

The Births, Deaths and Marriages Registration Act, 1886

(ACT NO. VI OF 1886)

[8th March, 1886]

¹♣An Act to provide for the voluntary Registration of certain Births and Deaths, for the establishment of General Registry Offices for keeping Registers of certain Births, Deaths and Marriages, and for certain other purposes.

WHEREAS it is expedient to provide for the voluntary registration of births and deaths among certain classes of persons, for the more effectual registration of those births and deaths and of the marriages registered under Act III of 1872, or the Christian Marriage Act, 1872, and of certain marriages registered under the Parsi Marriage and Divorce Act, 1865, and for the establishment of general registry offices for keeping registers of those births, deaths and marriages;

AND WHEREAS it is also expedient to provide for the authentication and custody of certain existing registers made otherwise than in the performance of a duty specially enjoined by the law of the country in which the registers were kept, and to declare that copies of the entries in those registers shall be admissible in evidence;

It is hereby enacted as follows:-

CHAPTER I PRELIMINARY

Short title and commencement

1. (1) This Act may be called the Births, Deaths and Marriages Registration Act, 1886; and
(2) It shall come into force on such day as the Government by notification in the official Gazette, directs.

Local extent

²[2. It extends to the whole of Bangladesh].

Definitions

3. In this Act, unless there is something repugnant in the subject or context,-

“sign” includes mark, when the person making the mark is unable to write his name:

“prescribed” means prescribed by a rule made under this Act: and

“Registrar of Births and Deaths” means a Registrar of Births and Deaths appointed under this Act.

Saving of local laws

4. Nothing in this Act, or in any rule made under this Act, shall affect any law heretofore or hereafter passed providing for the registration of births and deaths within particular local areas.

Powers exercisable from time to time

5. All powers conferred by this Act may be exercised from time to time as occasion requires.

CHAPTER II

GENERAL REGISTRY OFFICES OF BIRTHS, DEATHS AND MARRIAGES

Establishment of general registry offices and appointment of Registrars General

6. ³[The Government]-

(a) shall establish a general registry office for keeping such certified copies of registers of births and deaths registered under this Act, or marriages registered under Act III of 1872 (to provide a form of marriage in certain cases) or the Christian Marriage Act, 1872, or under the Parsi Marriage and Divorce Act, 1865, as may be sent to it under this Act, or under any of the three last-mentioned Acts, as amended by this Act; and

(b) may appoint to the charge of that office an officer, to be called the Registrar General of Births, Deaths and Marriages, for the territories under its administration.

Indexes to be kept at general registry office

7. ⁴[The] Registrar General of Births, Deaths and Marriages shall cause indexes of all the certified copies of registers sent to his office under this Act, or under Act III of 1872, the Christian Marriage Act, 1872, or the Parsi Marriage and Divorce Act, 1865, as amended by this Act, to be made and kept in his office in the prescribed form.

Indexes to be open to inspection

8. Subject to the payment of the prescribed fees, the indexes so made shall be at all reasonable times open to inspection by any person applying to inspect them, and copies of entries in the certified copies of the registers to which the indexes relate shall be given to all persons applying for them.

Copies of entries to be admissible in evidence

9. A copy of an entry given under the last foregoing section shall be certified by the Registrar General of Births, Deaths and Marriages, or by an officer authorised in this behalf by the Government, and shall be admissible in evidence for the purpose of proving the birth, death or marriage to which the entry relates.

Superintendence of Registrars by Registrar General

10. ⁵[The] Registrar General of Births, Deaths and Marriages shall exercise a general superintendence over the Registrars of Births and Deaths in the territories for which he is appointed.

CHAPTER III**REGISTRATION OF BIRTHS AND DEATHS****[Repealed]**

11-28. [Repealed by section 24 of the Births and Deaths Registration Act, 2004 (Act No. XXIX of 2004).]

CHAPTER IV**AMENDMENT OF MARRIAGE ACTS****[Repealed]**

29-31. [Repealed by section 2 and Schedule of the Repealing Act, 1938 (Act No. I of 1938).]

CHAPTER V

SPECIAL PROVISIONS AS TO CERTAIN EXISTING REGISTERS

Permission to persons having custody of certain records to send them within one year to Registrar General

32. If any person in Bangladesh ⁶[* * *], has for the time being the custody of any register or record of birth, baptism, naming, dedication, death or burial of any persons of the classes referred to in section 11, sub-section (1), or of any register or record of marriage of any persons of the classes to which Act III of 1872 or the Christian Marriage Act, 1872, or the Parsi Marriage and Divorce Act, 1865, applies, and if such register or record has been made otherwise than in performance of a duty specially enjoined by the law of the country in which the Register or record was kept, he may, at any time before the first day of April, 1891, send the register or record to the office of the Registrar General of Births, Deaths and Marriages for the territories within which he resides ⁷[* * *]

[Omitted]

Sections 33, 34, 35 and 35A. [Omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).]

[Omitted]

34.Sections 33, 34, 35 and 35A. [Omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).]

[Omitted]

35.Sections 33, 34, 35 and 35A. [Omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).]

[Omitted]

35A.Sections 33, 34, 35 and 35A. [Omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).]

CHAPTER VI**RULES****Rules**

36.(1) ⁸[The Government], may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may-

(a) fix the fees payable under this Act;

(b) prescribe the forms required for the purposes of this Act;

(c) prescribe the time within which, and the mode in which, persons authorised under this Act to give notice of a birth or death to a Registrar of Births and Deaths must give the notice;

(d) prescribe the evidence of identity to be furnished to a Registrar of Births and Deaths by persons giving notice of a birth or death in cases where personal attendance before such Registrar is dispensed with;

(e) prescribe the registers to be kept and the form and manner in which Registrars of Births and Deaths are to register births and deaths under this Act, and the intervals at which they are to send to the Registrar General of Births, Deaths and Marriages true copies of the entries of births and deaths in the registers kept by them;

(f) prescribe the conditions and circumstances on and in which Registrars of Births and Deaths may correct entries of births and deaths in registers kept by them;

⁹[* * *]

(h) prescribe the custody in which those registers or records are to be kept.

(3) Every power to make rules conferred by this Act is subject to the condition of the rules being made after previous publication.

(4) All rules made under this Act shall be published in the official Gazette, and on such publication shall have effect as if enacted in this Act.

[Repealed]

37. [Repealed by section 5 of the Birth, Deaths and Marriages Registration Amendment Act, 1911 (Act No. IX of 1911).]

¹ Throughout this Act, except otherwise provided, the words “Bangladesh” and “Government” were substituted, for the words “Pakistan” and “Central Government” or “Provincial Government” or “Central Government or the Provincial Government” respectively by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

² Section 2 was substituted, for the former section 2 by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

³ The words “The Government” were substituted, for the words “Each Provincial Government” by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

⁴ The word “The” was substituted, for the word “Each” by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

⁵ The word “The” was substituted, for the word “Each” by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

⁶ The words “or in any Acceding State” were omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).

⁷ The words and commas “or, if he resides within any Acceding States, to such one of the Registrars General as aforesaid as the Central Government, by notification in the official Gazette, directs in this behalf” were omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).

⁸ The words “The Government” were substituted, for the words and commas “The Provincial Government, for each Province, and the Central Government, for citizens of Pakistan in Acceding State” by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

⁹ Clause (g) was omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

Copyright © 2019, Legislative and Parliamentary Affairs Division

Ministry of Law, Justice and Parliamentary Affairs