

Western Australia.

REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES ACT, 1894.

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REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES.

58° Vict. No. 16.

(As amended by 64 Vict. No. 31, No. 19, of 1907,* and No. 4 of 1914.)

**AN ACT to consolidate and amend the Law relating to the
Registration of Births, Deaths, and Marriages.**

[Assented to 8th November, 1894.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.—PRELIMINARY.

1. (1.) This Act may be cited as the *Registration of Births, Deaths, and Marriages Act, 1894*, and shall come into operation on the first day of January, 1895. Short title.

(2.) This Act is divided into Parts, as follows:—

Division.

PART I.—PRELIMINARY : ss. 1-3.

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20-26.

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PART VI.—REGISTRATION OF MARRIAGES : ss. 40
and 41.

PART VII.—MISCELLANEOUS AND PENALTIES : ss.
42-51.

* Proclaimed to commence 14th January, 1908. See *Gazette*, 10th January, 1908.

Repeal.

First Schedule.

2. From and after the coming into operation of this Act, the Acts mentioned in the First Schedule to this Act are hereby repealed:

Provided that such repeal shall not affect any proclamation or anything done thereunder, or any appointment, registration, or declaration made, or any notice or certificate given, or other matters and things done under the said repealed Acts, nor any offences committed or penalties incurred against and under the said repealed Acts, which said offences and penalties may be prosecuted and recovered as if this Act had not been passed.

Interpretation.

3. In this Act, unless inconsistent with the context or subject matter:—

No. 19 of 1907,
s. 3.

“District registrar” means any district registrar, deputy district registrar, or assistant district registrar appointed to administer the provisions of this Act.

“*Gazette*” means the *Western Australian Government Gazette*.

“Governor” means the Governor or Officer for the time being administering the Government of Western Australia, acting with the advice of the Executive Council.

No. 19 of 1907,
s. 3.

“Minister” means a minister of religion or other person duly registered to celebrate marriages within Western Australia.

“Parent” means father, or if dead or absent, the mother or guardian.

64 Vict., No. 31,
s. 2.

“Prescribed” means prescribed by this Act or the regulations.

“Regulations” means regulations made under this Act.

“Seal” means any seal, stamp, or die caused to be made by the Registrar General for the purposes of this Act.

No. 19 of 1907,
s. 3.

“Still-born child” means any child of seven months’ gestation or over not born alive.

“Occupier of any house or tenement” means principal occupier for the time being of any dwelling-house or tenement, and in the case of any gaol, prison, hospital, lunatic asylum, or other public or charitable institution, the head officer or person in actual charge thereof.

PART II.—ADMINISTRATION.

General Registry
Office; Registrar
General.

4. (1.) The office heretofore established for the general registration of births, deaths, and marriages, in the city of

Perth, shall continue to be such office, under the name of "The General Registry for Western Australia," and the present "Registrar General" shall continue to hold his office under this Act. The Governor may, upon any vacancy occurring in such office, appoint a fit person to fill any such vacancy.

(2.) The Governor may from time to time appoint a Deputy Registrar General, and everything appointed or authorised or required to be done or signed by the Registrar General may be done or signed by the Deputy Registrar General, and shall be as valid and effectual as if done or signed by the Registrar General himself.

Deputy Registrar
General.
No. 19 of 1907,
s. 4.

5. The Governor may, for the purposes of this Act, by notice in the *Gazette*, from time to time, establish and fix the boundaries of a registry district or registry districts, and may in like manner, from time to time, by any subsequent notice, alter or vary any such district, and the boundaries of any district.

Governor may
by notice estab-
lish registry dis-
tricts.

6. (1.) The Governor may from time to time appoint district registrars and assistant district registrars, and may also at any time appoint a fit person to be the deputy of any district registrar, to act in the case of the death, illness, or unavoidable absence of the district registrar.

Power to appoint
district registrars
and deputies.
No. 19 of 1907,
s. 5.

(2.) Every deputy district registrar shall, during the time he so acts, have all the powers and privileges, and perform all the duties, and be subject to all the responsibilities of the district registrar, for whom he is appointed deputy.

(3.) Whenever any district registrar dies, the deputy appointed as aforesaid shall act from the day of such death until a new appointment has been made to the vacant office; and in case of illness or absence shall act from such day as the district registrar (or in case of illness incapacitating him to do so, his medical attendant) certifies under his hand to the deputy appointed as aforesaid to act for him that he is ill and unable to perform his duties, or that he is about to be absent, and such deputy shall cease to act from the day on which he receives from the officer, whose deputy he is, a certificate under his hand to the effect that such officer has resumed his duties.

(4.) No district registrar shall have power to act during such term as his deputy is lawfully acting.

(5.) In any case where no deputy has been so appointed by the Governor, the Registrar General may, during the illness or unavoidable absence of any district registrar, temporarily appoint a fit person to act as deputy for such district registrar, and such deputy shall, while so acting, have all the powers conferred by this Act, and be subject to all the provisions thereof affecting district registrars: Provided that every such appointment shall be subject to revocation by the Governor.

No. 4 of 1914,
s. 2.

(6.) The Governor may by Order in Council vest in the Registrar General the power to appoint and remove district registrars, deputy district registrars, assistant district registrars, and deputy assistant district registrars.

Provision in case
of absence of
Registrar Gen-
eral or district
registrars.

7. Whenever the Registrar General or any district registrar is unavoidably absent or away upon leave, the Governor may appoint a fit person to act in his stead, who shall, while so acting, have all the powers and duties of, and be subject to all the provisions and penalties affecting the Registrar General or district registrar, as the case may be.

Registrars to
notify office.

8. Every district registrar and assistant district registrar shall dwell within the district for which he is registrar, and shall cause a notice board, bearing the words "district registrar" or "assistant district registrar," as the case may be, to be placed in some conspicuous place on the outside door of the building in which his office is situated.

Governor may
issue regula-
tions.

9. (1.) The Governor may from time to time make and issue regulations for the management of the general and district registries, and for the more effectually carrying out the provisions of this Act, and may from time to time alter, amend, or repeal such regulations and substitute others in their stead; and such regulations, on being published in the *Gazette*, shall have the force of law.

Copy of *Gazette*
to be evidence.

(2.) The production of a copy of any such *Gazette* containing any such regulation shall be sufficient evidence of the due making of such regulation, and shall be *prima facie* evidence that it is still in force.

Existing regu-
lations to remain
in force until
regulations made
under this Act.

(3.) Until other regulations are made under this Act, the regulations made under the Acts hereby repealed shall remain in force, where not inconsistent with the provisions of this Act.

10. The Registrar General and every district registrar and assistant district registrar, shall, for the duties to be performed under this Act or any Act for regulating marriages, respectively receive the several fees specified in the Second Schedule to this Act; and until the Governor otherwise directs, by order to be published in the *Gazette*,* all such fees when received by a district registrar shall be retained by such district registrar to his own use; and of such fees when received by an assistant district registrar one moiety shall be retained by such assistant district registrar for his own use, and the other moiety shall be transmitted to and retained by the district registrar for his own use, and such fees when paid to the Registrar General or in his office shall be accounted for and be paid by him to the Colonial Treasurer, for the general revenue of the Colony.

Fees payable for registration and disposal thereof.

Second Schedule.

11. The Registrar General shall, from time to time, at the public expense, furnish to every district registrar books for the registry therein of births, deaths, and marriages, and forms for certified copies thereof respectively, and also to every minister a sufficient number of marriage registry books and forms. All books and forms furnished under the provisions of the Acts hereby repealed may be used until others are supplied in lieu thereof under this Act.

Registrar General to supply books, &c., to district registrars and ministers.

12. Every district registrar shall inform himself carefully of every birth or death happening within his district, and shall, as soon as possible after the event, register the same respectively, and the several particulars of every such birth or death contained in the forms prescribed in the Third and Fourth Schedules to this Act, as the case may require, in the proper books respectively furnished to him in that behalf; and shall make every entry in order from the beginning to the end of such books, and shall number the pages of every such book consecutively.

Duties of district registrars as to registration.

Third and Fourth Schedules.

13. (1.) The Registrar General may, from time to time, prescribe—

- (a) the forms of certificate of the causes of death to be given by duly qualified medical practitioners; and
- (b) the system of classification of the causes of death to be adopted by such practitioners,

Certificates of causes of death to be supplied by medical practitioners.
No. 19 of 1907, s. 6.

* See Order in Council published in the *Gazette* on 7th August, 1903, and set out in the Appendix.

and shall from time to time cause to be furnished printed forms of such certificates and full particulars of such system *gratis* to any such practitioner.

Certificates to be signed by medical practitioners.

(2.) In case of the death of any person who has been attended in his last illness by any such practitioner, such practitioner shall sign and give to the person required by this Act to give information concerning such death, or to a resident magistrate exercising jurisdiction within the district wherein such death occurs, such certificate; and such person, upon giving information concerning such death, or such resident magistrate shall forthwith deliver such certificate to the district registrar; and the cause of death as stated in such certificate shall be entered in the district registrar's register, with the name of the certifying practitioner.

Except in case of inquest.

(3.) Whenever an inquest is held on the body of any deceased person such certificate need not be given to the district registrar, but the verdict of the jury or the opinion of the coroner shall be given by the coroner in writing to the district registrar, and shall be sufficient.

Penalty for neglect to furnish certificate.

(4.) In case of the death of any person who has been attended in his last illness by any such practitioner, such practitioner fails or neglects to give such certificate as aforesaid, or if any person or resident magistrate to whom such certificate is given by such practitioner, in pursuance hereof, fails to deliver the same to the district registrar, such practitioner, person, or resident magistrate, as the case may be, shall be guilty of an offence against this Act and liable to a penalty not exceeding forty shillings.

District Registrars to transmit monthly to Registrar General duplicates of registers.

14. Every district registrar shall, on the first day of every month, transmit to the Registrar General duplicates of the registers of births, deaths, and marriages made and entered in his office during the month preceding; and all such duplicates shall be thereafter kept in the general registry, in such order and manner as the Registrar General thinks fit, so that the same may be most readily seen and examined.

Registrar General to provide seals of office.

15. The Registrar General shall provide at the public expense a seal or stamp for the general registry, and for each district registry office; and the Registrar General and district registrars shall sign, and cause to be sealed or stamped there-with, all certificates or certified copies.

16. The Registrar General and every district registrar shall at all reasonable times allow searches to be made of any register book in his keeping, and shall give a certified copy under his hand of any entry in the same, on payment of the fees specified in Second Schedule to this Act, or such other fees as may for the time being be lawfully demanded under this Act.

Searches may be made and certified copies given.

17. The Registrar General shall keep or cause to be kept in the general registry indexes of all births, deaths, and marriages in Western Australia; and every district registrar shall cause indexes of his register-books to be made and kept in his office.

Indexes to be kept by Registrar General and district registrars.

18. Certified copies of registers, or of entries of registers, made or given by the Registrar General, or any district registrar, and sealed with the seal of the office, purporting to be signed by such officers respectively, shall be received as *prima facie* evidence in all proceedings, whether civil or criminal, of the fact of the birth, death, or marriage to which the same relates: Provided that no entry of the register of the death of any person shall be admitted as evidence of the fact of such death, unless there is also an entry of the register of the burial or other disposal of the dead body of such person.

Certified copies of registers, or entries of registers to be received as *prima facie* evidence.

19. (1.) The fees set forth in the Second Schedule shall be demanded and paid in respect of the matters and things therein respectively mentioned, or such other fees as shall hereafter from time to time be fixed by the Governor in lieu thereof or in addition thereto, either in respect of the same matters and things or any other matters and things to be done under this Act, or the Marriage Act, 1894.*

Fees to be paid under Act.

See also Section 50B.

No. 19 of 1907, s. 7.

(2.) The Governor may at any time, by order to be published in the *Gazette*, direct that any fee or fees mentioned in the said schedule be no longer demanded, and thereupon such fee or fees shall cease to be payable.

PART III.—REGISTRATION OF MINISTERS.

20. (1.) The Registrar General, upon receiving a request in writing to be registered for the celebration of marriage under the hand of any minister of religion ordinarily offi-

Ministers for celebrating marriage to register name, designation, &c.

* See Order in Council published in the *Gazette* on the 20th November, 1931, and set out in place of the Second Schedule.

ciating as such, or of the head of the denomination to which he belongs, shall, if the Registrar General is satisfied that the particulars required by law contained in such request are true, and that such minister is a fit and proper person to celebrate marriages, and that such request should be acceded to in the interest of the public, forthwith, without fee or reward, register the name of such minister, with such particulars, in a register book to be kept by him expressly for that purpose.

Form of request.

(2.) Such request shall specify the religious denomination, designation, and residence of such minister to be registered as aforesaid.

Registrar may require proof.

(3.) Previous to completing such registration, the Registrar General may require proof by statutory declaration of the particulars contained in such request.

Governor may direct registration of officiating minister to be cancelled.

21. Upon a complaint in writing being preferred to the Governor by the Registrar General, or by a minister through the Registrar General, setting forth that any minister has ceased to be qualified to be an officiating minister of religion, or has been guilty of any wilful irregularity in the celebration of any marriage, or has wilfully offended against this Act, or has been convicted of treason, felony, or other infamous crime, the Governor may call upon the person so complained of to answer the charges contained in such complaint; and if such person does not, to the satisfaction of the Governor, answer such charges, the Governor may direct the registration of such person to be cancelled, and thereupon the Registrar General shall make an entry of such registration being cancelled, and shall notify the same in the *Gazette*; and upon such notification, the powers and authority of such minister under this Act and the law relating to the celebration of marriage shall absolutely cease and determine.

No. 19 of 1907,
s. 8.
No. 8 of 1925.

Provided that the Chief Secretary may suspend such minister pending inquiry into such charges.

When ministers to be registered anew.
No. 19 of 1907,
s. 9.

22. Any minister registered as aforesaid who ceases to reside in the district registrar's district within which his registered or last registered residence was situated, or who has ceased ordinarily to officiate as a minister of the religious denomination in respect of which he is registered, shall forthwith cause his new residence, denomination, or designation (as the case may be) to be registered anew with the Registrar General.

23. The Registrar General shall publish in the *Gazette*, within one month after registering the same, the name, denomination, designation, and residence of every minister so registered.

Registrar General to publish names, &c., of ministers so registered.

24. The Registrar General shall also, in the month of January in every year, publish in the *Gazette* the names of all ministers registered by him for the celebration of marriages, with their designations, denominations, and residences, distinguishing the registry districts within which such residences are situated respectively; and every such annual publication shall be *prima facie* evidence in all proceedings, whether civil or criminal, that the persons therein named were then ordinarily officiating and duly registered ministers of religion for the celebration of marriages.

Registrar General to publish annually a list of all such registrations.

25. Whenever the Registrar General has been duly notified that any minister is dead, or has left Western Australia, or resides in another district than the one in which he was last registered as residing, or has ceased ordinarily to officiate as a minister of the religious denomination in respect of which he is registered, the Registrar General shall, on receipt of such notification, if he think fit, cancel the registration of such minister, and forthwith publish notice of such cancellation in the *Gazette*.

When registration of ministers may be cancelled.

No. 19 of 1907, s. 10.

26. [*Repealed by 1 and 2 Edwd. VII., No. 14, Section 3.*]*

Penalty for willful misrepresentation by minister registering..

PART IV.—REGISTRATION OF BIRTHS. †

27. (1.) The parent of any child born, or the occupier of any house or tenement, in Western Australia, in which any birth takes place, shall, within sixty days next after the day of such birth, cause the district registrar to be informed of

Births must be registered within sixty days.

* By Section 342 of the Criminal Code (No. 28 of 1913) it is enacted, as follows:—

Any person who, not being a person entitled to be registered under the laws relating to the solemnisation of marriage, as a person authorised to celebrate marriages, and knowing that he is not such a person, procures his name to be registered as a person so entitled, is guilty of a misdemeanour, and is liable to imprisonment for two years, and to a fine of two hundred pounds.

† By the Legitimation Act, 1909 (No. 44 of 1909), as amended by the Act No. 29 of 1926, it is enacted, as follows:—

6. (1.) When any man who claims to be the father of any illegitimate child, whose mother he has married since the birth of such child, produces to a registrar a statutory declaration in the form set out in the schedule hereto, or when after the death of the husband without his having previously made

Third Schedule.

Registration of
birth of child
born elsewhere
than in Western
Australia.

such birth, and shall give to such district registrar, according to the best of his knowledge and belief, the several particulars contained in the Third Schedule to this Act, and hereby required to be known and registered, relating to the birth of such child.

(2.) The parent of any child under the age of eighteen months born in any country other than Western Australia shall if remaining within Western Australia for a period of

or produced to the registrar such a statutory declaration, it shall be proved to the satisfaction of a Judge in Chambers upon the application of the mother that the husband was the father of the child, or during his lifetime acknowledged himself as the father of the child, then upon production of a certified copy of the order of the judge so finding, it shall be the duty of the registrar to register such child, whether dead or alive, as the lawful issue of such man and his wife, and the registrar shall make a note in the entry to the effect that such registration has been made under the authority of this Act.

(2.) If the child has been previously registered as illegitimate, he shall also make in the register on the page on which the previous entry was made a note of the entry made under this Act, and shall intimate to the Registrar General, if he is a deputy or district registrar, that such entries have been made.

(3.) If such deputy or district registrar has not in his possession the register containing the entry of illegitimacy, it shall be sufficient for him to intimate to the Registrar General the fact of the new entry having been made.

By the Adoption of Children Act, 1896 (60 Vict., No. 6), as amended by the Acts No. 9 of 1921 and No. 57 of 1926, it is enacted as follows:—

Section 5 of No. 9 of 1921—

It shall be the duty of the Registrar of the Supreme Court to furnish to the Registrar General under the Registration of Births, Deaths, and Marriages Act, 1894, at intervals of not exceeding six months, a return in writing in the prescribed form of the orders of adoption made under this Act, and the Registrar General shall cause an entry of every such order to be made in the entry of the birth of the adopted child in the register of births.

Section 2 of No. 57 of 1926—

(1) When an order of adoption has been made before or after the commencement of the Adoption of Children Act Amendment Act, 1926, in respect of a child registered under Part IV. of the Registration of Births, Deaths, and Marriages Act, 1894, the district registrar having the custody of the register containing the entry of the birth of such child may, on an application being made to him in the prescribed form by the adopting parent, and on payment of the prescribed fee, make a fresh entry in the register in the prescribed form of the birth of the child, with particulars of the date and place of birth and the Christian name or names of the child, and the surname of the adopting parent conferred on the child, and the name and surname and residence of the adopting parent, and a reference to the order of adoption.

The index of the register kept in the office of the district registrar, and the index of the register kept in the office of the Registrar General shall, in such case, be amended so as to refer to such fresh entry, and the original entry of the birth of the child and the duplicate thereof kept in the general registry, shall not be open to inspection except with the approval of the Registrar General.

(2.) In this section "prescribed" means prescribed by regulations made under the Registration of Births, Deaths, and Marriages Act, 1894.

See Appendix for regulations published in the *Gazette* on 6th May, 1927.

sixty days, within such period cause the district registrar to be informed of the birth of such child, and shall make a statutory declaration of the truth of all such particulars as aforesaid.

28. After the expiration of sixty days and within twelve months next following the day of the birth of any child in Western Australia, or the arrival in Western Australia of any child under the age of eighteen months, the district registrar may register such birth, upon payment of the fee prescribed by this Act, and upon the parent or other person making the application making a statutory declaration as to the truth of the particulars required by said district registrar concerning the same.

Registration of birth; how permissible after sixty days.

29. All masters or commanders of British vessels, or of any colonial vessel, shall, on arrival at any port in Western Australia, send through the health officer of such port, or if there be no health officer, through the chief officer of Customs, to the district registrar, free of charge, for registration, the particulars of every birth which has occurred on board such vessel while at sea, and shall, to the best of his knowledge and belief, fill in the form in the Fifth Schedule to this Act; and such form shall, on the request of any such master or commander, be supplied to him by such health officer or officer of Customs, and such particulars shall be entered by the district registrar in a book to be kept for that purpose, to be called the Marine Register for Births, and shall forthwith transmit the said form to the Registrar General, to be entered by him in a similar book, to be called the General Marine Register of Births.

Masters of British and Colonial vessels on arrival, to report births occurring at sea.

Fifth Schedule.

30. (1.) After the expiration of twelve months following the birth of any child in Western Australia, or following the arrival therein of the child if born at sea or out of Western Australia, it shall not be lawful for any district registrar to register the birth of such child except by the written authority of the Registrar General, and in accordance with the regulations,* and on payment of the prescribed fee; and the fact of such authority having been given shall be entered on the register.

Registration of births after 12 months.

64 Vict., No. 31. s. 3.

(2.) No registration of a birth shall be made after the expiration of seven years from the date of such birth except

Registration of birth after seven years.

* See Order in Council published in the *Gazette* on 15th March, 1901, and set out in Appendix.

by the authority of a Judge of the Supreme Court, and the fact of such authority having been given and the date when it was given shall be entered in the register.

Register not to be evidence of birth if made after twelve months from birth unless authorised by Registrar General

(3.) No register, or certified copy of any entry in the register, shall be evidence to prove the birth of any child wherein it shall appear that twelve months have intervened between the day of the birth and the day of the registration of the birth of such child, unless such entry purports to have been made by the written authority and in accordance with the regulations aforesaid; and no register or certified copy as aforesaid shall be evidence to prove the birth of any child wherein it shall appear that seven years have expired between the day of the birth and the day of the registration of the birth of such child, unless such entry purports to have been made by the authority of a Judge of the Supreme Court, the date whereof is entered as aforesaid.

nor if made after seven years from birth, unless authorised by Judge.

Penalty.

(4.) Every district registrar who, save as hereinbefore provided, knowingly registers, or causes to be registered, the birth of any child after the expiration of twelve months following the birth of such child, shall, for every such offence, be liable on conviction to a fine not exceeding fifty pounds.

Registration of name subsequently to registration of birth.
No. 4 of 1914,
s. 3.

31. If a child whose birth has been registered and whose name (commonly called the Christian name), if any, by which it was registered has been altered, whether by baptism or otherwise, or if a child has been registered without a name being inserted in the register, and a name has been subsequently given to such child, whether by baptism or otherwise, the parent or guardian of such child, or the person procuring such name to be altered or given, may, within sixty days next after the alteration or giving of such name, procure and deliver to the district registrar in whose custody the registry of the birth of such child then happens to be a certificate in the form in the Sixth Schedule, or in such other form as may be prescribed by regulations made under this Act,* signed by the minister or other person who has altered or given such name; and such minister or other person shall deliver such certificate, whenever demanded, on payment to him of the fee of one shilling; and the district registrar shall, upon receipt of such certificate together with the fee of two shillings and sixpence, without any

* A regulation was made on the 23rd February, 1925. See note to Sixth Schedule.

erasure or alteration of the original entry forthwith register thereon, in the column provided for the purpose, that the child was baptised by such name or had such name or altered name given to it; and shall thereupon transmit to the Registrar General a certified copy of the additional entry so made:

Provided always that a registration under this section shall not be made more than once.

32. Whenever any new-born child is found exposed, the chief or head of the police in the district shall forthwith inform the district registrar thereof, and of the place where the child was found.

Where new-born child is found, notice to be given to district registrar.

33. Notwithstanding anything contained in the repealed Ordinance passed in the nineteenth year of the reign of Her present Majesty, and numbered twelve, all births registered previous to the coming into operation of this Act shall be deemed to be duly registered under this Act.

Births previously registered to be deemed duly registered under this Act.

33A. (1.) Notwithstanding anything contained in the principal Act, the birth of any still-born child shall, within fourteen days after the birth, be registered, without fee or reward, both in the Register of Births and the Register of Deaths at the office of the district registrar of the district in which such birth has occurred; and for all the purposes of the Registration of Births, Deaths, and Marriages Act, 1894, such child shall be deemed to have been born alive and to have subsequently died.

Registration of still births. Inserted by No. 19 of 1907, s. 13.

(2.) No interment of such child shall take place unless the interment is authorised by the certificate of a duly qualified medical practitioner, or a certificated midwife or nurse, or of a police or resident magistrate or officer of police not under the rank of sergeant, who has made personal inquiry into the circumstances.

(3.) Any person interring a still-born child without first obtaining such certificate shall be guilty of an offence, and liable, on conviction, to a fine not exceeding one hundred pounds, or to imprisonment with or without hard labour, for any term not exceeding six months.

(4.) Provided that if any still-born child is born at a place situated more than ten miles from the nearest duly qualified medical practitioner, magistrate, or officer of police, and the mother was not attended by a certificated midwife

or nurse, such child may be interred without such certificate, but the birth of the child so buried shall be reported within fourteen days from the date of the burial, by the person who interred the body, to the nearest police officer, who shall forthwith make a full inquiry into the circumstances of the case, with the view of taking further action if necessary; any person who so buried the body of a still-born child and neglects to make the report required by this subsection shall be guilty of an offence, and liable, on conviction, to the penalty prescribed by subsection three of this section.

PART V.—REGISTRATION OF DEATHS.

Deaths to be registered within fourteen days.

Fourth Schedule.

No. 19 of 1907,
s. 11.

34. (1.) The occupier of every house or tenement in Western Australia, in which any death occurs, shall, within fourteen days next following the day of such death, cause the district registrar to be informed of such death, and, to the best of his knowledge and belief, furnish the several particulars contained in the Fourth Schedule to this Act hereby required to be known and registered relating to such death.

(2.) After the expiration of fourteen days and within twelve months next following the day of the death of any person in Western Australia, the district registrar may register such death upon payment of such fee as may be prescribed, and upon the informant making a statutory declaration as to the truth of the particulars required by the district registrar concerning the reasons for the omission to register such death:

No. 4 of 1914,
s. 4.

Provided that whenever by reason of special circumstances it is shown to the satisfaction of the Registrar General, or the district registrar concerned, that there existed a good reason for the omission to register such death within the prescribed time, and that the circumstances of the case would not admit of a compliance with the provisions of the Act, then, in such case, the Registrar General, or such district registrar, all the particulars required for such registration having been duly furnished within such time as may reasonably be found necessary to enable such registration to be effected, may, in his discretion, grant authority for the registration of, or register such death, without requiring the informant to make the statutory or solemn declaration before mentioned.

35. All masters or commanders of British vessels, or of any colonial vessel, shall, on arrival at any port in Western Australia, send through the health officer of such port, or if there be no health officer, through the chief officer of Customs, to the district registrar, free of charge, for registration, the particulars of every death which has occurred on board such vessel while at sea, and shall, to the best of his knowledge and belief, fill in the form in the Seventh Schedule to this Act; and such form shall, on the request of any such master or commander, be supplied to him by such health officer or officer of Customs, and such particulars shall be entered by the district registrar in a book to be kept for that purpose, to be called the Marine Register of Deaths, and shall forthwith transmit the said form to the Registrar General, to be entered by him in a similar book, to be called the General Marine Register of Deaths.

Masters of British and Colonial vessels, on arrival, to report deaths occurring at sea.

Seventh Schedule.

No. 4 of 1914, s. 5.

36. (1.) After the expiration of twelve months following the death of any person in Western Australia, it shall not be lawful for any district registrar to register the death of such person except by the written authority of the Registrar General, and in accordance with the regulations, and on payment of the prescribed fee; and the fact of such authority having been given shall be entered on the register.*

Registration of death after 12 months.

No. 19 of 1907, s. 12.

(2.) No registration of a death shall be made after the expiration of seven years from the date of such death except by the authority of a Judge of the Supreme Court, and the fact of such authority having been given and the date when it was given shall be entered in the register.

Registration of death after 7 years.

(3.) No register, or certified copy of any entry in the register, shall be evidence to prove the death of any person wherein it shall appear that twelve months have intervened between the day of the death and the day of the registration of the death of such person, unless such entry purports to have been made by the written authority and in accordance with the regulations aforesaid; and no register or certified copy as aforesaid shall be evidence to prove the death of any person wherein it shall appear that seven years have expired between the day of the death and the day of the registration of the death of such person, unless such entry purports to have been made by the authority of a Judge of the Supreme Court, the date whereof is entered as aforesaid.

Register not to be evidence of death if made after 12 months from death unless authorised by Registrar General, nor if made after 7 years from death unless authorised by a Judge.

* See Order in Council published in the *Gazette* on 14th February, 1908, and set out in Appendix.

Penalty.

(4.) Every district registrar who, save as hereinbefore provided, knowingly registers, or causes to be registered, the death of any person after the expiration of twelve months following the death of such person, shall, for every such offence, be liable on conviction to a fine not exceeding fifty pounds.

Where dead body is found notice to be given to the district registrar.

37. Whenever any dead body is found exposed, the resident magistrate of the district shall forthwith inform the district registrar thereof, and of the place where the dead body was found.

Coroner holding inquest to notify district registrar.

38. Whenever an inquest is held on any dead body, the coroner shall notify to the district registrar the verdict of the jury or the opinion of such coroner, with such particulars as such district registrar requires concerning the death, and such district registrar shall enter the same accordingly.*

On demand by undertaker, district registrar to furnish him with certificate of registration of death.
Eighth Schedule.

Undertaker to deliver such certificate to the minister.

39. Every district registrar, immediately upon registering any death, or as soon thereafter as he is required so to do, shall, without fee or reward, deliver to the undertaker or other person having charge of the funeral a certificate, under his hand, according to the form in the Eighth Schedule to this Act, that such death has been duly registered; and such certificate shall be delivered by such undertaker or other person to the minister of religion or officiating person who is required to bury or perform any religious service for the burial; and if any dead body is buried for which no certificate has been so delivered, the person who buries the same, or performs any funeral or religious service for the burial, or who in any other way disposes of the body, shall forthwith give notice of the facts to the district registrar: Provided always, that the coroner holding any inquest upon any dead body for which no certificate has been delivered as aforesaid, may order the body to be buried, if he thinks fit, before registration, and shall in such case give a certificate of his order in writing, under his hand, according to the form in the Ninth Schedule to this Act, to such undertaker or other person having charge of the funeral; and every undertaker or other person who buries or otherwise disposes of any dead body shall forthwith cause to be transmitted to the district registrar a certificate thereof in the form in the Tenth Schedule

†Ninth Schedule.

* See Order in Council published in the *Gazette* on 29th September, 1905, and set out in Appendix. See also Coroners Act, 1920, s. 43 (3).

† See Coroners Act, 1920, s. 43 (4) and 2nd Schedule.

to this Act, countersigned by the minister officiating at such burial or by two respectable persons, and every such burial shall be registered with the death of such person.

Tenth Schedule.

PART VI.—REGISTRATION OF MARRIAGES.

40. Every minister and district registrar shall, immediately after a marriage celebrated by him, register, or cause to be registered in triplicate, in the marriage registry forms to be supplied to him as aforesaid, the several particulars relating to that marriage, according to the form of the Eleventh Schedule to this Act, and every such entry shall be signed by the minister or district registrar celebrating the marriage, and by the persons married, and by the requisite number of witnesses, and shall be made in numerical order, and the number of the place of entry in each marriage register form shall be the same.

Every marriage to be registered immediately after celebration.

Eleventh Schedule.

- (a) One copy of every such register form shall, immediately after the marriage, be delivered to one of the parties thereto.
- (b) Whenever the marriage is celebrated by a minister, he shall forthwith transmit the second copy of such register form, together with the fee, if any, for the registration of such marriage, to the district registrar of the district wherein such marriage is celebrated, to be by him transmitted to the Registrar General on the first day of the month next following the receipt thereof, after such district registrar shall have entered the same in the Marriage Register Book kept by him, and the minister shall retain the third copy of such register form as a record of the said marriage.
- (c) Whenever the marriage is celebrated by a district registrar, the second copy of such register form shall be transmitted by him to the Registrar General, and the third copy shall be retained by the district registrar as a record of such marriage.

41. Whenever any minister, or other person duly authorised to celebrate marriages within Western Australia, celebrates any marriage, and fails to transmit particulars of the same as required by law to the district registrar, the Registrar General may register such marriage, after being duly satisfied by statutory declaration of the failure of such minister or person to transmit the same.

Registration of marriage after original failure to register.

PART VII.—MISCELLANEOUS AND PENALTIES.

Power to minister and district registrar to put questions to persons married, or about to be married.

42. (1.) Whenever any minister or district registrar celebrates, or is about to celebrate, a marriage, he may ask the parties to such marriage, or about to be married, the several particulars required to be registered touching such marriage.

Registrar may ask particulars of birth or death.

(2.) Whenever any person desires to register any birth or death the district registrar may ask such person any of the particulars hereby required to be registered.

Penalty.

(3.) Any party to a marriage, or person about to be married, or person desiring to register a birth or death, who refuses to answer any such questions, shall be guilty of an offence against this Act and be liable to a penalty not exceeding five pounds.

Penalty for continuing offence.
No. 4 of 1914,
s. 7.

42A. When a birth or death is not duly registered, and any person whose duty it was to cause the district registrar to be informed of such birth or death is convicted for failing to do so, the justices may, on such conviction, make an order directed to the person convicted of such offence, ordering such person to cause the district registrar to be informed of such birth or death, and to give the prescribed particulars, and to pay the prescribed fee, within a certain time, to be stated in the order; and if, at the expiration of such time, such order is not obeyed, the person to whom such order shall have been directed may be proceeded against for neglecting such order, and shall be liable on conviction to a penalty not exceeding twenty pounds; and on any such conviction from time to time it shall be lawful for the convicting justices to renew the said order, and any further breach of any such order after a previous conviction for any such breach shall be punishable in like manner.

Registration of name of adopted child.
No. 4. of 1914,
s. 8.

42B. When an order of adoption has been made under the Adoption of Children Act, 1896, the district registrar having the custody of the registry of the birth of such child shall, on an application being made in the prescribed form, and on payment of the prescribed fee, make an entry on the register in the prescribed manner of the surname of the adopting parent conferred on the child.*

Entries not inadmissible by reason of omission of informant's signature.
64 Vict., No. 31,
s. 5.

42C. No existing or future entry in a register kept under this Act, and no certified copy of any such entry, shall be inadmissible in evidence merely by reason that the entry has not been signed by the informant.

* See footnote at page 10.

43. (1.) No alteration in any register of births, marriages, or deaths shall be made except in the manner herein-after appearing.

Correction of errors in register.

(2.) Any clerical error which from time to time is discovered in any such register may be corrected by any person authorised in that behalf by the Registrar General.

Clerical 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 Registrar General, or by a district registrar on the order of the Registrar General, upon payment of the fee specified in the Second Schedule to this Act, and upon the production by the person requiring such error to be corrected of a statutory declaration setting forth the nature of the error and the true facts of the case and made by the person required by this Act to give information concerning the birth or death with reference to which the error has been made, or by one of the parties to the marriage with reference to which such error has been made, or in default of such persons or party by two credible witnesses having knowledge of the truth of the case.

Errors of fact or substance.

44. Nothing herein contained shall affect, or be deemed or construed to affect, the right of any minister to receive the fees now usually paid for the performance of any religious rite of baptism, burial, or marriage.

Nothing contained in this Act to affect right of ministers to usual fees.

45. Every person who refuses or neglects to give any notice, information, or particulars, either by himself or a duly authorised agent, or to give or transmit any certificate required by this Act, or to pay or transmit any fee to be paid or transmitted under this Act, or who knowingly registers any birth, death, or marriage contrary to the provisions of this Act, shall be guilty of an offence against this Act and be liable to a penalty of not less than two pounds and not exceeding twenty pounds for every such offence.

Penalty for refusing or neglecting to give notice or information required by this Act or registering contrary to Act.

46. (1.) Every district registrar who refuses, or without reasonable cause omits to register any birth, death, or marriage of which he has had due notice as aforesaid, and every person having the custody of any register book, or certified copy thereof, or of any part thereof, who negligently loses or injures the same, or negligently allows the same to be injured whilst in his keeping, shall be guilty of an offence against this Act and be liable to a penalty of not exceeding twenty pounds for every such offence.

Penalty for district registrar refusing or omitting to register or for negligently losing or injuring any register-book or certified copy.

64 Vict., No. 31,
s. 4.

(2.) Every person who shall, for the purposes of registration give the information contained in any register of births or deaths under this Act shall either—

- (a) at the time of giving such information subscribe his name in the column in which his name, description, and place of abode are written; or
- (b) forward to the district registrar, by post, a statement of the particulars required by this Act to be registered, appending thereto a statutory declaration or a declaration in the form given in the Twelfth Schedule to this Act, or to the like effect, verifying such particulars and attested by a subscribing witness.

Twelfth Schedule.

The district registrar shall file the statements so sent in to him in their order, and shall mark each statement with a number corresponding with the number of the entry in the register, and shall insert the name of the informant in the proper column.

Penalty for district registrar omitting to furnish duplicates to Registrar General.

47. Every district registrar who wilfully or negligently omits to furnish the duplicates of registers hereinbefore required to be transmitted to the Registrar General on the first day of every month, or neglects to do any of the matters hereinbefore required to be done by him, shall be guilty of an offence against this Act, and be liable to a penalty of not less than two pounds and not exceeding ten pounds for every such offence.

Penalty for making false entries, declarations, &c.

48. [*Repealed* by 1 and 2 Edwd. VII., No. 14, Section 3.]*

Penalty for wilful destruction of registry books, &c.

49. [*Repealed* by 1 and 2 Edwd. VII., No. 14, Section 3.]

* By the Criminal Code (No. 28 of 1913) it is enacted, as follows:—

False declaration and statements.

170. Any person who, on any occasion on which he is permitted or required by law to make a statement or declaration before any person authorised by law to permit it to be made before him, makes a statement or declaration before that person which, in any material particular, is to his knowledge false, is guilty of a misdemeanour, and is liable to imprisonment with hard labour for three years.

Sending false certificate of marriage to registrar.

485. Any person who signs or transmits to a person authorised by law to register marriages a certificate of marriage, or any document purporting to be a certificate of marriage, which in any material particular is to his knowledge false, is guilty of a crime, and is liable to imprisonment with hard labour for seven years.

See Criminal Code, No. 28 of 1913, Sections 89, 379, 453 III., 473 (2), o, p, q, (4) n, and 484.

50. Every offence against this Act (not being a crime or misdemeanour) shall be summarily punishable upon conviction before any two or more justices of the peace, in petty sessions, upon the complaint of any person.

Fines, &c., how to be recovered.

50A. The Governor may from time to time amend the forms contained in the Schedules to this Act numbered three to twelve inclusive.

Power to amend forms.
No. 19 of 1907, s. 14.

50B. The Governor may make regulations for carrying this Act and its amendments into effect, and by such regulations may prescribe the fees payable for registrations.

Regulations.
64 Vict., No. 31, s. 7.
No. 19 of 1907, s. 15.

51. Sections A, E, F, G, and H of the Shortening Ordinance, 1853, shall be incorporated with and taken to form part of this Act, to all intents and purposes, in as full and ample a manner as if the said sections had been introduced and fully set forth in this Act.

Shortening Ordinance.†

False statements for the purpose of registers of births, deaths, and marriages.

486. Any person who, knowingly and with the intent to procure the same to be inserted in a register of births, deaths, and marriages, makes any false statement touching any matter required by law to be registered in any such register, is guilty of a misdemeanour, and is liable to imprisonment with hard labour for two years, and to a fine of two hundred pounds.

False statements relating to registration of births, deaths, and marriages.

487. Every person required or permitted by the law relating to the registration of births, deaths, or marriages, or the law relating to cemeteries or burials to give or supply to any person any certificate, information, or particulars, who wilfully gives or supplies any such certificate, information, or particulars which is or are false, misleading, or defective in any material respect, is guilty of a misdemeanour, and is liable to imprisonment with hard labour for two years, and to a fine of two hundred pounds.

† The Shortening Ordinance, 1853, was repealed by 62 Vict., No. 30. The provisions corresponding with this section are now Section 47 of the Interpretation Act, 1918, and Schedule 2. Paragraph E of Schedule 2 provides that the complaint in respect of an offence must be made and the proceedings commenced within 12 months after the offence thereby charged was committed.

SCHEDULES.

FIRST SCHEDULE.

Section 2.

Number and ^r year of Act.	Title of Act.
19 Vic., No. 12 ..	An Ordinance for the better Registration of Births, Deaths, and Marriages in the Colony of Western Australia.
43 Vic., No. 15 ..	The Registration Ordinance Amendment Act.

Registration of Births, Deaths, and Marriages.

Sections 10, 16,
19 and 27.

SECOND SCHEDULE.*

*This Schedule is superseded by an Order in Council published in the "Gazette" on the 20th November, 1931, as follows:—

Whereas it is enacted by "The Registration of Births, Deaths, and Marriages Act, 1894" (as amended by the Act, No. 19 of 1907), that the fees set forth in the Second Schedule thereto shall be demanded and paid in respect of the matters and things therein respectively mentioned, or such other fees as shall from time to time be fixed by the Governor in lieu thereof, or, in addition thereto, either in respect of the same matters and things to be done under the same Act or "The Marriage Act, 1894": Now, therefore, His Excellency the Administrator, with the advice and consent of the Executive Council, doth hereby fix the fees set out in the Schedule hereto as the fees to be demanded and paid in respect of the matters and things therein mentioned, in lieu of the said Second Schedule as amended and added to by Orders in Council heretofore published.

The Schedule.

	£	s.	d.
For registration of a birth within 60 days by a District Registrar or an Assistant District Registrar	0	1	0
For registration of a birth after 60 days by a District Registrar	0	5	0
For registration of a birth after 60 days by an Assistant District Registrar	0	10	0
For registration of a birth after 12 months	2	0	0
For registration under Section 31 of a name subsequently to registration of birth	0	2	6
For registration of a child in the name of an adopting parent (No. 57 of 1926, S. 7)	0	2	6
For registration of a stillbirth within 14 days	Free.		
For registration of a stillbirth after 14 days by a District Registrar (with statutory declaration)	0	5	0
For registration of a stillbirth after 14 days by an Assistant District Registrar (with statutory declaration)	0	10	0
The registration of a death within 14 days by a District Registrar or an Assistant District Registrar	0	1	0
For registration of a death after 14 days by a District Registrar	0	2	6
For registration of a death after 14 days by an Assistant District Registrar	0	5	0
For registration of a death after 12 months	2	0	0
For registration of a marriage (to accompany certificate)	0	2	6
For a marriage performed by a District Registrar	2	0	0
On giving the District Registrar notice of marriage	0	1	0
For District Registrar's certificate of notice being duly posted	0	1	0
For a special marriage license	10	0	0
For the correction of an entry in a register	0	2	6
For every search in an index	0	2	6
For a certified copy of a birth, death, or marriage certificate	0	5	0
For a certified copy of a birth, death, or marriage certificate on search	0	7	6
For an extract from a birth, death, or marriage entry	0	2	6
For a certificate under Section 37 of "The Friendly Societies Act, 1894-1923"	0	1	0

(Sgd.) L. E. SHAPCOTT,
Clerk of the Council.

NOTE.—See Appendices, *Extracts from Gazette*, 1, 8, and 11 for Orders in Council relating to the remission of fees.

THIRD SCHEDULE.

BIRTHS in the District of Western Australia. Registered by _____, District Registrar.

No.	Child.		Parents.			Informant.	Witness.	Registrar.		Name if added after registration of Birth.	
	When and where born.	Name and whether present at registration or not.	Sex.	Father.				Mother.	When registered and where.		Signature of District Registrar.
				(1) Name and Surname, Rank or Profession of the Father. (2) Age, and (3) Birth-place.	(1) When and where married. (2) Previous issue living and deceased.			(1) Name and Maiden Surname of the Mother. (2) Age, and (3) Birth-place.			

FIFTH SCHEDULE.

Marine Register of Births.

19

BIRTHS on board the Ship *[here insert name of ship]*, sailed from *[here insert port of sailing]* } Registered by } *Signature of*
 on the day of 19 , and arrived at *[here insert port of arrival]* } Master or } *Master or*
 on the day of 19 } Commander. } *Commander.*

No.	Child.			Parents.			Informants.	Registration.			Witnesses.
	When Born, and latitude and longitude.	Name.	Sex.	Father.		Mother.		When Registered, and where.	Signature of the Master or Commander.	Name if added after Registration of Birth.	
				(1) Name and Surname, Rank or Profession of the Father. (2) Age, and (3) Birth-place.	(1) When and where married. (2) Issue living and deceased.	(1) Name and Maiden Surname of Mother. (2) Age, and (3) Birth-place.					

Registration of Births, Deaths, and Marriages.

Registration of Births, Deaths, and Marriages.

Section 31.

SIXTH SCHEDULE.*

I, A.B., of _____, do hereby certify that I have this day baptised by the name of *Thomas* (or that the name of *Thomas* has this day been given to) a *male* child, produced to me by *John Smith*, as the son of *John Smith* and *Mary Smith*, and declared by the said *John Smith* to have been born at _____, on the _____ day of _____, 19 _____.

Witness my hand this _____ day of _____, 19 _____.

(Signature.)

* The following regulation was published in the *Gazette* on the 24th February, 1928:—

Chief Secretary's Department,
Perth, 23rd February, 1928.

HIS Excellency the Governor in Council has been pleased to approve the annexed Regulation under "The Registration of Births, Deaths, and Marriages Act, 1894," Section 31, as inserted by the Act No. 4 of 1914.

H. C. TRETOWAN,
Under Secretary.

Regulation.

When the birth of a child has been registered and the name (commonly called the christian name) by which a child was registered is during the minority of the child altered, a certificate, to be delivered to the Registrar pursuant to Section 31 of "The Registration of Births, Deaths, and Marriages Act, 1894," (inserted by the Act No. 4 of 1914), may be in the form in the schedule hereto, signed by the parents of the child, or, if there is only one surviving parent, by such surviving parent:

Provided, that if the name of the child is altered by baptism or other rite, the certificate shall be in the form of the Sixth Schedule to the said Act, signed by a Minister or person who performed the rite.

This regulation is subject to "The Change of Names Regulation Act, 1923."

Schedule.

CERTIFICATE OF CHANGE OF CHRISTIAN NAME.

We (or I) the undersigned, the parents (or the surviving parent) of a child born on the.....day of.....19..., whose birth was registered on the.....day of.....19..., by the name of.....certify that the name of such child has, within 60 days prior to this date, been altered by us (or me) to..... and we (or I) desire that such alteration may be registered.

Dated the.....day of.....19....

Names.....
.....
(or name).....
Address.....

SEVENTH SCHEDULE.

MARINE REGISTER OF DEATHS.

19 .
 DEATHS on board the [here insert name of ship], sailed from [here insert port of sailing] { Registered by } Signature of
 on the day of 19 , and arrived at [here insert port of arrival] { Master or } Master or
 on the day of 19 . { Commander. } Commander.

No.	Description.			(1) Cause of Death. (2) Duration of last illness. (3) Medical attendant by whom certified; and (4) When he last saw deceased.	Name and Surname of Father and Mother, if known, with Rank or Profession.	Signature of Master or Commander.	Burial.		Where Born.	If deceased was Married.	
	When died, and lat. and long.	Name and Surname, Rank or Profession.	Sex and Age.				When buried.	Names and religion of Minister, or names of Witnesses of burial.		Where, and what age, and to whom.	Issue, in order of Birth, their Names and Ages.

Registration of Births, Deaths, and Marriages.

Section 39.

EIGHTH SCHEDULE.

I, A.B., Registrar of Births, Deaths, and Marriages for the District of _____, do hereby certify that the death of _____ was duly registered by me on the _____ day of _____, 19 . . .

District Registrar.

Section 39.

NINTH SCHEDULE.*

I, A.B., Coroner and Justice of the Peace, do hereby order the burial of the body now shown to the inquest jury as the body of _____

Witness my hand this _____ day of _____ 19 . . .

A.B., Coroner,

or,—

J.P. (as the case may be.)

Section 39.

TENTH SCHEDULE.

I, A.B., of _____ Undertaker, do hereby certify that the body of _____ was on the _____ day of _____ 19 . . . duly buried at _____ and in the presence of the undersigned.

Witness our hands this _____ day of _____ 19 . . .

(Signed) A.B., Undertaker.

† (Countersigned)

C.D., }
E.F., } Householders.

* See Coroners Act, 1920, s. 43 (4) and form of certificate in 2nd Schedule.
† See section 39, third line from end.

ELEVENTH SCHEDULE.

Government Gazette, 16th March, 1923.

Colonial Secretary's Office,

Perth, 16th March, 1923.

Section 40.

HIS Excellency the Governor in Council has been pleased to approve, under the provisions of Section 14 of "The Registration of Births, Deaths and Marriages Amendment Act, 1907" (7 Edw. VII., No. 19), of the withdrawal of the Eleventh Schedule to the principal Act (58 Vict., No. 16), and the substitution in lieu thereof of a schedule in the attached form marked "A."

H. C. TRETOWAN,
Under Secretary.

A.
WESTERN AUSTRALIA.
CERTIFICATE OF MARRIAGE.

1	2	3	4	5	6	7	8	9	10	11
No.	When and where Married.	Christian Name and Surname of the Parties.	Age.	Condition of the Parties (Bachelor or Spinster, Widower or Widow).	Rank or Profession, or Occupation.	Place and Country of Birth.	Residence.	Father's Christian Name and Surname.	Rank or Profession of Father.	Mother's Christian Name and Maiden Name.
	192.....		Years.							
<p>Registered. [L.S.]</p> <p>Date.....</p> <p>District Registrar.</p>										
<p>Married in..... according to..... by me, after..... duly made; as by law required.</p> <p>Signature of Minister } or District Registrar }</p>										
<p>I certify that the consent of..... of..... the..... a minor (or of..... a Justice of the Peace), was given to the Marriage between the parties named in this Certificate.</p> <p>Signature of Minister } or District Registrar }</p>										
<p>I certify that the consent of..... of..... the..... a minor (or of..... a Justice of the Peace), was given to the Marriage between the parties named in the Certificate.</p> <p>Signature of Minister } or District Registrar }</p>										
<p>This Marriage was celebrated between us.....</p> <p>In the presence of us.....</p>										

Registration of Births, Deaths, and Marriages.

ELEVENTH SCHEDULE—continued.

[on back of Form.]
DECLARATION BEFORE MINISTER OR DISTRICT REGISTRAR.
To be indorsed on Marriage Certificate to be transmitted to Registrar General.

58 V. 11, Sec. 7—
2nd Schedule.

I (1)....., of AND I the said (3).....
(2)..... make oath
and say (or, if objecting to take an oath, "do
solemnly and sincerely declare and affirm.") that I
believe that there is no impediment or
lawful objection, by any such reason or
other lawful cause as aforesaid to my
being married to the said (1).....
(3) Woman's
Christian name or
names and surname
in full.....
(4) Usual place of
residence and
occupation (if any),
(5) Christian names
and surname of
parents.
(6) Signature of
intended bride-
groom.
(7) Signature
of intended
bride.
Sworn (or solemnly de-
clared and affirmed) by
the said..... (7)
this..... day of..... 19.....
Before me,
Signature of Minister
or
District Registrar
Sworn (or solemnly de-
clared and affirmed) by
the said..... (6)
this..... day of..... 19.....
Before me,
Signature of Minister
or
District Registrar

TWELFTH SCHEDULE.

Declaration under Section 46.

I, the undersigned, of , being the person
mentioned in the statement to which this declaration is appended as the [here
state whether mentioned as father, informant, or how], do solemnly and sincerely
declare that the particulars given in the said statement are true to the
best of my knowledge and belief. And I make this solemn declaration knowing
that by The Criminal Code Act, 1913, I am liable in case of falsehood to
imprisonment with hard labour for three years.

Dated at on the day of , 19
Signature of Declarant
Declared by the said in my presence.
Signature of the witness before whom the declaration was made.

Section 46.
64 Vict., No. 31,
s. 4.

APPENDIX.

1.—Extract from Government Gazette of 15th March, 1901, page 1067.

ORDER IN COUNCIL.

At the Executive Council Chamber, Perth, the 8th day of March, 1901.

WHEREAS by "The Registration of Births, Deaths, and Marriages Amendment Act, 1900," it is enacted that the Governor, may from time to time, make Regulations for the better carrying of the Act into effect: AND WHEREAS it is also enacted by the said Act that it shall not be lawful to register the birth of any child after the expiration of twelve months following the birth of such child in Western Australia, or following the arrival therein of the child, if born at sea or out of Western Australia, except in accordance with the Regulations under the said Act: NOW, THEREFORE, His Excellency the Administrator, with the advice of the Executive Council, doth hereby make the following Regulations.

F. D. NORTH,
Clerk of the Executive Council.

REGULATIONS.

(See Section 30.)

1. Before the Registrar General shall authorise the registration of the birth of any child, after the expiration of twelve months following the birth of such child in Western Australia, or following the arrival therein of the child, if born at sea or out of Western Australia:—

- (a) Application shall be made to the District Registrar by the father of the child if such child was born in wedlock, or if the father be not living, or be absent from the State, or have deserted his wife, or be lunatic, or, if the child was not born in wedlock, by the mother or legal guardian of or by some person in *loco parentis* to such child.
- (b) The application shall be in the form of the schedule hereto, or to the like effect, with a solemn declaration stating that a search has been made in the registers of births in the office of the Registrar General, and that no entry has been found of the birth of the child, and stating why the child was not previously registered, and giving the information required by the schedule.
- (c) If the mother was attended at the time of birth by a medical practitioner or nurse, the date of birth shall be verified by a statement from such medical practitioner or nurse, unless reasons satisfactory to the Registrar General shall be given why such verification cannot be given; in such case the date of birth shall be verified by some inmate of the house, or by such other evidence as the Registrar General may require.

The Registrar General may require the statement referred to in paragraph (c) to be on solemn declaration, and may require any further evidence he considers necessary in proof of any of the facts mentioned in the declaration or statement to be furnished.

2. If the Registrar General is of opinion that the birth may be registered, he shall authorise the District Registrar, in writing, to register such birth, on payment by the applicant of a fee of Two Pounds; provided that under special circumstances the Registrar General may, in his discretion, remit the whole or any part of such fee.

Registration of Births, Deaths, and Marriages.

APPENDIX—*continued.*

3. The District Registrar shall enter on the register form the words "This registration is made under the written authority of the Registrar General, and in accordance with the regulations made under 'The Registration of Births, Deaths, and Marriages Amendment Act, 1900,' " and shall affix his signature to such entry.

4. Where a Judge of the Supreme Court has authorised the registration of a birth, it shall not be necessary for application for the registration of such birth to be made in the form and in manner hereinbefore prescribed, but the Registrar General, on receipt of the authority of the Judge, shall authorise the District Registrar, in writing, to register such birth on paying the fee as prescribed in Regulation 2.

The District Registrar shall enter on the register form the words:—
"This registration is made by the written authority of the Registrar General, under the authority of a Judge of the Supreme Court, and in accordance with the regulations made under 'The Registration of Births, Deaths, and Marriages Amendment Act, 1900.' "

SCHEDULE.

To the District Registrar,

Sir,

I apply to have the birth of a _____ registered under the provisions of Section 3 of "The Registration of Births, Deaths, and Marriages Amendment Act, 1900."

Date

Signature of applicant.

DECLARATION.

I _____ of _____ solemnly and sincerely declare that I have caused a search to be made in the registrar of births in the office of the Registrar General, and have been informed that no entry of the birth of the child (a) _____ can be found, and I further solemnly and sincerely declare that the reason such child was not registered within twelve months following the birth [or the arrival of the child in Western Australia (b)] was _____ and that I [(b) am the father of the child or am the mother or legal guardian of the child, the father having died at _____ on the _____ or the father being absent from Western Australia in _____ or having deserted me since _____ or being a lunatic at (c) _____ or and I was not married to the father at the date of the birth of the child, or have adopted or have the care and control of the child]. That the names of the child are _____ that (d) _____ was born at _____ on _____ day of _____, 19 _____ [and arrived in Western Australia on the _____ day of _____ (b)] That the child is a (e) _____ and that (f) _____ and (f) _____ were present at the birth; and I make this solemn declaration by virtue of Section 106 of The Evidence Act, 1906.

(Signature of parent or guardian.)

(Address)

Declared by _____ in my presence
at _____ this _____ day of _____, 19 _____

Witness's signature—

APPENDIX—continued.

DECLARATION OF WITNESS OF BIRTH.

I hereby declare that I was present at (g) _____ on the
(h) _____, and saw [here enter mother's name] delivered of a [male
or female] child.

(Signature)

Medical Practitioner, or
Midwife, or
Nurse, or
Mother, sister, etc.,
of _____

Date—

a. Enter name. b. Strike out the words which are not applicable, and initial the alteration. c. Enter name of asylum. d. Enter "he" or "she," as the case may be. e. Enter "male" or "female." f. Enter full names of medical practitioner, nurse, relative, or friend or neighbour. g. Enter name or number (if any) of house and name of street and town or place where the child was born. h. Enter date of birth.

2.—Extract from Gazette of 7th August, 1903, page 2016.

ORDER IN COUNCIL.

At the Executive Council Chamber, at Perth, this 5th day of August, 1903.

WHEREAS by "The Registration of Births, Deaths, and Marriages Act, 1894," Section 10. every District Registrar and Assistant District Registrar shall, for the duties to be performed under that Act or any Act for regulating marriages, respectively receive the several fees specified in the Second Schedule to the said Act; and until the Governor otherwise directs, by order to be published in the Gazette, all such fees when received by a District Registrar shall be retained by such District Registrar to his own use; and of all such fees when received by an Assistant District Registrar one moiety shall be retained by such Assistant District Registrar for his own use, and the other moiety shall be transmitted to and retained by the District Registrar for his own use; AND WHEREAS it is deemed expedient in certain cases to otherwise direct: Now, THEREFORE, His Excellency Admiral Sir Frederick George Denham Bedford, G.C.B., Governor aforesaid, by and with the advice and consent of the Executive Council, hereby directs by this order that from and after the 1st of July instant such fees shall, where the duties are performed by a District Registrar or Assistant District Registrar who holds an office of profit under the State Government, be paid to the general revenue of the State, and shall not be retained by the said District Registrar or Assistant District Registrar for his own use, either in whole or in part.

ARTHUR H. WILLIAMS,
Clerk of Executive Council.

APPENDIX—*continued.*

3.—*Extract from Gazette of 29th September, 1905, page 3035.*

ORDER IN COUNCIL.

At the Executive Council Chamber at Perth, this 22nd day of September, 1905.

Section 19.

WHEREAS by "The Registration of Births, Deaths, and Marriages Act, 1894," it is provided that the Governor may, by order to be published in the "Government Gazette," direct that any fee or fees mentioned in the second schedule to the said Act be no longer demanded, and thereupon such fee or fees shall cease to be payable: Now, therefore, His Excellency the Governor, by and with the advice of the Executive Council, doth hereby direct (a) that whenever an inquest is held on any dead body, the notification required under Section 38 of the said Act may be given at any time within seven days after the conclusion of such inquest without payment of any registration fee; and (b) that when by reason of distance or absence of means of communication registration of a death cannot be effected within the fourteen days next following the date of such death, then the time during which registration may be effected without payment of the prescribed fee may be extended for such time as may reasonably be found necessary to enable the particulars required for the purpose of such registration to reach the office of the District Registrar of the district in which such death is required to be registered.

ARTHUR H. WILLIAMS,

Clerk of the Council.

4.—*Extract from Gazette of 14th February, 1908, page 313.*

ORDER IN COUNCIL.

At the Executive Council Chamber, Perth, the 12th day of February, 1908.

WHEREAS by "The Registration of Births, Deaths, and Marriages Amendment Act, 1907," it is enacted that the Governor may make Regulations for carrying the principal Act and its amendments into effect: And whereas it is also enacted by the said Act that it shall not be lawful to register the death of any person after the expiration of twelve months following the death of such person in Western Australia, except in accordance with the Regulations under the said Act: Now, therefore, His Excellency the Lieutenant-Governor, with the advice of the Executive Council, doth hereby make the following Regulations.

BERNARD PARKER,

Clerk of the Executive Council.

APPENDIX—*continued.*

REGULATIONS.

1. Before the Registrar General shall authorise the registration of the death of any person after the expiration of twelve months following the death of such person in Western Australia—

- (a) Application shall be made to the District Registrar of the District in which the death took place by the informant or person desirous of registering the death.
- (b) The application shall be in the form of the schedule hereto, or to the like effect, with a statutory declaration stating that a search has been made in the registers of deaths in the Office of the Registrar General, and that no entry has been found of the death of the person, and stating why the death was not previously registered, and giving the information required by the Schedule.
- (c) If the deceased was attended at the time of death by a medical practitioner, the date of death shall be verified by a statement from such medical practitioner unless reasons satisfactory to the Registrar General shall be given why such verification cannot be given; in such case the date of death shall be verified by some relative of the deceased, or inmate of the house where the death occurred, or by such other evidence as the Registrar may require.

The Registrar General may require the statement referred to in paragraph (c) to be by statutory declaration, and may require any further evidence he considers necessary in proof of any of the facts mentioned in the declaration or statement to be furnished.

2. If the Registrar General is of opinion that the death may be registered, he shall authorise the District Registrar, in writing, to register such death, on payment by the applicant of a fee of two pounds; provided that, under special circumstances, the Registrar General may, in his discretion, remit the whole or any part of such fee.

3. The District Registrar shall enter on the register form the words "This registration is made under the written authority of the Registrar General, and in accordance with the regulations made under The Registration of Births, Deaths, and Marriages Amendment Act, 1907," and shall affix his signature to such entry.

4. Where a Judge of the Supreme Court has authorised the registration of a death, it shall not be necessary for application for the registration of such death to be made in the form and in manner hereinbefore prescribed; but the Registrar General, on receipt of the authority of the Judge, shall authorise the District Registrar in writing, to register such death on paying the fee as prescribed in Regulation 2.

The District Registrar shall enter on the register form the words "This registration is made by the written authority of the Registrar General, under the authority of a Judge of the Supreme Court, and in accordance with the regulations made under The Registration of Births, Deaths, and Marriages Amendment Act, 1907."

Registration of Births, Deaths, and Marriages.

APPENDIX—continued.

SCHEDULE.

REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES ACT.

To the District Registrar.....

Sir,—

I apply to have the death of (a) registered under the provisions of Section 12 of The Registration of Births, Deaths, and Marriages Amendment Act, 1907.

Date..... Signature of Applicant.

DECLARATION.

I, of
 solemnly and sincerely declare that I have caused a search to be made in the register of deaths in the office of the Registrar General, and have been informed that no entry of the death of (a) can be found, and I further solemnly and sincerely declare that the reason registration was not effected within twelve months following the death was

and I make this solemn declaration by virtue of Section 106 of "The Evidence Act, 1906."

Signature of Declarant—

Address—

Declared by in my presence
 at this
 day of , 19

Witness's signature—

Justice of the Peace.

DECLARATION OF WITNESS OF DEATH.

I hereby declare that I was present at (b)
 on the (c) day of , 19,
 and saw the body of the deceased (d)

Signature.....

* (e)..... of the deceased.

or

* *Medical Practitioner in attendance during last illness.*

or

* *Inmate of house where death occurred.*

or

* *Who buried body or caused body to be buried.*

Date—

a. Enter name. *b.* Enter name or number (if any) of house and name of street and town or place where the death took place. *c.* Enter date of death. *d.* Here enter name of deceased. *e.* Here state relationship (if any) to the deceased.

* Any of these may act as witnesses. Strike out those descriptions which do not apply to signature.

Registration of Births, Deaths, and Marriages.

APPENDIX—continued.

5.—*Extract from Gazette of 21st February, 1908, page 597.*

**THE REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES
AMENDMENT ACT, 1907.**

(7 Edw. VII., No. 19.)

IT is hereby notified, for the information of Medical Practitioners, District Registrars, Assistant District Registrars, and Deputy District Registrars, that in accordance with the provisions of Section 6 (1), (b) of the Registration of Births, Deaths, and Marriages Amendment Act, 1907, (7 Edw. VII., No. 19), I have prescribed—

Firstly.—The system known as the “Bertillon System” to be the system of classification of the causes of death to be adopted by Medical Practitioners.

And Secondly.—The following form to be the form of certificate of the cause of death to be given by duly qualified Medical Practitioners:—

Registration of Births, Deaths, and Marriages Act, 1894.
(58 Vict., No. 16, Sec. 13, Subsections 2 and 4.)

Registration of Births, Deaths, and Marriages Amendment Act, 1907.
(7 Edw. VII., No. 19, Sec. 6.)

MEDICAL CERTIFICATE OF THE CAUSE OF DEATH.

Note.—This certificate is to be given to the person required by the above Act to furnish information concerning the death, or to a Resident Magistrate of the District wherein the death took place, and must be afterwards delivered to the District or Assistant District Registrar so that the particulars may be inserted on the registration of the death.

I hereby certify that I attended.....aged.....last birthday; that I last saw h.....on....., 19.... that...he died on.....at.....and that the cause of h.... death was—

	Causes of Deaths.	Time from attack till Death.	
First	Signature
	Prof. Title.....
Second.	Address.....
	Date

58 Vict., No. 16, Section 13.

Certificates to be signed by medical practitioners.

(2.) In case of the death of any person who has been attended in his last illness by any duly qualified medical practitioner, such practitioner shall sign, and give to the person required by this Act to give information concerning such death, or to a Resident Magistrate exercising jurisdiction within the dis-

Registration of Births, Deaths, and Marriages.

APPENDIX—*continued.*

trict wherein such death-occurs, such Certificate; and such person, upon giving information concerning such death, or such Resident Magistrate, shall forthwith deliver such Certificate to the District Registrar; and the cause of death, as stated in such Certificate, shall be entered in the District Registrar's register, with the name of the certifying practitioner.

Except in the case of inquest.

(3.) * * * * *

Penalty for neglect to furnish Certificate.

(4) In case of the death of any person who has been attended in his last illness by any such practitioner, such practitioner fails or neglects to give such Certificate as aforesaid, or if any person or Resident Magistrate to whom such Certificate is given by such practitioner, in pursuance hereof, fails to deliver same to the District Registrar, such practitioner, person, or Resident Magistrate, as the case may be, shall be guilty of an offence against this Act, and liable to a penalty not exceeding Forty shillings.

7 Edw. VII., No. 19, Section 6.

6. Subsection one of section thirteen is repealed, and the following is enacted in place thereof:—

13. (1.) The Registrar General may from time to time prescribe—

(a) The forms of certificate of the causes of death to be given by duly qualified medical practitioners; and

(b) The system of classification of the causes of death to be adopted by such practitioners,

and shall from time to time cause to be furnished printed forms of such certificates and full particulars of such system *gratis* to any such practitioner.

MALCOLM A. C. FRASER,
Registrar General.

Registrar General's Office,
Perth, 5th February, 1908.

6.—*Extract from Gazette of 2nd October, 1914, page 4093.*

The Registration of Births, Deaths, and Marriages Act Amendment Act, 1914.
(5 George V., No. 4).

ORDER IN COUNCIL.

At the Executive Council Chamber, at Perth, the 30th day of September, 1914.

2377/13.

HIS Excellency the Governor, by and with the advice of the Executive Council, in exercise of all powers in this behalf enabling him, does for the purpose of carrying out the provisions of Section 8 of The Registration of Births, Deaths, and Marriages Act Amendment Act, 1914, prescribe as follows:—

1. Any application for the making of an entry on any register of the surname of any adopting parent conferred on an adopted child by virtue of

APPENDIX—continued.

any order of adoption shall be according to the Form A in the Schedule hereto, and the applicant shall on lodging his application with the district registrar pay a fee of 2s. 6d.

2. Every entry made on any register pursuant to any such application as aforesaid shall be according to the Form B in the Schedule hereto.

The Schedule.

“A.”

Western Australia.

The Registration of Births, Deaths, and Marriages Act Amendment Act, 1914,

Application to register surname of adopted child.

To the District Registrar,

.....

Pursuant to Section 8 of “The Registration of Births, Deaths, and Marriages Act Amendment Act, 1914,” I hereby apply to you to make an entry on the register of the surname of..... which (by virtue of an order of adoption, an office copy whereof is herunto annexed) has been conferred on..... in addition to his (or her) proper name.

The birth of the said..... was registered in this district on the..... day of....., 19

I lodge herewith the prescribed fee of 2s. 6d.

Dated the day of , 19

....., Applicant.

“B.”

By virtue of an Order of Adoption made under “The Adoption of Children Act, 1896,” on the..... day of....., 19, the surname of..... was conferred on this child in addition to his (or her) proper name.

Dated the day of , 19

....., District Registrar.

BERNARD PARKER,
Clerk of the Council.

7.—Extract from Gazette of 31st August, 1917, page 1381.

No. 15340—C.S.O.

REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES ACT,
1894.

1702/15.

Colonial Secretary’s Office,
Perth, 31st August, 1917.

HIS Excellency the Governor in Executive Council has been pleased to approve the following Regulation under “The Births, Deaths, and Marriages Act, 1894.”

F. D. NORTH,
Under Secretary.

Registration of Births, Deaths, and Marriages.

APPENDIX—*continued.*

REGULATION.

Police officers and constables, school teachers of the Education Department, public officers in respect of allowances in lieu of fixed salaries, and other persons acting in the capacity of district registrars, not being salaried officers of the public service, shall be paid the following allowances by the Department as from the first day of October, 1917, for the service rendered, that is to say:—

	s.	d.
For every registration of a birth registered within 60 days following the date of birth	1	0
For every registration of a death registered within 14 days following the date of death	1	0
The minimum allowance of £1 per quarter shall be payable to any such person acting as district registrar whose claim for such period in respect of the actual registrations effected may fall short of that amount.		

Approved by His Excellency the Governor in Council, this 29th day of August, 1917.

BERNARD PARKER,
Clerk of the Council.

8.—*Extract from Gazette of 21st September, 1917, page 1480.*

No. 15353—C.S.O.

THE REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES
ACT, 1894.

Colonial Secretary's Office,
Perth, 21st, September, 1917.

HIS Excellency the Governor in Executive Council has been pleased to order, pursuant to Section 19 of "The Registration of Births, Deaths, and Marriages Act, 1894," that the Registrar General may remit the whole or any part of any fees payable as prescribed by the Second Schedule of the said Act, and amended by Order in Council No. 710/1903, dated the 10th June, 1903, and further revised by Order in Council No. 2332, dated 22nd August, 1917, in any case where in the special circumstances he may think fit to do so.

F. D. NORTH,
Under Secretary.

9.—*Extract from the Gazette of 6th May, 1927, page 1178.*

THE REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES
ACT, 1894.

Chief Secretary's Department,
Perth, 28th April, 1927.

HIS Excellency the Lieut.-Governor in Council has been pleased to make the annexed Regulations under "The Registration of Births, Deaths, and Marriages Act, 1894."

H. C. TRETOWAN,
Under Secretary.

Registration of Births, Deaths, and Marriages.

10.—*Extract from Gazette of 11th January, 1935, page 25.*

REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES ACT, 1894.

Chief Secretary's Department,

Perth, 3rd January, 1935.

707/34.

HIS Excellency the Lieutenant-Governor in Council has been pleased to approve of the following regulation under "The Registration of Births, Deaths, and Marriages Act, 1894":—

In the case of an illegitimate child, the District Registrar shall not enter in the register the name of any person as the father of such child, unless at the joint request of the mother and of the person acknowledging himself to be the father of such child, and such person shall, in such case, sign the register together with the mother, and the surname of the child shall be deemed and taken to be the same as the surname of the father.

This regulation is subject to and does not affect the provisions of "The Legitimation Act, 1909-1926."

F. J. HUELIN,

Under Secretary.

11.—*Extract from Gazette of 22nd February, 1935, page 299.*

AT a meeting of the Executive Council held in the Executive Council Chambers, at Perth, this 20th day of February, 1935, the following Order in Council was authorised to be issued:—

The Registration of Births, Deaths and Marriages Act, 1894.

ORDER IN COUNCIL.

HIS Excellency the Lieutenant-Governor, by and with the advice and consent of the Executive Council, doth hereby, under Section 19 of "The Registration of Births, Deaths, and Marriages Act, 1894," as amended by Section 7 of the Act No. 19 of 1907, authorise the Registrar General to remit the whole or any part of any fee payable under the said Act or "The Marriage Act, 1894," as prescribed by the Order in Council published in the *Government Gazette* on the 20th day of November, 1931, in any case where in the special circumstances the Registrar General may think fit to do so; and, with respect to the prescribed fee of £10 for a special marriage license the Governor, the Resident Magistrate, or the Registrar General may, on the grant of such license, in any case where in the special circumstances he may think fit to do so, remit the whole or any part of such fee.

L. E. SHAPCOTT,

Clerk of the Council.