which no certificate shall have been duly made and delivered as aforesaid, either by the Registrar or by the Coroner or Justice of the Peace holding an inquest on the body, and who shall not within seven days give or forward a written notice thereof to the Registrar of the district, shall be liable to forfeit and pay a sum not exceeding ten pounds for every such offence, to be recovered in a summary way.

Undertaker to forward certificate of burial.

32. Every undertaker or other person who shall bury or otherwise dispose of any dead body, shall forthwith cause to be transmitted to the Registrar of the district in which the death of the person so buried occurred, a certificate of such burial (in the form or to the effect set forth in the Schedule F to this Act annexed), countersigned by the minister officiating at such burial, or by two respectable witnesses, being householders, and every such burial shall be registered with the registry of the death of such person, and every undertaker or other person who shall have buried or otherwise disposed of any dead body, and shall omit to cause such certificate to be transmitted as aforesaid, shall for every such offence forfeit a sum not exceeding five pounds.

Schedule F.

If minister sign certificate, he is not required to give notice of burial to Registrar.

If any officiating minister shall sign, as above required, the certificate of burial, he shall not be liable to the penalty imposed by section thirty-one of this Act for default in sending notice of such burial to the Registrar.

Registrar to give notice to proper person to furnish information.

33. Every Registrar shall, within three days after receiving a report from a Police Officer of the death of any person as hereinbefore provided, or the notice of the burial or disposal of a dead body for which no certificate of registration shall have been given, make inquiry as to the person liable to give information touching such death, and give or cause to be given to such person a written notice to furnish the information at the office of the Registrar within thirty-one days from the date of such death.

Penalty for neglecting to issue notice or refusing to give information.

34. Any Registrar neglecting to issue such notice in the manner aforesaid shall be liable to a penalty not exceeding forty shillings; and any person neglecting or refusing to give information after notice so to do, as provided in the last preceding section, shall for every such offence be liable to a penalty not exceeding ten pounds.

Burial of deceased children as still-born.

35. A person shall not wilfully bury or procure to be buried the body of any deceased child as if it were still-born.

A person who has control over or ordinarily buries bodies in any burial-ground shall not permit to be buried in such burial-ground the body of any deceased child as if it were still-born, and shall not permit to be buried or bury in such burial-ground any still-born child before there is delivered to him either—

(a.) A written certificate that such child was not born alive, signed by a registered medical practitioner who was in attendance at the birth or has examined the body of such child; or

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- (b.) A declaration signed by some person who would, if the child had been born alive, have been required by this Act to give information concerning the birth, to the effect that no registered medical practitioner was present at the birth, or that his certificate cannot be obtained, and that the child was not born alive; or,
- (c.) If there has been an inquest, an order of the Coroner or presiding Justice of the Peace.

Any person who acts in contravention of this section shall be liable to a penalty not exceeding ten pounds.

36. In the case of the death of any person who has been attended during his last illness by a registered medical practitioner, that practitioner shall sign, and give to some person required by this Act to give information concerning the death, a certificate, on the printed form to be supplied for that purpose by the Registrar-General, stating to the best of his knowledge and belief the cause of death both secondary and primary, and such person shall upon giving information concerning the death, deliver that certificate to the Registrar, and the cause of death as stated in that certificate shall be entered in the register, together with the name of the certifying medical practitioner.

Certificate of cause of death.

Any medical practitioner required to give the aforesaid medical certificate, in pursuance of the above section, who shall refuse or neglect so to give it, and any person to whom such medical certificate is given, who fails to deliver the certificate to the Registrar, shall be liable to a penalty not exceeding forty shillings.

Penalty for neglecting to give certificate.

MISCELLANEOUS PROVISIONS.

37. No alteration in any register of births and deaths shall be made, except as herein provided :

Correction of errors.

- (a.) Any clerical error which may from time to time be discovered in any such register may be corrected by a person duly authorized on that behalf by the Registrar-General, and if the copy of the entry requiring to be corrected should have been then received by the Registrar-General, such copy may be corrected by him after receipt of a notification of the correction in the register.
- (b.) Any error of fact or substance in any such register may, within three months of the discovery of the error, be corrected as follows :—

1. The person requiring such error to be corrected shall produce to the Registrar a solemn declaration made by him setting forth the nature of the error and the true facts of the case.

2. The Registrar shall thereupon make a new entry in the register book referring to the original entry, and to which new entry a distinct reference shall be made by writing across the original entry and adding the date of such correction. And the said new entry shall be signed by the person requiring the correction to be made, and by two credible witnesses, who shall respectively sign the register; of the said three persons one at least shall be a person who was required to give information of the birth or death, as the case may be, under the provisions of this Act.

- (c.) Any error of fact or substance discovered before the passing of this Act but not corrected within the time heretofore limited for that purpose, may be corrected in the manner herein provided within three months from the date of this Act coming into operation.

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Existing registers to be delivered into the safe custody of Registrars appointed by Governor.

38. All register books containing entries of births and deaths in the custody of Registrars holding office under any Act hereby repealed at the time of this Act coming into operation shall be forwarded by them respectively to such Registrars as the Governor may appoint, and the Registrars so appointed to receive the said registers shall safely keep them in some place provided for the purpose.

Searches of register books and certified copies.

39. Every Registrar who shall have the keeping for the time being of any register book of births or deaths shall, at all reasonable hours on every day except Sunday, Christmas Day, Good Friday, and public holidays, allow searches of any Register Book in his keeping to be made, and shall if called upon to do so give a copy, certified under his hand, of the entry of any birth or death registered by him, on payment of the following fees respectively, viz.,—For a search in the register book extending over a period not more than one year, two shillings and sixpence, and for every additional year one shilling; and for every single certified copy of an entry, two shillings and sixpence; or if such certified copy be under the seal of the Registrar, five shillings.

General Registry indexes.

40. The Registrar-General shall cause indexes of the certified copies transmitted to him by the Registrars according to the provisions of this Act to be made and kept in his office, and shall permit any person demanding to do so to search any such index, and to have a copy, certified under the Registrar-General's hand, of any entry of a birth or death duly returned and certified to him by any Registrar. And for every search in any index or records in the office of the Registrar-General a fee of five shillings shall be paid by the person requiring such search; and for every certified copy of any entry in the records of his office there shall be paid a fee of two shillings and sixpence, or if such certified copy be under the seal of the Registrar-General, a fee of five shillings.

Certified copies of entries to be received as *primâ facie* evidence.

41. Certified copies of registers or entries made or given by the Registrar-General or any Registrar, and purporting to be signed by such officers respectively, shall be received as *primâ facie* evidence in any Court of Justice within the colony of the fact of the birth or death to which the same relates.

Penalty on refusing or neglecting to give information.

42. Every person who shall offend against this Act by refusing or neglecting to give any notice or information required by any of the foregoing sections, shall for every such offence forfeit a sum not exceeding ten pounds, except when otherwise specially provided by this Act.

Penalties on Registrars.

43. Every Registrar who shall refuse, or, without reasonable cause, omit to register any birth of which he shall have had due notice and information as aforesaid, and every person having the custody of any register book or certified copy thereof, or of any part thereof, who shall negligently lose or injure the same, or negligently allow the same to be injured whilst in his keeping, shall forfeit and pay a sum not exceeding twenty pounds for every such offence.

Punishment for false statements.

44. Every person who shall wilfully make or cause to be made for the purpose of being inserted in any register book of births or deaths any false statement touching any of the particulars required to be known and registered under the provisions of this Act, shall be deemed guilty of a misdemeanour.

Punishment for certain offences.

45. Every person who shall wilfully destroy or injure, or cause to be destroyed or injured, any register book of births or deaths, or any part or certified copy of any part thereof, or shall falsely make or counterfeit, or cause to be falsely made or counterfeited, any part of such register book or certified copy thereof, or shall wilfully insert or cause to be inserted in any register book or certified copy thereof any false

Registration of Births and Deaths.

entry of any birth or death, or shall wilfully give any false certificate, or shall certify any writing to be a copy or extract of any register book knowing the same register to be false in any part thereof, or shall forge or counterfeit the signature or seal or stamp of the Registrar-General or of any District Registrar or any impression thereof, shall be deemed guilty of felony, and be liable on conviction to penal servitude for any term not exceeding five years: Provided always that every person having the custody or care of any register books of births or deaths who shall wilfully permit or allow any such offence as aforesaid to be committed, shall be liable to the punishment hereinbefore provided in reference to persons actually committing the same.

46. All fines forfeitures and penalties by this Act imposed shall be recovered before a Resident Magistrate or any two Justices of the Peace in a summary way, upon the complaint of any person duly authorized in writing by the Registrar-General.

Recovery of penalties.

47. All fines and penalties recovered, and all fees received under this Act, shall be paid into the public account, and form part of the consolidated revenue of the colony.

Application of fees and penalties.

48. Whenever by this Act any person is required or permitted to make a solemn declaration, the same may be made in the form given in Schedule G hereto, or to the like effect. Any Registrar may take and receive such declaration, and any person who shall wilfully and corruptly make and subscribe any such declaration, knowing the same to be untrue in any material particular, shall be deemed guilty of a misdemeanour.

Form and effect of declarations required by this Act. Schedule G.

49. Any Registrar or any other person required by this Act to do any act for which a fee is demandable, may refuse to do such act until such fee is first paid.

Registrar may refuse to do act till fee paid.

50. Nothing herein contained shall apply to the registration of births or deaths of the aboriginal Native race of New Zealand: Provided that this Act shall come into operation in respect of the births and deaths of persons of the said race in such districts and at such times as the Governor shall by Proclamation from time to time appoint: Provided also that half-castes and other persons of mixed race, living as members of any Native tribe, shall for the purposes of this Act be deemed to be persons of the Native race.

Aboriginal natives.

51. All persons having the custody of any book or writing containing entries of births or deaths registered under the provisions of any Act or Ordinance in force for the registration of births and deaths prior to "The Registration Act, 1858," being brought into operation, shall forward such book or writing to the Registrar-General, who shall cause indexes of the same to be made, and shall safely keep such books writings and indexes among the other records of births and deaths in his office. Certified copies of any entry contained in any such book or writing may be made or given in like manner as other certified copies may be made or given under this Act, and the provisions of sections forty, forty-one, and forty-five of this Act shall extend and apply to the matters in this section provided for.

Books containing entries of births and deaths registered before the coming into operation of "The Registration Act, 1858," to be sent to the Registrar-General.

Registration of Births and Deaths.

SCHEDULES.

SCHEDULE A.

BIRTHS IN THE DISTRICT OF AUCKLAND, NEW ZEALAND.

Registered by James Kirk.

No.	CHILD.			PARENTS.			INFORMANT.	Name, if added or altered after Registration of Birth.
	When and where born.	Name, and whether present or not.	Sex.	FATHER.		MOTHER.		
				(1) Name and Surname, Rank or Profession of the Father. (2) Age, and (3) Birth-place.	(1) When and where married.	(1) Name and Maiden Surname of the Mother. (2) Age, and (3) Birth-place		
64	1875, Feb. 20. Wakefield Street, Auckland.	Edith Elizabeth (not present).	F.	(1) Thomas Edwards, Miner. (2) 27. (3) Redruth, Cornwall.	(1) 1871, June 20. Thames, N.Z.	(1) Mary Edwards, formerly Lucas. (2) 23. (3) Plymouth.	(1) Thomas Edwards, Father, Graham Street, Thames. (1) Signature, description, and residence of Informant. (2) If entry a correction of a former entry, signature of witnesses attesting the same.	(1) When Registered. (2) Signature of Registrar.

SCHEDULE B.

DEATHS IN THE DISTRICT OF WELLINGTON, NEW ZEALAND.

Registered by Thomas Ward.

No.	DESCRIPTION.			(1) Cause of Death. (2) Duration of last illness. (3) Medical Attendant by whom certified, and (4) When he last saw Deceased.	Name and Surname of Father and Mother, (Maiden Name, if known,) with Rank or Profession	IF BURIAL REGISTERED.		Where born, and how long in New Zealand.	IF DECEASED WAS MARRIED.		(1) Signature, description, and residence of Informant. (2) If entry a correction of a former entry, signatures of witnesses attesting the same.	(1) Signature of Registrar. (2) Date.
	When and where died.	Name and Surname, Rank or Profession	Sex and Age.			When and where buried.	Name and Religion of Minister, or name of witness of burial.		(1) Where and at what (2) Age and to (3) Whom.	If issue living, state number and sex.		
14	1875, January 3. Tinakori Road, Wellington..	Edward Williams, Carpenter	Male. 52 years.	(1) Pneumonia. (2) 2 months. (3) J. H. Thompson, M.D. (4) Jan. 3, 1875.	James Williams, Carpenter Jane Williams, formerly O'Neill.	Cemetery, Wellington.	A. B. Presbyterian minister.	Belfast, Ireland. 18 years in New Zealand.	(1) Town of Carlow, Ireland. (2) 28 years. (3) Martha Fitzpatrick.	5 boys 4 girls	William Williams, Farmer, son of the deceased, Greytown, N.Z.	Thomas Ward, Registrar. January 7, 1875.

SCHEDULE C.

I, A.B., Registrar of Births and Deaths in the District of _____, do hereby certify that the death of [Henry Hastings] was duly registered by me on the _____ day of _____, 18

Witness my hand, this _____ day of _____, 18

A.B., Registrar.

Registration of Births and Deaths.

SCHEDULE D.

I, C.D., Coroner for the District of _____ [or Justice of the Peace], do hereby order the burial of the body now shown to the Inquest Jury as the body of [*Thomas Jones*].

Witness my hand, this _____ day of _____, 18 _____.

C.D., Coroner [or Justice of the Peace].

SCHEDULE E.

FORM CERTIFYING NAME GIVEN IN BAPTISM.

I _____ of _____, in the _____, do hereby certify that on the _____ day of _____, 18 _____, I baptized by the name of _____ a male child, produced to me by _____ as the child of _____ and _____, and declared by the said _____ to have been born at _____ on the _____ day of _____, 18 _____.

Witness my hand, this _____ day of _____, 18 _____.

(Signed by Officiating Minister.)

SCHEDULE F.

I, A.B., of _____, undertaker, do hereby certify that the body of _____ was on the _____ day of _____, 18 _____, duly buried at _____ in my presence.

Witness our hands, this _____ day of _____, 18 _____.

A.B., Undertaker.

G.H., Minister.

or
C.B., Householder.

F.F., Householder.

SCHEDULE G.

I, A.B., [*Insert place of abode and occupation*] do solemnly and sincerely declare that [*Insert facts*]

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the General Assembly of New Zealand, intituled "The Registration of Births and Deaths Act, 1875."

A.B.

Taken and declared before me this _____ day
of _____ 18 _____.

C.D., Registrar of Births and Deaths
for _____ District.

WELLINGTON, NEW ZEALAND:

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