



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 419 of 18th October, 1975.
LEGISLATION

ORDINANCE 8 OF 1975.

AN ORDINANCE

TO AMEND AND CONSOLIDATE THE ORDINANCES
RELATING TO THE REGISTRATION OF BIRTHS AND DEATHS.

JOHN AIKEN

14th October, 1975.

ADMINISTRATOR

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

PART I
PRELIMINARY.

1. This Ordinance may be cited as the Births and Deaths Registration Ordinance, 1975. Short title.
2. In this Ordinance, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say— Interpretation.
- “birth” includes a live-birth and a still-birth ;
- “disposal” in relation to a dead body, means disposal by burial, cremation or any other means, and cognate expressions shall be construed accordingly ;
- “house” includes a public institution ;
- “live birth” means the birth of a child born alive ;
- “occupier” in relation to a public institution, includes the medical officer in charge, registrar, administrative officer, governor, keeper, master, matron, superintendent, or other chief resident officer, and, in relation to a house let in

separate apartments or lodgings, includes any person residing in the house who is the person under whose direct control the lodgings or separate apartments are held, or his agent ;

“public institution” means a prison, police station, hospital or clinic and such other public or charitable institution as may be prescribed, and includes any such institution under the control of the military authorities in the Areas ;

“qualified informant” in relation to any birth or death, means, a person who is by this Ordinance or, in the case of a birth or death occurring before the commencement of this Ordinance, by any Ordinance repealed by this Ordinance, required, or stated to be qualified, to give information concerning that birth or death ;

“Registrar”, in relation to any birth or death, means the Chairman of the Village Commission or Improvement Board or the Inspector of an Improvement Board (whether such village lies entirely or partly within the Areas and whether such Chairman is appointed under legislation of the Areas or the Republic) or any other person appointed by the Superintendent Registrar for the area in which the birth or death takes place, or where any living new-born child is found exposed or any dead body is found and no information as to the place of birth or death is available, for the area in which the child or the dead body is found ;

“Registrar General” means the person appointed by the Administrator to exercise the powers and perform the duties conferred or imposed by or under this Ordinance ;

“relative” includes a relative by marriage and, in relation to a person in respect of whom an adoption order has been made under the Adoption Ordinance, it also includes any person who would be a relative if the adopted person were the child of the adopter born in lawful wedlock ;

“still-born child” means a 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 signs of life, and the expression “still-birth” shall be construed accordingly ;

“Superintendent Registrar” means the Area Officer of the Area within which the birth or death occurred.

PART II

REGISTRATION OF BIRTHS.

3.—(1) Subject to the provisions of this Part of the Ordinance, the birth of every child born in the Areas shall be registered by the Registrar of births and deaths for the area in which the child was born by entering in a register kept for that area such particulars concerning the birth as may be prescribed ; and different registers shall be kept and different particulars may be prescribed for live-births and still-births respectively :

Provided that, where a living new-born child is found exposed and no information as to the place of birth is available, the birth

shall be registered by the Registrar of births and deaths for the area in which the child is found.

(2) The following persons shall be qualified to give information concerning a birth, that is to say —

- (a) the father and mother of the child ;
- (b) the occupier of the house in which the child was to the knowledge of that occupier born ;
- (c) any person present at the birth ;
- (d) any person having charge of the child.

4. In the case of every birth it shall be the duty—

- (a) of the father and mother of the child, and
- (b) in the case of the death or inability of the father and mother, of each other qualified informant,

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

to give to the Registrar, before the expiration of a period of forty-two days from the date of the birth, information of the particulars required to be registered concerning the birth, and in the presence of the Registrar to sign the register :

Provided that the giving of information and the signing of the register by any one qualified informant shall act as a discharge of any duty under this section of the Ordinance of every other qualified informant.

5.—(1) In the case of every child born in the Areas it shall be the duty of the medical practitioner or midwife or both in attendance upon the mother at the time of, or within thirty six hours after, the birth, to give notice of the birth in the manner provided by this section of the Ordinance to the Registrar of the area in which the birth takes place.

Provision for early notification of birth.

(2) Notice under this section of the Ordinance shall be given in duplicate either by posting within thirty-six hours after the birth a form addressed to the Registrar containing the required information, or by delivering such form within the said period at the office of the Registrar.

(3) The Registrar shall, upon application being made to him, supply without charge to any medical practitioner or midwife residing or practising within his area forms of notice :

Provided that medical practitioners and midwives shall record in a register of births kept by them all births at which they attend.

(4) The Registrar shall send forthwith a copy of any notice received by him under this section of the Ordinance to the Superintendent Registrar of the Area in which the birth took place and the Superintendent Registrar shall issue free of charge a birth certificate as soon as the said copy is received.

(5) Any medical practitioner or midwife who fails to give notice of a birth in accordance with this section of the Ordinance shall be guilty of an offence and shall be liable to a fine not exceeding twenty-five pounds.

(6) This section of the Ordinance shall apply to any child which has issued forth from its mother after the expiration of the twenty-eighth week of pregnancy, whether alive or dead.

Information concerning finding a new-born child to be given to Registrar within forty-two days.

6. Where any living new-born child is found exposed, it shall be the duty of the person finding the child, and of any person in whose charge the child may be placed, to give to the best of his knowledge and belief to the Registrar, before the expiration of forty-two days from the date on which the child was found, such information of the particulars required to be registered concerning the birth of the child as the informant possesses, and in the presence of the Registrar to sign the register :

Provided that the giving of information and the signing of the register by any one of the said persons shall act as a discharge of any duty under this section of the Ordinance of any other of them.

Registrar's power to require information concerning a birth.

7. Where after the expiration of forty-two days from the date of the birth of any child or from the date when any living new-born child is found exposed, the birth of the child has, owing to the default of the persons required to give information concerning it, not been registered, the Registrar may by notice in writing require any qualified informant—

- (a) to attend personally at the Registrar's office, or at some other place appointed by the Registrar within the area before such date (being not less than seven days after the receipt of the notice nor more than three months after the date of the birth or finding) as may be specified in the notice ;
- (b) to give information to the best of that person's knowledge and belief of the particulars required to be registered concerning the birth ; and
- (c) to sign the register in the presence of the Registrar :

Provided that any such requirement shall cease to have effect if, before the date specified in the notice and before the person to whom the notice is given complies with it, the birth is duly registered.

Registration of births free of charge.

8. Where the Registrar receives personally from any qualified informant, at any time before the expiration of three months from the date of the birth of any child or from the date when any living new-born child is found exposed, information of the particulars required to be registered concerning the birth of the child, and subject as may be prescribed in the case of an alleged still-birth where no certificate such as is mentioned in sub-section (1) of section 14 of this Ordinance is delivered, he shall forthwith register the birth and the particulars if not previously registered, in the prescribed form and manner without any fee or reward from the informant :

Provided that if in pursuance of a request in writing the Registrar registers the birth—

- (a) at the residence of the person making the request ; or
- (b) at the house at which the birth took place, that house not being a public institution,

the informant shall pay to the Registrar a fee of two hundred mils.

9.—(1) The Registrar General shall keep such other registers and books and make such entries therein as may be necessary to record and make traceable the connection between any entry in the registers of births which has been marked "Adopted" pursuant to sub-section (2) of this section of the Ordinance, and any corresponding entry in the Adopted Children Register.

Registration of
births of
adopted
children.

(2) Where an adoption order made by a Court in the Areas, under the Adoption Ordinance, is communicated to the Registrar General, he shall cause the entry in the registers of births to be marked with the word "Adopted", entering the name of the person or persons making the adoption as the case may be, the reference to the adoption order and the new name of the adopted person mentioned therein and shall thereafter authorise the re-registration of the adopted person in such place and manner as may be prescribed and where necessary the provisions of sub-section (5) of section 33 of the Ordinance shall have effect.

Cap. 274 (Laws
of Cyprus).

10.—(1) Where after the expiration of three months from the date of birth of any child or from the date when any living newborn child is found exposed, the birth of the child has not been registered, the Registrar may by notice in writing require any qualified informant—

Registration
between three
and twelve
months from
date of birth.

- (a) to attend personally at the office of the Superintendent Registrar before such date (being not less than seven days after the receipt of the notice nor more than twelve months after the date of the birth or finding) as may be specified in the notice ;
- (b) to make before the Superintendent Registrar a declaration according to the best of the knowledge and belief of the declarant of the particulars required to be registered concerning the birth ; and
- (c) to sign the register in the presence of the Superintendent Registrar.

(2) Upon any qualified informant attending before the Superintendent Registrar, whether in pursuance of a requirement or not, and making such a declaration as aforesaid and giving information concerning the birth, the Superintendent Registrar shall then and there register the birth according to the information of the declarant, and the Superintendent Registrar and the declarant shall each sign the entry of the birth.

(3) The Superintendent Registrar under this section of the Ordinance shall despatch copies of the entry of the birth to the Registrar of the area in which the birth takes place and to the Registrar General for completion of their records.

(4) On the registration of a birth under this section of the Ordinance the declarant shall pay a fee of one thousand mils to the Superintendent Registrar and, except where the delay was caused by the failure of the Registrar to make a requirement under section 7 of the Ordinance or otherwise by the Registrar's default, a like fee to the Registrar.

(5) This section of the Ordinance shall not apply in the case of a still-birth.

Registration after twelve months from date of birth.

11.—(1) Where, after the expiration of twelve months from the date of the birth of any child or from the date when any living new-born child is found exposed, the birth of the child has not been registered, the birth shall not be registered except with the written authority of the Registrar General and in such manner and subject to such conditions as may be prescribed, and the fact that the authority of the Registrar General has been obtained, shall be entered in the register.

(2) On the registration of a birth under this section of the Ordinance, the informant shall pay a fee of three thousand mils to the Superintendent Registrar and, except where the delay was caused by the failure of the Registrar to make a requirement under section 7 of this Ordinance or otherwise by the default of the Registrar, a like fee to the Registrar.

(3) The Superintendent Registrar shall have power within twelve months from the date of the coming into operation of this Ordinance to approve any late registration on payment of a fee of five hundred mils.

(4) This section of the Ordinance shall not apply in the case of a still-birth.

Penalty for improper registration after three months from date of birth.

12. Save as provided in sections 10 and 11 of this Ordinance a Registrar shall not register the birth of any child after the expiration of three months from the date of birth or, in the case of a living new-born child found exposed, from the date of the finding, and any person who registers the birth, or causes any birth to be registered, in contravention of this section of the Ordinance shall be guilty of an offence and shall be liable to a fine not exceeding ten pounds.

Provision as to father of illegitimate child.

13. In case of an illegitimate child, no person shall as father of the child be required to give information concerning the birth of the child, and the Registrar shall not enter in the register the name of any person as father of the child except at the joint request of the mother and the person acknowledging himself to be the father of the child, and that person shall in that case sign the register together with the mother.

Special provision as to registration of still-birth.

14.—(1) Any qualified informant giving information to the Registrar of the particulars required to be registered concerning a still-birth shall upon giving that information either—

- (a) deliver to the Registrar a written certificate that the child was not born alive, signed by a medical practitioner or midwife who was in attendance at the birth or who has examined the body of the child; or
- (b) make a declaration in the prescribed form to the effect that no medical practitioner or midwife was present at the birth or has examined the body, or that his or her certificate cannot be obtained and that the child was not born alive.

(2) The Registrar upon registering a still-birth shall, if so required, give either to the informant or to the person who has control over, or who ordinarily effects the disposal of bodies at the place at which it is intended to dispose of the child's body a certificate under his hand in the prescribed form that he has

registered the still-birth, but may, on receiving written notice of the still-birth accompanied by such a certificate as is mentioned in paragraph (a) of sub-section (1) of this section of the Ordinance, before registering the still-birth give to the person sending the notice a certificate that he has received notice of the still-birth and any certificate given under this sub-section shall be given without fee.

(3) A Registrar by whom a certificate has been given under sub-section (2) of this section of the Ordinance may, upon receiving a satisfactory explanation of any circumstances by reason of which the certificate is not available, issue, on payment of the prescribed, fee, a duplicate thereof, either to the person to whom the original certificate was given or to the person effecting the disposal; and any such duplicate certificate shall be in a distinctive form.

15.—(1) At the time of registering the birth of any child, the Superintendent Registrar or Registrar, as the case may be, shall, if so required by the informant of the birth and upon payment to him by the informant of a fee not exceeding fifty mils, give to the informant a certificate under his hand in the prescribed form that he has registered the birth.

Certificates as to registration of birth.

(2) The Superintendent Registrar shall upon the application of any interested person and upon payment of a fee of one hundred and fifty mils, issue to such a person a certificate of birth in the prescribed form.

16. Where, before the expiration of twelve months from the date of the registration of the birth of any child, the name by which it was registered is altered or, if it was registered without a name, a name is given to the child, the Registrar or Superintendent Registrar, as the case may be, having the custody of the register in which the birth was registered, upon delivery to him at any time of a certificate in the prescribed form signed—

Registration of alteration of name.

- (a) if the name was altered or given in baptism, either by the clergyman who performed the rite of baptism or by the person who has the custody of the register, if any, in which the baptism is recorded; or
- (b) if the name has not been given to the child in baptism, by the father, mother or guardian of the child or other person procuring the name of the child to be altered or given,

and upon payment to him by the person procuring the name mentioned in the certificate to be entered of a fee of fifty mils, shall, without any erasure of the original entry, forthwith enter in the register the name mentioned in the certificate as having been given to the child, and, after stating upon the certificate the fact that the entry has been made, shall forthwith send the certificate to the Registrar General together with a certified copy of the entry of the birth with the name added under this section.

17.—(1) Where, in the case of any person whose birth has been registered, evidence is produced to the Registrar General or the Superintendent Registrar which appears to him to be satisfactory that the person has become a legitimated person in accordance with the Illegitimate Children Ordinance, the

Re-registration of births of legitimated persons.

Cap. 278 (Laws of Cyprus).

Registrar General may authorise at any time the re-registration of that person's birth, and the re-registration shall be effected in such manner and at such place as may be prescribed :

Provided that, except where—

- (a) the name of a person acknowledging himself to be the father of the legitimated person has been entered in the register in pursuance of section 13 of this Ordinance ; or
- (b) the paternity of the legitimated person has been established by an affiliation order under the Adoption Ordinance or otherwise by a decree of a court of competent jurisdiction,

Cap. 274 (Laws of Cyprus).

the Registrar General shall not authorise the re-registration unless information with a view to obtaining it is furnished by both parents.

(2) Where the Registrar General believes any person to have become a legitimated person on the marriage of his parents, and the parents or either of them fail to furnish within a period of three months from the date of the marriage such information, if any, as may be necessary to enable the Registrar General to authorise the re-registration of that person's birth, the Registrar General may at any time after the expiration of the said period require the parents or either of them to give him such information concerning the matter as he may consider necessary, verified in such manner as he may direct, and for that purpose to attend personally either at a Registrar's office or at any other place appointed by him within such time, not being less than seven days after the receipt of the notice, as may be specified in the notice.

(3) No fee for re-registration under this section of the Ordinance shall be charged if the necessary information for the purpose is furnished before the expiration of the said period of three months ; but in any other case there shall be charged in respect of the re-registration such fees, not exceeding in the aggregate five hundred mils, as may be prescribed.

PART III

REGISTRATION OF DEATHS.

Particulars of deaths to be registered.

18. Subject to the provisions of this Part of the Ordinance the death of every person dying in the Areas and the cause thereof shall be registered by the Registrar of births and deaths for the area in which the death occurred by entering in a register kept for that area such particulars concerning the death as may be prescribed :

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

Information concerning death in a house.

19.—(1) The following persons shall be qualified to give information concerning the death where a person dies in a house :

- (a) any relative of the deceased person present at the death or in attendance during his last illness ;

- (b) any other relative of the deceased residing or being in the area where the death occurred ;
 - (c) any person present at the death ;
 - (d) the occupier of the house if he knew of the happening of the death ;
 - (e) any inmate of the house who knew of the happening of the death ;
 - (f) the person causing the disposal of the body.
- (2) Where a person dies in a house it shall be the duty—
- (a) of the person causing the disposal of the body and of the nearest relative such as is mentioned in paragraph (a) of sub-section (1) of this section of the Ordinance ; or
 - (b) if there is no such relative, of each such relative as is mentioned in paragraph (b) of sub-section (1) of this section of the Ordinance ; or
 - (c) if there are no such relatives, of each such person as is mentioned in paragraph (c) or (d) of sub-section (1) of this section of the Ordinance ; or
 - (d) if there are no such relatives or persons as aforesaid, of each such person as is mentioned in paragraph (e) of sub-section (1) of this section of the Ordinance,

to give to the Registrar, before the expiration of five days from the date of the death, information to the best of his knowledge and belief of the particulars required to be registered concerning the death, and in the presence of the Registrar to sign the register :

Provided that—

- (i) the giving of information and the signing of the register by any one qualified informant shall act as a discharge of any duty under this section of the Ordinance of every other qualified informant ;
- (ii) this section of the Ordinance shall not have effect if an inquest is held on the death.

20.—(1) The following persons shall be qualified to give information concerning the death, where a person dies elsewhere than in a house or where a dead body is found and no information as to the place of death is available :

Information
concerning
other deaths.

- (a) any relative of the deceased who has knowledge of any of the particulars required to be registered concerning the death ;
- (b) any person present at the death ;
- (c) any person finding or taking charge of the body ;
- (d) any person causing the disposal of the body.

(2) Where a person dies elsewhere than in a house or where a dead body is found and no information as to the place of death is available, it shall be the duty—

- (a) of the person causing the disposal of the body and of each such relative as is mentioned in paragraph (a) of sub-section (1) of this section of the Ordinance ; or
- (b) if there are no such relatives, of such other qualified informant, to give to the Registrar, before the expiration of five days from the date of the death or of the finding of the body, 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 :

Provided that—

- (i) the giving of information and the signing of the register by any one qualified informant shall act as a discharge of any duty under this section of the Ordinance of every other qualified informant ;
- (ii) this section of the Ordinance shall not have effect if an inquest is held on the death.

Notice preliminary to information of death.

21. If, before the expiration of five days from the date of the death or of the finding of the dead body of any person, a qualified informant of that person's death sends to the Registrar a written notice of the occurrence of the death or of the finding of the body accompanied by a notice given under sub-section (2) of section 25 of the Ordinance of the signing of a certificate of the cause of death, the information of the particulars required to be registered concerning the death need not be given before the expiration of the said five days, but shall, notwithstanding the notice, be given before the expiration of fourteen days from the date of the death or the finding of the dead body of any person by the person giving the notice or by some other qualified informant.

Power of Registrar to require information concerning death.

22.—(1) Where, after the expiration of the relevant period from the date of the death or finding of the dead body of any person, the death of that person has, owing to the default of the persons required to give information concerning it, not been registered, the Registrar may by notice in writing require any qualified informant—

- (a) to attend personally at the office of the Registrar or at some other place appointed by the Registrar within his area, before such date (being not less than seven days after the receipt of the notice nor more than twelve months from the date of the death or of the finding of the body) as may be specified in the notice ; and
- (b) to give information to the best of the informant's knowledge and belief of the particulars required to be registered concerning the death ; and
- (c) to sign the register in the presence of the Registrar :

Provided that any such requirement shall cease to have effect if, before the date specified in the notice and before the person to whom the notice is given complies with it, either—

- (i) the death is duly registered ; or
- (ii) an inquest is held on the death.

(2) In this section, the expression "the relevant period" means—

- (a) where notice has been duly given to the Registrar in accordance with section 21 of this Ordinance, fourteen days ;
- (b) in any other case, five days.

23. Where the Registrar receives personally from any qualified informant, at any time before the expiration of twelve months from the date of the death or finding of the dead body of any person, information of the particulars required to be registered concerning that person's death then, as soon as he has received any particulars required to be registered concerning the cause of death which are required to be given by any person other than the informant, he shall forthwith register the death and the particulars, if not previously registered, in the prescribed form and manner without any fee or reward from the informant :

Registration of deaths free of charge.

Provided that if in pursuance of a request in writing the Registrar registers the death—

- (a) at the residence of the person making the request ; or
- (b) at the house where the deceased died, that house not being a public institution,

the informant shall pay to the Registrar a fee of two hundred mils.

24.—(1) After the expiration of twelve months from the date of the death or finding of the dead body of any person, the death of that person shall not be registered except with the written authority of the Registrar General and in such manner and subject to such conditions as may be prescribed, and the fact that the authority of the Registrar General has been obtained shall be entered in the register.

Registration of death after twelve months.

(2) When any death is registered under this section of the Ordinance upon the giving of information by a qualified informant, that informant shall pay a fee of three thousand mils to the Superintendent Registrar and, except when the delay was caused by the failure of the Registrar to make a requirement under section 22 of this Ordinance or otherwise by the Registrar's default, a like fee to the Registrar.

(3) Any person who registers any death, or causes any death to be registered, in contravention of this section of the Ordinance, shall be liable to a fine not exceeding ten pounds.

25.—(1) In the case of the death of any person who has been attended during his last illness by a medical practitioner, that medical practitioner shall sign a certificate in the prescribed form stating to the best of his knowledge and belief the cause of death and shall forthwith deliver such certificate to the Registrar and send at the same time a copy to the Superintendent Registrar.

Certificates of cause of death.

(2) On signing a certificate of the cause of death under sub-section (1) of this section of the Ordinance the medical practitioner shall give in the prescribed form to some qualified informant of the death notice in writing of the signing of the certificate and that person shall, except where an inquest is held on the death, deliver the said notice to the Registrar.

(3) Except when an inquest is held on the death or a post-mortem examination of the body is made by virtue of section 32 of the Coroners Ordinance, a Registrar to whom a certificate of cause of death is delivered under sub-section (1) of this section of the Ordinance shall enter in the register the cause of death as stated in the certificate, together with the name of the certifying medical practitioner.

(4) The Registrar General shall from time to time furnish to every Registrar printed forms of the certificates required to be signed by medical practitioners under sub-section (1) of this section of the Ordinance, and every Registrar shall furnish such forms free of charge to any medical practitioner residing or practising in that Registrar's area.

Cap. 153 (Laws
of Cyprus).
Ordinances,
7/64, 11/67, 1/72.

Furnishing of
information
by Coroner.

26.—(1) Where an inquest is held on any death the Coroner shall send to the Registrar, within five days after the finding of the inquest is given, a certificate under his hand giving information concerning the death and specifying the finding with respect to the particulars required to be registered concerning the death and with respect to the cause of death, and specifying the time and place at which the inquest was held.

(2) On receiving a certificate under subsection (1) of this section of the Ordinance, the Registrar shall in the prescribed form and manner register the death and the particulars as found at the inquest, and, if the death has been previously registered, the said particulars shall be entered in the prescribed manner without any alteration of the original entry.

(3) When a post-mortem examination is made of any dead body by virtue of section 4 of the Coroners Ordinance and as a result thereof the Coroner is satisfied that an inquest is unnecessary, the Coroner shall send to the Registrar a certificate under his hand stating the cause of death as disclosed by the report of the person making the examination, and the Registrar shall in the prescribed form and manner make an entry thereof in the register accordingly.

Cap. 153 (Laws
of Cyprus).
Ordinances,
7/64, 11/67, 1/72.

Certificates as
to registration
of death.

27.—(1) The Registrar, upon registering any death, shall forthwith give to the person giving information concerning the death a certificate under his hand that he has registered the death; but may, before registering the death and subject to such conditions as may be prescribed, upon receiving written notice of the occurrence of a death in respect of which he has received a certificate under section 25 of this Ordinance, give to the person sending the notice, if required to do so, a certificate under his hand that he has received notice of the death; and any certificate given under this subsection shall be given without fee:

Provided that the Registrar shall not issue any such certificate in any case in which he is satisfied that a Coroner's order has been issued authorizing the disposal of the body:

Provided further that if the Registrar is absent or for any other reason it is impossible to obtain a certificate under this section of the Ordinance, such a certificate may be issued by a village priest who belongs to the same religion as the deceased or by a police officer in charge of the nearest police station.

(2) Where the body of a deceased person has been moved into the Areas from some place outside the Island of Cyprus and no order has been given by a Coroner in respect thereof, the Chief Officer, if it appears to him that the death is not required by law to be registered in the Areas, shall, upon application of the person procuring the disposal and upon payment of the prescribed fee, give a certificate to that effect in the prescribed form.

(3) A person to whom a certificate issued by the Registrar or the Chief Officer, as the case may be, under this section of the Ordinance is delivered shall transmit it to the person effecting the disposal of the body of the deceased person.

(4) A Registrar or the Chief Officer, as the case may be, by whom a certificate has been given under this section of the Ordinance may, upon receiving a satisfactory explanation of any circumstances by reason of which the certificate is not available for the purposes of any Ordinance relating to the disposal of the bodies of dead persons, issue on payment of the prescribed fee a duplicate thereof either to the person to whom the original certificate was given or to the person effecting the disposal of the body; and any such duplicate certificate shall be in a distinctive form.

(5) Where, on the expiration of the prescribed period after the issue, in respect of any deceased person, of a certificate under this section of the Ordinance or of a Coroner's order authorising the disposal of the body, no notification as to the date, place and means of disposal of the body has been received by the Registrar from the person effecting its disposal, the Registrar shall make enquiry of the person to whom the certificate or order was issued and it shall be the duty of that person to give information to the best of his knowledge and belief as to the person having the custody of the certificate or order, the place in which the body is lying, or, if the body has been disposed of, the person effecting the disposal.

(6) In this section, the expression "person effecting the disposal" means the relative, friend or legal personal representative having charge of or being responsible for the burial of the deceased person.

(7) The Superintendent Registrar shall, upon the application of any interested person and upon payment of a fee of one hundred and fifty mils, issue to such a person a certificate of death in the prescribed form.

PART IV

GENERAL PROVISIONS.

Registers, certified copies, etc.

28. Registers of live-births, still-births and deaths shall be in such form as may be respectively prescribed and the Registrar General shall provide any such registers and any of the forms

Provision of
registers, etc.,
by Registrar
General.

hereafter mentioned for making certified copies of entries in registers, which may be required for the purposes of this Ordinance.

Monthly returns by Registrar to Superintendent Registrar.

29.—(1) Every Registrar shall at the end of every month and on such days as may be appointed by the Registrar General—

- (a) make and deliver to the Superintendent Registrar in the prescribed form a true copy, certified by him in the prescribed manner, of all the entries of live-births, still-births and deaths made in the registers kept by him during the previous month ;
- (b) if no live-birth, still-birth or death has been registered in his Area during the previous month, deliver to the Superintendent Registrar in the prescribed form a certificate to that effect under his hand.

(2) Where a certified copy is delivered to the Superintendent Registrar under sub-section (1) of this section of the Ordinance, the Superintendent Registrar shall verify the copy and, if the copy is found to be correct, shall certify it under his hand to be a true copy ; and where a certificate that there have been no registrations is so delivered, the Superintendent Registrar shall countersign such certificate.

Quarterly returns by Superintendent Registrar to Registrar General.

30. Every Superintendent Registrar shall four times in every year, on such days as may be appointed by the Registrar General, send to the Registrar General all certified copies of entries in registers of live-births, still-births or deaths which he has received during the three months immediately preceding the days so appointed respectively, and if the copy of any part of any register has not been duly delivered to him, the Superintendent Registrar shall procure, as far as is possible consistent with the provisions of this Ordinance, that the deficiency is remedied.

Custody of registers, etc.

31.—(1) Every Superintendent Registrar and every Registrar shall keep safely all registers of live-births, still-births and deaths which are in his custody.

(2) The certified copies sent to the Registrar General under section 30 of the Ordinance shall be kept in the Registrar General's Office in such order and manner as the Registrar General, subject to directions of the Chief Officer, may think fit.

Correction of errors in registers.

32.—(1) No alteration shall be made in any register of live-births, still-births or deaths except as authorised by this or any other Ordinance.

(2) Any clerical error which may from time to time be discovered in any such register may, in the prescribed manner and subject to the prescribed conditions, be corrected by any person authorised in that behalf by the Registrar General :

Provided that the officer who has in his custody any registers shall be responsible for the correction of any errors.

(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 to him by the person requiring the error to be corrected of a fee of two hundred mils and upon production to him by that person of a statutory declaration setting forth the nature of the error and the true facts of the case made by two

qualified informants of the birth or death with reference to which the error has been made, or in default of two qualified informants then by two credible persons having knowledge of the truth of the case.

(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 death upon which he has held an inquest, the Coroner, if satisfied by evidence on oath or statutory declaration that such an error exists, may certify under his hand to the officer having the custody of the register in which the information is entered the nature of the error and the true facts of the case as ascertained by him on that evidence, and the error may thereupon be corrected by that officer in the register by entering in the margin (without any alteration of the original entry) the facts as so certified by the Coroner.

PART V

CERTIFICATES.

33.—(1) The following provisions of this section of the Ordinance shall have effect in relation to entries in registers under this Ordinance or any ordinance repealed by this Ordinance.

Entry in
register as
evidence of
birth or death.

(2) An entry or a certified copy of an entry of a birth or death in a register, or in a certified copy of a register, shall not be evidence of the birth or death unless the entry purports to be signed by some person professing to be the informant and to be such a person as might be required by law at the date of the entry to give to the Registrar information concerning that birth or death :

Provided that this subsection of the Ordinance shall not apply—

- (a) in relation to an entry of a birth which, not being an entry signed by a person professing to be a Superintendent Registrar, purports to have been made with the authority of the Registrar General ; or
- (b) in relation to an entry of a death which purports to have been made upon a certificate from a Coroner.

(3) Where more than three months have intervened between the date of the birth of any child or the date when any living new-born child was found exposed and the date of the registration of the birth of that child, the entry or a certified copy of the entry of the birth of the child in the register, or in a certified copy of the register, shall not be evidence of the birth unless—

- (a) if it appears that not more than twelve months have so intervened, the entry purports either to be signed by the Superintendent Registrar or to have been made with the authority of the Registrar General ;
- (b) if more than twelve months have so intervened the entry purports to have been made with the authority of the Registrar General :

Provided that this sub-section of the Ordinance shall not apply in any case where the original entry in the register was made before the 1st October, 1975.

(4) Where more than twelve months have intervened between the date of the death or of the finding of the dead body of any person and the date of the registration of that person's death, the entry or a certified copy of the entry of the death in the register, or in a certified copy of the register, shall not be evidence of the death unless the entry purports to have been made with the authority of the Registrar General :

Provided that this subsection of the Ordinance shall not apply in any case where the original entry in the register was made before the 31st December, 1975.

(5) Notwithstanding anything in this Ordinance contained, in the case of an adopted person there shall be issued and certified under this Ordinance a copy of the re-registration entry authorised by the Registrar-General under sub-section (2) of section 9 of the Ordinance and in no case shall any mention of the adoption or the names of the natural parents of the adopted person be made :

Provided that in the case of an adoption by one person only, if the person making the adoption or the adopted person so wish, mention may be made of the adoption, unless instead of a copy of the whole re-registration entry the issue is preferred of a copy of an extract in accordance with the provisions of sub-section (6) of this section of the Ordinance.

(6) At the discretion of the applicant, there may be issued instead of the whole copy of a registration or re-registration in the register a certified copy of an extract therefrom containing only the surname of the person registered or re-registered, the sex and date of birth and the names of the persons appearing as his parents.

(7) A certified copy of an entry in a register or in a certified copy of a register shall be deemed to be a true copy notwithstanding that it is made on a form different from that on which the original entry was made if any differences in the column headings under which the particulars appear in the original entry and the copy respectively are differences of form only and not of substance.

(8) The Registrar General shall cause any certified copy of an entry given in the Registrar General's Office to be sealed or stamped with the seal of that Office ; and subject to provisions of this section of the Ordinance, any certified copy of an entry purporting to be sealed or stamped with the said seal shall be received as evidence of the birth or death of the person to whom it relates without any further or other proof of the entry, and no certified copy purporting to have been given in the said Office shall be of any force or effect unless it is sealed or stamped as aforesaid.

PART VI
OFFENCES.

34. If any person commits any of the following offences, that is to say—

Offences relating to registers.

- (a) if, being a Registrar, he refuses or without reasonable cause omits to register any birth or death or particulars concerning which information has been tendered to him by a qualified informant and which he is required by or under this Ordinance to register; or
- (b) if, being a person having the custody of any register of births or register of deaths, he carelessly loses or damages the register or allows the register to be damaged,

he shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds.

35. If any person commits any of the following offences, that is to say—

Penalties for failure to give information, etc.

- (a) if, being required by or under this Ordinance to give information concerning any birth or death of any living new-born child or any dead body, he wilfully refuses to answer any question put to him by the Registrar relating to the particulars required to be registered concerning the birth or death, or save as provided in this Ordinance, fails to comply with any requirement of the Registrar made thereunder;
- (b) if he refuses or fails without reasonable excuse to give, deliver or send any certificate which he is required by this Ordinance to give, deliver or send;
- (c) if, being a parent and save as provided in this Ordinance, he fails to give information concerning the birth of his child as required by this Ordinance; or
- (d) if, being a parent of a legitimated person within the meaning of the Illegitimate Children Ordinance, he fails to comply with any requirement of the Registrar General made under or by virtue of section 17 of this Ordinance; or
- (e) if, being a person upon whom a duty to give information concerning a death is imposed by paragraph (a) of subsection (2) of section 19 or 20 of this Ordinance, he fails to give information and that information is not given,

Cap. 278 (Laws of Cyprus).

he shall be guilty of an offence and shall be liable to a fine not exceeding twenty pounds for each offence.

36. If any person forges or falsifies any certificate, declaration or order under this Ordinance, or knowingly uses, or gives or sends to any person, as genuine any false or forged certificate, declaration or order for the purposes of this Ordinance, he shall be liable to a fine not exceeding two hundred pounds.

Penalty for forging certificate, etc.

37. A Superintendent Registrar may, subject to any direction of the Legal Adviser, prosecute any person for an offence under this Ordinance committed within the Area.

Prosecution of offences.

PART VII

MISCELLANEOUS.

Registrar
General.

38.—(1) The Administrator may from time to time appoint a Registrar General and any person so appointed shall exercise the powers and perform the duties conferred or imposed by this Ordinance, and shall hold office during the Administrator's pleasure.

(2) The office of the Registrar General shall be known as the Registrar General's Office and any place in which any registers or records in the custody of the Registrar General by virtue of this Ordinance are deposited by direction of the Registrar General shall, so long as those registers or records are there deposited, be deemed to be part of the Registrar General's Office.

Registrar
General's staff.

39.—(1) Subject to the authority of the Administrator as to number, the Registrar General may appoint such officers and assistants for the purposes of his functions as he may determine.

(2) Any act or thing required by or under any Ordinance to be done by, to or before the Registrar General may be done by, to or before any officer or assistant of the Registrar General authorised generally or specially in that behalf in writing by the Registrar General.

Supervisors.

40. In each Area there shall be appointed such number of supervisors as the Superintendent Registrar may from time to time determine to supervise the work of the Registrars and to ensure that all births and deaths have been registered in the books kept by the Registrars and that medical practitioners or midwives send within the period prescribed by this Ordinance notices of births and deaths to the Registrars. The supervisor may visit any hospital, clinic or premises and may ask such questions, which the Registrar or the medical practitioner or the midwife in attendance upon the mother at the time or within six hours after birth have to answer, as he may think proper to ask.

Registrars.

41. Every Registrar shall be appointed by the Superintendent Registrar and may retain the fees to which this Ordinance entitles him.

Area registry
office.

42. The registry office for each Area shall be deemed for the purposes of this Ordinance to be situated in Akrotiri and Dhekelia respectively and the Superintendent Registrar shall provide fit rooms from his office, with fireproof repository or fire-resisting boxes, if possible, for the safe custody of the records in his charge.

Delivery of
books, etc., on
ceasing to
hold office.

43.—(1) When any person ceases to hold the office of the Registrar of births and deaths for any Area, all moneys, seals, articles, books and documents in his possession shall be delivered to his successor in office in the presence of the supervisor. If he fails to do so he shall be liable to a fine of twenty pounds and if the failure continues to a fine of five pounds for every day on which the failure has so continued.

(2) If the Judge is satisfied by information on oath that there is reasonable cause to believe that any article withheld in contravention of this section of the Ordinance is in any specified

house or place, he may grant a search warrant authorising any policeman named therein to enter and search that house or place at any time and seize any such article so found, and any article so seized shall be delivered to the person in whose custody it should be.

44. The Registrar General shall send to the Chief Officer annually, in such form as he may from time to time require, a general abstract of the number of live-births, still-births and deaths registered in the year last preceding.

Annual
abstract.

45. The Administrator may make regulations to be published in the Gazette—

Regulations.

- (a) prescribing the duties of Superintendent Registrars and Registrars of births and deaths in pursuance of any Ordinances relating to their function,
- (b) providing that any provision of this Ordinance, being a provision relating to the registration or entry of births, shall cease to apply in relation to still-births or, in the case of a provision expressed by this Ordinance not to apply in relation to still-births, shall apply in relation to still-births with such modifications, if any, as may be prescribed ;
- (c) prescribing anything which by this Ordinance is required to be prescribed.

46. Any notice, information, declaration, certificate, requisition, return or other document required by or under this Ordinance may be sent by post.

Sending
documents
by post.

47.—(1) Any registration effected, certificate issued, notice or information given, order, regulations or return made or other thing done under any Ordinance repealed by this Ordinance shall, if in force at the commencement of this Ordinance continue in force, and have effect as if effected, issued, given, made or done under the corresponding provision of this Ordinance.

Saving, etc.

(2) Any form used, and any requirement as to the particulars to be entered in any form used, for the purposes of any Ordinances repealed by this Ordinance in force immediately before the commencement of this Ordinance shall continue in force as though prescribed under this Ordinance until other forms or particulars are so prescribed.

(3) Where a period of time specified in any Ordinance repealed by this Ordinance is current at the commencement of this Ordinance, this Ordinance shall have effect as if the corresponding provision thereof had been in force when that period began to run.

(4) Any document referring to the Ordinances repealed by this Ordinance shall unless the contrary intention appears be construed as referring to the corresponding provisions of this Ordinance.

(5) Nothing in this Ordinance shall affect any provision of the Statistics Ordinance, 1968 requiring particulars to be furnished for the purposes of that Ordinance.

O'dinance
20 of 1968.

Registration
under the
United
Kingdom Act.

48. Notwithstanding the provisions of this Ordinance, no person who is entitled to register, under the provisions of the Registration of Births, Deaths and Marriages (Special Provisions) Act, 1957 of the United Kingdom, or any act of the United Kingdom substituted for or amending the same, a birth or death occurring in the Areas which he would otherwise have been obliged to register under the provisions of this Ordinance, shall be obliged to register under the said provisions, if he satisfies the Registrar General that he has registered such birth or death under the provisions of the said United Kingdom Act, and, if required by the Registrar General, provides him with a copy of the particulars he has supplied to the appropriate United Kingdom authorities under the provisions of the said Act :

Provided that nothing in this section shall preclude a person to whom this section applies from voluntarily registering a birth or death under the provisions of this Ordinance which he would otherwise be obliged to register notwithstanding that he has also registered such birth or death under the provisions of the said United Kingdom Act, and in such case the provisions of this Ordinance which are not inconsistent with this section shall apply to such registration.

49. This Ordinance shall come into operation on a date to be appointed by the Administrator by notice published in the Gazette and the Births and Deaths Registration Ordinance and, subject to the provisions of section 47 of this Ordinance, the Births and Deaths (Registration) Regulations, shall be repealed.

Date of
coming into
operation.
Repeal.

Cap. 275 (Laws
of Cyprus).

Ordinances,
17/64 and 6/68.

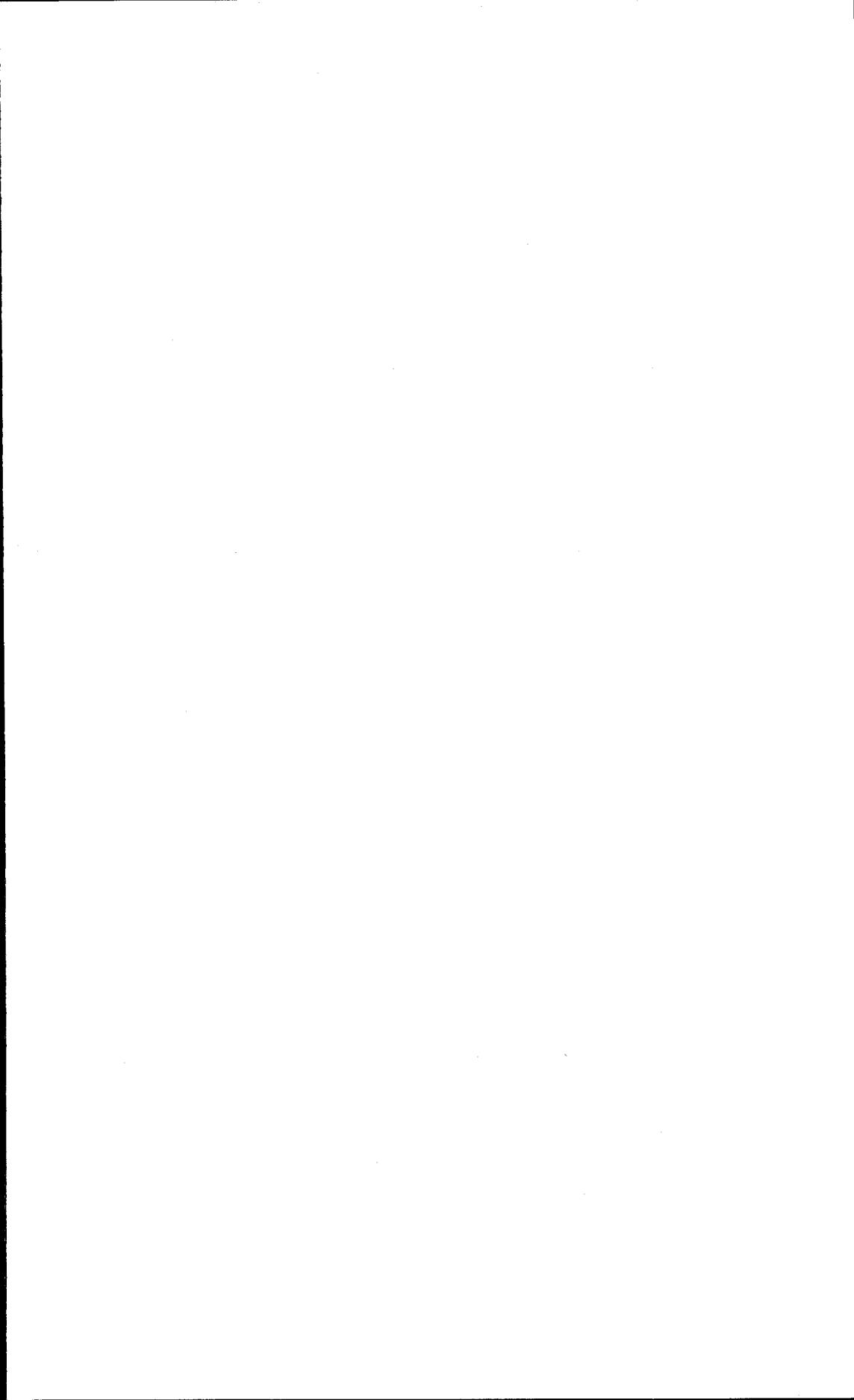
S.L. Vol I, p. 49.
P.I No. 31/68.

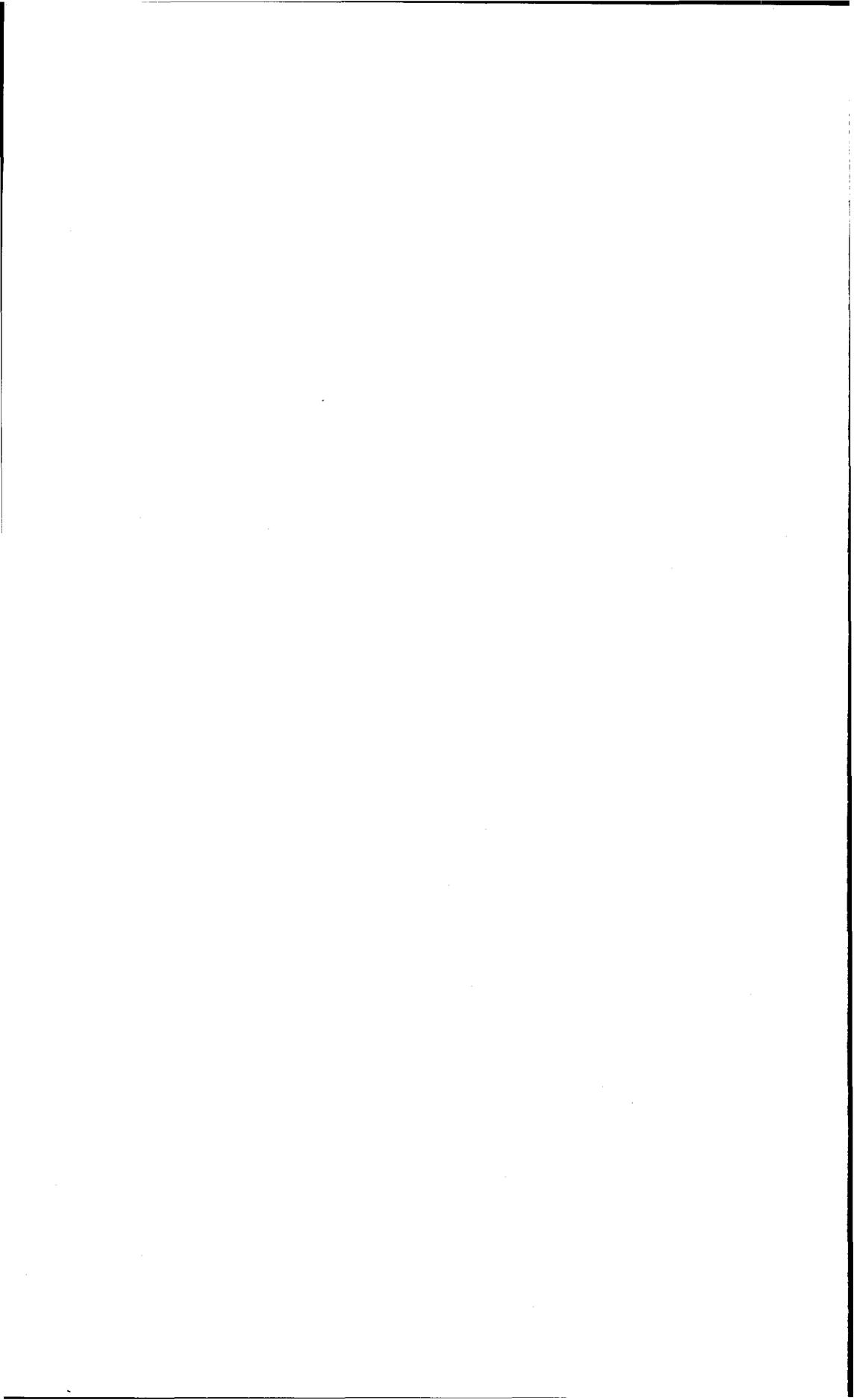
A.W. STEPHENS

14th October, 1975.

Chief Officer.

(203)





THE FORESHORE PROTECTION
ORDINANCE, 1975

(Ordinance No. 9 of 1975).

ARRANGEMENT OF SECTIONS.

Section.

1. Short title.
 2. Interpretation.
 3. Power to Area Officer to prohibit interference with foreshore, etc.
 4. Custody, disposal of, etc., vehicle, article, etc., removed and liability for expenses.
 5. Power to police officers to stop, search, seize and detain any conveyance.
 6. Restriction upon structures, etc., on foreshore.
 7. Drains to be covered and extended to sea.
 8. Grant of permits to remove materials from the foreshore.
 9. Power to the Administrator to prescribe form of, terms and conditions, fees, etc., permits.
 10. Prerogative of the Crown preserved.
 11. Repeal.
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