



SABAH

Registration of Births and Deaths Ordinance

(Sabah Cap. 123)

Incorporating all amendments and modifications up to
1st February, 1966.

*Printed by the Government Printer, Sarawak, with
the approval of the Reprint Commissioner under
section 3 of the Reprint of Federal Laws Act,
1965 (Fed. Act. 26 of 1965)*

PRINTED AT THE GOVERNMENT PRINTING OFFICE, KUCHING, SARAWAK,
VINCENT KIEW FAH SAN, GOVERNMENT PRINTER.

1966

CHAPTER 123.

REGISTRATION OF BIRTHS AND DEATHS.

ARRANGEMENT OF SECTIONS.

Section

1. Short title.
2. Interpretation.

PART I.

REGISTRATION OF BIRTHS AND DEATHS.

3. Appointment of officers.
4. Annual reports.
5. Registers.
6. Custody of registers.
7. Registers not to be open to inspection by the public.
8. Information as to births and deaths.
9. Occupier and relatives to register live births.
10. Surname of child.
11. Subsequent addition of name of child.
12. Exclusion of occupation period from periods of limitation.
13. Still-births.
14. Occupier and relatives to register deaths.
15. Women may authorise male relatives to sign certificates, etc.
16. Delayed registration.
17. Penalty for failure to furnish particulars.
18. Duties of medical practitioners as to certificates.
19. When postmortem examination is held.
20. Duty of coroners as to findings.
21. Duties of police officers, village headmen, and midwives.
22. Late registration.

PART II.

RECONSTITUTION OF REGISTERS.

23. Registers deemed lost.
24. Reconstituted registers.
25. Requirement of registration in Reconstituted Register (No. 1).
26. Requirement of registration of Reconstituted Register (No. 2).
27. Searches.
28. Evidential value of entry in or certified copy of entry in Reconstituted Register (No. 1).

PART III.

GENERAL.

Section

- 29. Entry of place of birth.
- 30. Correction of errors.
- 31. Extracts from registers.
- 32. Duties as to vaccination, etc.
- 33. Offences and penalties.
- 34. Prosecutions.
- 35. Rules.

SCHEDULE.

CHAPTER 123.

REGISTRATION OF BIRTHS AND DEATHS.

11 of 1948.
7 of 1957.
14 of 1957.
F.L.N.
348 of 1965.

To provide for the registration of births and deaths in Sabah and to provide for reconstitution of registers lost during the war period.

[1st March, 1951.]

1. This Ordinance may be cited as the Registration of Births and Deaths Ordinance. Short title.

2. In this Ordinance—

Interpreta-
tion.

words referring to burial of bodies shall be held to include burning of bodies;

“Coroner” includes any person by law authorised to hold an inquest or inquiry into a death;

“Deputy Registrar-General” means the Deputy Registrar-General of Births and Deaths for the Federation appointed under section 3(1A) of the Births and Deaths Registration Ordinance, 1957;

“house” includes a public institution;

“lost register” means any record or register book of births or deaths formerly kept in the Mainland in accordance with the provisions of the Births and Deaths Registration Ordinance, 1884, and any record or register book of births or deaths formerly kept in Labuan in accordance with the provisions of any Ordinance of the Straits Settlements relating to the registration of births and deaths at any time having been in operation in Labuan, which under section 23 of this Ordinance is deemed to have been lost;

“medical practitioner” means a person registered under the Medical Registration Ordinance;

“occupier” includes the keeper, master, matron, superintendent or other chief resident officer of or person in charge 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;

“prescribed” means prescribed by rule under section 35;

“public institution” includes prison, lock-up, mental hospital, hospital and any other public or charitable institution;

[Mod.
F.L.N.
348/65].
F.M.
61 of 1957.

N.B. Ord.
No. 5 of
1884.

Cap. 76.

“Regional Registrar” means the Regional Registrar of Births and Deaths appointed under section 3(1) of this Ordinance; ^{[Mod. F.L.N. 348/65].}

“register” includes all records or register books in existence upon the coming into force of this Ordinance and any registers provided under sections 5 and 24;

“Registrar-General” means the Registrar-General of Births and Deaths appointed under the Births and Deaths Registration Ordinance, 1957; ^{[Mod. F.L.N. 348/65]. F.M. 61 of 1957.}

“still-born” and “still-birth” shall apply to any child which has issued forth from its mother after the twenty-eighth week of pregnancy and which did not at any time after being completely expelled from its mother breathe or show any other sign of life.

PART I.

REGISTRATION OF BIRTHS AND DEATHS.

Appoint-
ment of
officers.

3.—(1) The Minister may appoint a Regional Registrar of Births and Deaths for *Sabah who shall be responsible for carrying out the provisions of this Ordinance and shall have general charge and supervision of all registers kept and of all matters done or performed under this Ordinance. ^{[Mod. F.L.N. 348/65].}

(2) The Minister may appoint a Registrar for each administrative district for the purpose of performing the several duties prescribed in this Ordinance. ^{[Mod. F.L.N. 348/65].}

(3) The limits of each administrative district shall, unless otherwise provided, be deemed to include the territorial waters of Sabah adjacent thereto.

(4) (a) The Registrar-General may appoint any Federal officer to be a Deputy Registrar. ^{[Mod. F.L.N. 348/65].}

(b) The Regional Registrar may, with the consent of the State Secretary, appoint any State officer to be a Deputy or Assistant Registrar, and any Native Chief or Headman to be an Assistant Registrar, in and for any area. ^{[Mod. F.L.N. 397/65].}

[Subsection (5) deleted by F.L.N. 348 of 1965]

3A. In exercising any of their powers or performing any of their duties or functions under this Ordinance the Regional Registrar and all officers subordinate to him shall have regard to any general or special directions of the Registrar-General, which directions may, in the absence of the Registrar-General or if he so directs, be given by the Deputy Registrar-General on his behalf. ^{[Mod. F.L.N. 348/65].}

*Throughout this Ordinance “Sabah” has been substituted for “the Colony” by virtue of Article 48(1) of the Constitution of the State of Sabah.

[Mod.
F.L.N.
348/65.
Am.
Reprint
Commissioner].

4.—(1) The Regional Registrar shall, within such ^{Annual reports.} period after the expiration of every year and in such form as the Minister may direct, compile a summary of the births and deaths of the past year.

[Mod.
F.L.N.
348/65].

(2) The Regional Registrar shall also at the same time compile a general report on the increase or decrease of the population, and on any special causes appearing to affect the same as far as the same can be assumed from the returns received by him.

[Mod.
F.L.N.
348/65].

5.—(1) The Regional Registrar shall cause to be provided a sufficient number of registers for the entries of all ^{Registers} births and deaths, and shall furnish to every Registrar such registers as he requires.

(2) Such registers shall be in the prescribed form.

[Mod.
F.L.N.
348/65].

6.—(1) The registers of each district shall be kept at the office of the Registrar of such district. It shall be the duty of Registrars carefully to preserve the registers entrusted to them, and the custody thereof shall be handed down to succeeding Registrars in such manner as the Minister may direct. ^{Custody of registers.}

[Mod.
F.L.N.
348/65].

(2) There shall be furnished at the expense of the Government of the Federation, on the application of the Regional Registrar, for the use of Registrars sufficient fire-proof receptacles, strong-rooms or other equipment to hold and preserve the registers to be kept by such Registrars.

[Mod.
F.L.N.
348/65].

(3) Every such receptacle or strong-room shall be furnished with a lock and two keys and no more, and one of such keys shall be kept by the Registrar and the other key shall be kept by the Regional Registrar.

(4) The registers of each district while not in use shall always be kept in the aforesaid receptacles or strong-rooms which shall always be kept locked.

7. Registers shall not be open to inspection by the public. ^{Registers not to be open to inspection by the public.}

8.—(1) Every Assistant Registrar shall inform himself carefully of every birth, still-birth and death occurring in his area and shall forward particulars of the same, through the Deputy Registrar, if any, of the area, in the prescribed form to the Registrar of the district, who shall register the same in the prescribed register. ^{Information as to births and deaths.}

(2) In cases of death the Deputy Registrar or an Assistant Registrar or some other officer authorised by a Registrar for the purpose of this subsection shall, if practicable, personally inspect the corpse and make enquiries among the persons present at the death, unless the fact or cause of death is certified by a medical practitioner in the prescribed form.

(3) Every Deputy Registrar shall enter upon the prescribed form every birth and death reported to him, and shall forward to the Registrar a correct copy of all entries made by him during the preceding month not later than the tenth day of each month. Every such copy shall be certified by the Deputy Registrar making and delivering it to be correct in every particular.

Monthly returns to Regional Registrar.

(4) On or before the last day of each month each Registrar shall forward to the Regional Registrar, on forms to be furnished by him for that purpose, a correct copy of all the entries of births and deaths made in the register of the district during the preceding month, which copy shall be certified by the Registrar making and delivering it to be correct in every particular. ^{[Mod. F.L.N. 348/65].}

General Register Book.

(5) The Regional Registrar shall be responsible for the safe keeping of all copies of the entries of births and deaths in the various districts forwarded to him by the Registrars, and shall at the expiration of every year cause all such copies to be suitably bound into volumes. Such volumes shall be kept in his office and shall constitute the General Register Books. ^{[Mod. F.L.N. 348/65].}

Occupier and relatives to register live births.

9. In the case of every child born alive, the father, or in case of the death, illness, absence or inability of the father, the mother of such child, or in case of the death, illness, absence, or inability of the father and mother, the occupier of the house in which to his knowledge the child is born, and each person present at the birth and the person having charge of the child and, if the birth occurs in a ship or vessel, the master or other person having charge of such ship or vessel, within fourteen days after such birth has taken place, shall furnish to the Registrar of the district or to the Deputy Registrar of the area within which the birth has happened, either direct or through an Assistant Registrar, the particulars of the same in the prescribed form, and shall certify to the correctness of such information by signing his name in the prescribed place in the register or on the form.

10.—(1) The surname, if any, to be entered in respect of the registration of a birth shall ordinarily be the surname, if any, of the father of the child: ^{Surname of child.}

Provided that where the mother is the informant and volunteers the information that the child is illegitimate the surname, if any, registered shall be the surname of the mother of the child at the date of birth:

And provided further that if the father of the illegitimate child is joint informant with the mother, the surnames, if any, of both such parents shall be entered.

(2) The Registrar may at any time within seven years after the birth of a child in his district add the surname of the child to an entry in other respects complete, on proof to his satisfaction that the person on whose behalf the application is made is the person referred to in the entry and such addition shall be made known in writing to the Regional Registrar.

[Mod.
F.L.N.
348/65].

11.—(1) Whenever the name of a child is not settled and cannot be furnished at the time of the registration of its birth, the parent or guardian or other adult person having custody of the child may, when a name is given to it, present an application in the prescribed form to the Registrar of the district in which such birth was registered, who shall forthwith enter in the register the name mentioned in the application as having been given to the child, and shall notify the entry to the Regional Registrar: ^{Subsequent addition of name of child.}

[Subs. Ord.
7/57].

Provided that—

(i) if a period of more than twelve months has elapsed since the date of the birth, an applicant shall pay such fee as may be prescribed;

(ii) if a period of more than seven years and less than eleven years has elapsed since the date of the birth an applicant shall present a statutory declaration setting out the reasons for the delay in presentation of the application and the Registrar after considering the circumstances of each case may permit or refuse to permit the name to be registered;

(iii) no application whatsoever shall be entertained later than eleven years after the date of the birth to which it refers.

(2) Any person aggrieved by any decision of the Registrar under paragraph (ii) of the proviso to subsection (1) may appeal therefrom to the Regional Registrar whose decision shall be final. [Added
Ord.
7/57].
[Mod.
F.L.N.
348/65].

Exclusion of
occupation
period from
periods of
limitation.

12. Notwithstanding anything contained in the preceding provisions of this Ordinance where an application is made under subsection (2) of section 10 or under section 11 the period commencing on the 1st January, 1942, and ending on the 15th July, 1946, or any part thereof shall be excluded in computing any periods of limitation.

Still-births.

13.—(1) In the case of every still-birth, it shall, unless there has been an inquest, be the duty of the person who would, if the child had been born alive, have been required by section 9 to give information concerning the birth, to give information within fourteen days after such still-birth has taken place to the Registrar of the district or to the Deputy Registrar of the area in which such still-birth occurs, either direct or through an Assistant Registrar, of the particulars required to be registered concerning the still-birth and every such person on giving information shall either—

(a) deliver to the Registrar or Deputy Registrar or Assistant Registrar a written certificate in the prescribed form that the child was not born alive, signed by a medical practitioner or a midwife registered under the Midwives Ordinance who was in attendance at the birth, or signed by a medical practitioner who has examined the body of such child; or Cap. 78.

(b) make a declaration in the prescribed form to the effect that no medical practitioner or registered midwife was present at the birth, or that no medical practitioner has examined the body, or that a certificate as required in paragraph (a) above cannot be obtained and that the child was not born alive.

(2) Every still-birth shall be entered both in the register of births and deaths, and the entries shall be differentiated in such manner as the Regional Registrar shall direct. [Mod.
F.L.N.
348/65].

Occupier
and relatives
to register
deaths.

14.—(1) When a person dies in an occupied house, the occupier of the house in which to his knowledge the death took place and the relatives of the deceased present at his death or in attendance during the last illness of the deceased, and each person present at the death, and in default of the persons heretofore in this subsection mentioned each inmate of the house and the person causing the

body of the deceased person to be buried, within twenty-four hours after such death has taken place shall furnish to the Registrar of the district or to the Deputy Registrar or the Assistant Registrar of the area within which the death has happened the particulars of such death in the prescribed form and shall certify to the correctness of such particulars by signing his name in the prescribed place in the register or on the form.

(2) When a person dies in a place which is not an occupied house, or a dead body is found elsewhere than in an occupied house, every relative of such deceased person having knowledge of any particulars required to be registered concerning the death, and every person present at the death and any person taking charge of the body and, if the death occurs in a ship or vessel the master or other person having charge of such ship or vessel and the person causing the body to be buried, shall give to the Registrar or Deputy Registrar or Assistant Registrar within twenty-four hours after the death or the finding, such information of the particulars required to be registered concerning the death as the informant possesses, and shall certify to the correctness of such information by signing his name in the prescribed place in the register or on the form.

15. In the event of the person whose duty it is to sign any certificate or who may make any declaration under sections 9, 11, 13 and 14, being a woman and unable through illness or other cause to sign such certificate or make such declaration, she may authorise any male relative to sign or make it on her behalf. Such male relative shall make an entry on the certificate or declaration that he is so authorised.

Women may authorise male relatives to sign certificates, etc.

16. Notwithstanding anything contained in the preceding provisions of this Ordinance the Registrar, upon payment of the prescribed fee, may register the particulars required by these provisions if reported within forty-two days after any birth and within ten days after any death:

Delayed registration.

Provided that the fee may be waived at the discretion of the Registrar.

17. Any person whose duty it is under the preceding provisions of this Ordinance to furnish any particulars of any birth or death, and who without reasonable cause omits to do so within the time required by this Ordinance, shall be liable to a fine of fifty dollars:

Penalty for failure to furnish particulars.

Provided that no prosecution shall be instituted in respect of any birth or death the particulars of which have been registered under the provisions of the last preceding section.

Duties of
medical
practitioners
as to
certificates.

18.—(1) Every medical practitioner, upon the death of any person who has during his last illness been attended by such medical practitioner, shall sign and deliver within twelve hours of the death, to one of the persons required by this Ordinance to furnish particulars of the death or to the Registrar of the district or to the Deputy Registrar of the local registration area within which such death has occurred, a certificate as to the cause of death in the prescribed form, or if unable to do so shall within a like period report the death to the nearest Coroner.

(2) Any person to whom such a certificate has been delivered shall, when furnishing particulars of the death, produce such certificate to the Registrar or to the Deputy Registrar and the cause of death as stated in the certificate shall be entered in the register, together with the name of the certifying medical practitioner.

(3) In case any certificate under subsection (1) certifies that the cause of death of any person has arisen from plague, cholera, small-pox or any disease that is required to be notified to foreign countries as a dangerous infectious disease under any Convention with regard to dangerous infectious diseases for the time being in force, which is not known at the time to be prevalent in Sabah, the Regional Registrar or Registrar, if he is not satisfied of the correctness of the diagnosis, may refuse to act upon such certificate and refuse to register the death until such further and other opinion as to the cause of death as he may require has been given. [Mod.
F.L.N.
348/65].

When post-
mortem
examination
is held.

19. When a medical practitioner has made a post-mortem examination of the body of any deceased person, such medical practitioner shall, unless he knows that a Coroner's inquest or inquiry is to be held in respect of the death, within twenty-four hours after the conclusion of the examination, forward a certificate in the prescribed form to the Registrar of the district or to the Deputy Registrar of the area within which such person died or the body of such person was found, and the cause of such death as stated in such certificate shall be entered in the register.

Duty of
Coroners
as to
findings.

20. When an inquest or inquiry is held on the body of any person the Coroner shall, within forty-eight hours after the conclusion of the inquest or inquiry, forward to the

Registrar of the district or to the Deputy Registrar of the area within which such person died or the body of such person was found a certificate setting forth the cause of death as ascertained at such inquest or inquiry and such other particulars as are required for the purpose of registration, and the cause of death in such certificate shall be entered in the register.

21.—(1) (a) All police officers and headman shall obtain information of every birth and death within their respective districts, and also information respecting the father and mother of every child born in their district, and respecting the occupier of any house in their district in which any birth or death happens, and give notice thereof to the Registrar of the district or to the Deputy Registrar of the area.

Duties of
police
officers,
headmen,
and
midwives.

Cap. 78.

(b) Every midwife registered under the Midwives Ordinance shall within fourteen days of its occurrence give notice of every birth and still-birth which she has attended to the Registrar of the district or to the Deputy Registrar of the area in which the birth occurs.

(2) Any police officer, headman or midwife who knows such particulars, and wilfully omits or neglects to give notice thereof within a reasonable time to the proper Registrar or Deputy Registrar, shall be liable to a fine of fifty dollars.

22.—(1) Notwithstanding the neglect of any person to report or furnish information as to any birth or any death within the time required by this Ordinance, it shall be the duty of the Registrar or Deputy Registrar to procure by all means within his power the best and most accurate information respecting any birth or death which has occurred within his district or area, and upon such information a Deputy Registrar shall forthwith transmit the same to the Registrar of the district and the Registrar shall make an entry of any such birth or death in manner hereinafter mentioned, but not in any case until after the expiry of forty-two days after such birth or ten days after such death, as the case may be:

Late regis-
tration.

Provided that after the expiration of twelve months next after the birth of any child or after the expiration of one month next after any death or after the finding of any dead body, such birth or death shall not be registered except with the written authority of the Regional Registrar who may in his discretion refuse or grant authorisation for

[Mod.
F.L.N.
348/65].

registration in manner hereinafter in this section provided, and a note of such authorisation (if granted) shall be made in the register.

(2) Every entry of birth made after the expiration of forty-two days after such birth and every entry of death made after the expiration of ten days after such death shall be marked clearly as a "LATE REGISTRATION," and subject to the provisions of subsection (3), the provisions of section 31 shall apply to certified extracts of such entries in like manner as they apply to other certified extracts.

(3) Every copy of such entry shall have printed on it conspicuously the words "LATE REGISTRATION" and no copy so marked shall be receivable in evidence, as prescribed in section 31, unless the truth of the facts therein entered shall have been found by a court of a magistrate of the first class in a proceeding instituted before it under this section and such court has certified its findings in the register. Such a proceeding may be instituted by any person claiming to have an interest in substantiating the record and shall be brought by way of information and summons to be served on the Registrar of the district calling upon him to show cause why a certified copy of such entry should not be entitled to be received in evidence in the manner and to the extent provided by section 31.

(4) The fact that any birth or death has been recorded or permitted to be recorded under subsection (1) or authenticated by a court of a magistrate of the first class under subsection (3) shall not affect the liability of any person to punishment under section 17.

PART II.

RECONSTITUTION OF REGISTERS.

Registers
deemed
lost.

23. All the records of register books of births and deaths formerly kept in the territories now forming Sabah, other than those Registers described in the Schedule are hereby deemed to have been permanently lost as from 15th July, 1946.

Recon-
stituted
Registers.

24. The Regional Registrar shall cause to be printed and kept in his office the following special records or register books in the prescribed form—

[Mod.
F.L.N.
348/65].

Reconstituted Register of births (No. 1).

Reconstituted Register of births (No. 2).

Reconstituted Register of deaths (No. 1).

Reconstituted Register of deaths (No. 2).

[Am. Ord.
7/57].

25.—(1) Any person in possession of a certified copy of an entry in a lost register may not later than the 31st day of December, 1957, or such later date as the Minister may in respect of any registration area appoint in that behalf, require the Regional Registrar to register the birth or death in the appropriate Reconstituted Register (No. 1) and the birth or death shall be registered accordingly without payment of any fee.

Requirement
of registra-
tion in Re-
constituted
Register
(No. 1).

[Mod.
F.L.N.
348/65].

(2) The Regional Registrar if satisfied from any records relating to Labuan or the Mainland or to any Military Administration prior to 15th July, 1946, that a birth or death was duly registered in a lost register shall register the birth or death in the appropriate Reconstituted Register No. 1).

[Am. Ord.
7/57].
[Mod.
F.L.N.
348/65].

26. Any person who is unable to produce a certified copy of an entry in a lost register but who by means of other evidence satisfies the Regional Registrar that the birth or death to which such evidence relates was registered in a lost register may not later than the 31st day of December, 1957, or such later date as the Minister may in respect of any registration area appoint in that behalf, require the Regional Registrar to register the birth or death in the appropriate Reconstituted Register (No. 2) and such birth or death shall be registered accordingly without payment of any fee:

Requirement
of registra-
tion in Re-
constituted
Register
(No. 2).

[Am. Ord.
14/57].

Provided that any person claiming to have an interest in substantiating any record may at any time apply to a court of a magistrate of the first class in the district where the birth or death is alleged to have been registered or to have occurred in a proceeding instituted before it under this section, by way of information and summons to be served on the Regional Registrar, calling upon him to show cause why such entry should not be registered in a Reconstituted Register (No. 1) and, if such court shall so order, the Regional Registrar shall thereupon cause such entry to be recorded in the appropriate Reconstituted Register (No. 1).

[Mod.
F.L.N.
348/65].

27. Any person shall be entitled on payment of the prescribed fees to require the Regional Registrar to cause a search to be made of any reconstituted register and to receive a copy of any entry in the said registers certified under the hand of the Regional Registrar.

Searches.

Evidential value of entry in or certified copy of entry in Reconstituted Register (No. 1).

28.—(1) Every entry and every certified copy of an entry in a Reconstituted Register (No. 1) shall be of equivalent evidential value to that accorded to a birth or death certificate by section 31.

Evidential value of entry in or certified copy of entry in Reconstituted Register (No. 2).

(2) No entry and no certified copy of any entry in a Reconstituted Register (No. 2) shall be received as evidence of the birth or death to which the same relates without other or further proof of such birth or death.

PART III.

GENERAL.

Entry of place of birth.

29. In respect of every entry in any register of births in respect of a birth which occurred prior to 15th July, 1946, the Regional Registrar shall enter in an appropriate place in the register and on every extract thereof the place of birth showing whether this occurred in the former State of North Borneo or in Labuan. [Mod. F.L.N. 348/65].

Correction of errors.

30.—(1) No alteration shall be made in any register except as authorised by this Ordinance, and this section shall be read subject to the proviso that no alteration shall be made in the General Register Books or in any reconstituted register book except by the Regional Registrar. [Mod. F.L.N. 348/65].

(2) Except as provided in subsection (4) any clerical error which may be discovered in any register shall be corrected by a Registrar who shall initial the entry in which such error has been discovered.

(3) Any error of fact or substance in any register may be corrected by entry (but so that no alteration on the original entry is made) by a Registrar on payment of the prescribed fee and on the production to him by the person requiring such error to be corrected of a statutory declaration setting forth the nature of the error and the facts of the case and made by two persons required by this Ordinance 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, to the satisfaction of the Registrar, having knowledge of the truth of the case, and the Registrar shall initial such entry and shall add thereto the day and the month and the year when such correction is made.

(4) Any clerical error in any register relating to any death registered on a certificate issued by a Coroner may on the receipt of a certificate or an amended certificate from the Coroner setting forth the nature of the error and authorising the correction of such entry, be corrected by a Registrar, who shall place his initials opposite the entry in which such error occurs and shall add thereto the day and the month and the year when such correction is made.

(5) Any error of fact or substance in any register in connection with any death registered on a certificate issued by a Coroner may on receipt of a certificate or amended certificate from the Coroner setting forth the nature of the error and the facts of the case, be corrected by an entry (but so that no alteration of the original entry is made) by a Registrar who shall add to such note or entry the words "Corrected by me on the authority of a certificate from the Coroner" and shall sign such entry or note and shall add thereto the day and the month and the year such correction is made.

(6) When any correction has been made by a Registrar in respect of an entry of which a copy has been forwarded to the Regional Registrar in accordance with subsection (4) of section 8 the Registrar shall forthwith notify the Regional Registrar of such correction.

[Mod.
F.L.N.
348/65].

31.—(1) Except as otherwise provided in this section and subject to the provisions of section 22, every Registrar shall, upon receiving an application therefor, and upon payment of the prescribed fees, if such application shall be made at the time of registration, furnish to any person applying for it a certified extract of any entry in any register, other than an entry of a still-birth, in his charge. Extracts
from
registers.

(2) Every such application received at any time after registration shall be made to the Regional Registrar, and shall be made on the form prescribed for that purpose.

[Mod.
F.L.N.
348/65].

(3) When an application for a certified extract has been made in accordance with this section, it shall be lawful for the Regional Registrar to refuse to furnish such extract if and so long as—

[Mod.
F.L.N.
348/65].

(a) the particulars given in the application form are incomplete or inadequate or in his opinion inaccurate; or

(b) for any reason it appears to him that an entry found upon search cannot with certainty be connected

with the person in respect of the registration of whose birth or death the certified extract is applied for; or

(c) the birth has been registered subsequent to the coming into force of this Ordinance and the name of the person in respect of whose birth the extract is applied for has not been registered:

Provided that in every such case the Regional Registrar shall furnish in writing to the person applying for such extract the reason for such refusal. ^{[Mod. F.L.N. 348/65].}

(4) When the Regional Registrar has refused to furnish a certified extract under this section, the person applying for such extract may appeal to the Minister, whose decision shall be final, on the ground that he has supplied sufficient information to enable the Regional Registrar to furnish such extract; and the Minister may thereupon direct the Regional Registrar to make further search. ^{[Mod. F.L.N. 348/65].}

(5) Every copy or extract of any entry in any register certified under the hand of a Registrar or the Regional Registrar, to be a true copy or extract shall, subject to the limitation hereinbefore provided in section 22(3) and 28(2) be *prima facie* evidence in all courts and before all tribunals of the dates and facts set forth in such copy or extract: ^{[Mod. F.L.N. 348/65].}

Provided however that the provisions of this subsection shall not apply to any copy or extract of any entry in which the name of the person born has not been registered.

(6) The Regional Registrar shall cause to be sealed or stamped with the seal or stamp of the General Register Office all certified copies of entries given in the said office. ^{[Mod. F.L.N. 348/65].}

Duties as to vaccination, etc.

32. Registrars shall perform such duties connected with the issue of notices to persons to be vaccinated and the registration of persons vaccinated or any other matter prescribed by the Minister as are required to be performed by any Ordinance for the time being in force relating to vaccination or public health. ^{[Mod. F.L.N. 348/65].}

Offences and penalties.

33.—(1) Any person who—

(a) wilfully makes or permits to be made for purposes of registration any false statement; or

(b) wilfully or knowingly furnishes or permits to be furnished any false information touching any of the particulars hereby required to be made known; or

(c) makes or permits to be made any false entry in any register, knowing the same to be false; or

(d) wilfully destroys or permits to be destroyed any entry in any register; or

(e) falsifies any certified copy of an entry in any register,

shall be liable to a fine of five hundred dollars and to imprisonment for twelve months.

(2) (a) Any person who wilfully or carelessly destroys, injures, mutilates, defaces, or loses any register used for the purpose of this Ordinance; or

(b) Any Registrar or Deputy Registrar or Assistant Registrar who refuses or omits without reasonable cause, the proof of which shall rest with the person accused, to register or record any birth, or death, within his area of which he has notice or knowledge; or

(c) Any Registrar who carelessly or wilfully allows any register to be destroyed, injured, mutilated, defaced, or lost while in his custody or keeping, shall be liable to a fine of two hundred and fifty dollars and to imprisonment for six months.

(3) Any person who wilfully neglects or omits to comply with sections 18, 19 or 20 shall be liable to a fine of fifty dollars.

[Mod.
F.L.N.
348/65].

34. No prosecution for any offence under this Ordinance shall be instituted except with the sanction of the Public Prosecutor. ^{Prosecutions.}

[Mod.
F.L.N.
348/65].

*35.—(1) The Minister may make rules in respect of all or any of the following matters— ^{Rules.}

(a) the form of the registers and the mode in which the same are to be kept;

(b) the forms of any certificates, notices, or other documents required for the purpose of carrying out this Ordinance;

(c) the fees to be taken under this Ordinance and the conditions under which and the persons by whom

*See Registration of Births and Deaths Rules, Vol. V of 1953 Revised Edition, p.509, as amended by the Registration of Births and Deaths (Amendment) Rules, 1953, and the Registration of Births and Deaths (Amendment) Rules, 1954, Vol. VII, p.512

the collection of such fees may be waived in whole or in part;

(d) the making of searches and the giving of certified copies;

(e) the custody of the registers and other documents connected with the business of registration;

(f) the remuneration payable to any person for services rendered in the administration of this Ordinance;

(g) any other matters which are required to be prescribed or as to which it is expedient to make rules for carrying into effect the objects of this Ordinance.

SCHEDULE.

[Subs. Ord.
7/57].

(Section 23)

REGISTERS NOT DEEMED TO HAVE BEEN PERMANENTLY LOST UNDER SECTION 23.

The Registers of Births and Deaths of the registration areas set out in the first column hereof in respect of the respective periods set out against each in the second column hereof:

A.

REGISTERS OF BIRTHS.

<i>Registration Area</i>	<i>Period</i>
Papar	All periods.
Sipitang	All periods.
Keningau	All periods except from the 30th March, 1937, to the 30th June, 1940.
Tambunan	All periods subsequent to the 5th July, 1942.

B.

REGISTERS OF DEATHS.

Papar	All periods.
Sipitang	All periods.
Keningau	All periods except— (a) from the 28th April, 1932, to the 25th December, 1933; (b) from the 26th March, 1940, to the 19th August, 1940.
Tambunan	All periods subsequent to the 5th September, 1942.