Revised Regulations of Anguilla: L40-2

LEGITIMACY ACT (R.S.A. c. L40)

RE-REGISTRATION OF BIRTHS (LEGITIMATED PERSONS) REGULATIONS

Note: These Regulations are enabled under section 1 of the Schedule to the Legitimacy Act, R.S.A. c. L40.

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Interpretation

1. In these Regulations—

"informant" means a parent of a legitimated child whose duty it is to give information with a view to the re-registration of the birth of such child;

"Registrar-General" means the Registrar-General of Anguilla.

Attendance before Registrar-General

2. When re-registration takes place, the informant or, if there are 2 informants, such one of them as the Registrar-General may direct, shall, subject as hereinafter provided, attend personally at his office, within such time as the Registrar-General may specify, and sign the register in the presence of the Registrar-General.

Form of registration

3. The Registrar-General shall, in the presence of the informant—

(a) enter in the register the appropriate particulars; and

(b) enter the date on which the entry is made and sign the register.

Removal of informant

4. (1) With the consent of the Registrar-General, and, instead of attending personally at the office of the Registrar to sign the entry, an informant who, before the re-registration, has removed from Anguilla to some place outside Anguilla may make and sign a declaration of the particulars to be entered in the prescribed form on the information of such informant, which declaration—

(a) in the case of an informant residing in a country that is a member of the Commonwealth, a colony or other place under the dominion of Her Majesty, shall be made before a judge, court, notary public, or person lawfully authorised to administer oaths in such country or place; and

(b) in the case of an informant residing in any foreign part outside those places mentioned in paragraph (a), shall be made before one of Her Majesty's Consuls or Vice-Consuls.

(2) The declaration shall contain the following information—

(a) the name, trade or profession and present address of the informant;

(b) a statement of all the circumstances of the case (including the informant's reason for not having applied for re-registration within the prescribed time, in the case of a late application); and

(c) the name, baptismal name (if different), sex, year and day of month when born, where born, parents, name, rank, profession or occupation and domicile of father and name of mother;

but the Registrar-General may require the informant to provide any additional information warranted by the circumstances of any particular case.

(3) Upon receipt of the declaration, duly attested, the Registrar-General may enter in the relevant columns, the words "legitimate" and "married" respectively and shall enter the birth in the manner prescribed for ordinary entries notwithstanding that no informant is present, and in the relevant column he shall write the name of the informant, as signed in the declaration, followed by the description and address of the informant and append the words "as per declaration dated ……..." and the date on which the declaration was made and signed.

Re-registration where no informant living

5. (1) Where no informant is living, then, if the legitimated person is an infant, his guardian may attend personally at the office of the Registrar-General and sign the register, in the place allocated for the signature of informant; and if the legitimated person is not an infant, the Registrar-General shall enter in the aforementioned column "On my authority as Registrar-General".

(2) An entry or a certified copy of an entry of a re-registered birth under the Act shall not be evidence of such birth unless such entry purports to be made by or under the authority of the Registrar-General.

Endorsement of previous entry

6. (1) The Registrar-General shall cause the previous entry of the birth to be marked in the margin with the words "Re-registered under the Legitimacy Act", and add the date of the re-registration.

(2) Such marginal note shall be deemed to be part of such entry and a certified copy of such entry, whether given under the seal of the Registrar-General, or otherwise, shall include such marginal note.

Applications for certified copies of re-registration

7. Where application is made for a certified copy of the birth of a person whose birth has been re-registered, the Registrar-General shall supply a certified copy of the entry of re-registration; and no certified copy of the previous entry shall be given except under the directions of the Registrar-General.

Fees

8. Where the information for the purpose of re-registration is not furnished to the Registrar-General within the time specified in section 2 of the Schedule to the Legitimacy Act, a fee of $2.40 shall be paid to the Registrar-General and stamps to that value affixed to the written authority and cancelled by him in the manner prescribed.

Citation

9. These Regulations may be cited as the Re-registration of Births (Legitimated Persons) Regulations, Revised Regulations of Anguilla L40-2.

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