ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER R35

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT

Showing the Law as at 31 December 2022

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

This Edition consolidates—

R.A. 25/2007, in force 10 September 2007
Act 7/2010, in force 1 November 2010
Act 2/2018, in force 30 April 2018

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REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT

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REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT

Registrar-General of Births, Deaths and Marriages

1. The Magistrate is *ex officio* Registrar-General of Births, Deaths and Marriages, but the Governor may from time to time appoint any other fit and proper person to be or to act as Registrar-General of Births, Deaths and Marriages.

Deputy Registrar-General may be appointed

2. It shall be lawful for the Governor to appoint some fit and proper person to be Deputy Registrar-General of Anguilla, and every person so appointed shall have the same powers and be subject to the same liabilities as if he were Registrar-General.

Duties of the office

3. (1) The Registrar-General may from time to time make regulations for the management of the General Register Office, and for the duties of the Registrar-General so that they be not contrary to the provisions herein contained.

(2) Regulations made under subsection (1) shall be submitted to the Governor for his confirmation, and when so confirmed shall be binding on the Registrar-General.

(3) The Registrar-General shall furnish yearly to the House of Assembly, a general abstract of the number of births, deaths and marriages registered during the foregoing year, in such form as the House of Assembly may require.

The Registers

4. (1) A register may be wholly or partly in—

(a) the form of a computer database;

(b) documentary form; or

(c) any other form the Governor in Council considers appropriate.

(2) All forms of the register shall be issued in the prescribed forms in Schedules 1, 2 and 3.
(Act 2/2018, s. 2)

Register books to be provided at the public expense according to pattern described herein

5. The Registrar-General shall procure for his office at the public expense a sufficient number of register books for making entries of all births, deaths and marriages in Anguilla, according to the forms in Schedules 1, 2 and 3. The register books shall be of durable materials and in them shall be printed, upon each side of every leaf, the heads of information required to be known and registered of births, deaths and marriages respectively. And every page of such books shall be numbered progressively from the beginning to the end, beginning with number one and every place of entry shall be also numbered progressively from the beginning to the end of the book beginning with number one, and every entry shall be divided from the foregoing entry by a printed line.

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Register books and forms to be distributed; duties of police officers

6. (1) The Registrar-General shall furnish at the public expense forms of original marriage registers and duplicates thereof to every minister of religion or other person duly authorised by law to perform marriage ceremonies.

(2) Every police officer shall be aiding and assisting in discovering every birth, death and marriage in Anguilla which has not been registered and, when he shall have discovered any such birth, death or marriage, such police officer is hereby required to inform the Registrar-General.

Indexes to be made and searches paid for

7. The Registrar-General shall cause indexes of all the registers herein mentioned to be made and kept in the general register office; and any person shall on payment of the fees prescribed under section 20 be entitled to search the indexes during the office hours of the general register office and any person shall on payment of such fees be entitled to search any of the registers and, on payment of the fees prescribed under section 20, to have a copy of any entry therein certified under the hand of the Registrar-General.

Notice of the birth of every child to be given to the Registrar-General

8. (1) The father of every legitimate child or the mother if the father is dead, or if both father and mother are dead, the possessor or occupier of the house or of the apartment or of the dwelling in which such child shall have been born or the head of the family or of the household, or of persons residing or being in such house or apartment or dwelling (and the mother of every illegitimate child or if the mother is dead, the possessor or occupier of the house or of the apartment or of the dwelling in which such child has been born or the head of the family or of the household or of persons residing or being in such house or apartment or dwelling) shall within 30 days after the birth of any child, whether the child is born alive or is stillborn, give or cause to be given notice of the birth of such child to the Registrar-General and such notice shall contain and express the following particulars: the day of the birth of the child, the sex of the child, the name of the child if a name shall have been given it; if the child is legitimate, the name of the father and mother and their respective ages on the day of the birth of the child, as well as the order of the birth of the child among the children of the mother; if the child is illegitimate, the name of the mother, her age on the day of the birth of the child and the order of the birth of the child among the children of the mother; if stillborn, such fact to be stated and in case of any newborn child being found the person finding the same or first having charge of such child shall forthwith give notice and information thereof, and of the place where such newborn child was found to the Registrar-General.

(2) When any death shall have occurred, the possessor or occupier of the house or of the apartment or dwelling in which such death shall have occurred, or the head of the family or of the household or of the persons residing or being in such house or apartment or dwelling in which such death shall have occurred, or the person ordering or causing the interment of the dead body, shall, within 5 days after such death, give or cause to be given to the Registrar-General notice in writing of such death, in which shall be stated the residence of the deceased, together with a certificate of the cause of death in the form contained in Schedule 4, from the medical practitioner who shall have been in attendance during the last illness and until the death of the deceased, or in case there has been no medical practitioner in attendance, a warrant of interment under the hand of the coroner, and the particulars of such certificate or warrant shall, in each case, be entered in the Registrar-General's book. In case of the finding of any dead body, the coroner shall forthwith give notice, and information thereof, and of the place where the body was found, to the Registrar-General.

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(3) For the purposes of this section, the Superintendent of Prisons in relation to any prison and the keeper of an infirmary or other public or charitable institution shall be deemed the occupier thereof.

(4) Any person offending against any of the provisions of this section shall forfeit and pay a sum not exceeding $1,000 to be recovered as hereinafter mentioned.

Licence to be obtained for all interments in places other than public cemeteries and burial grounds

9. No dead body shall be interred in any other place than a public cemetery, or burial ground, unless a licence shall be obtained for such interment from the Registrar-General and any person offending against the provisions of this section shall forfeit and pay a sum of $1,000 to be recovered as hereinafter mentioned.

Registration of births before or after 6 months

10. (1) It shall be lawful at any time within 6 months after the day of the birth of any child for the Registrar-General at the instance of any person present at the birth of such child or the guardians or any other person interested on behalf of such child who shall make a solemn declaration of the particulars required to be known touching the birth of such child according to the best of his or her knowledge and belief, then and there to register the birth of such child according to the information of the person making the declaration, and for every such registry as last aforesaid the Registrar-General shall be entitled to have the additional fee prescribed under section 20 from the person requiring the same to be registered. No register of births shall be given in evidence to prove the birth of any child wherein it shall appear that 30 days have intervened between the day of the birth and the day of the registration of the birth of such child unless the entry shall be signed by the Registrar-General; and every person who shall knowingly register or cause to be registered the birth of any child otherwise, than hereinbefore last mentioned, after the expiration of 30 days following the day of the birth of such child, shall forfeit and pay for every such offence a sum not exceeding $9,600.

(2) After the expiration of 6 months next after the birth of any child, that birth shall not be registered except with the written authority of the Registrar-General for registering it and except in accordance with any regulations made in that behalf under section 3, and the fact of such authority having been given shall be entered on the register.

Certificates of baptism may be given on payment of fee

11. If any child born in Anguilla whose birth shall have been registered as hereinbefore directed shall, within 6 calendar months next after it shall have been so registered, have any name given to it in baptism, the parent or guardian of such child, or other persons, procuring such name to be given, may within 7 days next after the day of such baptism procure and deliver to the Registrar-General a certificate according to the form in Schedule 5 signed by the minister who shall have performed the rite of baptism, which certificate such minister is hereby required to deliver immediately after the baptism whenever the certificate shall be then demanded, on payment of the fee prescribed under section 20, which he shall therefor be entitled to receive. The Registrar-General, upon receipt of such certificate and on payment of the fee prescribed under section 20, which he shall be therefor entitled to receive, shall, without any erasure of the original entry, forthwith register therein that the child was baptized by such name and the Registrar-General shall thereupon certify upon the certificate the additional entry so made.

Correction of errors in registers

12. (1) No alteration in any register shall be made except as authorised by this Act.

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(2) Any clerical error in any register may be corrected by the Registrar-General or any person duly authorised in that behalf by the Registrar-General.

(3) An error of fact or substance in any register may be corrected by entry in the margin without any alteration of the original entry or, if the Registrar-General deems it necessary, by the making of a further entry with a reference therein to the original entry by the Registrar-General or by a person duly authorised in that behalf by the Registrar-General upon production to the Registrar-General or such duly authorised person by the person requiring such error to be corrected of an affidavit setting forth the nature of the error and the true facts of the case, and made by the person required to give information concerning the birth, death or marriage with reference to which the error has been made, or in default of such person, then by 2 credible persons having knowledge of the truth of the case.

Rules touching registrations applicable to stillborn children

13. All the provisions of this Act touching the registering of births shall be held to apply to stillborn children but particulars of their birth shall bear no number and shall be entered on the register in ink of a different colour from that by which particulars as to live births are entered thereon.

Person giving information shall sign his name, description and place of abode

14. Every person by whom the information contained in any register of births, deaths or marriages under this Act shall have been given, shall sign his name, description and place of abode in the register, and no register of births, deaths or marriages according to this Act shall be given in evidence which shall not be signed by some person professing to be the informant and such party as is herein required to give such information to the Registrar-General.

Certified copies to be received in all courts

15. All certified copies of entries in the registers purporting to be signed by the Registrar-General shall be received in all courts of law and equity within Anguilla and by and before all and every other tribunal or authority within the same as evidence of the birth, death or marriage to which the same relates, without any further or other proof of such entry.

Persons unable to write may make crosses

16. In case of the inability to write of any person whose signature is required or necessary under this Act, it shall be lawful for such person to exhibit in the presence of the Registrar-General a cross or other mark, and such cross or other mark shall be in all respects as binding and effectual as the signature of such person if capable of writing would have been.

Failure to register

17. (1) When any person shall have failed to register a birth, death or marriage, being the person required by this Act to give information of such birth, death or marriage, the Registrar-General shall either personally or by written or printed summons call upon such person to attend at a time and place specified in such summons and to give information to such Registrar-General according to the best of his knowledge and belief of the several particulars required to be registered according to Schedules 1, 2 and 3 respectively.

(Am. in L.R. 15/12/2010)

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(2) For each death registered pursuant to subsection (1), the Registrar-General shall be entitled to demand and to receive the fee prescribed under section 20 (cost of summons being included) from the persons giving information.

(Am. in L.R. 15/12/2010)

(3) Every person who shall fail to attend at the summons of the Registrar-General under subsection (1), or shall refuse to sign the entry, is liable to a penalty of $960, such fees and penalties being payable into the Consolidated Fund.

(Act 7/2010, s. 26, as am. in L.R. 15/12/2010)

Penalty for wilfully destroying any register or sheet of forms or counterfeiting them

18. Every person who shall wilfully destroy or injure or cause to be destroyed or injured any such register book or any part thereof, or any sheet of forms upon which any entry or entries shall have been made under the authority of this Act or shall falsely make or counterfeit or cause to be falsely made or counterfeited any part of such register book or certified extract thereof, or any entry in such sheet of forms as aforesaid or shall wilfully insert or cause to be inserted in any register book or sheet of forms as aforesaid any false entry of any birth, death or marriage, or shall wilfully give any false certificate, or shall certify any writing to be a copy or extract of any register book, knowing the register to be false in any part thereof, or shall forge or counterfeit the signature of the Registrar-General or of any other person to any entry or certificate by this Act authorised or required to be made or given, is guilty of an offence and on conviction is liable to imprisonment for a term of 5 years.

Penalties for false statements, etc.

19. Any person who—

(a) wilfully makes any false answer to any question put to him by the Registrar-General relating to the particulars required to be registered concerning any birth, death or marriage, or wilfully gives to the Registrar-General any false information concerning any birth, death or marriage;

(b) wilfully makes any false affidavit, certificate or other document relating to the registration of any birth, death or marriage, or forges or falsifies any such affidavit, certificate or other document, or knowing any such affidavit, certificate or other document to be forged or false uses the same as true, or gives or sends the same as true to any person; or

(c) wilfully makes any false statement with intent to have the same entered in any register of births, deaths or marriages;

is liable on summary conviction to a fine of $1,520, or to imprisonment for a term of 6 months, and on conviction on indictment to imprisonment for a term of 5 years.

Fees to be prescribed by regulation

20. The Governor in Council may by regulation prescribe the fees payable under this Act.

All registers kept by ministers of the several denominations anterior to 1st October, 1885 shall be good evidence in all courts of law

21. All registers of baptisms, births, marriages, deaths or burials duly made and regularly kept in Anguilla or of any Colony of which Anguilla was a part by a minister of the Christian religion of any

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denomination or by a proper officer of any other religious sect or persuasion before 1st October, 1885 and of any other law requiring such register to be kept by such minister or proper officer or by a registrar duly appointed by law to register them and all copies thereof respectively certified under the hand of the person for the time being having the lawful care and custody thereof to be true copies shall be, and the copies are hereby declared to be, good evidence of such baptisms, births, marriages, deaths or burials so registered respectively as fully as if such registers had been made and kept and such certified copies had been made respectively by persons appointed by law to make and keep the same and shall be received in evidence in all courts and before all judges and the Magistrate.

Penalties, how recoverable

22. All penalties imposed by this Act, the means for the recovery of which are not hereinbefore specially provided for, shall be recovered summarily under the Magistrate's Code of Procedure Act by any person who may prosecute for them.

Power to alter forms

23. (1) The Registrar-General may, with the approval of the Governor in Council, by order, alter all or any of the forms contained in the Schedules or in any order made under this section in such manner as may appear to him best for carrying this Act into effect or prescribing new forms for that purpose.

(2) An order under subsection (1) is a regulation.

Citation

24. This Act may be cited as the Registration of Births, Deaths and Marriages Act, Revised Statutes of Anguilla, Chapter R35.

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SCHEDULE 1

(Section 5)

BIRTH REGISTER


ANGUILLA

Registration of Births, Deaths and Marriages Act
Revised Statutes of Anguilla
Chapter R35

CERTIFICATE OF BIRTH

Birth Record Number

CHILD
Name of Child
Date of Birth
Place of Birth
Sex
Baptisimal name If added after Registration of Birth

FATHER
Surname
Given Name(s)
Occupation
Place of Birth:

MOTHER
Surname
Maiden Name:
Given Name(s)
Place of Birth

INFORMANT
Name
Address
Occupation

REGISTRATION
When Registered
Name of Registrar General

This is to certify that the above particulars are a true copy of the Birth record No. Page 1445 No. 225 of the person under reference

Extracted this

Judicial Department Anguilla

Registrar General
Registry of Births and Deaths and Marriages

Certified copy not valid unless the raised Seal of the Registry of Births, Deaths and Marriages is affixed hereon

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

REGISTRAR BIRTHS DEATHS & MARRIAGES ANGUILLA WEST INDIES

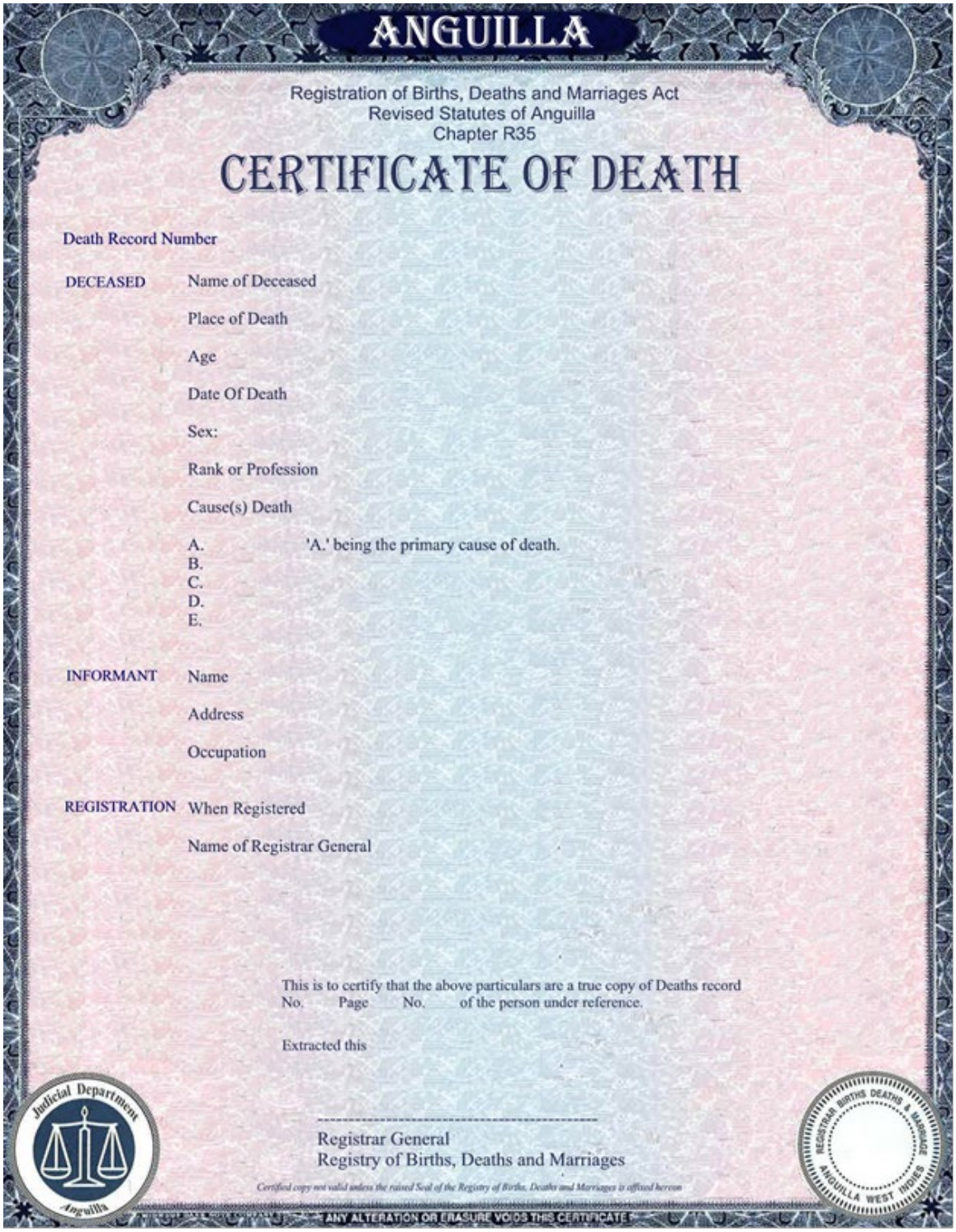
(Act 2/2018, s. 3)

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SCHEDULE 2

(Section 5)

DEATH REGISTER


ANGUILLA

Registration of Births, Deaths and Marriages Act
Revised Statutes of Anguilla
Chapter R35

CERTIFICATE OF DEATH

Death Record Number

DECEASED Name of Deceased

Place of Death

Age

Date Of Death

Sex:

Rank or Profession

Cause(s) Death

A. 'A.' being the primary cause of death.
B.
C.
D.
E.

INFORMANT Name

Address

Occupation

REGISTRATION When Registered

Name of Registrar General

This is to certify that the above particulars are a true copy of Deaths record No. Page No. of the person under reference.

Extracted this

Registrar General
Registry of Births, Deaths and Marriages

Certified copy not valid unless the raised Seal of the Registry of Births, Deaths and Marriages is affixed hereon

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

Judicial Department Anguilla

REGISTRAR BIRTHS DEATHS & MARRIAGE ANGUILLA WEST INDIES

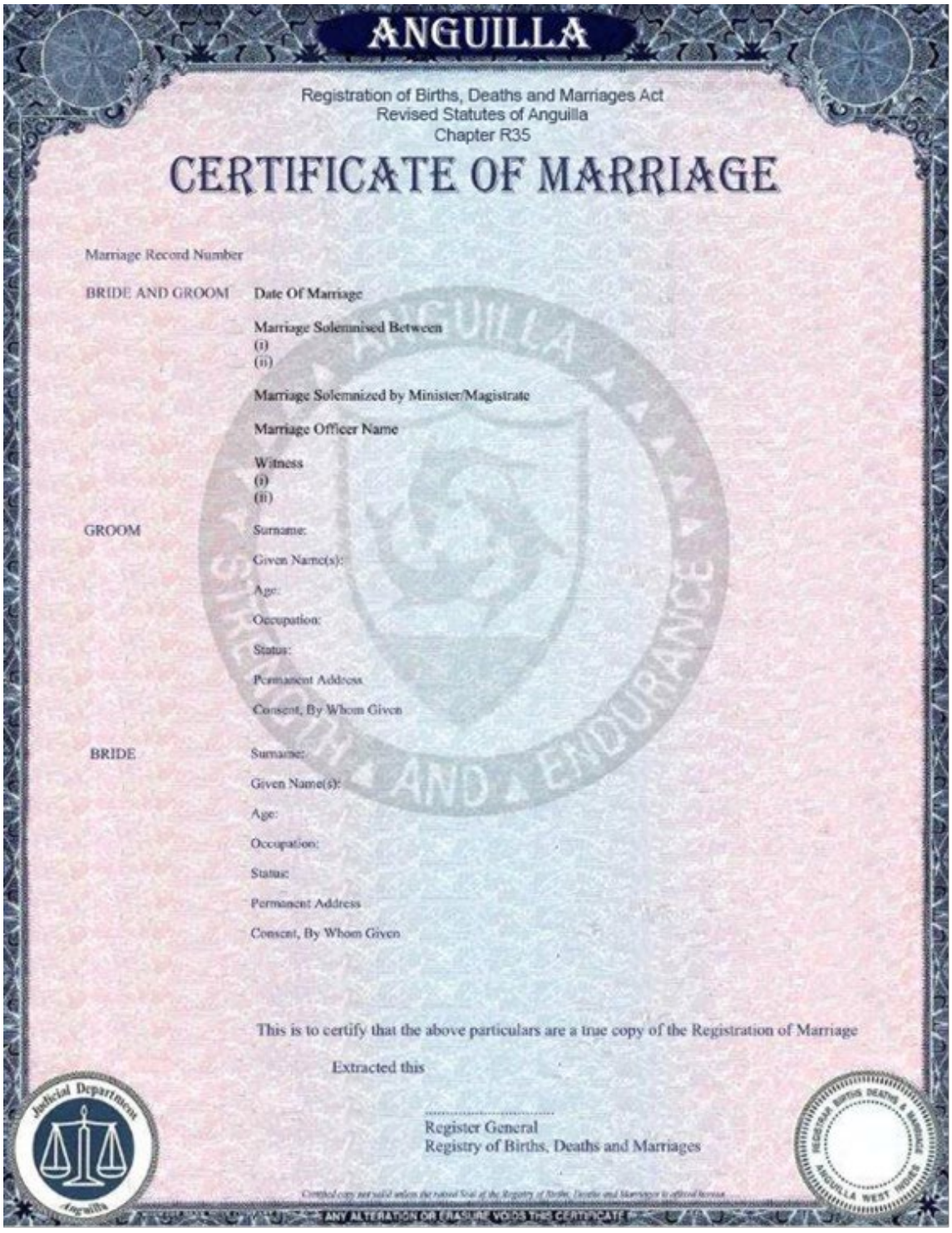
(Act 2/2018, s. 4)

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SCHEDULE 3

(Section 5)

MARRIAGE REGISTER



ANGUILLA

Registration of Births, Deaths and Marriages Act
Revised Statutes of Anguilla
Chapter R35

CERTIFICATE OF MARRIAGE

Marriage Record Number

BRIDE AND GROOM

Date Of Marriage

Marriage Solemnised Between
(i)
(ii)

Marriage Solemnized by Minister/Magistrate

Marriage Officer Name

Witness
(i)
(ii)

GROOM

Surname:

Given Name(s):

Age:

Occupation:

Status:

Permanent Address

Consent, By Whom Given

BRIDE

Surname:

Given Name(s):

Age:

Occupation:

Status:

Permanent Address

Consent, By Whom Given

This is to certify that the above particulars are a true copy of the Registration of Marriage

Extracted this

.....
Register General
Registry of Births, Deaths and Marriages

Certified copy not valid unless the raised Seal of the Registry of Births, Deaths and Marriages is affixed thereon

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

Judicial Department Anguilla

REGISTRAR BIRTHS DEATHS & MARRIAGES ANGUILLA WEST INDIES

(Act 2/2018, s. 5)

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SCHEDULE 4

(Section 8(2))

NOTIFICATION OF DEATH AND ITS CAUSES

Notification of Death and its Causes

No. ……

Name ……..

Residence ……..

Occupation ……..

Sex ……..

Age……...

Date of Death..……

Cause of Death ……

1. (a) ……

(b) ……...

(c) ……

2. ……..…….

……..

……20……..

Anguilla

NOTIFICATION OF DEATH AND ITS CAUSES

No. ……..

Name ……... Residence ……..

Date of Death …….. Sex …….. Age ……..……..

Occupation …….. Date of last attendance ……..

Cause of Death.		Approximate interval between onset and death
1. Disease or condition directly leading to death*	(a) ……... due to (or as a consequence of)	…….
Antecedent causes, morbid conditions, if any, giving rise to the above cause, stating the underlying condition last.	(b) …… due to (or as a consequence of)	…….
	(c) ……	…….
2. Other significant conditions contributing to the death, but not related to the disease or condition causing it.	…….	…….
	…….	……

*This does not mean the mode of dying, e.g., heart failure, asthenia, etc., it means the disease, injury, or complication which caused death.

……

Medical Practitioner

Dated ……, 20……... .

(R.A. 25/2007, s . 5)

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SCHEDULE 5

(Section 11)

BAPTISM CERTIFICATE

I, *A.B.*, do hereby certify that I have this day baptized by the name of *C.D.*, a male child produced to me by Thomas Styles as the son of Thomas and Charlotte Styles and declared by the said Thomas Styles to have been born at ……... on the …….. day of ……, 20……. .

Witness my hand this ……. day of ……, 20……. .

……..
Minister

_____

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