Births and Deaths Registration Act 1973

Cap:
309
In force:
Yes

CHAPTER 309

THE BIRTHS AND DEATHS REGISTRATION ACT.

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CHAPTER 309
THE BIRTHS AND DEATHS REGISTRATION ACT.

Commencement: 1st October, 1973.

An Act to consolidate the law relating to the registration of births and

deaths.

PART I—INTERPRETATION.

1. Interpretation.

In this Act, unless the context otherwise requires—

“child by marriage” means a child of a lawful marriage;

“register” means a births register book or a deaths register book kept under this Act;

“Registrar General” means a person appointed by the Attorney General under section 3 to be the registrar general of births and deaths for Uganda;

“registrar” means a person appointed by the Attorney General under section 4 to be a registrar of a births and deaths registration district and includes a deputy registrar.

PART II—BIRTHS AND DEATHS REGISTRATION DISTRICTS.

2. Births and deaths registration districts.

The Attorney General shall by statutory instrument divide Uganda into births and deaths registration districts for the purpose of registering births and deaths under this Act.

The Attorney General may by statutory instrument alter, amalgamate or subdivide such districts as he or she may think fit.

3. Appointment of Registrar General.

The Attorney General shall by notice in the Gazette appoint a registrar general of births and deaths for Uganda.

4. Appointment of registrars.

The Attorney General shall by notice in the Gazette appoint a registrar for each births and deaths registration district.

The Attorney General may by notice in the Gazette appoint a deputy registrar for any births and deaths registration district.

5. Registrar’s office.

Every registrar shall have an office in his or her births and deaths registration district at such place as the Attorney General may from time to time direct.

PART III—REGISTRATION OF BIRTHS.

6. Births register book.

Every registrar shall cause to be kept in his or her office a births register book in the prescribed form (in this Part called “the register”).

7. Registration of births.

Within three months of the date of birth of a live child, the father or mother of the child shall register such particulars concerning the birth as may be prescribed with the registrar of the births and deaths registration district in which the child was born.

If the father and mother of the child are dead or unable to register particulars concerning the birth, the occupier of the house in which the child was, to the knowledge of the occupier, born, or any person present at the birth, or any person having charge of the child, shall register particulars concerning the birth; but the registration of the particulars by one of those persons shall relieve the others of their duty to do so.

8. Mode of registration.

Every person registering the birth of a child shall, at the time of registration, certify as to the correctness of the particulars concerning the birth by signing the register, and the registrar shall sign and date the register after the entry of the particulars.

9. Registration of a child, not a child by marriage.

Notwithstanding section 7, the father of a child, who is not a child by marriage, shall not be required to register particulars concerning the birth of the child, and no person shall be entered in the register as father of the child unless the father consents—

by signing the register as father of the child; or

by signing a consent in the prescribed form and forwarding it to the registrar of the births and deaths registration district in which the child was born.

10. Exposed child.

Any person who finds a live newborn child lying exposed or any person who is given the charge of such a child shall report the same immediately to the nearest police station, hospital or chief, and the officer in charge of the police station or hospital or the chief, as the case may be, shall register such particulars concerning the birth of the child as he or she is able to give with the registrar of the births and deaths registration district in which the child was found.

11. Extended period for registration.

After the expiration of three months from, but not later than six months after, the date of birth or finding of a child, the registrar of a births and deaths registration district shall register the birth of a child in accordance with this Part.

After the expiration of six months from the date of birth or finding of a child, particulars concerning the birth of the child shall not be registered unless the registrar is satisfied as to the truth of the particulars and is directed to register them by the Registrar General and the prescribed fee has been paid.

The registration of the particulars of the birth of a child under subsection (1) or (2) shall not affect the liability, if any, for prosecution of any person under section 25.

PART IV—CHANGE OF NAME OR SEX.

12. Change of name of adult.

Any person, being over the age of twenty-one years or a widower, widow, divorced person or a married person, who wishes to change his or her name shall cause to be published in the Gazette a notice in the prescribed form of his or her intention to do so.

Not less than seven days after the publication of the notice, the person intending to change his or her name may apply in the prescribed form to the registrar of the births and deaths registration district in which his or her birth is registered.

The registrar shall, upon being satisfied that the requirements of this section have been carried out and upon payment of the prescribed fee, amend the register accordingly and shall sign and date the amendment.

13. Change of name of child.

The parents or guardian of any child under the age of twenty-one years who is not married, divorced, a widower or a widow may apply in the prescribed form to the registrar of the births and deaths registration district in which the birth of the child is registered to change the name of the child.

The registrar shall, upon payment of the prescribed fee, amend the register accordingly and shall sign and date the amendment.

14. Change of sex of child.

If a child, after being registered, either through an operation or otherwise, changes from a female to a male or from a male to a female and the change is certified by a medical doctor, the registrar of the births and deaths registration district in which the birth is registered shall, with the approval of the Registrar General and on the application of the parent or guardian of that child, alter the particulars of the child which appear on the births register.

PART V—REGISTRATION OF DEATHS.

15. Deaths register book.

Every registrar shall cause to be kept in his or her office a deaths register book in the prescribed form (in this Part called “the register”).

16. Registration of deaths.

(1) Within one month of the death or the finding of the body of a person, any of the following persons shall register the particulars concerning the death as may be prescribed with the registrar of the births and deaths registration district in which the death took place—

any relative of the deceased present at the death or during his or her last illness;

any other relative of the deceased residing within or being in the births and deaths registration district where the death occurred;

any person present at the death;

the occupier or any inmate of the house in which the death occurred if he or she had knowledge of the death;

any person finding or taking charge of the body;

any person causing the burial of the body.

(2) The registration of particulars of the death by one of the persons specified in subsection (1) shall relieve the others of their duty to do so.

17. Mode of registration.

Every person registering the death of any person shall, at the time of registration, certify as to the correctness of the particulars concerning the death by signing the register, and the registrar shall sign and date the register after the entry of the particulars.

18. Extended period for registration.

After the expiration of one month from, but not later than three months after, the date of the death or the finding of the body, the registrar of the births and deaths registration district shall register the death in accordance with this Part.

After the expiration of three months from the date of the death or the finding of the body, particulars concerning the death shall not be registered unless the registrar is satisfied as to the truth of the particulars and is directed to register them by the Registrar General and the prescribed fee is paid.

(3) The registration of the particulars of death under subsection (1) or (2) shall not affect the liability, if any, for prosecution of any person under section 25.

PART VI—GENERAL.

19. Registrar General's duties.

The Registrar General shall supply every registrar with all registers, records, indexes and other forms as may be prescribed under this Act.

The Registrar General shall have the custody of all the monthly returns made by the registrars and shall cause to be prepared from the monthly returns alphabetical indexes of the births and deaths registered.

20. Monthly returns.

Within ten days of the last day of each month, every registrar shall forward to the Registrar General a copy of all entries made by him or her during the preceding month in the births register book and the deaths register book.

21. Searches.

All registers, monthly returns and indexes in the custody of the Registrar General and the registrars of births and deaths registration districts shall be open for inspection by members of the public during the prescribed hours and upon payment of the prescribed fee.

22. Certified copies.

(1) The Registrar General and a registrar of a births and deaths registration district shall, upon payment of the prescribed fee, furnish a certified copy of any entry in a register or return in his or her custody or a certified copy of any extract from that entry.
(2) The copy of any entry in any register or return, or the copy of any extract from the entry, which is certified under the hand of the Registrar General to be a correct copy, shall be prima facie evidence in all court proceedings of the facts contained in the copy.

23. Correction of errors.

The Registrar General or any registrar, when authorised by the Registrar General, may correct any error in any register, return, index or certificate.

Any correction made under subsection (1) shall be done without erasure and shall be authenticated by the Registrar General.

24. Power to waive or reduce fees.

The Attorney General may, upon the recommendation of the Registrar General, direct that any fee payable under this Act be waived or reduced or, if already paid, be refunded in whole or in part.

25. Offences and penalties.

Any person who, being under a duty to register the birth or death of any person, fails to do so within the prescribed period or refuses to state any of the prescribed particulars commits an offence and is liable to a fine not exceeding fifty shillings or to a term of imprisonment not exceeding one week.

Any person who willfully gives any false information or particulars for the purpose of registration is liable to a fine not exceeding five hundred shillings or to a term of imprisonment not exceeding three weeks.

26. Regulations.

The Attorney General may make regulations providing for all or any of the following—

the forms to be used and the particulars to be given under this Act;

the fees to be paid under this Act;

the mode in which particulars shall be given to the registrar of a births and deaths registration district;

the manner in which any document shall be signed;

the keeping of all registers, records and indexes and the making of returns under this Act;

the inspection of registers, records and indexes to be kept under this Act;

the provision of certified copies of records or extracts of records to be kept under this Act;

(h) the hours during which births and deaths may be registered and inspection of registers, records and indexes may be made;

(i) the places at which births and deaths occurring on ships within the territorial waters of Uganda shall be registered;

(j) generally for the purposes of this Act.

27. Transitional.

The registrar of any births and deaths registration district may, upon being satisfied as to the particulars of birth or death, register the birth of any child or death of any person which occurred prior to the passing of this Act, where the registration of that birth or death was not compulsory under the former Births and Deaths Registration Act.

28. No fee for late registration.

A person giving particulars of the birth of any child or death of any person under section 27 shall not be required to pay any fee for late registration.

29. Gombolola headquarters records.

All registers and records relating to the births and deaths of any persons, which were kept by local administrations at gombolola headquarters or their equivalents prior to the commencement of this Act shall be deemed to be registers and records kept under this Act, and shall be kept in the custody of the registrars of the births and deaths registration districts in which the gombolola headquarters or their equivalents are situate.

History: Act 28/1970; S.I. 103/1973; Decree 3/1974.

Cross Reference

Births and Deaths Registration Act, 1964 Revision, Cap 190.