

# A BILL

FOR

AN ACT TO AMEND THE BIRTH AND DEATH ETC. (COMPULSORY REGISTRATION) ACT, CAP 69, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND FOR RELATED MATTERS

*Sponsored by Hon. Ademorin Kuye*

[ ] Commencement

ENACTED by the National Assembly of the Federation Republic of Nigeria as follows:

- 1           1. The Birth, Death, etc. compulsory registration Act, (herein after Amendment of
- 2           called the principal Act) is amended as set out below, the Principal Act
- 3           2. Sections 9 of the Act is amended by replacing it with the Amendment of
- 4           following: Section 9
- 5                         *Persons to give information concerning a birth*
- 6           1. It shall be the duty of:
- 7           (a) the doctor, midwife or any other medical attendant, village
- 8           maternity assistant, nurse, traditional birth attendant, other than a person in
- 9           or attached to the institutions referred to in section of this Act;
- 10          (b) the village head, tax collector, health inspector, forest ranger or
- 11          any other local functionary as may be notified;
- 12          (c) every religious minister, imam or other persons officiating
- 13          religious services connected with births, naming ceremonies including
- 14          baptism; or
- 15          (d.) such other person as may be notified of any birth; to give
- 16          information concerning a birth to the registrar in the area which the child
- 17          was born.
- 18          2. Anyone mentioned in subsection 1 above to whom the
- 19          responsibility to report cases of birth has been given and who fails to provide
- 20          the information as required above shall be guilty of an offence punishable

1 with 3 months imprisonment or a fine of 20,000 or both.

Amendment of  
Section 13

2 3. Section 13 of the Principal Act is amended by replacing it with the  
3 following:

4 *Persons baptizing*

5 (a) A religious minister or other person who shall baptise an infant  
6 whose birth is registrable shall before performing the rite of baptism upon such  
7 infant, require production to him of a certificate of registration of the birth of  
8 such infant signed by the registrar of the area within which the infant was born;

9 (b) In cases where no certificate shall be produced to him, he shall,  
10 within forty-eight hours from the baptism, notify the said registrar of the birth  
11 in the manner prescribed under section 9 of this Act;

12 (c) Anyone mentioned in subsection 2 above to whom the  
13 responsibility to report cases of birth has been given and who fails to provide  
14 the information as required above shall be guilty of an offence punishable with  
15 3 months imprisonment or a fine of 20,000 or both.

Amendment of  
Section 14

16 4. Sections 14 of the Principal Act by replacing it with the following:

17 (a) An Imam or other person who performs the naming ceremony of  
18 any infant whose birth is registrable shall, after performing the rites of naming  
19 the infant, forward the name or WOSIKAT to the registrar of the area within  
20 which the infant was born;

21 (b) Anyone mentioned in subsection 1 above to whom the  
22 responsibility to report cases of birth has been given and who fails to provide  
23 the information as required above shall be found guilty of an offence  
24 punishable with 3 months imprisonment or a fine of 20,000 or both.

Amendment of  
Section 17

25 5. Sections 17 of the Principal Act is amended by replacing it with the  
26 following:

27 *Particulars of death to be registered*

28 1. The death of every person dying in Nigeria and the cause thereof  
29 shall as from the commencement of this Act, be registered by the registrar of  
30 births and deaths for the area, in which the death occurred by entering in a

1 register kept for that area particulars concerning the death as may be  
2 prescribed:

3            Provided that where a dead body is found and no information as to  
4 the place of death is available, the death shall be registered by the registrar of  
5 births and deaths for the area in which the body is found.

6            2. it shall be the responsibility of the Local Government or Area  
7 Council in whose jurisdiction a death occurs to enter such death in a  
8 register kept for the purpose of death registration particulars of death.

9            6. Section 23 of the Principal Act is amended by replacing it with  
10 the following:

Amendment of  
Section 23

11                            *Burial of deceased child as still-born*

12            1. No person shall wilfully bury or otherwise dispose of or procure  
13 to be buried or otherwise to dispose of the body of any deceased child as if it  
14 were stillborn.

15            2. A registrar shall not issue certificate for the burial of any  
16 stillborn child before there is delivered to him either:

17            (a) a written certificate in the prescribed form that such child was  
18 not born alive signed by a qualified medical practitioner who was in  
19 attendance at the birth or who has examined the body of such child; or

20            (b) a declaration in the prescribed form signed by some person who  
21 would, if the child had been born alive, have been required the birth, to the  
22 effect that no medical certificate can be obtained and that the child was not  
23 born alive.

24            3. It shall be the duty of a cemetery attendant to confirm the  
25 issuance of death certificate before allowing burial take place.

26            4. Anyone who violates any of the provisions in subsection 1-3  
27 above, shall upon conviction be guilty of an offence punishable with 3  
28 month imprisonment or a fine of 20,000 or both.

29            7. This Bill may be cited as the Birth, Death, etc. (Compulsory  
30 Registration) Act (Amendment) Bill, 2019. Citation

EXPLANATORY NOTES

This Bill seeks to amend Sections 9; 13; 14; 17 and 23 of the Birth, Deaths, Etc. (Compulsory Registration) Act Cap 69, Laws of the Federation of Nigeria, 2004: