

Lesotho

## Registration of Births and Deaths Act, 1973

Act 22 of 1973

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## Lesotho

# Registration of Births and Deaths Act, 1973

Act 22 of 1973

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Assented to on 28 February 1974

There are multiple commencements

Provisions	Status
Chapter I (section 1-4); Chapter II, section 5-24; Chapter III (section 30-37); Chapter IV (section 38-41); Chapter V (section 42-43); Chapter VI (section 44-47)	commenced on 1 April 1975.
Chapter II, section 25-29	commenced on 1 April 1976.

*[This is the version of this document from 1 April 1975.]*

## ACT

To consolidate the laws relating to the registration of births and deaths.

Enacted by the Assembly

### Chapter I Preliminary

#### 1. Short title and commencement

This Act may be cited as the Registration of Births and Deaths Act 1973 and shall come into operation on a date to be fixed by the Minister by notice in the *Gazette* provided that different dates may be so fixed for the coming into operation of any of the provisions of this Act.

#### 2. Interpretation

In this Act unless the context otherwise indicates—

"**adult**" means any person of the age of twenty-one years or upwards or any married person;

"**assistant registrar**" means an officer appointed in terms of [section 4\(3\)](#);

"**birth**" means the birth of any viable child whether such child is living or dead at the time of birth;

"**body**" means any human dead body, including the body of any still-born child;

"**burial**" means burial in earth, interment or any other form of sepulture or the cremation or any other mode of disposal of a body;

"**burial order**" means an order given under any provision of this Act authorizing the burial of a body;

"**burial place**" means any burial ground, whether public or private, or any place whatsoever wherein is buried, interred, cremated or otherwise disposed of or intended to be buried, interred, cremated or otherwise disposed of one or more bodies;

"**Chief**" means a chief recognised as such under the Offices of Chief Order 1970;

"**child**" means a person under the age of twenty-one years not being a married person;

"**death**" means the cessation of life as indicated by a non functioning brain;

"**district registrar**" means a person appointed or designated in terms of [section 5](#) or lawfully acting as such, for any district or portion of a district;

"**magistrate**" means a magistrate appointed in terms of section 5 of the Subordinate Courts [Proclamation No. 58/1938](#);

"**Minister**" means the Minister for the time being responsible for the administration of this Act;

"**name**" includes a surname, except in [section 16](#) where it does not include a surname;

"**occupier of a dwelling**", in relation to any public or charitable institution or barracks, means any superintendent or assistant superintendent, gaoler, or medical or other officer or person in charge thereof; and in relation to any compound in connection with a mine, means any manager or superintendent or person in charge thereof; and, in relation to any premises let in lodgings or separate apartments, means any person residing in such dwelling under whom such lodgings or separate apartments are immediately held; and, in relation to any tent, vehicle or other place of residence, or place in or upon which any person may be born or die, means any owner when in occupation or charge thereof, and, if the owner is not in occupation or charge thereof any lessee or other person in occupation or having the charge, care or custody thereof;

"**police officer**" means a member of the Lesotho Mounted Police;

"**registrar**" means the Registrar of Births and Deaths designated under [section 4](#) and includes an assistant registrar;

"**rural area**" means any area which is not an urban area; "still-born" shall apply to any child which has issued forth from its mother after the twenty-eighth week of pregnancy and which did not at any time after being completely expelled from its mother, breathe or show any other signs of life;

"**urban area**" means any area that is for the time being so designated by the Minister by Notice in the *Gazette*.

### 3. Registration of births and deaths compulsory

The registration of the birth of a child, whether born alive or still-born, and of the death of any person dying after the commencement of this Act shall be compulsory.

### 4. General register office

- (1) The office of the Registrar-General shall be the general register office for keeping a register of all births and deaths occurring in Lesotho.
- (2) The Registrar-General shall be the Registrar of Births and Deaths.
- (3) The Minister may from time to time appoint one or more assistant registrars of births and deaths.

## Chapter II General

### 5. Designation of district registrars

- (1) The Minister, or any person authorised thereto by him, may from time to time appoint district registrars and assistant district registrars of births and deaths.
- (2) Unless the Minister otherwise directs the District Administrator in charge of each district office mentioned in the Schedule shall be a district registrar of births and deaths for that district.
- (3) The Minister may by notice in the *Gazette* amend the Schedule to this Act.

### 6. Duties of district registrar

- (1) It shall be the duty of every district registrar to inform himself as far as possible of every birth or death which occurs within his district.
- (2) If after the expiry of the time allowed under this Act for giving any notice or information of any such birth or death, the notice or information has not been given, the district registrar may, by notice in writing under his hand, require any person whose duty it is under this Act to give any such notice or information to attend within such time as is specified in the notice at the office of the district registrar or any other place mentioned in the notice, there to give to the district registrar or to any other person named in the notice such information as may be necessary concerning the birth or death, as the case may be:

Provided that when an inquest or enquiry is being held or has been held concerning the death of any person no such requirement as is in this section mentioned, shall be made by any district registrar for information as to such death.

### 7. Duty of district registrar on receipt of notice of birth or death

- (1) On receipt by the district registrar of any notice, information, memorandum, return or certificate in respect of a birth or death given or transmitted under this Act he shall examine it and cause any defect or inaccuracy therein to be corrected as far as may be possible, and for the purposes of this section he may require any person whose duty it is to give information under this Act to attend and give information in the manner prescribed by [section 6](#).
- (2) It shall be the duty of every district registrar to ensure that every birth or death which comes to his notice is recorded on the prescribed form and that such form is fully and accurately completed.
- (3) The completion of such form shall constitute the registration of the birth or death recorded thereon and such form when completed, shall be deemed to form part of the relevant births register or deaths register, as the case may be.

### 8. Births and deaths registration

Separate books shall be kept by each district registrar to be called the "births register" and the "deaths register" and there shall be transcribed therein such information as to births and deaths as is prescribed.

### 9. Monthly returns

Within ten days of the last day of each month every district registrar shall forward to the registrar a copy of all entries made by him during the preceding month in the registers of births and deaths required to be maintained by him.

**10. Registers of births and deaths to be kept**

The registrar shall keep alphabetical registers in the prescribed form—

- (a) of the birth of every child, whether born alive or still-born;
- (b) of the death of every person dying after the commencement of this Act of which birth or death he shall receive notice in the prescribed form.

**11. Registers may be inspected**

Any register in the custody of the registrar shall, upon payment of such fee as may be prescribed be open to inspection.

**12. Certified copies of entries**

The registrar shall, upon payment of such fee as may be prescribed, furnish a certified copy of any entry in any register in his custody.

**13. Evidence of certified copy**

A copy of an entry in any register certified under the hand of the registrar to be a correct copy shall be *prima facie* evidence in all courts of the dates and facts therein stated.

**14. Clerical errors in registers may be corrected**

The registrar may, subject to any rules made by the Minister, correct any error in any register. Corrections shall be made without erasing the original entry and shall be authenticated by the signature of the registrar.

**15. Registration of birth or death after one year**

No birth or death shall be registered after the expiry of one year from the date of such birth or death expected upon the written authority of the registrar and upon payment of the prescribed fee.

**16. Alteration of name in births register**

- (1) When the birth of any person has been registered and the name under which his birth was registered, is altered, either of his parents or his guardian, if he is under twenty-one years of age or he himself if he is 21 years of age or over, may make a declaration in writing before the registrar and may apply for the alteration of his name in the relative births register, and thereupon the registrar may, if satisfied that the applicant is competent to make the application and upon payment by the applicant of the prescribed fee amend the registration of the said person's birth by inscribing the altered name on the original birth information form filed in his office in connection with the registration of such birth, but without erasing the original name therefrom, and shall instruct the district registrar concerned to make a similar inscription in his births register.
- (2) In this section, "name" does not include "surname".

**17. Alteration of surname in register**

When the birth of any person has been registered and the surname under which the birth was registered is changed, the provisions of [section 16](#) shall *mutatis mutandis* apply provided that no such change shall be recorded by the registrar unless evidence is produced to him that notice of such change has been published in the *Gazette* and a newspaper circulating in Lesotho at least 30 days before such application is lodged with the registrar.



**18. Amplification of nameless birth registration**

When the birth of any person has been registered without the assignment of any name to him, either of his parents or his guardian, if he is under 21 years of age, or he himself, if he is 21 years of age or over, or has no parent or guardian, may apply to the registrar for the amplification of the registration of his birth by the inscription of his name in connection therewith and thereupon the registrar shall, if satisfied that the applicant is competent to make the amplification and upon payment by the applicant of the prescribed fee amplify the registration of the said person's birth by inscribing his name on the original birth information form filed in his office in connection with the registration of such birth and shall instruct the district registrar concerned to make a similar inscription in his births register.

**19. Notice of birth of illegitimate child**

No person shall be bound as father to give notice of the birth of an illegitimate child, and no person shall be registered as the father of such child except on the joint request of the mother and himself and upon his acknowledging himself in writing to be the father of the child in the presence of the registrar or a district registrar.

**20. Amendment of birth registration of illegitimate child after legitimation**

- (1) Any parent or guardian of a person born of parents who were not married to each other at the time of his birth, but who married each other after the registration of his birth (whether they could or could not have legally married each other at the time of his birth) may, if such person is under 21 years of age, or such person himself may, if he is 21 years of age or over, or has no parent or guardian, apply to the registrar for the registration of his birth as if his parents had been married to each other at the time of his birth and thereupon the registrar shall, if satisfied that the applicant is competent to make the application, that the alleged parents of such person are in fact his parents and that they legally married each other, instruct the district registrar concerned to register the birth in the prescribed manner as if such person's parents had been legally married to each other at the time of his birth.
- (2) If a person's parents who were not married to each other at the time of his birth, have married each other before the registration of his birth, such birth shall be registered as if they had been married to each other at the time of his birth.

**21. Alteration of births register or new registration on adoption**

- (1) When an order has been made for the adoption of a child whose birth has been registered in Lesotho, the registrar shall on the application of the adoptive parent and on production of the order of adoption or of a certified copy thereof, and on payment of the prescribed fee, cause the fact of adoption and a statement whether the name of the adoptive parent was or was not conferred upon the child by virtue of the adoption, to be recorded on the original birth information form filed in his office and against the entry of the birth in the births register kept by him and in the births register kept by the district registrar of the district or area where the birth was recorded.
- (2) If an order has at any time been made for the adoption of a child born outside Lesotho, the registrar shall, on the application of the adoptive parent, and on production of—
  - (a) the order of adoption or a certified copy thereof; and
  - (b) the birth or baptismal certificate of the child, or a certified copy of such certificate, or, if no such certificate is available, such documentary proof of the date of birth of the child as the registrar may deem sufficient; and
  - (c) such other evidence as may be deemed necessary by the registrar;and on payment of the prescribed fee, cause the birth of such child to be recorded in the births register kept by him and in the births register kept by the district registrar of the district in which

the order of adoption was made. The registrar shall cause the fact of adoption and a statement whether the name of the adoptive parent was or was not conferred upon the child by virtue of the adoption to be recorded on the birth information form lodged under paragraph (c), and against the entry of the birth in the births registers kept by him and the district registrar of the district in which the order of adoption was made.

## **22. Change of sex of child**

In the event of a child, after being registered, either by operation or otherwise, changing from a female to a male or from a male to a female and such change is certified by a registered medical practitioner, the district registrar of the district in which the birth is registered shall, with the approval of the registrar and on the application of the parent or guardian of that child, alter the particulars of such child which appear in the births register.

## **23. Information as to live new-born child found abandoned**

If any live new-born child or the body of a new-born child is found abandoned, the person finding it shall, as soon as possible, give notice to a police officer or Chief or headman, and any police officer or Chief or headman who knows or is informed of the discovery of such a child or body so abandoned, and, in the case of a live new-born child, any person in whose charge such a child is placed and any person holding any official enquiry into or being aware of any circumstances relating to the abandonment, shall forthwith give to the district registrar of the district wherein the child or body was found the prescribed notice or information.

## **24. Duty of person holding inquest to give information to district registrar**

Any person holding an inquest or enquiry into the death of any person shall forthwith furnish to the district registrar the prescribed particulars in respect of that death.

## **25. Burial register to be kept**

- (1) The custodian or person having the charge or control of any burial place shall keep a book to be called the "burial register" in which he shall enter the prescribed particulars regarding every burial in such burial place.
- (2) The custodian or person aforesaid shall produce such book for inspection whenever so required by the district registrar.

## **26. Information by undertaker**

Any undertaker or person having charge of any funeral shall obtain, as far as possible, and supply to the custodian or person having charge or control of a burial place whenever it has been arranged that a burial shall take place therein, such information as may be necessary to enable the custodian or person aforesaid to make the required entries in the burial register referred to in [section 25](#).

## **27. Burial order in case of person dying outside a district in which it is desired to bury such person**

- (1) Any district registrar may issue, to any person having the charge of the body of a deceased person who has died outside his district or area (whether within or outside Lesotho) and whose relatives or friends desire that such body be buried within the district or area under the jurisdiction of such district registrar, an order authorising the burial of such body within such district or area.
- (2) An order referred to in subsection (1) may be issued person by any police officer in charge of a police station or in charge or temporarily in charge of a police mortuary, or any police officer in charge of a charge office, in the district or area in which the body in question is to be buried, where such officer considers it necessary to issue such an order in order to avoid delay or inconvenience,

and any such officer shall as soon as possible after the issue by him of such an order advise the district registrar concerned in writing of the issue thereof.

- (3) The production of any such order shall, notwithstanding anything in this Act contained, be sufficient authority to any person to bury such body or allow such body to be buried or to conduct any funeral or religious service in connection with its burial.

## **28. Information as to persons enrolled for military service and as to deaths therein**

- (1) Whenever a person ordinarily resident in Lesotho is enrolled for military service either within or outside Lesotho such particulars shall be obtained by the military authorities as will enable them in the event of his death while upon such service to furnish to the registrar particulars thereof on the prescribed form.
- (2) The death information form shall be duly signed by the officer commanding the unit to which the deceased belonged or some other officer designated thereto by the military authorities.

## **29. Penalty for failing to give notice**

Any person who, being under obligation to give notice of the birth of any child or the death of any person, fails to do so within the period herein provided or refuses or neglects to state any of the particulars in the form prescribed by regulations made under the provisions of this Act or who wilfully gives any false information or particulars for the purposes of registration, shall be guilty of an offence.

# **Chapter III**

## **Information as to births and deaths in urban areas**

## **30. Application of this Chapter**

The provisions of this Chapter shall apply only within urban areas.

## **31. Responsibility for giving notice of birth**

- (1) In the case of every child, whether born alive or still-born, it shall be the duty of the father and the mother, and in default of the father or the mother the duty of—
  - (a) the occupier of the dwelling in which to his knowledge, such child is born or the person in charge of any hospital or other institution in which such child is born; and
  - (b) each person present at the birth; and
  - (c) in the case of a child born alive, the person having charge of the child;to give notice in the prescribed form containing the prescribed particulars of the birth within 14 days thereof to the district registrar of the district in which such child is born.
- (2) Any person giving notice under the provisions of subsection (1) of the birth of a still-born child shall upon giving such notice, either—
  - (a) deliver to the district registrar to whom the said notice is given a written certificate that the child was not born alive, signed by a registered medical practitioner or a registered midwife or nurse who was in attendance at the birth or who has examined the body of such child; or
  - (b) make a declaration in the prescribed form to the effect that no registered medical practitioner or a registered midwife or nurse was present at the birth, that it has not been possible for such practitioner or midwife or nurse to examine the body of the child, and that the child was not born alive.
- (3) If the district registrar is not satisfied that the child was still-born he shall report to the magistrate such facts concerning the alleged still-birth as are known to him.

### 32. Notification of death and issue of burial order

- (1) It shall be the duty of every adult relative of a deceased person present at his death or in attendance during his last illness or at his dwelling with him and, if there are no such relatives, of every adult person present at the death of any person, and, if there was no such adult person present, then of the occupier of the dwelling in which the death occurred, and, in the event of the death or absence or other inability of such occupier, then of every adult inmate of the dwelling or of any person causing the body to be buried, to give to the district registrar notice in the prescribed manner of the death within twenty-four hours thereafter.
- (2) The district registrar shall register and deal with such notice in the prescribed manner and, if he is satisfied that the death was due to natural causes, he shall issue, without fee or reward, to the person giving the notice an order under his hand authorising burial.

### 33. When deceased attended by medical practitioner

In the case of the death of any person who has not been attended during his last illness by a medical practitioner if no inquest or other proceeding has been or is being instituted, or if no certificate by a registered medical practitioner is produced stating that to the best of his knowledge and belief the death was due to natural causes, or if though such a certificate is produced the district registrar to whom notice of death is given in terms of [section 32](#) is not satisfied that the death was due to natural causes, the district registrar shall forthwith report to the magistrate such facts concerning the death as are known to him.

### 34. When deceased attended by medical practitioner

- (1) In the case of every person dying who has been attended during his last illness by a registered medical practitioner, that practitioner shall, unless he believes that death was not the result of natural causes, sign and give to some person required by this Act to give notice of the death a certificate stating to the best of his knowledge and belief the cause of the death.
- (2) If any medical practitioner believes that the death of any person attended by him was not the result of natural causes, he shall forthwith report to a magistrate his inability to give a certificate as required by subsection (1).
- (3) The person required to give notice of the death who receives the medical certificate of the cause of death shall, within forty-eight hours from the receipt thereof, despatch or deliver the certificate accompanied by the prescribed notice of death to the district registrar of the district where the death occurred.
- (4) Every district registrar, upon receiving a notice of death accompanied by a medical certificate of the cause of death, shall forthwith register the death and give to the person giving notice of the death a permit authorising burial or other disposal of the body of the deceased.
- (5) Where no certificate of the cause of death is produced, the district registrar shall forthwith notify the nearest magistrate or police officer, forwarding with the notification such of the prescribed particulars as he may have received.
- (6)
  - (a) On the receipt of a notice from a district registrar under subsection (5), the magistrate or a police officer, or any person specially empowered by the Minister in that behalf, shall cause such inquiries to be made as to the cause of the death as he may think fit or as may be prescribed.
  - (b) If the case does not appear from such inquiries to be one to which section four or ten of the Inquests [Proclamation 37/1954](#) applies, the magistrate or police officer or other person as aforesaid shall issue a permit authorising burial or other disposal of the body of the deceased and shall send a copy thereof to the district registrar.

### 35. Procedure after criminal proceedings

Whenever the death of any person to whom this Act applies is the subject of an inquest or criminal proceedings, the fact of such death shall be notified and recorded in the prescribed manner, but the cause of such death shall not be recorded until notified by the officer presiding at the inquest, summary trial or preparatory examination.

Every officer so presiding shall, upon entering his finding or verdict, or at the conclusion of the preparatory examination forthwith furnish to the district registrar particulars of the cause of death of the deceased person. Such district registrar shall enter such cause against the entry of such death in his death register, and advise the registrar of the cause of death and of the fact that the necessary entry has been made. The registrar shall thereupon make a corresponding entry in the register of deaths kept by him.

### 36. Restriction on removal of dead body

- (1) No person, unless acting under the written sanction or direction of a registered medical practitioner shall remove, or assist or attempt to remove, or procure the removal or, bury any dead body until a certificate of registration of death under [section 32](#) has been issued, or an order to bury or cremate has been obtained from a magistrate:

Provided that where interment is urgent and it is not possible to procure such certificate or order promptly it shall be the duty of any person who may desire to remove or bury a dead body to report the same at the nearest police station, when the inspector or other officer in charge may issue forthwith a permit in the prescribed form. The issue of such permit shall be forthwith reported to the district registrar by the issuing officer, and shall not exonerate the persons required by this Act to give information respecting the death of any person from giving the information required.

- (2) No person shall remove, or assist or attempt to remove, or procure the removal of a dead body from Lesotho until he has obtained from a district registrar a certificate in the prescribed form.

### 37. Removal orders

- (1) If the burial of any deceased person does not take place within the urban area where the death occurred, a removal order shall be obtained from the district registrar.
- (2) A removal order required in terms of subsection (1) may be issued by any police officer in charge of a police station or in charge or temporarily in charge of a police mortuary, or any police officer in charge of a charge office, in the district or area in which the death occurred, where such officer considers it necessary to issue such order to avoid delay, or inconvenience, and any such officer who issued such an order shall as soon as possible thereafter advise the district registrar concerned in writing of the issue thereof.

## Chapter IV

### Information as to births and deaths in areas other than urban areas

### 38. Application of Chapter IV

The provisions of Chapter IV shall apply to any part of Lesotho to which Chapter III does not apply.

### 39. Notification of birth of child

- (1) In the case of any child born alive it shall be the duty of the father or the mother of the child, and, in the event of the death or absence or other inability of the father or the mother then of any person, present at the birth, or of the occupier of the dwelling in which the child is born, and, in the event of the death or absence or other inability of such occupier, then of the person having charge

of the child, within 7 days after the birth, to give the prescribed notice thereof to the Chief of the area in which the event occurred.

- (2) Any such Chief shall, on receipt of such notice, give written information in the prescribed form of the birth to the district registrar within 7 days.

#### **40. Notification of death**

- (1) It shall be the duty of every adult relative of a deceased person present at his death or in attendance during his last illness or at his dwelling with him and, if there are no such relatives, of every adult person present at the death of any person, and, if there was no such adult person present, then of the occupier of the dwelling in which the death occurred, and, in the event of the death or absence or other inability of such occupier, then of every adult inmate of the dwelling or of any person causing the body to be buried, to give to the Chief of the area in which the event occurred notice in the prescribed manner of the death within 7 days thereafter.
- (2) Any such Chief shall, on receipt of such notice, give written information of the death to the district registrar within 7 days.

#### **41. Application of [section 31](#) in non-urban areas**

The provisions of subsection 2 of [section 31](#) shall apply for the purpose of notifying information as to the delivery of still-born children in areas to which this Chapter applies:

Provided that in any such area the certificate or declaration required by the said section shall be delivered to the Chief of the area in which the event occurred within 7 days after the delivery of the still-born child.

### **Chapter V**

#### **Registration of births occurring outside Lesotho**

#### **42. Application of Chapter V**

This Chapter applies to a child who is a citizen of Lesotho and is born outside Lesotho before or after the coming into operation of this Act.

#### **43. Application to be made within one year**

- (1) A person desiring to register the birth of a child to whom this Part applies may, within one year after the birth of such child or within such later period as the Minister may allow on written application to him, make written application to the diplomatic or other representative of Lesotho as the Minister may designate in the country in which the child was born, or the registrar, for the registration of the birth of the child.
- (2) Such application shall contain the prescribed information and shall be accompanied by the prescribed fee.
- (3) In the event of the application being made to a diplomatic or other representative of Lesotho as the Minister may designate he shall forthwith transmit the application and the fee to the registrar.
- (4) The registrar shall enter the relevant information contained in any application referred to in this section in the births register.

## **Chapter VI**

### **Miscellaneous**

#### **44. Regulations**

The Minister may make regulations for carrying out the purposes and provisions of this Act and in particular but without prejudice to the generality of the foregoing, he may make regulations providing for all or any of the following—

- (a) prescribing the registers, documents and forms to be used in connection with the administration of this Act;
- (b) the fees to be paid under this Act;
- (c) the particulars required to be given to the registrar of a births and deaths registration district;
- (d) the manner in which any document shall be completed and signed;
- (e) the keeping of all registers, records and indexes and the rendering of returns under this Act;
- (f) the inspection of registers, records and indexes to be kept under this Act;
- (g) the provisions of certified copies of records or extracts or records to be kept under this Act;
- (h) the hours during which births and deaths may be registered and inspection of registers or other records may be made.

#### **45. Transitional**

A district registrar may, upon being satisfied as to the particulars of birth, register the birth of any child born prior to the passing of this Act, where the registration of such birth was not compulsory under the Registration of Births and Deaths Proclamation 1947 and submit a copy of such registration to the registrar.

#### **46. Offences**

- (1) Any person who, without reasonable cause or excuse fails to give or transmit any notice, information, return or certificate required by this Act to be given or transmitted, shall be guilty of an offence and liable on conviction to a fine not exceeding R100 or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.
- (2) Any person who wilfully makes or causes to be made, for the purpose of being inserted in any notice or information or in any births register or deaths register any false statement relating to any of the particulars required by this Act to be made known and registered, shall be guilty of an offence and liable on conviction to the penalties which by law may be imposed for the crime of perjury.
- (3) Any person, having the custody of any register or certified copy thereof or of any part thereof, who negligently loses it or damages it or negligently, while it is in his custody allows it to be damaged, shall be guilty of an offence.
- (4) Any person who wilfully destroys or injures or renders illegible or causes to be destroyed or injured or rendered illegible any register or certified copy thereof or any part thereof or falsely makes or counterfeits or causes to be falsely made or counterfeited any part of a register or certified copy thereof, or wilfully inserts or causes to be inserted in any register or certified copy or part thereof any false entry or wilfully gives or utters any false certificate or certifies any writing to be a copy of or extract from a register knowing such copy or extract to be false in any part or who forges or counterfeits the signature, seal, impression, or stamp of the registrar or any assistant registrar or any district registrar or assistant district registrar shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding five years, and any person, having the

custody or care of any register, who knowingly permits any such act to be committed shall also be guilty of an offence and liable on conviction to the same penalty.

- (5) Any person who contravenes or fails to comply with any provision of this Act or of any regulation for the contravention whereof or for the failure to comply wherewith no penalty is specially provided shall be liable on conviction to a fine not exceeding R100 or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

#### 47. Repeal and saving

- (1) The Registration of Births and Deaths Proclamation (No. 17 of 1947) is hereby repealed.
- (2) Any births or deaths registered under the Registration of Births and Deaths Proclamation 1947 and any certificates issued and registers kept under that Proclamation shall be deemed to have been registered, issued and kept under this Act.

### Schedule (Section 5)

#### Births and deaths register offices

District	Register office
Butha-Buthe	District Administrator's Office
Leribe	do
Mafeteng	do
Maseru	do
Mohale's Hoek	do
Mokhotlong	do
Qacha's Nek	do
Quthing	do
Teyateyaneng (Berea)	do