

No. of 2021

VIRGIN ISLANDS

REGISTRATION OF BIRTHS AND DEATHS ACT, 2021

ARRANGEMENT OF SECTIONS

Section

**PART I
PRELIMINARY**

1. Short title and commencement.
2. Interpretation.

**PART II
ADMINISTRATION**

3. Appointment of Registrar-General and other staff.
4. General registers.
5. Division of Territory into districts.

**PART III
REGISTRATION OF BIRTHS**

6. Registrar to register births.
7. Notification of births.
8. Registration of births.
9. Requisition by Registrar concerning birth.
10. Notice of child found to be given to Registrar.
11. Entry of name of the father of child born out of wedlock.
12. Name of child.
13. Registration of name change upon declaration of parentage.
14. Entry of baptismal or other name on Register.
15. Late registration of a birth.
16. Registrar to give birth certificate.
17. Temporary certificates of birth.
18. Notification of stillbirth.
19. Registration of stillbirth.

**PART IV
REGISTRATION OF DEATHS**

20. Registrar to register deaths.
21. Notification of deaths.

- 22. Registration of deaths.
- 23. Requisition by Registrar concerning deaths.
- 24. Late registration of a death.
- 25. Information by coroner.
- 26. Registrar to give death certificate.
- 27. Permit to bury to be obtained before burial.
- 28. Death to be registered prior to removal of body from Territory.

PART V MISCELLANEOUS

- 29. Medical certificates.
- 30. Correction of errors in the registers.
- 31. Registration of name change.
- 32. Application to register name change.
- 33. Publication of name change.
- 34. Penalties for destruction of entries, false entry, false information etc.
- 35. Penalties for not giving information.
- 36. Annual report.
- 37. Searches and certified copies.
- 38. Certified copies of entries to be made and admissible as evidence.
- 39. Sending certificates etc. by post.
- 40. Amendment of schedules.
- 41. Fees.
- 42. Regulations.
- 43. Repeal and savings.

SCHEDULE 1

SCHEDULE 2

SCHEDULE 3

No. of 2021

**Registration of Births and
Deaths Act, 2021**

**Virgin
Islands**

I ASSENT

Governor.

, 2021

VIRGIN ISLANDS

No. of 2021

A Bill for

An Act to provide for the notification and registration of births and deaths, to repeal the Registration of Births and Deaths Ordinance (Cap. 276) and for connected matters.

[Gazetted , 2021]

ENACTED by the Legislature of the Virgin Islands as follows:

**PART I
PRELIMINARY**

1. This Act may be cited as the Registration of Births and Deaths Act, 2021 and shall come into force on a date the Governor may, by Proclamation published in the *Gazette*, appoint. Short title and commencement.

2. In this Act, unless the context otherwise requires, Interpretation.

“burial permit” means a permit issued pursuant section 27;

“certificate” means, unless otherwise provided

(a) a certificate of birth within the meaning of section 16;

(b) a temporary certificate of birth within the meaning of section 17;

- (c) a certificate of stillbirth within the meaning of section 19; or
- (d) a certificate of death within the meaning of section 26;

“certified” means certified by the Registrar to be a true copy of an original record or, in relation to an extract, certified by the Registrar to be a true extract from an original record;

“electronic database” means the electronic database established and maintained by the Registrar;

“general search” means a search during any number of successive hours not exceeding six without stating the object of search;

“healthcare facility” includes a clinic, a walk-in clinic, a surgical centre, a birth centre, a maternity hospital, a health practitioner’s office, a medical practitioner’s office or any other facility which offers medical care to any person;

“informant” means the person giving information of the particulars required to be registered under this Act, to the Registrar;

“original” means

- (a) with respect to a form, the paper version of the form; and
- (b) with respect to a document that has been completed, the paper version of the document bearing the original signatures of any persons required to sign the document;

“particular search” means a search over any period not exceeding five years for any given entry;

“prescribed” means prescribed by Regulations;

“prescribed fee” means the fee prescribed in Schedule 3;

“register” means the registers of births or deaths or stillbirths, as the case may be, kept or made pursuant to this Act;

“Registrar” means the Registrar-General of Births and Deaths appointed under section 3 and includes the Deputy Registrar-General or Assistant Registrar-General, while so acting; and

“stillbirth” or “stillborn” means the complete expulsion or extraction from the mother, after at least 22 weeks pregnancy, of a child which did not at any time after being completely expelled from its mother breathe or show any other sign of life.

Schedule 3

PART II ADMINISTRATION

- 3. (1)** The Governor, acting in accordance with the provisions of section 92 of the Constitution, shall appoint
- Appointment of Registrar-General, and other staff.
U.K.S.I. 2007 No.1678
- (a) a suitably qualified person to be the Registrar-General of Births and Deaths for the Territory;
 - (b) a Deputy Registrar-General and an Assistant Registrar-General to assist the Registrar in the execution of his or her duties; and
 - (c) such other staff as may be necessary for the efficient functioning and operation of the Civil Registry.
- (2)** The Deputy Registrar-General may, subject to any general or special directions of the Registrar, exercise any of the functions of the Registrar under this Act, and shall, in the absence of the Registrar or if so directed by Registrar, perform the duties and functions of the Registrar under this Act.
- (3)** The duties of the Registrar shall be
- (a) to register births, stillbirths and deaths in accordance with this Act;
 - (b) to issue certificates;
 - (c) to establish and maintain the registers necessary for the purposes of this Act; and
 - (d) to perform such other functions as may be necessary for the carrying into effect the provisions of this Act.
- 4. (1)** The Registrar shall maintain at the Civil Registry the following registers:
- General registers.
- (a) a register of all births occurring in the Territory;
 - (b) a register of all deaths occurring in the Territory;
 - (c) a register of all stillbirths occurring in the Territory; and
 - (d) such other registers, as may be necessary for the purposes of this Act.

(2) The entries in every register shall be made in order and shall be numbered progressively from the beginning to the end of the year beginning with the number one, and every entry shall be separated from the preceding one by a line.

(3) The registers may be maintained wholly or partly in the form of an electronic database, in documentary form, or both.

(4) The Registrar may receive electronically any registration form which is required to be registered with the Registrar under this Act, through facsimile or other electronic transfer for the purpose of filing such registration form.

5. For the purposes of this Act the Territory shall be divided into districts as set out in Schedule 1.

Division of
Territory into
districts.
Schedule 1

PART III REGISTRATION OF BIRTHS

6. The birth of every person occurring in the Territory shall be registered by the Registrar in the Register of Births.

Registrar to
register births.

7. (1) Within twenty-one days after the birth of a child in the Territory, the Registrar shall be notified of the particulars of the birth in accordance with this section.

Notification of
births.

(2) Where the birth occurs in a healthcare facility, or the child is brought to any healthcare facility within twenty four hours after the birth, the officer in charge of the healthcare facility is responsible for notifying the Registrar of the particulars concerning such birth, in the manner specified by the Registrar.

(3) Where a medical practitioner, nurse or midwife attends at the birth, then that medical practitioner, nurse or midwife is responsible for notifying the Registrar of the particulars concerning such birth, in the manner specified by the Registrar.

(4) Where there was no medical practitioner, nurse or midwife, then any person present at the birth shall give the requisite notice, in the manner specified by the Registrar.

8. (1) Within thirty days after the birth of a child in the Territory, the mother or the father of the child or, any person having charge of the child shall complete and deliver to the Registrar, a Birth Registration Form according to Form A in Schedule 2.

Registration of
births.

Schedule 2

(2) If a pregnancy results in the birth of more than one child, the informant shall complete a separate form for each child and the forms shall state the number of children born and the order of their birth.

Requisition
by Registrar
concerning
birth.

9. Where a birth is not registered within the prescribed time, the Registrar may, by notice in writing, require any of the persons responsible for registering the birth to attend personally at the Civil Registry, within such time as may be specified in the notice being not less than seven days after the receipt of such notice, to register the birth.

10. (1) A person who finds a new born child, whether living or dead, or a person in whose charge such child or, if the child is dead, the body of such child is placed, shall forthwith give notice to the Registrar or to any police officer.

Notice of child
found to be given
to Registrar.

(2) Where the Registrar or a police officer is given notice pursuant to subsection (1) with respect to a deceased child, the Registrar or a police officer, as the case may be, shall notify the coroner of the death.

11. (1) In the case of the birth of a child born out of wedlock, the Registrar shall not enter in the register the name of any person as father of such child unless

Entry of name
of the father
of child born
out of wedlock.

- (a) the mother and the person acknowledging himself to be the father of such child attend personally before the Registrar and request that the Registrar makes such entry, in which case the mother and the person acknowledging himself to be the father shall both sign the birth registration form; or
- (b) the Registrar is furnished with an affidavit or a statutory declaration signed by the person acknowledging himself to be the father of such child, and sworn to before a Commissioner for Oaths or a Notary Public.

(2) Where the birth of a child born out of wedlock is registered and no name has been entered in the register as the father, the Registrar shall, upon payment of the prescribed fee, re-register the birth to include the name of the father if

- (a) the mother and the person acknowledging himself to be the father of such child attend personally before the Registrar and request that the Registrar makes such entry, in which case the mother and the person acknowledging himself to be the father shall both sign the birth registration form; or
- (b) the Registrar is furnished with an affidavit or a statutory declaration signed by the person acknowledging himself to be the father of such child, and sworn to before a Commissioner for Oaths or a Notary Public.

(3) Where a birth has been re-registered pursuant to subsection (2), the Registrar shall cause a note of the re-registration to be entered in the margin of the original entry of such birth and thereafter the Registrar shall only issue a certificate which shows the re-registration.

Name of child.

12. The name of a child shall be registered as follows:

- (a) where the mother is married at the time of birth, both parents shall select the given names and surname of the child;
- (b) where the parents do not agree on the child's surname, then a surname consisting of both parent's surnames shall be entered on the birth certificate, separated by a hyphen; or
- (c) where the mother is not married at the time of birth, the parent who has custody of the child shall select the child's given names and surname.

Registration of
name change
upon declaration
of parentage.
No.6 of 2014

13. (1) Where the Court makes a declaration of parentage pursuant to section 8 of the Status of Children Act, the Registrar shall on receipt of the declaration and upon payment of the prescribed fees, register the change of name in accordance with section 8 of the Status of Children Act.

(2) Where a change of name is made pursuant to subsection (1), the Registrar shall cause a note of the change in registration to be entered in the margin of the original entry of such birth and thereafter the Registrar shall only issue a certificate which shows the change in registration.

(3) A change of name registered pursuant to subsection (1) shall not be amended unless the declaration of parentage issued by the Court is subsequently revoked.

Entry of
baptismal or
other name on
Register.

14. (1) The Registrar may enter the baptismal or other name of a child on the birth certificate, after the registration of the birth of a child, upon receipt of the certificate of baptism or such other document as the Registrar may require and on payment of the prescribed fees.

(2) Where a name is entered on a certificate pursuant to subsection (1), the Registrar shall cause a note of the baptismal or other name to be entered in the margin of the original entry of such birth, without erasure of the original entry.

Late registration
of a birth.

15. The Registrar shall not register a birth after one year from the date of the birth except as prescribed and upon payment of the prescribed fees.

- 16.** The Registrar shall, upon registering any birth and upon payment of the prescribed fees, issue to the person registering such birth a certificate according to Form B in Schedule 2. Registrar to give birth certificate. Schedule 2
- 17. (1)** Where a child is born at a hospital, or the child is brought to any hospital within twenty-four hours after the birth, and the mother or father of such child or, the person having charge of the child, requires a birth certificate for the purpose of seeking emergency medical attention for the child outside of the Territory, the officer in charge of the hospital may, upon proof of payment of the prescribed fees, issue a temporary birth certificate in the prescribed form. Temporary certificates of birth.
- (2)** A certificate issued pursuant to subsection (1) shall only be valid for a period of six months from the date of issue and shall be clearly marked "For Hospital Use Only".
- 18. (1)** The birth of every stillborn child occurring in the Territory shall be registered by the Registrar in the Register of Stillbirths. Notification of stillbirth.
- (2)** Within twenty-one days after a stillbirth in the Territory, the Registrar shall be notified of that stillbirth by a person who would have been required by this Act to give information concerning the birth, if the child had been born alive.
- 19. (1)** Within thirty days after a stillbirth, the mother or the father of the child or, any person having charge of the child shall complete and deliver to the Registrar, a Stillbirth Registration Form according to Form C in Schedule 2. Registration of stillbirth. Schedule 2
- (2)** The Registrar shall immediately upon registering a stillbirth, and upon payment of the prescribed fees, issue to the person registering such stillbirth a certificate according to Form D in Schedule 2. Schedule 2

PART IV REGISTRATION OF DEATHS

- 20.** The death of every person occurring in the Territory and the cause of such death shall be registered by the Registrar in the Register of Deaths. Registrar to register deaths.
- 21. (1)** Where any death occurs in the Territory, the Registrar shall be notified of the death in accordance with this section. Notification of deaths.
- (2)** Where the death occurs in a healthcare facility, the officer in charge of the healthcare facility is responsible for notifying the Registrar of the particulars concerning such death, in the manner specified by the Registrar.
- (3)** If the deceased person was attended during his or her last illness by a medical practitioner, then that medical practitioner is responsible for notifying the Registrar of the particulars concerning such death, in the manner specified by the Registrar.

(4) If no such medical practitioner, as referred to in subsection (3), attended to the deceased during the last illness of the deceased, then any person present at the death shall give notice, in the manner specified by the Registrar.

Registration of
deaths.

Schedule 2

22. Within seven days of the death of a person occurring in the Territory, the nearest relatives of the deceased shall complete and deliver to the Registrar, a Death Registration Form according to Form E in Schedule 2.

Requisition by
Registrar
concerning
deaths.

23. Where a death is not registered within the prescribed time, the Registrar may, by notice in writing, require any person responsible for registering the death to attend personally at the Civil Registry, within such time as may be specified in the notice, being not less than seven days after the receipt of the notice to register the death.

Late registration
of a death.

24. (1) The Registrar shall not register a death after one year from the date of the death, unless the person seeking to have the death registered provides an affidavit or a statutory declaration

(a) setting out the facts required to the registered concerning death; and

(b) the reason for the delay,

sworn to before a Commissioner for Oaths or a Notary Public.

(2) The Registrar may require further particulars to be furnished, and upon being satisfied of the truth of the particulars set out in the affidavit or the statutory declaration and upon payment of the prescribed fees, cause the death to be registered.

(3) A person who registers or causes to be registered any death, except as provided for in this section commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars.

Information by
coroner.

25. (1) Where an inquest is held on the body of a deceased person, the coroner holding the inquest shall send to the Registrar, within five days of completion of the inquest, a certificate specifying his or her findings with respect to the death, including

(a) the cause of death,

(b) the time and place at which the inquest was held,

and the Registrar shall, register the particulars so specified.

(2) Where the death has been previously registered, the particulars shall be entered in the prescribed manner without any alteration of the original entry.

26. The Registrar shall, upon registering any death, and upon payment of the prescribed fees, issue to the person registering such death a certificate according to Form F in the Schedule 2.

Registrar to give death certificate. Schedule 2

27. (1) No person shall bury, cremate or otherwise dispose of the body of any deceased person unless the death is registered in accordance with this Act and the Registrar has issued a burial permit.

Permit to bury to be obtained before burial.

(2) The Registrar shall, upon registering any death or upon receiving a written notice of the occurrence of a death and a medical certificate certifying such death, and upon payment of the prescribed fees, give to the person procuring the burial, a burial permit according to Form G in Schedule 2.

Schedule 2

(3) Where the body of a deceased person is brought into the Territory for burial and no order has been given by the coroner in respect thereof, the Registrar shall, if it appears that the death is not required by law to be registered in the Territory, give to the person procuring the burial, upon payment of the prescribed fees, a certificate according to Form H in Schedule 2, and such certificate shall be deemed to authorise the burial of such body.

Schedule 2

(4) A person who buries, cremates or otherwise disposes of the body of any deceased person, except as provided for in this section, commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars.

28. (1) The body of a deceased person whose death was registered pursuant to this part shall not be removed from the Territory unless the Registrar has issued a certificate according to Form I in Schedule 2.

Death to be registered prior to removal of body from Territory. Schedule 2

(2) A person who fails to comply with subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars.

PART V MISCELLANEOUS

29. Every medical practitioner in attendance at a birth or a still birth or a death shall complete a medical certificate in the prescribed form and deliver the completed certificate to the Registrar.

Medical certificates.

30. (1) The Registrar shall correct and initial the correction of any clerical error which may from time to time be discovered in any of the registers.

Correction of errors in registers.

(2) Where there is an error of fact or substance in any of the registers the Registrar shall correct such error upon payment of the prescribed fees and upon production of a statutory declaration setting forth the nature of the error and the true facts of the matter.

(3) Corrections shall be made by entry in the margin without any alteration of the original entry, and shall be authenticated by the signature of the Registrar.

Registration of
name change.

31. (1) Subject to subsection (2), the Registrar may on application by a person desirous of registering a change of name and upon payment of the prescribed fees, register the change of name in the Register.

(2) The Registrar shall not register a change of name if, in his or her opinion, the application contains a misrepresentation or, the change is sought for a fraudulent or unlawful purpose.

Application to
register name
change.

32. (1) A person who is at least eighteen years of age may apply to the Registrar in accordance with this section to change his or her given name or surname or both.

(2) The parent of a minor child, whose birth is registered in the Territory, may apply to the Registrar in accordance with this section, to change the child's given name or surname or both.

(3) An application made pursuant to subsections (1) or (2) shall be accompanied by

- (a) a deed poll evidencing the name change; or
- (b) a statutory declaration made by the applicant stating
 - (i) the reasons for the change;
 - (ii) that the applicant intends to abandon his or her current name and to adopt the new name; and
 - (iii) the name by which the applicant desires to be known; and
- (c) the consent of any other person with lawful custody of the child, where the person whose name is being changed is a child; or
- (d) the consent of the child, where the child is twelve years of age or older.

(4) The consent of a child pursuant to subsection (3)(d) is not necessary where the applicant can show that the child is unable to understand the meaning and implication of the change of name.

33. (1) On registering a change of name, the Registrar shall cause a notice of the change of name to be published in the *Gazette*, except in such circumstances as may be specified by regulations. Publication of name change.

(2) The notice shall contain the name and the former name of the person whose name is changed.

34. Every person who Penalties for destruction of entries, false entry, false information etc.

- (a) wilfully destroys or permits to be destroyed, any entry in any register; or
- (b) makes or permits to be made any entry in any register, knowing the same to be false; or
- (c) wilfully makes or permits to be made for the purpose of registration any false statements; or
- (d) wilfully makes any false affidavit, or other document for the purpose of registration; or
- (e) wilfully gives any false certificate or certifies any writing to be an extract of any register knowing the same to be false,

commits an offence and is liable on summary conviction to a fine not exceeding two thousand dollars.

35. (1) Any person who is required by the Registrar under this Act to give information concerning any birth or stillbirth or death, who Penalties for not giving information.

- (a) wilfully refuses to answer any question put to him or her by the Registrar relating to the particulars required to be registered concerning such birth, stillbirth or death; or
- (b) fails to comply with any requisition of the Registrar made pursuant to this Act,

commits an offence and is liable on summary conviction to a fine not exceeding two thousand dollars.

(2) The parent of any child who fails to give information concerning the birth of such child as required by this Act, commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars.

Annual report.	36. The Registrar shall, within four months after the expiration of every year, compile and transmit to the Governor a summary of the number of births, stillbirths and deaths registered during the preceding year in such form as the Governor shall from time to time require.
Searches and certified copies.	<p>37. (1) The Registrar shall, upon payment of the prescribed fees permit searches to be made of any record or register in the Civil Registry between the hours of 10 am and 3 pm of every day except Saturdays, Sundays and public holidays.</p> <p>(2) The Registrar shall give a certified copy of any entry requested pursuant to subsection (1), except that no fee shall be payable by a public officer for any searches made or certified extracts issued in connection with their official duties.</p>
Certified copies of entries to be made and admissible as evidence.	<p>38. (1) All certified copies of entries issued from the Civil Registry shall be stamped or sealed in accordance with section 45 of the Constitution.</p> <p>(2) All copies of entries certified as true in accordance with subsection (1) shall be admissible in all civil and criminal cases as evidence of the birth, stillbirth or death to which the same relate without any further or other proof of such entries.</p> <p>(3) No certified copy purporting to be issued from the Civil Registry shall be of any force or effect unless it is signed and sealed in accordance with subsection (1).</p>
U.K.S.I. 2007 No.1678.	
Sending certificates etc. by post.	<p>39. (1) All documents required by, or under this Act to be delivered or issued may be sent by post, and the date at which they would be delivered to the person to whom they are sent in the ordinary course of post shall be deemed to be the date at which they are received.</p> <p>(2) Evidence that the correspondence was properly addressed and put into the post shall be sufficient proof of such sending.</p>
Amendment of schedules.	40. The Governor may, by Order, amend the Schedules to this Act.
Fees. Schedule 3	41. The fees payable in respect of registration and the other matters under this Act are the fees specified in the Schedule 3.
Regulations.	<p>42. (1) The Governor may make regulations for the better carrying out of the purposes of this Act.</p> <p>(2) Without limiting the generality of subsection (1), regulations may provide for</p>

- (a) the particulars to be registered concerning a birth, stillbirth or a death;
- (b) the certificates which may be issued under this Act and the requirements for the issuing of certificates;
- (c) the circumstances and conditions for late registration of births and deaths;
- (d) the circumstances under which the publication of a name change is not required;
- (e) the registration of births and deaths of Belongers occurring outside the Territory;
- (f) prescribing anything that is required to be prescribed by this Act.

Repeal and
savings.
Cap. 276

43. (1) The Registration of Births and Deaths Ordinance is repealed.

(2) Any register kept, registration effected, notice given or other thing done under the repealed Act shall be deemed to have effect and be given effect as if it had been done under this Act.

(3) All officers appointed under the repealed Act whose appointments are in force immediately before the coming into force of this Act shall be considered as appointed under this Act.

SCHEDULE 1

[Section 5]

1. EAST DISTRICT

Tortola:

Balsam Ghut, Bar Bay, Brandy Wine Bay, Chapel Hill, Crabbe Hill, East End, Fat Hogs Bay, Greenland, Grove Hill, Half Moon Bay, Hawks Nest, Hodges Creek, James Young, Jennings Hill, Josiahs Bay, Lambert, Little Bay, Little Dicks Hill, Lloyds, Long Look, Long Swamp, Major Bay, Martin Spring Ghut, Nottingham Estate, Old Plantation, Paraquita Bay, Parham Town, Quick Hill, Shepherd Hill, Tarris Hill, Thomas Land, Vanterpool Estate, Whelk Point

Beef Island:

Hans Creek, Little Mountain, Trellis Bay, Well Bay

Ginger Island

Great Camanoe

Guana Island

Little Camanoe

Marina Cay

Scrub Island

Other areas which fall within the general boundaries.

2. CENTRAL DISTRICT

Tortola:

Albion, Baughers Bay, Belle Vue Estate, Botanic Station, Butu Mountain, Chapel Hill (Kingston), Cherry Ghut, Cocodella, Crab Lot, Doty, Duffs Bottom, Edney, Fish Bay, Fish Lock Road, Flemming Street, Fisher Estate, Fort Hill, Free Bottom, Georges Hollow, Hannah Estate, Harrigan Estate, Havers, Hogs Valley Point, Horse Path, Huntums Ghut, Jean Hill, Joes Hill, Johns Hole, Johnson Ghut, Kingstown, Long Bush, Lower Estate, Manuel Reef, Main Street, MacNamara, Nanny Cay, Nibbs Estate, Palestina Estate, Pasea Estate, Pieces of Eight, Pleasant Valley, Purcell Estate, Round Hill (Sea Cows Bay), Russel Hill, Sabbath Hill, Scatliffe Alley, Sea Cows Bay, Slaney, Sophie Bay, Sugar Mill Road, Threllfall, Waterfront Drive, Wickhams Cay I, Wickhams Cay II

Cooper Island

Norman Island

Peter Island

Salt Island

Other areas which fall within the general boundaries.

3. NORTHWEST DISTRICT

Tortola:

Anderson, Apple Bay, Arundel, Ballast Bay, Belmont Bay, Belmont Estate, Benjamin Hill, Brewers Bay, Cane Garden Bay, Carrot Bay, Cart Path (Romney Park), Chalwell Estate, Cooper Bay, Cooten Bay, Diamond Estate, Fahie Hill, Freshwater Pond, Georges North Side, Great Carrot Bay, Great Mountain, Green Bank, Hell Hole, Henley, Hope Hill Estate, Lormer Bay, Leonard Joes Hill, Little Apple Bay, Little Carrot Bay, Long Bay (West End), Long Trench, Luck Hill, Manchester, Mayaba, Meyers, Mount Healthy, New Bush, Pockwood Pond, Primrose Garden, Recovery (Towers/Fort Recovery), Rogues Bay, Ross, Round Hill, Sage Mountain, Shannon, Soldiers Hill, Spooner, Spring Ghut, Spyglass Hill, Steele Point, Todman Estate, Trunk Bay, Turnbull Estate, West End, Windy Hill, Zion Hill

Jost Van Dyke:

Belle Vue, East End Harbour, Great Harbour, Little Harbour, West End, White Bay

Frenchman's Cay

Great Thatch

Green Cay

Little Jost Van Dyke

Little Thatch

Sandy Cay

Sandy Spit

Great Tobago

Little Tobago

Other areas which fall within the general boundaries.

4. NORTHEAST DISTRICT

Virgin Gorda:

Bakers Bay, Biras Creek, Bitter End, Church Hill, Copper Mine, Crab Hill, Devils Bay, Gun Creek, Handsome Bay, Leverick Bay, Little Bay Hill, Little Dix Bay, Little Dix Hill, Little Hill, Mahoe Bay, Mountain Trunk Bay, Nail Bay, North Sound, North Valley, Princess Quarters, Rhymers Estate, Saddle Bay, Salt Spring, Spanish Town, Spring Bay, St. Thomas Bay, Stevens Pasture, Taylors Bay, The Baths, The Bond, Windy Hill

Anegada:

Cooper Bay, Keel Point, Nutmeg Point, Setting Point, The Settlement

Fallen Jerusalem

The Dogs

Saba Rock

Mosquito Island

Prickly Pear Island

Necker Island

Eustatia Island

Other areas which fall within the general boundaries.

SCHEDULE 2

[Sections 8(1), 16, 19, 22, 26, 27(2),
27(3), 28(1)]

Form A

[Section 8(1)]



BIRTH REGISTRATION FORM

(Please Print and complete all fields)

REGISTRATION NO:							
CHILD							
1. First:		Middle:		2. Sex	3. Birth date:	4. Kind of Birth: (<i>single, twin, triplet</i>)	
5. Name of hospital: (if not in hospital give exact location where birth occurred):						6. If Twin or triplet was the child born 1 st , 2 nd or 3 rd ?	
7. Complete Address:				City:		Town:	
						Still Birth: (Yes or No)	
8. Duration of Pregnancy: (in completed weeks)	9. Deliverer Title (Physician etc.):	10. Delivery Type (Forceps etc.):	11. Race:	12. Weight of Child at Birthlb.....oz, orgrams		13. Are the parents married to each other: (Yes or No):	14. Residency Status (Citizen, Belonger, Non-Belonger):
MOTHER							
15. Surname:		First:		Middle:		Maiden Name:	
						16. Marital status (circle one) Single / Married / Divorce / Separated	
17. Total Children: Born Alive Now Living		18. Occupation:		19. Country of Birth:		20. Birth date: / /	
						21. Age:	
22. Permanent Address:				23. Residency Status:		24. Home phone no.: ()	

FATHER				
25. Surname:		First:	Middle:	26. Marital status (circle one) Single / Married / Divorce / Separated
27. Total Children: Born Alive Now Living	28. Occupation:	29. Country of Birth:	30. Birth date: / /	31. Age:
32. Permanent Address:		33. Residency Status:	34. Home phone no.: ()	
INFORMANT				
35. Name:		36. Relationship to patient (Midwife etc.):	37. Residence:	38. Work phone no.: ()
The above information is true to the best of my knowledge.				
<hr/> <i>Informant signature</i>		<hr/> <i>Date</i>		

Form B

[Section 16]

No. **CERTIFIED COPY OF AN ENTRY OF BIRTH**

Pursuant to the Registration of Births and Deaths Act, 2021

1. CHILD		
<i>1 A. Name</i>		<i>1 B. When Born</i>
		<i>1 C. Entry No.</i>
<i>1 D. Sex</i>		<i>1 E. No. of House or Locality Where Born</i>
2. PARENTS		
<i>2 A. Name and Maiden Surname of Mother</i>		
<i>2 B. Name and Surname of Father</i>		<i>2 C. Rank, or Profession of Father</i>
3. INFORMANT		
<i>3 A. Signature, Description and Residence of Informant</i>		<i>3 B. When Registered</i>
4. CERTIFICATION		
<i>4 A. Registered by Registrar-General</i>		<i>5 B. District</i>
		<i>5 C. Year Registered</i>

I _____ Registrar-General of Births and Deaths for the Territory of the Virgin Islands do hereby certify that the birth of _____ on the _____ day of _____, 20____, was duly registered by me on the _____ day of 20____.

Dated at Road Town, Tortola, this _____ day of _____, 20____.

Registrar-General

Form C

[Section 19(1)]



STILLBIRTH REGISTRATION FORM

(Please Print and complete all fields)

REGISTRATION NO:							
CHILD							
2. Surname:		First:	Middle:	2. Sex	3. Month, day, year of birth:	4. Kind of Birth: (<i>single, twin, triplet</i>)	
5. Name of hospital: (if not in hospital give exact location where birth occurred):		City:	Town:			6. If Twin or triplet was the child born 1 st , 2 nd or 3 rd ?	
7. Complete Address:			City:	Town:	Postal Code:		
8. Duration of Pregnancy:(in completed weeks)	9. Number of Children Born to this mother:	10. No. of live births:	11. Number of Stillborn (after 22 Weeks pregnancy):	12. Weight of Child at Birth lb.....oz, Orgrams	13. Are the parents married to each other: (yes or No):	14. The parents are not married to each other, state whether single, married divorced):	
FATHER							
15. Surname:		First:	Middle:	16. Marital status (circle one) Single / Mar / Div / Sep			
17. Is this your legal name? <input type="checkbox"/> Yes <input type="checkbox"/> No	18. If not, what is your legal name?		18. (Former name):	20. Birth date: / /	21. Age:		
22. Street address:			23. Social Security no.:		24. Home phone no.: ()		
MOTHER							
25. Surname:		First:	Middle:	26. Marital status (circle one) Single / Mar / Div / Sep			
27. Is this your legal name? <input type="checkbox"/> Yes <input type="checkbox"/> No	28. If not, what is your legal name?		29.(Former name):	30. Birth date: / /	31. Age:		
32. Street Address:			33. Social Security no.:		34. Home phone no.: ()		

47. Name of attending physician or medical examiner: (<i>Print or type</i>)		Address:
48. Designation:	Attending physician <input type="checkbox"/>	Medical examiner <input type="checkbox"/>
		Date certified (day, month, year)
I certify that this return was accepted by me on this date: at..... this day of		
		Signature:

Form D

[Section 19(2)]

No.

**CERTIFIED COPY OF AN ENTRY OF STILLBIRTH**

Pursuant to the Registration of Births and Deaths Act, 2021

1. CHILD		
<i>1 A. Name</i>		<i>1 B. Sex</i>
<i>1 D. Date of Stillbirth</i>		<i>1 E. Time of Stillbirth</i>
2. PLACE OF STILLBIRTH		
<i>2A. Place of Stillbirth – Name of Hospital or Facility</i>		<i>2B. Street Address</i>
<i>2C. City</i>		<i>2D. Country</i>
3. FATHER		
<i>3A. Name and Surname of Father</i>		
4. MOTHER		
<i>4A. Name and Maiden Surname of Mother</i>		
5. CERTIFICATION		
<i>5 A. Registered by Registrar-General</i>		<i>5 B. District</i>
		<i>5 C. Year Registered</i>

I _____ Registrar -General of Births and Deaths for the Territory of the Virgin Islands do hereby certify that the stillbirth of _____ on the _____ day of _____, 20____, was duly registered by me on the _____ day of 20____.

Dated at Road Town, Tortola, this _____ day of _____, 20 ____.

Registrar-General

Form E

[Section 22]



DEATH REGISTRATION FORM

(Please Print)

Health Card No:		For Office Use Only:		Registration No.:	
NAME OF DECEASED	1. Surname of deceased		2. Sex	Social Security Number (If applicable)	
PLACE OF DEATH	<input type="checkbox"/> Hospital <input type="checkbox"/> Home <input type="checkbox"/> Other		3. Name of hospital or institution (if otherwise give exact location where death occurred) City, town Country		Postal Code:
PLACE OF RESIDENCE	4. Complete address: City, town Country		Home phone no.: ()		Postal Code:
MARITAL STATUS	5. Single, married, widowed, or divorced		6. If married, widowed, or divorce, give full name of husband or maiden name of wife		
OCCUPATION	7. Kind of work done during most of working life				
	8. Kind of business or industry in which worked				
BIRTH DATE	9. Month (by name), day, year	AGE	10. Age (years) (months) (hours) (minutes) if under 1 day If under 1 year		
BIRTH PLACE	11. City or place Country:				
FATHER	12. Surname and given name of father (print, type)		13. Surname and given name of father (print, type)		
	14. Birthplace: city or place, Country:		MOTHER	15. Birthplace: city or place, Country:	

SIGNATURE OF INFORMANT	16. Signature of Informant:		
	X.....		
	17. Postal address:		
	18. Relationship to the deceased:	19. Date Signed: Month: day: Year:	

MEDICAL CERTIFICATE			
20. Date of Death: Month: Day: Year:			Approx. Interval between onset and death
21. CAUSE OF DEATH <div style="text-align: center; margin-top: 10px;">I</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <p>Part I</p> <p>Immediate causes of death</p> <p><i>Antecedent causes , if any, giving rise to the immediate cause (a) above, stating the underlying cause last</i></p> </div> <div style="width: 50%; border-left: 1px solid black; padding-left: 10px;"> <div style="display: flex; align-items: center;"> <div style="font-size: 4em; margin-right: 10px;">{</div> <div> <p>(a) <i>Due to and as a consequence of</i></p> <p>(b) <i>Due to and as a consequence of</i></p> <p>(c) <i>Due to and as a consequence of</i></p> <p>(d)</p> </div> </div> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 40%;"> <p>Part II</p> <p>Other significant conditions contributing to the death but not causally related to the immediate cause (a) above</p> </div> <div style="width: 50%; border-left: 1px solid black; padding-left: 10px;"> <div style="text-align: center; margin-bottom: 10px;">II</div> <div style="display: flex; align-items: center;"> <div style="font-size: 4em; margin-right: 10px;">{</div> <div> <p>.....</p> <p>.....</p> </div> </div> </div> </div>		
22. Autopsy being held? Yes <input type="checkbox"/> No <input type="checkbox"/>	23. Does the cause of death stated above take account of autopsy findings? Yes <input type="checkbox"/> <input type="checkbox"/>	24. May further information relating to the cause of death be available later? Yes <input type="checkbox"/> No <input type="checkbox"/>	25. State if death was: <input type="checkbox"/> natural <input type="checkbox"/> accident <input type="checkbox"/> suicide <input type="checkbox"/> homicide <input type="checkbox"/> undetermined
26. State place of injury			27. Date of injury: month: day: year:

Form F

[Section 26]

No. **CERTIFIED COPY OF AN ENTRY OF DEATH**

Pursuant to the Registration of Births and Deaths Act, 2021

1. DECEASED		
<i>1A. Name and Surname</i>		<i>1B. Date of Death</i>
<i>1C. Entry No.</i>		
<i>1D. Sex</i>	<i>1E. Age</i>	<i>1F. Rank, or Profession and Country of Birth</i>
<i>1F. No. of House or Locality Where Died</i>		
2. CAUSE OF DEATH		
<i>2A. Cause of Death</i>		
3. INFORMANT		
<i>3A. Signature, Description and Residence of Informant</i>		<i>3B. When Registered</i>
4. CERTIFICATION		
<i>4 A. Registered by Registrar-General</i>	<i>4 B. District</i>	<i>4C. Year Registered</i>

I _____ Registrar-General of Births and Deaths for the Territory of the Virgin Islands do hereby certify that the death of _____ on the _____ day of _____, 20____, was duly registered by me on the _____ day of _____ 20__.

Dated at Road Town, Tortola, this _____ day of _____, 20 ____.

Registrar-General

Form G

[Section 27 (2)]

Burial Permit

Entry No.

I hereby certify that the death of _____ of _____, aged _____ years has been duly registered. Permission is now granted to bury his/her body.

Registrar-General.

Form H

[Section 27 (3)]

Certificate to Inter Dead Body Brought Into Territory

I, _____, Registrar-General of Births and Deaths for the Territory of the Virgin Islands **DO HEREBY CERTIFY** the death of _____ of _____, Virgin Islands who died at _____ on the _____ date and whose body has been brought into the Territory for interment is not required by law to be registered in the Territory and I hereby authorise the interment of the body at the _____, _____, Virgin Islands.

Witness my hand this _____ day of _____ 20 .

Registrar-General.

Form I

[Section 28 (1)]

Certificate to Remove Dead Body from the Territory

I, _____, Registrar-General of Births and Deaths for the Territory of the Virgin Islands **DO HEREBY CERTIFY** the death of the late _____ of _____ has been duly registered and that the body may be removed from the Territory.

Witness under my hand this _____ day of _____ 20 .

Registrar-General.

SCHEDULE 3

[Section 41]

FEEES

A – Registration of Births and Deaths

1.	Registration of birth up to 3 months	\$10
	Application fee	\$10
2.	Registration of birth over 3 months but not over one year	\$15
	Application Fee	\$10
3.	Late registration of a birth over one year	\$ 15
	Application fee	\$10
4.	To add father's name	\$20
	Application fee	\$10
5.	Registration of a name change	\$15
	Application fee	\$10
6.	Registration after declaration of parentage	\$25
7.	Re-registration of birth	\$15
	Application fee	\$10
8.	Registration of stillbirth	\$10
	Application fee	\$10
9.	Registration of death	\$10
	Application fee	\$10
10.	Late registration of a death	\$15
	Application fee	\$10
11.	For the issue of a burial permit	\$10
12.	For a certificate to inter a body brought into the Territory	\$10
13.	For a certificate to remove a body from the Territory	\$10
14.	Entering baptismal or other name of a child after registration	\$10

B - Miscellaneous

- | | |
|--|--------------|
| 1. For each certified copy of an adoption certificate | \$20 |
| 2. For every general search not directed to a particular entry | |
| (a) Search by applicant | \$25 per day |
| (b) Search by staff of Civil Registry | \$50 per day |
| 3. For every search for a particular entry | \$25 |
| 4. For a certified copy of an entry given by the Registrar | \$20 |
| 5. For the issue of a temporary certificate of birth by a Hospital | \$10 |
| 6. For correction of each error or omission | \$25 |

Passed by the House of Assembly this day of , 2021.

Speaker.

Clerk of the House of Assembly.

OBJECTS AND REASONS

This Bill seeks to repeal and replace the Registration of Births and Deaths Ordinance, (Cap. 276) which has been in existence for over sixty years. It also seeks to modernise the Territory's procedures with respect to the registration of births and deaths, and enable computerisation of the notification and registration process.

The Bill is divided into five parts.

Part I (clauses 1-2) sets out the short title and commencement of the Bill and the definition of terms used in the Bill.

Part II (clauses 3-5) provides for the Administrative matters such as the appointment of the Registrar-General of Births and Deaths as well as, a Deputy Registrar-General and an Assistant Registrar-General. The Bill also provides for the maintenance of the various registers including the Registers of births, deaths and stillbirths to be maintained wholly or partly in the form of an electronic database.

Part III (clauses 6-19) provides for the notification and registration of births occurring in the Territory, including stillbirths. Specifically, **clause 7** would require healthcare facilities to notify the Registrar of the particulars of all birth occurring at their facility or where a child is brought to the facility within twenty-four hours after the birth. In addition, medical practitioners, nurses or midwives who attend at a birth would also be required to give notice. **Clause 8** would provide for the parents of a child or a person having charge of the child to complete a Birth Registration Form and deliver same to the Registrar. Where a birth has not been registered, the Registrar has the power to require a person who is legally obligated to register the birth to attend personally at the Civil Registry within a specified time to register the birth. **Clause 11** would provide for the manner of entering the name of the father of a child born to unmarried parents in the register. **Clause 12** would provide for the manner in which the surname of a child will be registered. **Clause 13** would provide for the registration of a name change upon a declaration of parentage being made under the Status of Children Act. **Clause 14** would provide for the entry of a baptismal or other name on Register. **Clause 15** would provide for late registrations. It should be noted that **clause 17** would provide for hospitals to issue temporary birth certificates in cases where a child requires emergency medical treatment outside of the Territory.

Part IV (clauses 20-28) provides for the notification and registration of deaths occurring in the Territory. Specifically, **clause 21** would provide for healthcare facilities to notify the Registrar of the particulars of all deaths occurring at a facility. In addition, medical practitioners who attend to a deceased during the last illness of the deceased would also

be required to give notice. **Clause 22** would provide for the nearest relatives of a deceased person to complete a Death Registration Form and deliver same to the Registrar. Where a death has not been registered, the Registrar has the power to require a person who is legally obligated to register the death to attend personally at the Civil Registry within a specified time to register the death. **Clause 24** would empower the Registrar to carry out late registration only where an affidavit or a statutory declaration is made setting out the reasons for the delay.

Clause 25 would provide for the Coroner to notify the Registrar of the finding of the inquest where an inquest is held. The Bill would also require persons procuring the burial of a deceased person to obtain a burial permit prior to disposal of the body. Further, a person who does not obtain such a permit commits an offence and is liable to a fine on conviction. Persons who wish to remove the body of a deceased person from the Territory are also required to obtain a certificate from the Registrar permitting such removal.

Part V (clauses 29 - 43) provides for miscellaneous matters such as requiring medical practitioners in attendance at a birth or a death to complete a medical certificate in the prescribed form, the correction of errors in the registers, registration of name changes and publication of a change of name in the *Gazette*. It would also provide for searches to be carried out of the registers, certified copied of entries to be issued and penalties for various offences including, destruction of entries in the registers, false entries in the register, providing false information or refusal to give information to the Registrar.

Governor.