



CHAPTER 59.

An Act to amend the "Vital Statistics Act."

R.S.B.C. 1924, c.
268, 1926, 27, c. 77;
1931, c. 67

[Assented to 13th April, 1932.]

II HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the "Vital Statistics Act Amendment Act, 1932." short title

2. The "Vital Statistics Act," being chapter 268 of the "Revised Statutes of British Columbia, 1924," is amended by inserting therein the following as section 16A:— Enacts s. 16A

"16A. The secretary or other executive officer or person in charge of the management of every hospital and of every private hospital, within the meaning of the 'Hospital Act,' shall, at the expiration of each month, forward to the Registrar a return in the prescribed form of the births of all children born in that hospital or private hospital during that month."

3. Section 19 of said chapter 268 is repealed, and the following is substituted therefor:— Re-enacts s. 19

"19. (1.) The District Registrar may register a birth at any time within one year from the date of the birth.

"(2.) In the case of a birth which has not been registered within one year from the date of the birth, if application for registration is made to the Registrar within five years from the date of the birth by statutory declaration in the prescribed form respecting the birth, which statutory declaration shall be made before a District Registrar or before the Registrar, and if the Registrar is satisfied as to the bona fides of the application and the correctness and sufficiency of the facts stated in the statutory declaration, the Registrar may

cause registration of that birth to be made in the proper district register.

"(3.) In the case of a birth which has not been registered within five years from the date of the birth, or in case an application for registration of a birth under subsection (2) has been refused by the Registrar, if application for registration is made in a summary manner to any Judge of the Supreme Court or to a Judge of any County Court, the Judge, upon being satisfied as to the bona fides of the application and the correctness and sufficiency of the evidence adduced on the hearing of the application, may make an order directing the registration of that birth; and the Registrar, upon the service on him of the order, shall cause registration of that birth to be made in the proper district register. No order shall be made by a Judge under this subsection unless at least thirty days' notice of the hearing of the application has been served on the Registrar, accompanied by a statement of the particulars of the application and by copies of all papers intended to be produced to the Judge on the hearing of the application."

Enacts s. 21A.

4. Said chapter 268 is amended by inserting therein the following as section 21A:—

"21A (1.) In this section the expression 'birth certificate' means any certificate or any certified copy or extract given by the Registrar or by a District Registrar in respect of the record of any birth under this Act.

"(2.) Where the Registrar has reason to believe that the registration of the birth referred to in any birth certificate was fraudulently or improperly obtained, or where a birth certificate is found in the possession of any person under circumstances which cause the Registrar to believe that the birth certificate is being had or used for fraudulent or improper purposes, the Registrar may, after such notice to and hearing of the interested parties as he considers proper, make an order cancelling the registration of the birth under this Act and requiring the delivery up to him of the birth certificate, or requiring the delivery up to him of the birth certificate for cancellation, or otherwise, as the circumstances of the case may in his opinion require. The person who has in his possession or under his control a birth certificate in respect of which an order has been made by the Registrar under this subsection shall forthwith deliver up the birth certificate to the Registrar.

"(3.) Where the Registrar makes an order under subsection (2) in respect of any registration of birth or any birth certificate, any person interested may at any time thereafter appeal therefrom to any Judge of the Supreme Court or to a Judge of any County Court. The procedure to be followed in respect of the appeal shall be as directed by the Judge on the application of the person appealing. The Judge shall proceed to hear the appeal, and for that purpose

shall be the absolute judge of the facts as well as of the law, and may make an order confirming or setting aside the order appealed from; and the order of the Judge shall be final, and shall be binding on the Registrar and be given effect by him."

5. Subsection (1) of section 23 of said chapter 268 is amended by inserting after the word "every," in the first line, the words "legally qualified." Amends s. 23
subsec. (1).

ACTS OF THE LEGISLATURE OF THE STATE OF KENTUCKY
PASSED AT THE REGULAR SESSION OF THE LEGISLATURE
Held at Frankfort, Kentucky, on the 11th day of May, 1932.