

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES.

No. 11 of 1975.

AN ACT to amend the Registration of Births,
Deaths and Marriages Act, 1961-1965.

[Assented to 9th May, 1975.]

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

1. (1) This Act may be cited as the *Registration of Births, Deaths and Marriages Act Amendment Act, 1975*. Short title and citation.

(2) In this Act the Registration of Births, Deaths and Marriages Act, 1961-1965 is referred to as the principal Act. Act No. 34 of 1961 as amended by Act No. 28 of 1965.

(3) The principal Act as amended by this Act may be cited as the Registration of Births, Deaths and Marriages Act, 1961-1975.

Commencement.

2. The provisions of this Act shall come into operation on such day or days as is or are respectively, fixed by proclamation.

Section 18 amended.
(Searches of register and certified copies of searches.)

3. Section 18 of the principal Act is amended—

(a) by deleting paragraph (b) of subsection (1);

(b) as to subsection (3)—

(i) by deleting the passage “, inspection of any entry in such register,” in lines four and five; and

(ii) by deleting the words “or inspection” in line nine;

(c) by deleting the words “or inspection” where occurring in each case in line three, line eight and line eleven of subsection (4); and

(d) as to subsection (5)—

(i) by deleting the words “or inspection” where occurring in line two and in line ten; and

(ii) by deleting the words “by the applicant” in line eleven.

Section 24 amended.
(Registration of birth after twelve months from date thereof.)

4. Section 24 of the principal Act is amended by deleting the passage “Subject to the provisions of section twenty-five of this Act, where” in lines one and two and substituting the word “Where”.

Section 25 repealed and re-enacted.

5. Section twenty-five of the principal Act is repealed and re-enacted as follows—

Appeal from Registrar General.

25. (1) Where the Registrar General authorises or refuses to authorise the registration of a birth under section twenty-four of this Act

any person aggrieved by reason of that decision may apply to a Judge for an order against that decision.

(2) Upon production to him of a certified copy of an order made under subsection (1) of this section the Registrar General shall delete the registration of a birth from the register or authorise the registration of a birth in the register in terms of the order.

(3) Where the Registrar General registers a birth pursuant to an order made under this section he shall enter in the register the fact that the registration was ordered under this section. .

6. Section twenty-six of the principal Act is repealed and re-enacted as follows—

Section 26
repealed and
re-enacted.

26. Except where a birth is registered in accordance with section fifty-one, fifty-two or fifty-four of this Act, no register or certified copy of an entry in the register is evidence to prove the birth of a child if it appears from the entry that more than twelve months have elapsed between the date of the birth and the date of the registration of the birth of that child, unless the entry purports to have been made with the written authority of the Registrar General or by order of a Judge. .

Certain
registrations
not to be
evidence.

7. Section 32 of the principal Act is amended by adding after the word "registrar" where occurring in line one of paragraph (a) and in line three of paragraph (b) the words "or assistant district registrar".

Section 32
amended.
(Registration
of deaths
within
fourteen
days of
death.)

8. Section 41 of the principal Act is amended—

Section 41
amended.
(Medical
certificates
as to cause
of death.)

(a) by repealing subsection (1) and re-enacting it as follows—

(1) Except as provided in subsection (1) of section forty-four of this Act, on the death of a person who has been attended

during his last illness by a duly qualified medical practitioner, that practitioner shall forthwith after the death—

- (a) complete and sign a medical certificate in the form approved by the Registrar General; and
 - (b) give the certificate referred to in paragraph (a) of this subsection to a person required by this Part of this Act to give information concerning the death to the district registrar or assistant district registrar appointed for the registry district in which the death occurred. ; and
- (b) by deleting the word “prescribed” in line six of subsection (3) and substituting the word “approved”.

Section 45
amended.
(Certificate
of Minister
and
Undertaker.)

9. Section 45 of the principal Act is amended—

- (a) by adding after the word “registrar” in line four of subsection (1) the words “or assistant district registrar”; and
- (b) by revoking subsection (3).

Sections
45A, 45B
added.

10. The principal Act is amended by adding after section 45 the following sections—

Removal of
the body of
a person
from the
State.

45A. A person shall not remove the dead body of a person from the State or cause it to be removed from the State unless and until the death of that person has been registered in accordance with this Act.

No regis-
tration of
death
without
entry of
manner of
disposal.

45B. A registration of the death of a person shall not be made unless an entry showing the manner in which the body of the person was disposed of is made in the register.

FIFTH SCHEDULE.

Registration No.
 Registration of Births, Deaths and Marriages Act, 1961.
 (Section 45, Schedule 5.).

CERTIFICATE OF DISPOSAL OF BODY.

- (1) Full name.
 (2) Address.
 (3) Description of certifier, e.g., "Funeral Director", "Police Officer".
 (4) Full name of deceased.
 (5) Late address of deceased.
 (6) State method of disposal—
 (a) buried or cremated;
 (b) mausoleum or other resting place;
 (c) reception into school of anatomy;
 (d) deposited at the premises of
 (Name and address)
 pending transfer to
 (destination) for burial/cremation.
 (7) Signature of person disposing of the dead body.
 (8) Name of Funeral Director or Firm.

I, (1)
 of (2)
 (3) do hereby certify that the dead body of
 (4)
 of (5)
 was on the day of 19..... disposed
 of in the following manner—
 (6)
 in the presence of the undersigned
 * (1)
 (2)
 (1)
 (2)
 Dated this day of 19.....
 Signature of Certifier (7)
 Acting for (8)

*If a person who is registered for the celebration of marriages in Australia is a witness, only one witness is necessary, otherwise two witnesses are necessary—see section 45 (1) of the Act.