



LAWS OF MALAYSIA

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Act 152

REGISTRATION OF BIRTHS AND DEATHS (SPECIAL PROVISIONS) ACT 1975

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**REGISTRATION OF BIRTHS AND DEATHS (SPECIAL
PROVISIONS) ACT 1975**

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LAWS OF MALAYSIA**Act 152****REGISTRATION OF BIRTHS AND DEATHS
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LAWS OF MALAYSIA**Act 152****REGISTRATION OF BIRTHS AND DEATHS
(SPECIAL PROVISIONS) ACT 1975**

An Act to provide for the registration of births and deaths among citizens of Malaysia occurring while on pilgrimage to the Hedjaz.

[1 September 1974]

BE IT ENACTED by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the Registration of Births and Deaths (Special Provisions) Act 1975.

Interpretation

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

“certificate” means a certificate issued under section 9;

“Minister” means the Minister charged with responsibility for registration of births and deaths;

“register” means a register kept under section 8;

“Registrar” means a Registrar appointed under section 3;

“Registrar General” means the Registrar General of Births and Deaths appointed under the Births and Deaths Registration Act 1957 [*Act 299*]; and

“report book” means the report book referred to in section 6.

Registrars

3. (1) For the purpose of carrying out the objects of this Act, the Registrar General may appoint such number of persons as he deems necessary, whether public officers or not, to be Registrars.

(2) All Registrars appointed under this Act shall be deemed to be public servants within the meaning of the Penal Code [Act 574].

Registration of births to and deaths of pilgrims

4. (1) Information relating to the birth to or death of any person who is a citizen of Malaysia while on pilgrimage may be given—

- (a) to the Registrar, within forty days of the occurrence of such birth or death; or
- (b) to the Registrar General, within six months of the occurrence of such birth or death.

(2) For the purpose of subsection (1) a person is deemed to be on pilgrimage from the time he leaves Malaysia on his journey to the Hedjaz until the time he returns to Malaysia.

Persons qualified to give information

5. (1) The following persons shall be qualified to give information concerning a birth, that is to say:

- (a) father of the child;
- (b) mother of the child;
- (c) the occupier of the house in which the child was, to the knowledge of the occupier, born;
- (d) any person present at the birth;
- (e) any person having charge of the child; and
- (f) any other person having personal knowledge of the birth.

(2) The following persons shall be qualified to give information concerning a death, that is to say:

- (a) any person present at the death;
- (b) the occupier or any inmate of the house if he knew of the happening of the death;
- (c) any person taking charge of the body;

(d) the person causing the disposal of the body; and

(e) any other person having personal knowledge of the death.

Registrar to record particulars

6. (1) A Registrar shall record such particulars as may be prescribed in a report book in the prescribed form concerning any birth or death given to him by any person qualified to do so.

(2) A Registrar may before recording the birth or death, put questions to the informant to satisfy himself of the occurrence of the birth or death, that the informant is qualified to give the information and that the birth was to or the death was that of a citizen of Malaysia.

Delivery of records to Registrar General

7. Every Registrar shall at such times and in such manner as may be specified by the Registrar General deliver to the Registrar General all completed entries made in the report book kept by him.

Entry of records into register

8. (1) Subject to subsections (2) and (3) the Registrar General shall enter the particulars contained in the report book into a register.

(2) The Registrar General may before making such entry into the register make inquiries to satisfy himself that the particulars contained in the report book are true and accurate and shall not enter any particulars which he is not satisfied are true or accurate.

(3) The Registrar General may make corrections to any particulars which he, after the inquiries, considers necessary.

Issue of certificate

9. (1) The Registrar General may on application in the prescribed form and on payment of the prescribed fee, issue to the applicant a certificate in the prescribed form containing the particulars recorded in the register.

(2) The Registrar General may before issuing any certificate under subsection (1) make inquiries in order to determine that the certificate will be used only for lawful purposes.

(3) Every such certificate shall be certified under the hand of the Registrar General or any person authorised by him in writing.

Entry as evidence of birth or death

10. An entry in the register and a certificate purporting to be issued under section 9 and purporting to be made under the hand of the Registrar General or any person authorised by him shall be received without further or other proof as evidence of such facts and particulars relating to such birth or death as are prescribed to be and are recorded in the register.

Delegation

11. The Registrar General may by writing delegate any or all the powers conferred and duties imposed upon him by this Act to any officer appointed under the Births and Deaths Registration Act 1957 [*Act 299*].

Nothing in this Act deemed to exempt requirements under any other law

12. Nothing in this Act shall be deemed to exempt any person from the requirements of any other law governing registration of births and deaths.

Rules

13. (1) The Minister may make rules for carrying out or giving effect to the provisions of this Act.

(2) Notwithstanding and without prejudice to the generality of subsection (1), the Minister may make rules in respect of any or all the following matters:

- (a) the form and contents of the registers, certificates, forms and other documents required and information to be supplied for the carrying out of the purpose of this Act;
 - (b) the fees to be imposed under this Act;
 - (c) the custody of registers, forms, certificates and other documents connected with the business of registration; and
 - (d) the issue of certificates.
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LIST OF AMENDMENTS

Amending law	Short title	In force from
Act A327	Penal Code (Amendment and Extension) Act 1976	31-03-1976
Act A626	Registration of Births and Deaths (Special Provisions) (Amendment) Act 1985	13-09-1985

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LIST OF SECTION AMENDED

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3	Act A327	31-03-1976
4	Act A626	13-09-1985

