CHAPTER 13.

An Act to amend the Law in Ireland relating to the Registration of Births and Deaths. [2nd August 1880.]

WHEREAS it is expedient to amend the Acts relating to the registration of births and deaths in Ireland:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Registration of Births.

Information concerning birth to be given to registrar within forty-two days.

1. In the case of every child born alive after, or whose birth has not been registered previous to the commencement of this Act, it shall be the duty of the father and mother of the child, and in default of the father and mother, of the occupier of the house in which to his knowledge the child is born, and of each person present at the birth, andof the person having charge of the child, to give to the registrar, within forty-two days next after such birth, information of the particulars required to be registered concerning such birth, and in the presence of the registrar to sign the register.

Requisition by registrar of information concerning birth from qualified informant after forty-two days.

2. Where a birth has, from the default of the parents or other persons required to give information concerning it, not been duly registered, the registrar may, at any time after the end of forty-two days from such birth, by notice in writing, require any of the persons required by this Act to give information concerning such birth to attend personally at the registrar's office, or at any other convenient place appointed by the registrar within his district, within such time (not less than seven days after the receipt of such notice, and not more than three months from the date of the birth) as may be specified in such notice, and to give information, to the best of such person's knowledge and belief, of the particulars required to be registered concerning such birth, and to sign the register in the presence of the registrar; and it shall be the duty of such person, unless the birth is registered before the expiration of the time specified in such requisition, to comply with such requisition.

Information respecting finding new-born child to be given to registrar.

3. In case any living new-born child is found exposed it shall be the duty of any person finding such child, and of any person in whose charge such child may be placed, to give, to the best of his knowledge and belief, to the registrar, within seven days after the finding of such child, such information of the particulars required to be registered concerning the birth of such child as the informant possesses, and in the presence of the registrar to sign the register.

Duty of registrar to ascertain and register birth gratis.

4. It shall be the duty of the registrar to inform himself carefully of every birth which happens within his district, and upon receiving, personally, from the informant at any time within three months from the date of the birth of any child, or the finding of any living new-born child, information of the particulars required to be registered concerning the birth of such child, forthwith, in the prescribed form and manner, to register the birth and the said particulars (if not previously registered), without fee or reward from the informant.

Registry after expiration of three months from birth.

5. After the expiration of three months next after the birth of any child, whether born before or after the commencement of this Act, a registrar shall not register such birth except as in this section provided; that is to say, in case the birth of any child has not been registered in accordance with the principal Act the registrar may, after three and not later than twelve months next after the birth, by notice in writing, require any of the persons required by this Act to give information concerning the birth to attend personally at the register office within such time (not less than seven days after the receipt of the notice, and not more than twelve months after the date of the birth) as may be specified in the notice and to produce a solemn declaration (Form A., Schedule 3), made before a justice of the peace, according to the best of the declarant's knowledge and belief, of the particulars required to be registered concerning the birth, and sign the register in the presence of the registrar; and upon any of the said persons attending before a registrar,

whether in pursuance of a requisition or not, and producing such a declaration as aforesaid, and giving information concerning the birth, the registrar shall then and there register the birth according to the information of the declarant, and both the registrar and declarant shall sign the entry of the birth, and the registrar shall forward such declaration to the superintendent registrar together with the quarterly returns.

After the expiration of twelve 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 the same, and except in accordance with the prescribed rules, and the fact of such authority having been given shall be entered in the register.

Every person who registers or causes to be registered the birth of any child in contravention of this section shall be liable to a penalty not exceeding ten pounds.

Registry of birth out of the district in case of removal.

6. Any person required by this Act to give information concerning a birth, who removes before such birth is registered out of the district in which such birth has taken place, may, within three months after such birth, give the information by making and signing, in the presence of the registrar of the district in which he resides, a declaration in writing (Form B., Schedule 3) of the particulars required to be registered concerning such birth; and such registrar, on payment of the appointed fee, shall receive and attest the declaration, and send the same to the registrar of the district in which the birth took place; and the last-mentioned registrar shall, in the prescribed manner, enter the birth in the register, and the registrar shall state in the informant's column of the entry that the information was obtained from a declaration, and the entry so made shall be deemed, for the purposes of the principal Act, to have been signed by the person who signed the declaration, and the registrar shall forward such declaration to the superintendent registrar with the quarterly returns.

A person making a declaration in pursuance of this section in the case of any birth shall be deemed to have complied with the provisions of this Act as to giving information concerning that birth, and with any requisition of the registrar made under this Act within the said three months to attend and give information concerning that birth.

Saving for father of illegitimate child.

7. In the case of an illegitimate child no person shall, as father of such child, be required to give information under this Act concerning the birth of such child, and the registrar shall not enter in the register the name of any person as father of such child, unless at the joint request of the mother and of the person acknowledging himself to be the father of such child, and such person shall, in such case, sign the register, together with the mother.

Registration of name of child or of alteration of name.

8. When the birth of any child has been registered and the name, if any, by which it was registered is altered, or if it was registered without a name, when a name is given to it, the parent or guardian of such child, or other person procuring such name to be altered or given, may, within twelve months next after the registration of the birth, deliver to the registrar or superintendent registrar such certificate as herein-after mentioned, and the registrar or superintendent registrar, upon the receipt of that certificate, and on payment of the appointed fee, shall, without any erasure of the original entry, forthwith enter in the proper column of the entry in the register book the name mentioned in the certificate as having been given to the child, and having stated upon the certificate the fact of such entry having been made shall forthwith send the said certificate through the post office to the Registrar General, who shall, if the birth has been already included in the quarterly return, add the name to the certified copy in his office, and such addition to the entry shall be held to be as good as if part of the original entry.

The certificate shall be in the Form A. or B. in the First Schedule hereunto annexed, and shall be signed by the minister or person who performed the rite of baptism upon which the name was given or altered, or if the child is not baptised shall be signed by the father, mother, or guardian of the child, or other person procuring the name of the child to be given or altered.

Every minister or person who performs the rite of baptism shall deliver the certificate required by this section, on demand, on payment of a fee of one shilling.

The provisions of this section shall apply with the prescribed modifications in the case

of births at sea, of which a return is sent to the Registrar General of Births and Deaths in Ireland.

Registration of Deaths.

Registry of death and cause of death.

9. The death of every person dying in Ireland after the commencement of this Act, and the cause of such death, shall be registered by the registrar in the manner directed by the principal Act and this Act.

Information concerning death where deceased dies in a house.

10. When a person dies in a house after the commencement of this Act it shall be the duty of the nearest relatives of the deceased present at the death, or in attendance during the last illness of the deceased, and in default of such relatives, of every other relative of the deceased dwelling or being in the same district as the deceased, and in default of such relatives of each person present at the death, and of the occupier of the house in which, to his knowledge, the death took place, and in default of the persons herein-before in this section mentioned, of each inmate of such house, and of the person causing the body of the deceased person to be buried, to give, to the best of his knowledge and belief, to the registrar, within the five days next following the day of such death, information of the particulars required to be registered concerning such death, and in the presence of the registrar to sign the register.

Information concerning death where deceased dies not in a house.

11. Where a person dies in a place which is not a house, or a dead body is found elsewhere than in a house, it shall be the duty of every relative of such deceased person having knowledge of any of the particulars required to be registered concerning the death, and in default of such relative, of every person present at the death, and of any person finding, and of any person taking charge of the body, and of the person causing the body to be buried, to give to the registrar, within the five days next after the death or the finding, such information of the particulars required to be registered concerning the death as the informant possesses, and in the presence of the registrar to sign the register.

Notice preliminary to information.

12. If a person required to give information concerning any deaths sends to the registrar a written notice of the occurrence of the death, accompanied by such medical certificate of the cause of the death as is required by this Act to be delivered to a registrar, the information of the particulars required by the principal Act to be registered concerning the death need not be given within the said five days, but shall, notwithstanding such notice, be given within fourteen days next after the day of the death by the person giving such notice, or some other person required by this Act to give the information.

Requisition by registrar of information concerning death from qualified informant.

13. Where any death has from the default of the persons required to give information concerning it not been registered, the registrar may, at any time after the expiration of fourteen days, and within twelve months from the day of such death, or from the finding of the dead body elsewhere than in a house, by notice in writing, require any person required by this Act to give information concerning such death to attend personally at the registrar's office, or at any other place appointed by the registrar within his district, within such time (not less than seven days after the receipt of the notice, nor more than twelve months after the death or finding of the dead body,) as may be specified in the notice, and to give the said information to the best of the informant's knowledge and belief, and to sign the register in the presence of the registrar; and it shall be the duty of such person, unless the death is registered before the expiration of the time specified in the requisition, to comply with the requisition.

Duty of registrar to register death gratis.

14. It shall be the duty of the registrar to inform himself carefully of every death which happens within his district, and upon receiving personally from the informant at any time within twelve months after the date of any death, or of the finding of any dead body, information of the particulars required to be registered concerning the death from any person required by this Act to give the same, forthwith in the prescribed form and manner to register the death, and the said particulars (if not previously registered), without fee or reward from the informant.

Death not to be registered after twelve months.

15. After the expiration of twelve months next after any death, or after the finding of any dead body elsewhere than in a house, that death shall not be registered except with

the written authority of the Registrar General for registering the same, and except in accordance with the prescribed rules, and the fact of such authority having been given shall be entered in the register.

Every person who registers or causes to be registered any death in contravention of this section shall be liable to a penalty not exceeding ten pounds.

Furnishing of information by coroner.

16. Where an inquest is held on any dead body the jury shall inquire of the particulars required to be registered concerning the death, and the coroner shall send to the registrar, within five days after the finding of the jury is given, a certificate under his hand, giving information concerning the death and specifying the finding of the jury with respect to the said particulars, and to the cause of death, and specifying the time and place at which the inquest was held, and the registrar shall, in the prescribed form and manner, enter the death and particulars, and the registrar shall state in such entry that the information was received from the coroner.

Where an inquest is held on any dead body no person shall, with respect to such dead body or death, be liable to attend upon a requisition of a registrar, or be subject to any penalty for failing to give information in pursuance of any other provision of this Act.

Burials.

Coroner's order and registrar's certificate for burial.

17. A coroner upon holding an inquest on any body may, if he thinks fit, by order under his hand, authorise the body to be buried before registry of the death, and shall give such order to the relative of the deceased or other person who causes the body to be buried, or to the undertaker or other person having charge of the funeral; and, except upon holding an inquest, no order, warrant, or other document for the burial of any body shall be given by the coroner.

The registrar upon registering any death, or upon receiving a written notice of the occurrence of a death, accompanied by a medical certificate as is before provided by this Act, shall forthwith, or as soon after as he is required, give, without fee or reward, either to the person giving information concerning the death or sending the requisition or notice, or to the undertaker or other person having charge of the funeral of the deceased, a certificate as set forth in Form D., Schedule 1, or as near thereto as may be, under his hand that he has registered or received notice of the death, as the case may be.

Every such order of the coroner and certificate of the registrar shall be delivered to the person who buries or performs any funeral or religious service for the burial of the body of the deceased; and any person to whom such order or certificate was given by the coroner or registrar who fails so to deliver or cause to be delivered the same shall be liable to a penalty not exceeding forty shillings.

The person who buries or performs any funeral or religious service for the burial of any dead body, as to which no order or certificate under this section is delivered to him, shall, within seven days after the burial, give notice thereof in writing to the registrar or Registrar General, and if he fail so to do shall be liable to a penalty not exceeding ten pounds: Provided that such notice may be comprised in and form part of the returns which the clerk, or secretary, or registrar to every burial board and cemetery company, or other authority having charge of any burial ground, is required to make in accordance with the provisions of the one hundred and ninety-first section of the Public Health (Ireland) Act, 1878, as amended by the Public Health (Ireland) Amendment Act, 1879.

41 & 42 Vict. c. 52.
42 & 43 Vict. c. 57.

Burial of deceased children as still-born.

18. A person shall not wilfully bury or procure to be buried the body of any deceased child as if it were still-born.

A person who has control over or ordinarily buries bodies in any burial ground shall not permit to be buried in such burial ground the body of any deceased child as if it were still-born, and shall not permit to be buried or bury in such burial ground any still-born child before there is delivered to him either—

(*a.*) A written certificate that such child was not born alive, signed by a registered medical practitioner who was in attendance at the birth or has examined the body of such child; or

(*b.*) A declaration signed in the presence of the person giving permission for such burial by some person who would, if the child had been born alive, have been required

by this Act to give information concerning the birth, or by the person to whom such permission is given, to the effect that no registered medical practitioner was present at the birth, or that his certificate cannot be obtained, and that the child was not born alive; or

(*c.*) If there has been an inquest, an order of the coroner.

Any person who acts in contravention of this section shall be liable to a penalty not exceeding ten pounds.

Notice where coffin contains more than one body.

19. Where there is in the coffin in which any deceased person is brought for burial the body of any other deceased person, or the body of any still-born child, the undertaker or other person who has charge of the funeral shall deliver to the person who buries or performs any funeral or religious service for the burial of such body or bodies, notice in writing signed by such undertaker or other person, and stating to the best of his knowledge and belief with respect to each such body the following particulars:

(*a.*) If the body be the body of a deceased person the name, sex, and place of abode of the said deceased person;

(*b.*) If the body has been found exposed, and the name and place of abode are unknown, the fact of the body having been so found and of the said particulars being unknown; and

(*c.*) If the body be that of a deceased child without a name, or a still-born child, the name and place of abode of the father, or, if it is illegitimate, of the mother of such child.

Such notice in writing shall, within five days from the day of burial, be forwarded by the person who receives same to the registrar of the district in which the deceased died or to the Registrar General, as the Local Government Board for Ireland may from time to time direct.

Every person who fails to comply with the requirements of this section shall be liable to a penalty not exceeding ten pounds.

Certificates of Cause of Death.

Regulations as to certificates of cause of death.

20. With respect to certificates of the cause of death the following provisions shall have effect:

(1.) The Registrar General shall from time to time furnish to every registrar printed forms of certificates of cause of death by registered medical practitioners, and every registrar shall furnish such forms gratis to any registered medical practitioner residing or practising in such registrar's district:

(2.) In case of the death of any person who has been attended during his last illness by a registered medical practitioner, that practitioner shall sign and give to some person required by this Act to give information concerning the death a certificate stating to the best of his knowledge and belief the cause of death, and such person shall deliver or cause to be delivered that certificate to the registrar, and the cause of death as stated in that certificate shall be entered in the register:

(3.) Where an inquest is held on the body of any deceased person a medical certificate of the cause of death need not be given to the registrar, but the certificate of the finding of the jury furnished by the coroner shall be sufficient.

If any person to whom a medical certificate is given by a registered medical practitioner in pursuance of this section shall fail to deliver or cause to be delivered that certificate to the registrar within five days of its receipt, he shall be liable to a penalty not exceeding forty shillings.

Superintendent Registrars and Registrars.

Assistant registrar to be appointed.

21. Every superintendent registrar and registrar shall, subject to the approval of the Registrar General, appoint, by writing under his hand, a fit person to act with him as assistant registrar; and every such assistant superintendent registrar or assistant registrar, while so acting, shall, subject to the control of the superintendent registrar or registrar, have all the powers, and perform all the duties, and be subject to all the penalties herein declared concerning superintendent registrars and registrars respectively; and every superintendent registrar or registrar shall be civilly responsible for the acts and omissions of his assistant.

From and after the commencement of this Act every deputy superintendent registrar and deputy registrar shall be, and be styled, assistant superintendent registrar, or assistant registrar, as the case may be, but nothing in this Act shall affect the rights or positions of existing deputy superintendent registrars or deputy registrars.

Every such assistant shall hold his appointment during the pleasure of the superintendent registrar or registrar by whom he is appointed, but shall be removable from his office by the Registrar General.

Interim registrars.

22. If any superintendent registrar dies, resigns, or otherwise ceases to hold his office, his assistant, if any, and if none, such person as the Registrar General may appoint, shall be interim superintendent registrar.

Every interim superintendent registrar shall act as superintendent registrar, and have all the powers, and perform all the duties, and be subject to all the obligations of a superintendent registrar until another is duly appointed.

The provisions of this section shall apply to a registrar in like manner as if it were enacted with the substitution of the word registrar for superintendent registrar.

If a registrar for any district dies, resigns, or otherwise ceases to hold his office, and there is no interim registrar, then the superintendent registrar shall, when so required by the Registrar General, appoint an interim registrar for such district.

Fees of superintendent registrars and registrars.

23. Every superintendent registrar and registrar respectively shall be entitled to the fees specified in the Second Schedule to this Act, and every such fee shall be paid to him by the persons and on the occasions pointed out in such schedule, and may be recovered as a debt due to him, and, subject to the prescribed rules, he may refuse to comply with any application voluntarily made to him until the fee is paid.

Certificates of birth having been registered.

24. A registrar shall, upon demand made at the time of registering any birth by the person giving the information concerning the birth, and upon payment of a fee not exceeding threepence, give to such person a certificate under his hand, in the prescribed form (E. in First Schedule), of having registered that birth.

Supply of forms and making of indexes.

25. The Registrar General shall supply to every superintendent registrar suitable forms wherein to make indexes of the register books in his office, and such superintendent registrar shall cause such indexes to be made in such form and manner as may from time to time be directed by the Registrar General, and to be kept with the other records of his office.

All such indexes, whether made before or after the commencement of this Act, shall be kept by the superintendent registrar with the records of his office, and shall be delivered with the same to his successor in office, as directed by the principal Act.

Subject to such regulations as shall be made from time to time by the Registrar General with the approval of the Lord Lieutenant, every person shall be entitled at all reasonable times to search the said indexes, and also the register books, and to have a certified copy of any entry or entries in any register book, under the hand of the superintendent registrar or registrar, as the case may be, who shall have the custody of the same for the time being, on payment in each case of the appointed fee, in addition to the stamp duty of one penny imposed by the Act of the session held in the thirty-third and thirty-fourth years of the reign of Her present Majesty, chapter ninety-seven.

Penalty on registrar for refusal or omission to register, or to forward declaration, or on persons having custody of books for loss or injury thereto.

26. Every registrar who refuses, or, without reasonable cause, omits to register any birth or death or particulars concerning which information has been tendered to him by an informant, and which he ought to register, or neglects to forward to the registrar of another district the declaration required by section six of this Act, and every person having the custody of any register book of births and deaths who carelessly loses or injures or allows the injury of the same, shall be liable to a penalty not exceeding fifty pounds.

Correction of Errors.

Correction of errors in registers of births and deaths.

27. With regard to the correction of errors in registers of births and deaths it shall be enacted as follows:

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

(2.) Any clerical errors, whether they occurred before or after the commencement of this Act, which may from time to time be discovered in any such register may be corrected by any person authorised in that behalf by the Registrar General, subject to the prescribed rules.

(3.) An error of fact or substance in any such register may be corrected by entry in the margin (without any alteration of the original entry) by the officer having the custody of the register upon payment of the appointed fee, and upon production to him by the person requiring such error to be corrected of a statutory declaration (Form C., Schedule Three), setting forth the nature of the error and the true facts of the case, and made by one or more persons required by this Act to give information concerning the 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 of the truth of the case; and it shall be the duty of the registrar, on becoming aware of any error in fact or substance, to send a requisition to the informant requiring him to attend and correct same.

(4.) Where an error of fact or substance (other than an error relating to the cause of death) occurs in the information given by a coroner's certificate concerning a dead body upon which he has held an inquest, the coroner, if satisfied by evidence on oath or statutory declaration that such error exists, may certify under his hand (Form D., Schedule Three,) to the officer having the custody of the register in which such information is entered the nature of the error and the true facts of the case as ascertained by him on such evidence, and the error may thereupon be corrected by such officer in the register, by entering in the margin (without any alteration of the original entry) the facts as so certified by the coroner, and such declaration or certificate shall accompany the quarterly certified copies.

And whenever such correction shall have been made in any entry of birth or death subsequently to the transmission to the General Register Office of the return of certified copies containing such entry, such declaration or certificate of coroner shall be forthwith sent through the post office to the Registrar General, who shall cause such correction to be made in the certified copy, and such addition shall be held to be good as if part of the original entry.

Miscellaneous.

Register when not evidence.

28. An entry, or certified copy of an entry, of a birth or death in a register under the principal Act, or in a certified copy of such a register, shall not be evidence of such birth or death, unless such entry either purports to be signed by some person professing to be the informant, and to be such a person as is required by law at the date of such entry to give to the registrar information concerning such birth or death, or purports to be made upon a certificate from a coroner, or in pursuance of the provisions of this Act with respect to the registration of births and deaths at sea, or in pursuance of section six of this Act.

When more than three months have intervened between the day of the birth and the day of the registration of the birth of any child, the entry or certified copy of the entry made after the commencement of this Act of the birth of such child in a register under the principal Act, or in a certified copy of such a register, shall not be evidence of such birth, unless such entry purports,—

(*a.*) If it appear that not more than twelve months have so intervened, to contain a marginal note that a statutory declaration has been made by a properly qualified informant;

(*b.*) If more than twelve months have so intervened, to have been made with the authority of the Registrar General, and in accordance with the prescribed rules.

Where more than twelve months have intervened between the day of a death or the finding of a dead body and the day of the registration of the death or the finding of such

body, the entry or certified copy of the entry made after the commencement of this Act of the death in a register under the principal Act, or in a certified copy of such register, shall not be evidence of such death, unless such entry purports to have been made with the authority of the Registrar General, and in accordance with the prescribed rules.

Penalty for not giving information, complying with requisition, &c.

29. Any person required by the principal Act, or this Act, to give information concerning any birth or death, or any living new-born child, or any dead body, who shall neglect or refuse to give such information, or shall wilfully refuse to answer any question put to him by the registrar, relating to the particulars required to be registered concerning such birth or death, or shall fail to comply with any requisition of the registrar made in pursuance of the principal Act or this Act, and every person who shall refuse or fail, without reasonable excuse, to give or send any certificate in accordance with the provisions of the principal Act or this Act, shall be liable to a penalty not exceeding forty shillings for each offence; and the parent of any child who fails to give information concerning the birth of such child as required by the principal Act or this Act shall be liable to a like penalty; and a person required by the principal Act or this Act to give information concerning a death in the first instance, and not merely in default of some other person, shall, if such information as is required by the principal Act or this Act be not duly given, be liable to the same penalty.

Penalty for false statements, &c.

30. Any person who commits any of the following offences; that is to say,

(1.) Wilfully makes any false answer to any question put to him by a registrar relating to the particulars required to be registered concerning any birth or death, or wilfully gives to a registrar any false information concerning any birth or death, or the cause of any death; or

(2.) Wilfully makes any false certificate or declaration under or for the purposes of this Act, or forges or falsifies any such certificate or declaration, or any order under this Act, or, knowing any such certificate, declaration, or order to be false or forged, uses the same as true, or gives or sends the same as true, to any person; or

(3.) Wilfully makes, gives, or uses any false statement or representation as to a child born alive having been still-born, or as to the body of a deceased person or a still-born child in any coffin, or falsely pretends that any child born alive was still-born; or

(4.) Makes any false statement with intent to have the same entered in any register of births or deaths,

shall for each offence be liable on summary conviction to a penalty not exceeding ten pounds, and on conviction on indictment to fine, or to imprisonment, with or without hard labour, for a term not exceeding two years, or to penal servitude for a term not exceeding seven years.

Sending certificates, &c. by post.

31. All notices, informations, declarations, certificates, requisitions, returns, and other documents, required or authorised by this Act to be delivered, sent, or given to the Registrar General, a superintendent registrar, or a registrar, or by a registrar to a person who is required to give information concerning any birth or death, or who gives notice of any death, may be sent by post in a prepaid letter, and the date at which they would be delivered to the person to whom they are sent in the ordinary course of post shall be deemed to be the date at which they are received; and in proving such sending it shall be sufficient to prove that the letter was prepaid, properly addressed, and put into the post.

Explanation of s. 3. of 26 Vict. c. 11.

32. In the principal Act and this Act—

The term "general search" shall mean a search during any number of successive hours not exceeding six, without stating the object of the search; and

The term "particular search" shall mean a search over any period not exceeding five years for any given entry.

Use of forms.

33. The forms in the First Schedule to this Act, or forms as nearly resembling the same as circumstances admit, shall be used in all cases in which they are applicable, and when so used shall be valid in law.

Power of Lord Lieutenant and Registrar General to alter forms in schedules under 26 Vict. c. 11., and make regulations.

34. It shall be lawful for the Lord Lieutenant or the Registrar General, with the consent of the Lord Lieutenant, by order, to alter from time to time all or any of the forms contained in the schedules to the principal Act and this Act, or in any order under this section, in such manner as may appear to them best for carrying into effect the principal Act, or to prescribe new forms for that purpose, and from time to time to make regulations for prescribing any matters authorised by this Act to be prescribed, and to revoke and alter such regulations.

Any order made in pursuance of this section shall be published in the Dublin Gazette, and shall be laid before both Houses of Parliament, if Parliament is sitting, within fourteen days after the issue of the same, or if Parliament is not then sitting, within fourteen days after the commencement of the then next session.

Every form when altered in pursuance of this section shall have the same effect as if it had been contained in a schedule to the principal Act or this Act, as the case may be, and every regulation made in pursuance of this section shall, while in force, have the same effect as if it were enacted in this Act.

Recovery of penalties.

35. All fines and forfeitures imposed by the principal Act and all penalties imposed by this Act may, unless otherwise directed, be recovered in a summary manner as laid down in section sixty-five of the principal Act; that is to say, with respect to the police district of Dublin metropolis, subject and according to the provisions of any Act regulating the powers and duties of justices of the peace for such district, or of the police of such district; and with respect to other parts of Ireland, before a justice or justices of the peace sitting in petty sessions, subject and according to the provisions of the Petty Sessions (Ireland) Act, 1851, and any Act amending the same. 14 & 15 Vict. c. 93.

Time for prosecution of offence.

36. A prosecution or indictment for an offence under this Act shall be commenced at any time within three years after the commission of such offence.

Particulars required to be registered concerning birth or death.

37. The particulars required to be registered concerning a birth or death shall be the particulars specified in the forms in Schedules A. and B. respectively to the principal Act.

Interpretation.

38. In this Act, if not inconsistent with the context,—

The term "principal Act" means the Act of the session of the twenty-sixth year of the reign of Her Majesty, chapter eleven:

The term "public institution" means a prison, lock-up, workhouse, barracks, lunatic asylum, hospital, and any prescribed public, religious, or charitable institution:

The term "house" includes a public institution as above defined:

The term "occupier" includes the governor, keeper, master, matron, superintendent, or other chief resident 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, and by such term shall all the persons above mentioned be described when acting as informants:

The term "relative" includes a relative by marriage:

The term "prescribed" means prescribed by regulations made from time to time in pursuance of section eleven of the principal Act or of this Act:

The term "appointed fee" means the fee specified in the Second Schedule to this Act:

The term "guardians" includes any body of persons performing the functions of guardians within the meaning of the Acts relating to the relief of the poor.

Definition of registrar and superintendent registrar.

39. Where reference is made in this Act to a registrar or superintendent registrar in connexion with any birth or death or other event, or any register, such reference shall (unless the contrary be expressed) be deemed to be made to the registrar who is the registrar for the district in which such birth or death or other event took place, or who keeps the register in which the birth or death or other event is or is required to be registered, or who keeps the register referred to, and to the superintendent registrar who superintends such registrar as aforesaid.

Commencement of Act.

40. This Act shall not come into operation until the first day of January one thousand eight hundred and eighty-one, which day is referred to in this Act as the commencement of this Act.

Extent of Act.

41. This Act, save as is herein otherwise expressly provided, shall extend only to Ireland.

Construction of Act.

42. This Act shall, so far as is consistent with the tenor thereof, be construed as one with so much as is unrepealed of the principal Act; and that Act, together with this Act, may be cited as the Births and Deaths Registration Acts (Ireland), 1863 to 1880.

Short title.

43. This Act may be cited as the Births and Deaths Registration Act (Ireland), 1880.

Repeal.

Repeal.

44. The Act specified in the Fourth Schedule to this Act is hereby repealed, from and after the commencement of this Act, to the extent specified in the third column of that schedule.

Provided that this repeal shall not affect—

(*a.*) Anything duly done or suffered under any enactment hereby repealed, or the proof of any past act or thing; or,

(*b.*) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment hereby repealed; or,

(*c.*) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; or,

(*d.*) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid: and any such investigation, legal proceeding, and remedy may be carried on as if this Act had not passed.

SCHEDULES.

Section 33.

FIRST SCHEDULE.

Section 8.

FORM A.

FORM CERTIFYING NAME GIVEN IN BAPTISM.

I, , of , in the county of , do hereby certify that on the 18 I baptized by the name of , a male child produced to me by as the of , and declared by the said to have been born at , in the county of on the 18 .

Witness my hand this 18 .

Section 8.

FORM B.

FORM CERTIFYING NAME GIVEN *NOT* IN BAPTISM.

I, , do hereby certify that the male child born on the , at , in the county of , to and his wife, and registered in the district of on the 18 , has (without being baptized) received the name of

Witness my hand this 18 .

}
} of

FORM C.

FORM FOR ALTERING NAME ENTERED IN REGISTER.

I, , do certify that the male child born on the day of 18 , at in the county of , to and his wife, and registered in the district of on the day of 18 , has since had (*his or her*) name altered to .

Witness my hand this day of 18 .

}
} of

FORM D. Section 17.

FORM CERTIFYING INFORMATION OF DEATH GIVEN TO REGISTRAR.

I certify that I have this day of 18 (*registered the death or received notice of the death*) of , said to have died the day of 18 , at .

Witness my hand this day of 18 .

Registrar.

District

The blanks and the words in italics to be filled in according to the facts.

FORM E. Section 24.

FORM CERTIFYING THAT BIRTH HAS BEEN REGISTERED.

I certify that I have this day of 18 registered the birth of , a (*male or female*) child, at entry No. , said to have been born at on the day of 18 .

Witness my hand this day of 18 .

Registrar.

District

The blanks and words in italics to be filled in according to the facts.

SECOND SCHEDULE. Section 23.

Fees to Registrars and Superintendent Registrars.

Upon the registration of a birth when the child is more than three months old, if it is not more than twelve months old, to the registrar (unless the delay is occasioned by his failure to issue a requisition, or otherwise by his default) two shillings and sixpence, and if it is more than twelve months old, and is registered with the authority of the Registrar General, to registrar (unless the delay is occasioned by his failure to issue a requisition, or otherwise by his default) five shillings, to be paid by the informant or declarant.

Upon the registration of a death with the authority of the Registrar General after the expiration of twelve months, to the registrar (unless the delay is occasioned by his failure to issue a requisition, or otherwise by his default) five shillings, to be paid by the informant or declarant.

For taking, attesting, and transmitting a declaration made by an informant respecting a birth which occurred in another district, to the registrar attesting the declaration two shillings, to be paid by the informant.

For entering the baptismal or other name of child upon certificate produced after registry of birth, to superintendent registrar or registrar one shilling, to be paid by the person requiring the name to be entered.

Correction of error of fact or substance in register, to superintendent registrar or registrar two shillings and sixpence, to be paid by the person requiring the error to be corrected.

For every search, to the superintendent registrar, to be paid by the applicant for the search, if it is a general search, five shillings, if it is a particular search, one shilling.

For a certified copy of any entry given by the superintendent registrar, two shillings and sixpence to the superintendent registrar, to be paid by the applicant.

For every search, to the registrar, to be paid by the applicant for the search, one shilling.

For a certified copy of any entry given by the registrar, two shillings and sixpence to the registrar, to be paid by the applicant.

THIRD SCHEDULE.

Section 5.

FORM A.

REGISTRATION OF BIRTHS AND DEATHS IN IRELAND.

Declaration, in case of Registration of Birth, to be made by a qualified Informant before a Justice of the Peace.

Superintendent Registrar's District,

Registrar's District,

I,[a] , being[b] of the child named , do solemnly and sincerely declare, according to the best of my knowledge and belief, that the said child was born on the day of 18 at , and is of the sex, that the name and surname of the father of the said child are , and his dwelling place is , that the name and surname of the mother of the said child are , that her maiden surname is , and that the rank or profession of the father of the said child is that of .

Signature of person making declaration,

Declared before me this day of 18 .

Justice of the Peace for the County of .

[a] Here insert name of person making declaration.

[b] Here insert the "qualification" of the "informant" in the following words: "father," "mother," "guardian," or "present at birth," &c.

N.B.—This declaration is to be made in all cases of birth registered after three months, and not after twelve months, following the birth.

Section 6.

FORM B.

REGISTRATION OF BIRTHS AND DEATHS IN IRELAND.

Declaration, in case of Registration of Birth, to be made by a qualified Informant who has left the District in which a Birth occurred before it had been registered.

Superintendent Registrar's District,[a]

Registrar's District,[a]

I,[b] , formerly of , and now residing at , being[c] of the child named , do solemnly and sincerely declare, according to the best of my knowledge and belief, that the said child was born on the day of 18 , at in the district of , and is of the sex, that the name and surname of the father of the said child are and his dwelling place is , that the name and surname of the mother of the said child are , and that her maiden surname is , and that the rank or profession of the father of the said child is that of ; and I also solemnly and sincerely declare that, having left the district in which the above birth occurred, I am now desirous that it should be registered in accordance with the provisions of the sixth section of the Births and Deaths Registration Act (Ireland), 1880.

Signature of person making declaration,

Declared before me this day of 18 .

Registrar for the District of .

This declaration is to be forwarded to the registrar of the district in which the birth took place by the registrar of the district before whom the declaration is made.

[a] Here insert the name of the district in which the birth occurred.

[b] Here insert name of person making declaration.

[c] Here insert the "qualification" of the "informant" in the following words: "father," "mother," "guardian," or "present at birth," &c.

FORM C.

Section 27.

REGISTRATION OF BIRTHS AND DEATHS IN IRELAND.

Statutory Declaration, in case of error of fact or substance in a Register of Births or Deaths, to be made by a qualified Informant before a Justice of the Peace.

Superintendent Registrar's District,

Registrar's District,

I, , being of the person whose was entered on the day of 18 , at No. in the register of of the above district, do solemnly and sincerely declare, according to the best of my knowledge and belief, that it is erroneously stated that[a] , and that instead thereof it should be stated that[b] .

Signature of party making declaration,

Declared before me this day of 18 .

Justice of the Peace for the County of

[a] Here state the incorrect particulars as given in entry in registry.

[b] Here state the correct particulars which should be added to the entry.

FORM D.

Section 27.

REGISTRATION OF BIRTHS AND DEATHS IN IRELAND.

Certificate in case of error of fact or substance (other than an error relating to cause of Death) in a Coroner's Certificate concerning a dead body, to be signed by the Coroner.

Superintendent Registrar's District,

Registrar's District,

I, , coroner for the county of , do hereby certify that in the certificate signed by me respecting the dead body of , of , on which an inquest was held on the day 18 , it was incorrectly stated that[a] , whereas it should have been stated that[b] , as has been proved to my satisfaction by the .

Certified by me

Coroner for the County of

this day of 18 .

[a] Here state particulars as incorrectly given in the certificate of finding of jury.

[b] Here state the correct particulars which should be added to the entry.

FOURTH SCHEDULE.

Section 44.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
26 Vict. c. 11. - - -	An Act for the Registration of Births and Deaths in Ireland. (20th April 1863.)	Preliminary to Act, from the words "general search" to "stating objects of search." Section twenty-six, from the words "in case of the death" to end of section. Sections thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, forty-four, forty-six, fifty-one, and fifty-five.