



SARAWAK

**Registration of Births and Deaths
Ordinance**

[Cap. 10 (1958 Ed.)]

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Chapter 10
(1958 Ed.)

REGISTRATION OF BIRTHS AND DEATHS ORDINANCE

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Sarawak Lawnet

Chapter 10
(1958 Ed.)

REGISTRATION OF BIRTHS AND DEATHS ORDINANCE

An Ordinance to consolidate the law relating to the Registration of Births and Deaths.

[1st August, 1951.]

Short title

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

Interpretation

2. In this Ordinance—

words referring to burial of bodies shall be held to include burning of bodies;

“Deputy Registrar-General” means the Deputy Registrar-General of Births and Deaths for the Federation appointed under section 3(1A) of the Births and Deaths Registration Act, 1957 *[Act 299]*;

[Mod. F.L.N. 348/65.]

“District” means an administrative district of Sarawak and includes an administrative subdistrict of Sarawak and any area for which a Registrar is appointed under section 3;

“house” includes public institution;

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

“public institution” includes a prison, lock-up, mental hospital, hospital and any other public or charitable institution;

“Regional Registrar” means the Regional Registrar of Births and Deaths appointed under section 3(1);

[Mod. F.L.N. 348/65.]

“register” includes all register books in existence upon the 1st day of August, 1958, any registers and prescribed forms provided under of section 5(1) and microfilm photographs of such register books, registers and prescribed forms;

[Ins. Ord. No. 19/58.]

“Registrar-General” means the Registrar-General of Births and Deaths appointed under the Births and Deaths Registration Act 1957 *[Act 299]*;

[Mod. F.L.N. 348/65.]

“still-born” and “still-birth” shall apply to any child which has issued forth from its mother after the twenty-eighth week of pregnancy and which did not, at any time after being completely expelled from its mother, breathe or show any other signs of life.

Appointment of officers

3.—(1) The Minister may appoint a Regional Registrar of Births and Deaths for Sarawak who shall be responsible for carrying out the provisions of this Ordinance and shall have general charge and supervision of all registers kept, and of all matters done or performed, under this Ordinance.

[Mod. F.L.N. 348/65.]

(2) (a) The Minister may, on the recommendation of the Regional Registrar, appoint a Senior Registrar for such area of Sarawak as may be specified in such appointment, and a Senior Registrar may, with the approval of the Regional Registrar, appoint such clerks and subordinate officers as he may think necessary for the purpose of performing the several duties prescribed by this Ordinance.

(b) The Regional Registrar may delegate any of his powers under this Ordinance, except this power of delegation, to one or more Senior Registrars and subject to such conditions and limitations as he may specify in the instrument of such delegation:

Provided that the Regional Registrar may exercise any powers under this Ordinance notwithstanding any delegation by him under this section.

[Mod. F.L.N. 348/65.]

(3) The Minister may appoint a Registrar for each District of Sarawak, or for such other area of Sarawak as may be specified in such appointment, and each Registrar may, with the approval of the Regional Registrar, appoint such Deputy Registrars, clerks and subordinate officers as he may think necessary for the purpose of performing the several duties prescribed by this Ordinance.

Officers to be subject to directions of Registrar-General

3A. In exercising any of their powers or performing any of their duties or functions under this Ordinance the Regional Registrar and all officers subordinate to him shall have regard to any general or special directions of the Registrar-General, which directions may, in the absence of the Registrar-General or if he so directs, be given by the Deputy Registrar-General on his behalf.

[Ins. F.L.N. 348/65.]

Annual reports

4.—(1) The Regional Registrar shall, within such period after the expiration of every year as may from time to time be prescribed, compile a summary of the births and deaths of the past year.

(2) The Regional Registrar shall also at the same time compile a general report on the increase or decrease of the population, and on any special cause appearing to affect the same as far as the same can be assumed from the Registrars' returns.

[Mod. F.L.N. 348/65.]

Registers

5.—(1) The Regional Registrar shall cause to be provided a sufficient number of registers and prescribed forms for the registration of all births, still-births and deaths, and shall furnish to every Senior Registrar such registers as he requires.

(2) Such registers shall be in the prescribed form.

(3) The Regional Registrar shall cause to be provided such additional prescribed forms as are necessary for the carrying out of the provisions of this Ordinance.

[Mod. F.L.N. 348/65.]

Custody of the registers

6. The Regional Registrar shall be responsible for the custody and safe-keeping of the registers.

[Sub. Ord. No. 19/58; Mod. F.L.N. 348/65.]

Photography of the registers

7. The Regional Registrar may cause any register to be photographed on microfilm, and may permit the microfilm of such register to leave his possession for the purpose of processing, subject to such precautions as he may deem necessary in the interests of its safety and the privacy of the information contained therein.

[Ins. Ord. No. 19/58; Mod. F.L.N. 348/65.]

Registers not to be open to inspection by the public

8. Registers shall not be open to inspection by the public.

Information as to births, still-births and deaths

9.—(1) Every Deputy Registrar shall inform himself carefully of every birth, still-birth and death occurring in his area, and shall forward particulars of the same in the prescribed form to the Registrar of the District, who shall, subject to the provisions of subsection (4) and after making such verification thereof as he may deem necessary, forward such particulars in the prescribed form to a Senior Registrar for registration:

Provided that, if the Deputy Registrar is unable for any reason to complete the prescribed form, he shall record and forward such particulars in such manner as the Registrar may direct.

(2) In cases of death, the Registrar or Deputy Registrar, or some other officer authorized by a Registrar for the purpose of this subsection, shall, if practicable, personally inspect the corpse and make inquiries among the persons present at the death, unless the fact and cause of death is certified by a medical practitioner in the prescribed form.

(3) Every Deputy Registrar shall forward to the Registrar at intervals of not more than one month, or such longer period as the Registrar may with respect to any particular area permit, reports of births, still-births and deaths registered within his area, setting forth, when possible, the name, residence, age, sex, nationality, race and occupation of each deceased person, the period of continuous residence in the District and last place of residence before arrival in the District of such deceased person, as well as the duration of illness, the date and cause of death, the name and qualification of the medical practitioner certifying the same and such other particulars as may be prescribed.

(4) A Registrar may direct either generally or specially that, in lieu of all or any of the reports required by this section being forwarded to him, they shall be delivered to such person and at such place as he may specify.

Occupier and relatives to report live births

10. In the case of every child born alive, the father and mother of the child, the occupier of the house in which to his knowledge the child is born, each person present at the birth, the person having charge of the child and, if the birth occurs in a ship or vessel, the master or other person having charge of such ship or vessel, shall, within fourteen days after such birth has taken place, furnish to the Registrar or any Deputy Registrar of the District within which the birth has happened the particulars of the same in the prescribed form, and shall certify to the correctness of such information by signing his name in the prescribed place on the form.

Surname of child

11.—(1) The surname to be entered in respect of the registration of a birth shall ordinarily be the surname, if any, of the father of the child:

Provided that, where the mother is the informant and volunteers the information that the child is illegitimate, the surname, if any, registered shall be the surname of the mother of the child at the date of birth.

(2) A Senior Registrar may, at any time within seven years after the birth of a child, or within such longer period as the Regional Registrar may in any particular case approve, add the surname of the child to an entry in other respects complete, on proof to his satisfaction that the person on whose behalf the application is made is the person referred to in the entry.

[Mod. F.L.N. 348/65.]

Subsequent addition of name of child

12. Whenever the name of a child is not settled and cannot be furnished at the time of the registration of its birth, the parent or guardian, or other adult person having custody of the child, may, when a name is given to it, present an application in the prescribed form, supported by such further evidence as the Regional Registrar or the Senior Registrar having custody of the register in which such birth was registered may in any particular case require, to the Regional Registrar or such Senior Registrar, who shall, on being satisfied as to the accuracy thereof, thereupon enter in the register the name mentioned in such application as having been given to the child:

Provided that, if a period of more than twelve months has elapsed since the date of the birth, the applicant shall be called upon to pay such fee as may be prescribed.

[Am. Ord. No. 19/58; Mod. F.L.N. 348/65.]

Registration of alteration of name

13.—(1) Where, before the expiration of twelve months from the date of the birth of any child, the name by which it was registered is altered, the Regional Registrar or a Senior Registrar upon delivery to him at any time of a certificate in the prescribed form signed—

- (a) if the name was altered in baptism, either by the person who performed the rite of baptism or by the person who has the custody of the register, if any, in which the baptism is recorded; or
- (b) in any other case, by the father, mother or guardian of the child, or other person procuring the name of the child to be altered,

and upon payment to him of the prescribed fee shall, without any erasure of the original entry, forthwith enter in the register the name mentioned in the certificate as having been given to the child, and the Regional Registrar or the Senior Registrar shall state upon the certificate the fact that the entry has been made.

[Mod. F.L.N. 348/65.]

(2) Where the name of a child is altered in baptism, the person who performed the rite of baptism or who has the custody of any register in which the baptism is recorded shall issue the certificate required under this section on payment of a fee not exceeding one ringgit.

[Ins. Ord. No. 19/58]

Still-births

14. In the case of every still-birth, it shall, unless there has been an inquiry held by a Magistrate, be the duty of the person who would, if the child had been born alive, have been required by section 10 to give information concerning the birth to give information, within fourteen days after such still-birth has taken place, to the Registrar or any Deputy Registrar of the District in which such still-birth occurs of the particulars required to be registered concerning the still-birth, and every such person on giving information shall either—

(a) deliver to the Registrar or Deputy Registrar a written certificate in the prescribed form that the child was not born alive, signed by a medical practitioner, or a midwife registered under any law providing for the registration of midwives who was in attendance at the birth, or signed by a medical practitioner who has examined the body of such child; or

(b) make a declaration in the prescribed form to the effect that no medical practitioner or registered midwife was present at the birth, or that no medical practitioner has examined the body, or that a certificate as required in paragraph (a) cannot be obtained, and that the child was not born alive.

Occupier and relatives to report deaths

15.—(1) When a person dies in a house, the occupier of the house in which to his knowledge the death took place, the relatives of the deceased present at his death or in attendance during the last illness of the deceased and each person present at the death, and, in default of the persons heretofore in this subsection mentioned, each inmate of the house and the person causing the body of the deceased person to be buried, shall within twenty-four hours after such death, furnish to the Registrar or any Deputy Registrar of the District within which the death has happened, the particulars of such death in the prescribed form, and shall certify to the correctness of such particulars by signing his name in the prescribed place on the form.

(2) When a person dies in a place which is not a house, or a dead body is found elsewhere than in a house, every relative of such deceased person having knowledge of any particulars required to be registered concerning the death, every person present at the death, every person taking charge of the body, and, if the death occurs in a ship or vessel, the master or other person having charge of such ship or vessel, and the person causing the body to be buried shall give to the Registrar or Deputy Registrar, within twenty-four hours after the death or the finding, such information of the particulars required to be registered concerning the death as the informant possesses, and shall certify to the correctness of such information by signing his name in the prescribed place on the prescribed form.

Women may authorize male relatives to sign certificates, etc.

16. In the event of the person whose duty it is to sign any certificate or make any declaration under section 10, 12, 14 or 15 being a woman and unable through illness or other cause to sign such certificate or make such declaration, she may authorize any responsible male relative to sign or make it on her behalf. Such male relative shall make or sign an entry on the certificate or declaration that he is so authorized.

Oral reports

17.—(1) Notwithstanding anything contained in the preceding provisions of this Ordinance, a Registrar may receive oral reports under any of such provisions or direct or permit any Deputy Registrar to do so, either generally or from such classes of persons as he may specify, if he is satisfied that the making of such reports in the prescribed forms would be unduly difficult or inconvenient, and shall thereupon forward particulars of such reports in the prescribed form to a Senior Registrar.

(2) When a Registrar directs or permits a Deputy Registrar to receive oral reports under this section, he shall specify the manner in which the Deputy Registrar is to record such reports.

Delayed registration

18. Notwithstanding anything contained in the preceding provisions of this Ordinance, a Senior Registrar may, on receipt of the prescribed fee, register the particulars required by those provisions if, in the case of a birth or still-birth, the particulars required under the provisions of section 10 or 14 are furnished within forty-two days after such birth or still-birth has taken place, and, in the case of a death, the particulars required under the provisions of section 15 are furnished within seven days after such death.

Penalty for failure to furnish particulars

19. Any person whose duty it is under the preceding provisions of this Ordinance to furnish any particulars of any birth, still-birth or death, and who, without reasonable cause, omits to do so within the time required by this Ordinance shall be guilty of an offence: Penalty, a fine of one hundred ringgit:

Provided that no prosecution shall be instituted in respect of any birth, still-birth or death the particulars of which have been registered under the provisions of section 18.

[Am. Ord. No. 16/57.]

Duties of medical practitioners as to certification

20.—(1) Every medical practitioner, upon the death of any person who has during his last illness been attended by such medical practitioner, shall sign and deliver within twelve hours of the death, to one of the persons required by this Ordinance to furnish particulars of the death, or to the Registrar or any Deputy Registrar of the District within which such death has occurred, a certificate in the prescribed form.

(2) Such person shall, when furnishing particulars of the death, deliver such certificate to the Registrar or Deputy Registrar, and the cause of death as stated in the certificate shall be entered on the prescribed form together with the name of the certifying medical practitioner.

(3) In case any certificate under subsection (1) certifies that the cause of death of any person has arisen from plague, cholera, small-pox or any disease that is required to be notified to foreign countries as a dangerous infectious disease, under any Convention with regard to dangerous infectious diseases for the time being in force, which is not known at the time to be prevalent in the District where the deceased person died, the Registrar or a Deputy Registrar, if he is not satisfied of the correctness of the diagnosis, shall refuse to act upon such certificate and refuse to record or register the cause of death until the circumstances of such death have been immediately reported to the Regional Registrar and the Health Officer of the District where the deceased person died, and such further and other opinion as to the cause of death as such Registrar or Deputy Registrar may require has been given.

[Mod. F.L.N. 348/65.]

When post-mortem examination is held

21. When a medical practitioner has made a post-mortem examination of the body of any deceased person, such medical practitioner shall, unless he knows that a Magistrate intends to hold an inquiry in respect of the death, within twenty-four hours after the conclusion of the examination forward a certificate in the prescribed form to the Registrar or any Deputy Registrar of the District within which the body of such person was found, and the cause of death as stated in such certificate shall be entered on the prescribed form.

Duty of Magistrates as to findings

22. When an inquiry is held on the body of any deceased person, the Magistrate shall, within forty-eight hours after the conclusion of the inquiry, forward to the Senior Registrar of the District within which the body of such person was found a certificate setting forth the cause of death as ascertained at such inquiry, and such other particulars as are required for the purpose of registration, and the cause of death in such certificate shall be entered in the register.

Duties of Tua Kampong, etc.

23.—(1) Every Tua Kampong, Tuai Rumah and Chinese headman shall obtain information of every birth, still-birth and death within their respective areas, and also information respecting the father and mother of every child born in their area, and respecting the occupier of any house in their area in which any birth, still-birth or death happens, and give notice thereof to the Registrar or any Deputy Registrar of the District.

(2) Any Tua Kampong, Tuai Rumah or Chinese headman who knows such particulars and wilfully omits or neglects to give notice thereof to the proper Registrar or Deputy Registrar shall be guilty of an offence: Penalty, a fine of one hundred ringgit.

[Am. Ord. No. 16/57]

Late registration

24.—(1) Notwithstanding the neglect of any person to report or furnish information as to any birth, still-birth or death within the time required by the preceding provisions of this Ordinance, it shall be the duty of a Registrar or Deputy Registrar to procure by all means within his power the best and most accurate information respecting any birth, still-birth or death which has occurred within his area particulars of which have not been furnished to him under the preceding provisions of this Ordinance; and such information shall be forwarded in the prescribed form to a Senior Registrar in the manner provided in section 9 for registration in such manner as may be prescribed.

(2) Subject to the provisions of subsections (3) and (4), the provisions of section 26 shall apply to certified copies or extracts of entries registered under the provisions of this section.

(3) Every certified copy or extract of such an entry shall be in a form readily distinguishable from all other certified copies or extracts, and shall have printed on it conspicuously the words "LATE REGISTRATION", and no copy or extract so marked shall be deemed to be proof of the dates and facts set forth in such copy or extract without other or further evidence thereof.

(4) The fact that any birth, still-birth or death has been recorded or permitted to be recorded under subsection (1) shall not affect the liability of any person to punishment under section 19.

Correction of errors, and alteration in records and registers

25.—(1) No alteration shall be made in any register except as authorized by this Ordinance.

(2) Except as provided in subsection (4), any clerical error which may be discovered in any register shall be corrected by the Regional Registrar or a Senior Registrar, or by the Registrar or Deputy Registrar discovering the error who shall initial the entry in which such error has been discovered.

[Am. Ord. No. 19/58; Mod. F.L.N. 348/65.]

(3) Any error of fact or substance in any register may be corrected by entry (but so that no alteration on the original entry is made) by the Regional Registrar or a Senior Registrar on payment, by the person requiring such error to be corrected, of the prescribed fee, and on the production to him by the person requiring such error to be corrected of two statutory declarations setting forth the nature of the error and the facts of the case, and made by two persons required by this Ordinance to give information concerning the birth, still-birth or death with reference to which the error has been made, or, in default of such persons, then, by two credible persons having knowledge, to the satisfaction of the Regional Registrar or such Senior Registrar, of the truth of the case, and the Regional Registrar or such Senior Registrar shall initial such entry and shall add thereto the day, month and year when such correction is made:

Provided that the Regional Registrar or such Senior Registrar may dispense with the production of any statutory declaration required under this subsection if he is satisfied of the error without its production.

[Am. F.L.N. 348/65; Mod. F.L.N. 348/65.]

(4) Any clerical error in any register relating to any death registered on a certificate issued by a Magistrate, may on the receipt of a certificate from the Magistrate setting forth the nature of the error and authorizing the correction of such entry, be corrected by the Regional Registrar or a Senior Registrar, who shall place his initials opposite the entry in which such error occurs and shall add thereto the day, month and year when such correction is made.

[Mod. F.L.N. 348/65.]

(5) Any error of fact or substance in any register in connection with any death registered on a certificate issued by a Magistrate may, on receipt of a certificate from the Magistrate setting forth the nature of the error and the facts of the case, be corrected by an entry (but so that no alteration of the original entry is made) by the Regional Registrar or a Senior Registrar, who shall add to such note or entry the words "Corrected by me on the authority of a certificate from a Magistrate", and shall sign such note or entry and shall add thereto the day, month and year when such correction is made.

[Mod. F.L.N. 348/65.]

(6) Notwithstanding the provisions of subsections (1) to (5) inclusive, in any case—

(a) where any entry has been made in any register using a Japanese date or place name, the Regional Registrar or a Senior Registrar may alter such date or place name to accord with the English calendar and the place name used prior to the Japanese substitution, and shall initial any such alteration when made;

(b) where any entry relating to nationality has been made in any register and such entry does not, for any reason, accord with the entry which should have been made had Sarawak not been occupied by the Japanese, the Regional Registrar or a Senior Registrar may substitute for such entry the entry which should have been so made and shall initial any such substitution; or

(c) where any entry on a prescribed form is in any language other than English, a Senior Registrar may, in making any entry in the register relating thereto, translate such entry into English or transcribe such entry into romanized script in such manner as the Regional Registrar may direct.

[Mod. F.L.N. 348/65.]

(7) When any person produces any document purporting to be an official record of a birth, still-birth or death and bearing a date prior to the 1st day of August, 1949, and the Regional Registrar or a Senior Registrar is satisfied that the information contained therein would, had Sarawak not been occupied by the Japanese, have been duly entered in the register, or otherwise should have been entered but cannot be traced in the register, the Regional Registrar or such Senior Registrar shall on being satisfied as to the accuracy thereof, enter the details of such birth, still-birth or death in the register in such manner as may be prescribed.

[Am. Ord. No. 19/58; Mod. F.L.N. 348/65.]

(8) If the Regional Registrar is satisfied that two entries have been made in the register of births in respect of the same birth, he shall cause one of the said entries to be deleted.

[Mod. F.L.N. 348/65.]

(9) If the Regional Registrar is satisfied that any entry in a register contained an error of fact, he shall cause the said entry to be corrected.

[Mod. F.L.N. 348/65.]

(10) Before exercising the powers conferred upon him by subsections (8) and (9), the Regional Registrar shall give notice to all persons mentioned in the entry concerned who are known to him to be alive, and whose whereabouts are known to him or can be ascertained, of his intention to exercise his powers with regard to such entry, and shall inform them that they may, if they so desire, lodge written objection to the exercise of such power within a period of not less than one month from the date of such notice.

[Mod. F.L.N. 348/65.]

If the whereabouts of the said person or any of them is unknown and cannot be ascertained, or if they or any of them are known to be dead, the Regional Registrar shall publish notice of his intention in the *Gazette* and in a newspaper published and circulating in Sarawak, and shall therein call upon any person having an interest in the matter and desiring to object to the proposed exercise of his powers to lodge written notice of his objection within a period of not less than one month from the date of publication of the said notice.

(11) Upon expiry of the period for lodging objections provided by subsection (10) and after considering all objections which may, within that period, have been lodged, the Regional Registrar shall notify his decision regarding the deletion or alteration of the entry concerned to all persons who may have lodged objections.

(12) Any person who is aggrieved by any exercise by the Regional Registrar of his powers under subsection (8) or (9) may at any time appeal to the Minister.

[Mod. F.L.N. 348/65.]

[Subsections (8) to (12), Ins. Ord. No. 19/58.]

Extracts from registers

26.—(1) Except as otherwise provided in this section and subject to the provisions of section 24, the Regional Registrar or a Senior Registrar shall upon receiving an application therefor, and upon payment of the prescribed fees, furnish to any person applying for it a certified copy or extract of any entry in any register, other than a register of still-births.

[Mod. F.L.N. 348/65.]

(2) Every such application shall be made to the Regional Registrar, a Senior Registrar or the Registrar of the District in which the birth or death was registered, and shall be made on the form prescribed for that purpose.

[Mod. F.L.N. 348/65.]

(3) When an application for a certified copy or extract has been made in accordance with this section, it shall be lawful for the Regional Registrar or a Senior Registrar, as the case may be, to refuse to furnish such extract if and so long as—

(a) the particulars given in the application form are incomplete or inadequate, or in his opinion inaccurate;

(b) for any reason it appears to him that an entry found upon such search cannot, with certainty, be connected with the person in respect of the registration of whose birth or death the certified copy or extract is applied for; or

(c) the birth has been registered subsequent to the 1st day of August, 1949, and the name of the person in respect of whose birth the copy or extract is applied for has not been registered:

Provided that, in every such case, the Regional Registrar or a Senior Registrar, as the case may be, shall furnish in writing to the person applying for such copy or extract the reason for such refusal.

[Mod. F.L.N. 348/65.]

(4) When the Regional Registrar or a Senior Registrar has refused to furnish a certified copy or extract under this section, the person applying for such extract may appeal, if the Regional Registrar has so refused, to the Minister or, if the Senior Registrar has so refused, to the Regional Registrar and from him to the Minister, whose decision shall be final, on the ground that he has supplied sufficient information to enable the Regional Registrar or the Senior Registrar, as the case may be, to furnish such copy or extract; and the Regional Registrar or the Minister may thereupon direct a Senior Registrar or the Regional Registrar to make further search.

(5) The Regional Registrar or a Senior Registrar may in furnishing any copy or extract of any entry under subsection (1) translate into English or transcribe into romanised script, in such manner as the Regional Registrar may direct, any entry made in any other language, and the provisions of subsection (6) shall apply to every copy or extract so translated.

[Mod. F.L.N. 348/65.]

(6) Every copy or extract of any entry certified under the seal of the Regional Registrar to be a true copy or extract, and signed either by the Regional Registrar or by a Senior Registrar or Registrar shall, subject to the limitation provided in subsection (3) of section 24, and unless the contrary is proved, be evidence in all courts and before all tribunals of the dates and facts set forth in such copy or extract:

Provided however that the provisions of this subsection shall not apply to any copy or extract of any entry in which the name of the person born has not been registered.

[Am. Ord. No. 19/58; Mod. F.L.N. 348/65; Am. Swk. L.N. (F) 153/68.]

Offences and penalties

27.—(1) Any person who—

(a) wilfully makes or permits to be made for purposes of registration any false statement;

(b) wilfully or knowingly furnishes or permits to be furnished any false information touching any of the particulars hereby required to be made known;

(c) makes or permits to be made any false entry in any register, form or document, knowing the same to be false; or

(d) wilfully destroys or permits to be destroyed any entry in any register,

shall be guilty of an offence: Penalty, imprisonment for one year and a fine of two thousand ringgit.

[Am. Ord. No. 16/57.]

(2) Any person who—

(a) wilfully or carelessly injures, mutilates, defaces or loses any register, form or document used for the purpose of this Ordinance;

(b) any Senior Registrar, Registrar or Deputy Registrar, who refuses or omits without reasonable cause, the proof of which shall rest with the person accused, to register or record any birth, still-birth or death, within his area, of which he has notice or knowledge;

(c) any Senior Registrar or Registrar who carelessly or wilfully allows any register, form or document to be destroyed, injured, mutilated, defaced or lost while in his custody or keeping; or

(d) any person who wilfully neglects or omits to comply with section 20 or 21,

shall be guilty of an offence: Penalty, imprisonment for six months and a fine of one thousand ringgit.

Prosecutions

28. No prosecution for any offence under this Ordinance shall be instituted except with the sanction of the Public Prosecutor.

[Am. Ord. No. 17/57.]

Rules

***29.** The Minister may make rules generally for carrying out the provisions of this Ordinance and, in particular, such rules may provide for—

[Mod. F.L.N. 348/65.]

(a) the form of the registers and the mode in which the same are to be kept;

(b) the forms of any certificates, notices or other documents required for the purpose of carrying out this Ordinance;

(c) the fees to be taken under this Ordinance and the conditions under which, and the persons by whom, the collection of such fees may be waived in whole or in part;

(d) the making of searches and the giving of certified copies or extracts;

(e) the custody of the registers and other documents connected with the business of registration;

(f) the making of returns by Senior Registrars and Registrars; and

(g) any other matters which are required to be prescribed.

[Mod. F.L.N. 348/65.]

Fees to be paid to Consolidated Fund; Stamp Act 1949 not to apply

30.—(1) All fees taken under this Ordinance shall be paid into the Consolidated Fund of the Federation.

(2) The provisions of the Stamp Act 1949 [**Act 378**] shall have no application to any certified copy of, or any extract from, any register.

[Am. Ord. 19/58; Mod. F.L.N. 348/65.]

* See Registration of Births and Deaths Rules, Vol. VII [1958 Ed.], p. 49.

Sarawak Lawnet