

BIRTHS, DEATHS, ETC., (COMPULSORY REGISTRATION) ACT

(AMENDMENT) BILL, 2019

ARRANGEMENT OF CLAUSES

Clause:

1. Enactment
2. Amendment of Section 10 (2)
3. Insertion of a new Subsection (3) in Section 10
4. Amendment of Section 21 (2)
5. Insertion of a new Subsection (5) in Section 21
6. Amendment of Section 24 (3)
7. Amendment of Section 28 (4)
8. Amendment of Section 42 (2)
9. Amendment of Section 45 (1)
10. Amendment of Section 46
11. Amendment of Section 47 (1)
12. Amendment of Section 48 (1) and (2)
13. Citation



A BILL

FOR

AN ACT TO AMEND THE BIRTHS, DEATHS, ETC., (COMPULSORY REGISTRATION) ACT AND FOR RELATED MATTERS

Sponsored by Hon. Sergius Ogun

[] Commencement

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

1 1. The Births, Deaths, etc., (Compulsory Registration) Act, 1992, Enactment
 2 Cap B9 Laws of the Federation of Nigeria 2004 (in this Bill referred to as the
 3 Principal Act) is hereby amended as set out in this Bill.

4 2. Section 10(2) of the Principal Act is amended by deleting the Amendment of
 5 phrase; "and subject to the payment of such fees as may be prescribed", Section 10 (2)
 6 appearing in Section 10(2)(a) and (b) as follows:

7 (2) Notwithstanding the provisions of subsection (1) of this section,
 8 a birth may be registered after the expiration of:

9 (a) sixty days and within twelve months after the birth by the
 10 registrar or the Deputy Chief Registrar in whose custody the relevant
 11 register of births may be at the time the report for registration is received;

12 (b) twelve months there from with the authority of the Deputy
 13 Chief Registrar.

14 3. Section 10 of the Principal Act is amended by inserting a new Insertion of a new
 15 subsection (3) as follows: Subsection (3) in
Section 10

16 (3) Notwithstanding the provisions of this section, nothing shall
 17 require any qualified informant to pay any fee for the registration of a birth,
 18 where the qualified informant brings the report of such birth, after the
 19 expiration of the time stipulated in this section.

20 4. Section 21(2) of the Principal Act is amended by deleting the Amendment of
 21 phrase; "as to fees", appearing in subsection (2) of the section as follows: Section 21 (2)

1 (2) Subject to such conditions as may be prescribed by the Registrar-
2 General, a death may after the expiration of thirty days but within twelve
3 months be registered by the registrar or Deputy Chief Registrar in whose
4 custody the relevant register of deaths may be at the time the report for
5 registration is received.

Insertion of a new
Subsection (5) in
Section 21

6 5. Section 21 of the Principal Act is amended by inserting a new
7 subsection (5) as follows:

8 (5) Notwithstanding the provisions of this section, nothing shall
9 require the Registrar-General to impose any fee for the registration of a death,
10 where the qualified informant brings the report of such death, after the
11 expiration of the time stipulated in this section.

Amendment of
Section 24 (3)

12 6. Section 24 (3) of the Principal Act is amended by inserting ten
13 thousand naira in the place of five hundred naira as follows:

14 (3) If any person refuses or fails without reasonable excuse to give
15 any information concerning any death which he is required by this section to
16 give he shall be guilty of an offence and liable on conviction to a fine of
17 N10,000 (ten thousand naira) or imprisonment for a term of five months or to
18 both such fine and imprisonment.

Amendment of
Section 28 (4)

19 7. Section 28 (4) of the Principal Act is amended by inserting ten
20 thousand naira in the place of five hundred naira as follows:

21 (4) If the master of any ship fails to comply with any requirement of
22 this section, he shall be liable for each offence to a fine not exceeding N10,000
23 (ten thousand naira).

Amendment of
Section 42 (2)

24 8. Section 42(2) of the Principal Act is amended by inserting fifty
25 thousand naira in the place of one thousand naira and one hundred thousand
26 naira in the place of two thousand naira as follows:

27 42(2) If any person who has in his custody or power any such article as
28 aforementioned, wilfully fails to deliver it up to, or account for it to the
29 satisfaction of, the person in whose custody it should be, he shall be guilty of an
30 offence and liable on conviction to a fine of ~50, 000 (fifty thousand naira) or

1 imprisonment for a term of three months or to both such fine and
2 imprisonment; and if the failure continues after he is convicted thereof he
3 shall be guilty of a further offence and be liable on conviction to a fine of
4 N100,000 (one hundred thousand naira) or imprisonment for a term of six
5 months imprisonment or to both such fine and imprisonment.

6 9. Section 45(1) of the Principal Act is amended by inserting ten
7 thousand naira in the place of two hundred naira as follows:

Amendment of
Section 45 (1)

8 45(1) The Registrar-General or any person authorized in writing
9 for that purpose by the Registrar-General, may, if he is satisfied that any
10 person has committed an offence against this Act or any regulations made
11 there under, compound such offence by accepting from such person a sum
12 not exceeding N10,000 (ten thousand naira).

13 10. Section 46 of the Principal Act is amended by inserting ten
14 thousand naira in the place of two hundred naira as follows:

Amendment of
Section 46

15 46. If any person commits any of the following offences, that is:

16 (a) being a registrar, he refuses or without reasonable cause omits
17 to register any birth or death, or particulars concerning which information
18 has been tendered to him by a qualified informant and which he is required
19 by or under this Act to register; or

20 (b) being a person having custody of any register of births or deaths
21 he carelessly loses or damages the register or allows the register to be
22 damaged, he shall be guilty of an offence and liable on conviction to a fine of
23 N50,000 (fifty thousand naira) or imprisonment for a term of six months or
24 to both such fine and imprisonment.

25 11. Section 47 (1) of the Principal Act is amended by inserting one
26 hundred thousand naira in the place of two hundred naira as follows:

Amendment of
Section 47 (1)

27 47(1) If a person forges or falsifies any certificate, declaration or
28 order under this Act, or knowingly uses or gives or sends to any person as
29 genuine any false or forged certificate, declaration or order for the purposes
30 of this Act, he shall be guilty of an offence and liable on conviction to a fine

Amendment of
Section 48 (1)
and (2)

1 of N100,000 {one hundred thousand naira} or imprisonment for a term of six
2 months or to both such fine and imprisonment.

3 12. Section 48 (1) and (2) of the Principal Act is amended by inserting
4 five thousand naira in the place of fifty naira in section one and ten thousand
5 naira in the place of fifty naira in section two as follows:

6 48 (1) If, any person commits any of the following offences, that is:

7 (a) being required by or under this Act or any other enactment to give
8 information concerning any birth or death of any living new born child or any
9 dead body he wilfully refuses to answer any question put to him by the registrar
10 relating to the particulars required to be registered concerning the birth or death
11 or save as provided in this Act, fails to comply with any requirement of the
12 registrar made hereunder;

13 (b) he refuses or fails without reasonable cause to give, deliver or send
14 any certificate which he is required by this Act to give, deliver or send;

15 (c) being a parent and save as provided in this Act, he fails to give
16 information concerning the birth of his child as required by this Act;

17 (d) being a person upon whom a duty to give information concerning
18 a death is imposed by any enactment he fails to give that information;
19 he shall be guilty of an offence and liable on conviction to a fine of not more
20 than N5,000 (five thousand naira) or imprisonment for a term of one month or
21 to both such fine and imprisonment in respect of each offence.

22 (2) If any person wilfully obstructs the registrar or any other officer
23 duly authorized in the lawful exercise of the powers vested in him under this
24 Act, he shall be guilty of an offence and liable on conviction to a fine of
25 N10,000 (ten thousand naira) or imprisonment for a term of one month.

Citation

26 13. This Bill may be cited as the Births, Deaths, etc., (Compulsory
27 Registration) Act (Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Births, Deaths, etc., (Compulsory Registration) Act, to eliminate the requirement for payment of fees when registering the birth of a child.