

CHAPTER 255.

GENERAL REGISTRATION.

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CHAPTER 255.

GENERAL REGISTRATION.

31 of 1905.
2 of 1909.
5 of 1915.
28 of 1929.
2 of 1930.
22 of 1953.

An Ordinance to consolidate and amend the General Laws establishing and regulating the office of Registrar General of Sierra Leone.

[AS TO THE COLONY—27TH OCTOBER, 1905.]
[AS TO THE PROTECTORATE—11TH NOVEMBER, 1954.]

Short title
and
application.
22 of 1953.

1. This Ordinance may be cited as the General Registration Ordinance, and shall apply to the Colony and Protectorate.

2. (1) The provisions of this Ordinance shall be deemed to be supplementary to any Registration Ordinance now or hereafter in force, or to any provisions as to registration contained in any Ordinance now or hereafter in force, so far as the same are applicable thereto:

Provided that this Ordinance shall not be deemed to be supplementary to the Births and Deaths Registration Ordinance.

(2) In this Ordinance the expression "registration" means registration by the Registrar General or any person declared by this or any Ordinance now or hereafter in force to be an officer of, or under the control of, the Registrar General.

3. (1) The Governor may from time to time, subject to the provisions of sub-section (3) hereof, appoint a fit and proper person to be Registrar General, and such other officers, clerks, and servants as may be necessary to assist him in the conduct of the business of his office.

(2) The Governor may also from time to time appoint a fit and proper person to be Deputy Registrar General, who shall perform the duties of the office of Registrar General when the Registrar General is temporarily unable, from illness or other unavoidable cause, to do so, and the Governor may, for good cause, appoint a fit and proper person to act as Registrar General, and may revoke such appointments. The Deputy Registrar General and acting Registrar General shall, when acting as such, have all the powers, and discharge all the duties, and be under the same liabilities as the Registrar General.

4. The Registrar General's office shall be at Freetown.

Office in
Freetown.

5. (1) The Registrar General's office shall be the General Registry for, and depository of, all registers, instruments and records and copies thereof as are directed by any Ordinance, now or hereafter in force, to be delivered to, and deposited with, the Registrar General, or to be registered at his office.

(2) The Registrar General shall be the custodian of, and it shall be his duty to keep, all records and documents, whether original or not, which have been deposited with him or his predecessors under the provisions of any Ordinance, whether such Ordinance is in force or not.

(3) The Registrar General, and every Registrar, shall use such official stamp and seal as the Governor may by Order determine, and till any Order be made by the Governor under the provisions

Supple-
mentary to
other
Registration
Ordinances.

Cap. 92.

Interpreta-
tion.

Appointment
of Registrar
General, etc.

Registrar
General's
office to be
the General
Registry.

of this sub-section, the official stamp and seal in use at the date when this Ordinance comes into force shall continue to be used.

Registrars
to be officers
in the
Registrar
General's
department.

6. All Registrars and other registration officers appointed under the provisions of any Ordinance now or hereafter in force shall be deemed to be officers of the department of the Registrar General, and shall be under his direction and control, and such Registrars and other officers shall comply with, and conform to, such orders and directions as they may from time to time receive from the Registrar General, in addition to such specific duties, if any, imposed upon them by the Ordinance under which they are appointed.

Preparation
of indexes.

7. The Registrar General shall cause indexes of all registers, instruments, records and copies of registers, and records deposited in the General Registry, to be made and kept in the General Registry.

Such indexes shall contain such particulars, and shall be prepared in such form, and by such officer or officers, as the Registrar General, with the approval of the Governor, shall from time to time direct, and shall be kept at the General Registry.

Preparation
of returns.

8. The Registrar General shall furnish, on or before the thirty-first day of January in every year, to the Governor, a general abstract of the number of instruments and marriages registered during the preceding year, in such form as the Governor may direct.

Searches in
registry.

9. (1) The Registrar General and all Registrars shall permit search to be made in the records, instruments, registers, or copies of records, instruments or registers deposited with him or them, and shall give certified copies of extracts from such instruments, records, registers or copies thereof when required.

(2) Any person desiring to make such search or requiring such certified copy shall first pay the appointed fees.

Penalty for
making false
statement to
be inserted in
register.

10. Any person who shall wilfully make, or cause to be made, for the purpose of being inserted in any register, any false statement touching any particular required by law to be registered, shall be guilty of a misdemeanour, and upon conviction on information of the offence, he shall be liable to pay a fine not exceeding fifty pounds, or to be imprisoned, with or without hard labour, for any term not exceeding one year.

11. Any person who shall wilfully destroy or injure, or cause to be destroyed or injured, any register, instrument, record, copy, document or index, or any certified copy thereof deposited or kept with the Registrar General, or any Registrar or registration officer, in pursuance of this or any Ordinance, or shall falsely make or counterfeit, or cause to be falsely made or counterfeited, any such register, copy of a register or index, or shall wilfully insert, or cause to be inserted, in any register, record, copy or index, any false entry, or shall wilfully give a false certificate relating to any such register, record, copy or index, or to any entry in any such register, record, copy or index, or shall certify any writing to be a copy or extract of an entry in any such register, record, copy or index, knowing such register, record, copy or index, or such writing, to be false in any part thereof, or shall counterfeit the seal of the Registrar General, shall be guilty of felony, and liable upon conviction on information, to imprisonment, with or without hard labour, for any term not exceeding five years.

Penalty for
destroying or
counterfeiting
registers, etc.

12. (1) A prosecution for an offence under this or any Ordinance relating to registration, or under any provision relating to registration in any Ordinance contained, shall be commenced within three years after the commission of such offence.

Prosecutions
to be within
three years.

(2) All penalties, fines and forfeitures imposed by this or any Ordinance relating to registration, or by any provision relating to registration in any Ordinance contained, may, unless otherwise directed, be recovered on summary conviction, and when so recovered shall be paid into the Treasury for the general revenue.

Recovery of
penalties.

(3) Where the Court before whom a person is charged summarily with an offence under this Ordinance, which is also punishable on information, is of opinion that proceedings ought to be taken against such person by information, such Court may adjourn the case to enable such proceedings to be taken.

13. Every Registrar or other registration officer who shall refuse, or without reasonable cause omit, to register any matter concerning which information has been tendered to him, and which it is his duty under the provisions of any Ordinance to register, and every person having the custody of any instrument, register or record, copy or index, who shall carelessly lose or injure the same, or allow the same to be lost or injured, shall be liable on summary conviction thereof to a fine not exceeding fifty pounds.

Penalty for
default by
Registrar.

Mode of
making
alterations
in registers
or extracts.

14. No erasure shall be made in any register or certified copy thereof, or extract therefrom, but if any error shall occur, a line of red ink shall be drawn through any word improperly inserted, so as to leave the original word legible, and any word which may have been omitted shall either be interlined or written in the margin with red ink (and always when practicable by the same hand as the rest of the same writing), and the Registrar General or Registrar or other registration officer shall subscribe his name in the margin opposite to each correction.

Instruments
deposited
with
Registrar
General
receivable in
evidence.

15. All instruments, registers and records, deposited with the Registrar General or Registrar or officer of the Registrar General's Department, shall be deemed to be in legal custody and shall be receivable in evidence in all Courts of the Colony and Protectorate, subject to the provisions hereinafter contained.

Production of
documents.

16. The Registrar General and any Registrar or officer in the Department of the Registrar General shall produce or cause to be produced, any instrument, register, or record in his custody on subpoena or order of any competent Court, and on payment of a reasonable sum, to be taxed as the Court shall direct, and to be paid to the Registrar General on account of the loss of time of the officer by whom such instrument, register, record or document shall be produced.

Certified copy
receivable in
evidence in
civil cases.

17. Every certified copy made under the provisions of this or any Ordinance, purporting to be signed by the Registrar General, or the proper person to sign the same, shall be receivable in evidence in all civil cases instead of the original thereof, unless it is proved that such copy is a forgery, and subject always to the provisions of section 20 hereof.

Notice of
intention to
use certified
copy at trial
to be given
to opposite
party.

18. Any person intending to use such certified copy in a civil case before a Court shall give notice to the opposite party, his attorney or agent, of such intention, and with such notice shall deliver a copy of the certified copy, and on proof of service and receipt of the copy, or admission of the receipt of such notice and copy, such certified copy shall be received in evidence at the trial, if the Court shall be of opinion that such service has been made in sufficient time before the trial to enable the opposite party to examine the original of the certified copy.

Notice of
intention to
use original
to be given
to opposite
party.

19. Any party intending to use in evidence in any civil or criminal trial any original instrument, record, register or document deposited with the Registrar General or Registrar, or any officer of the Registrar General's Department, instead of a

certified copy, shall nevertheless give to the opposite party within a reasonable time of the trial notice of such intention and deliver to such party a copy of the entry or extract which he intends to use.

20. Every certified copy given under the provisions of section 9 hereof shall describe the original from which it is taken, and shall express that such original is deposited with the Registrar General or Registrar, or other officer of the Registrar General's Department, as the case may be, and the production of any original in the custody of an officer of the Department, or of a certified copy containing the description aforesaid, shall be sufficient proof that such original is deposited with the Registrar General, or Registrar, or other officer of the Registrar General's Department, in all cases where such originals or copies thereof are receivable in evidence.

21. In all criminal cases in which it may be necessary to use in evidence any instrument, record, register or document, or any portion thereof, the original shall be produced to the Court after due notice as aforesaid.

22. It shall be lawful for the Registrar General, with the approval of the Governor, to make rules for the guidance of the Registrars and other officers under his control in the performance of their duties, with respect to the hours of attendance of Registrars and other officers, and generally for the carrying out of the provisions of this or any Ordinance relating to registration, or of any provisions relating to registration in any Ordinance contained.