

## No. 20 of 1891.

### An Ordinance to render more accurate and complete the Registration of Deaths.

(See No. 18 of 1867 and No. 15 of 1877.)

**W**HEREAS it is expedient to render more accurate and complete the registration of deaths kept under "The Registration of Births and Deaths Ordinance, 1867:" Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Preamble.

1 (1) This Ordinance shall come into operation only in such towns and places and at such time or respective times as the Governor in Executive Council shall, by Proclamation in the *Government Gazette*, from time to time appoint. Every such Proclamation shall define the limits of the town

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or place within which this Ordinance shall come into operation, and it shall be lawful for the Governor in Executive Council from time to time in like manner to amend, alter, or revoke such Proclamation.

(2) Upon the revocation of such Proclamation this Ordinance shall cease to have any effect in the town or place described in such revoked Proclamation.

## Definitions.

**2** In this Ordinance, unless the context otherwise requires—

“Registrar-General” shall mean the Registrar-General of Birth and Deaths.

“Inquirer into deaths” shall include a police magistrate.

## Governor may divide town or place into districts.

**3** It shall be lawful for the Governor in Executive Council to divide any town or place brought within the operation of this Ordinance into as many localities as he may deem necessary for the registration of deaths, and such localities at any time to alter or abolish.

## Governor to appoint local registrars to be paid for out of general revenue.

**4** The Governor shall appoint for the purposes of this Ordinance one or more local registrars to each such locality, and shall prescribe the amount of allowance or salary to be paid to him or them out of the general revenue of the colony. Provided that only persons holding a qualification which would entitle them to be registered under the following Acts of the Imperial Parliament, to wit, “The Medical Act” (21 & 22 Vict., cap. XC.) and “The Medical Act, 1886” (49 & 50 Vict., cap. XLVIII.), or any other Acts of the Imperial Parliament which may be enacted in lieu thereof, or persons holding a certificate of competency, for the purposes of this Ordinance, from a board to be appointed by the Governor, shall be eligible for the appointment of local registrar.

## Rules.

**5** It shall be lawful for the Governor in Executive Council from time to time to make, and when made to alter, amend, or revoke, rules for the guidance of local registrars in the performance of the duty imposed on them by this Ordinance, and such rules, and every alteration, amendment, or revocation of the same shall be notified in the *Government Gazette*.

## Information of death to be given to registrar.

**6** It shall be the duty of the nearest adult male relative, and every medical practitioner present at the death of any person dying in any town or place brought within the operation of this Ordinance, or (in case none such shall be present) any adult inmate of the house or tenement in which such death shall have happened, or (in case such death shall have happened on any plantation or estate) the resident manager thereof, to give information to the local registrar with all reasonable despatch, according to the best of his knowledge and belief, of the several particulars referred to in schedule A.

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**7** It shall be the duty of all police and peace officers and headmen to ascertain, so far as it lies in their power, and notify with all practicable speed to the local registrar, the deaths of all persons occurring within their respective divisions, together with the particulars referred to in schedule B; and the local registrar shall, in the event of his not being furnished (within three hours of the receipt of such notification) by any inmate of the house, tenement, plantation, or estate in which such death took place, with the particulars referred to in schedule A, call upon such inmate for the necessary information.

Police and headmen to give notice of death to registrar.

**8** Where an inquiry is held on any dead body under chapter XVII. of the Criminal Procedure Code, the inquirer into deaths shall ascertain the several particulars required by this Ordinance to be registered concerning the death, and the said inquirer shall send to the local registrar within three hours after the conclusion of such inquiry the said particulars, duly entered in schedule A, and the local registrar shall certify the same in his register. If the death has been previously registered, the said particulars shall be entered in the prescribed manner without any alteration of the original entry.

Inquirer into deaths to ascertain particulars for registration.

**9** It shall not be lawful for any person to remove for burial or cremation any dead body unless a certificate under section 10 or 11 has been delivered to such person, or until after three hours shall have elapsed from the time in which the particulars referred to in schedule A have been furnished to the local registrar.

When body may be removed.

**10** Upon receipt of the information under section 6 of the particulars referred to in schedule A, it shall be the duty of the local registrar forthwith to verify the same, and, if satisfied therewith, to issue a certificate under his hand that he has received notice of the death; or, if dissatisfied therewith, to proceed in manner hereinafter provided in section 11.

Registrar to issue certificate on receipt of notice of death.

**11** In case the local registrar has reasonable grounds for suspecting that the fact of the death of any person, or the true cause of such death, has been concealed, or that the party who is liable to give such information has neglected or refused to do so, or has given false or insufficient information, it shall be lawful for the local registrar to enter the house, tenement, plantation, or estate in which the death took place, to question all persons likely to be acquainted with the facts of the case, and, if the body has not been already buried or cremated, to inspect the same. Immediately after such investigation he shall record such particulars referred to in schedule A as he shall have obtained, and shall issue a certificate under his hand that he has received notice of the death.

Registrar may visit house and inspect body.

**12** Every person whose duty it is to give information under section 6 of this Ordinance, who shall wilfully neglect to furnish the particulars therein referred to, shall be liable to a fine not exceeding fifty rupees, or to simple or rigorous imprisonment not exceeding three months.

Penalty for failure to furnish information.

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Penalty for false statements.

**13** Whoever refuses to answer, or wilfully makes any false answer to any question put to him in pursuance of sections 10 and 11 of this Ordinance by a local registrar relating to any death or the cause of any death, shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding fifty rupees, or to simple or rigorous imprisonment not exceeding six months.

Local registrar to register deaths.

**14** Every local registrar when satisfied with the information given under section 6, or after recording the particulars in manner provided by section 11, shall register the particulars required to be registered according substantially to the form B in the schedule to the Ordinance No. 18 of 1867; every such entry being made in order from beginning to the end of the book; and he shall also register the said particulars in the counterfoil certificate, and then separate the certificate from the register book, and transmit the same by the next convenient post or opportunity to the Registrar-General; and if no death shall have been registered during any calendar month, the said registrar shall at the end of the month certify such fact under his hand, and such certificate shall be transmitted as aforesaid; and the said registrar shall keep the register book safe.

Penalty on police officer neglecting to report.

**15** Any police or peace officer or headman who shall have been informed of any death, and who shall neglect to report the same to the local registrar within three hours after he shall have obtained such information, shall be liable to a fine not exceeding fifty rupees.

Penalty on registrar and on informant for failure.

**16** Any local registrar neglecting to issue the requisition provided in section 7, or any person neglecting or refusing to give information after such requisition, shall be liable to a fine not exceeding fifty rupees, or to simple or rigorous imprisonment not exceeding three months.

Penalty for illegal removal of body.

**17** Whoever shall remove for burial or cremation any dead body in breach of section 9, shall be liable to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment not exceeding six months.

Registrars to be "public servants" within the meaning of the Ceylon Penal Code.

**18** Every local registrar shall be held to be a public servant within the meaning of that term as used in the Ceylon Penal Code.

Repeal.

**19** When any town or place is brought within the operation of this Ordinance in manner provided in section 1, so much of section 4 of the Ordinance No. 18 of 1867 as enacts that the district registrar of marriages shall also be district registrar of deaths, and that the division of each province of this island into districts for the registry of marriages shall form the division for the registry of deaths, and so much of sections 10 and 24 of the said Ordinance as refers to the registration of deaths, and the whole of sections 18, 19, 20, 21, 22, and 23 of the said Ordinance, shall have no effect in such town or place.

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20 This Ordinance shall, so far as is consistent with the tenor thereof, be read as one with the Ordinance No. 18 of 1867 and the Ordinance No. 15 of 1877.

To be read with Ordinances No. 18 of 1867 and No. 15 of 1877.

SCHEDULE A.

(Section 6 of Ordinance No. 20 of 1891.)

18 —. Information of Death in the Town (or Village, as the case may be) of \_\_\_\_\_, in \_\_\_\_\_, in the \_\_\_\_\_ Province.

Date of Death.	Name in full.	Sex.	Age.	Rank or Profession.	Place where Death occurred.	Cause of Death.	Name of last Medical Attendant.	Name in full of Informant, and Residence.

SCHEDULE B.

(Section 7 of Ordinance No. 20 of 1891.)

18 —. Notification of Death in the Town (or Village, as the case may be) of \_\_\_\_\_, in \_\_\_\_\_, in the \_\_\_\_\_ Province.

Date of Death.	Name in full.	Sex.	Age.	Rank or Profession.	Place of Death.

16th December, 1891.