

ACT NO. 41 OF 2021

I assent.

J. K. KONROTE
President

[22 September 2021]

AN ACT**TO AMEND THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION
ACT 1975**

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Births, Deaths and Marriages Registration (Amendment) Act 2021.

(2) This Act comes into force on a date or dates appointed by the Minister by notice in the Gazette.

(3) In this Act, the Births, Deaths and Marriages Registration Act 1975 is referred to as the “Principal Act”.

Section 11 amended

2. Section 11 of the Principal Act is amended by deleting “The father of every child born alive or stillborn in Fiji, or, in case of the death, illness, absence, or inability of the father, the mother of such child, or in case of the death, illness, absence, or inability of both the father and mother” and substituting “A parent of a child born alive or stillborn in Fiji, or, in the case of the death, illness, absence, or inability of both parents”.

Section 15 amended

3. Section 15 of the Principal Act is amended by—

(a) deleting subsection (1) and substituting the following—

“(1) A person may only change his or her given name or surname if he or she is at least 18 years of age and if the change of name is registered in accordance with this section and any regulations made under this Act.”;

(b) in subsection (2), deleting “21 years and has never been married may by deed poll change the name of the child, whether as to his or her surname or as to any forenames” and substituting “18 years may only change the given name or surname of the child by registration in accordance with this section and any regulations made under this Act”; and

(c) in subsection (3)—

(i) deleting “deed poll under” and substituting “registration under”;

(ii) deleting “before the commencement of this section by deed poll” and substituting “by deed poll before the commencement of the Births, Deaths and Marriages Registration (Amendment) Act 2021”;

(iii) deleting “depositing the deed” and substituting “lodging the change of name registration form or deed as the case may be”; and

(iv) deleting “entry as to the birth” and substituting “birth certificate”.

Section 15A inserted

4. The Principal Act is amended after section 15 by inserting the following new section—

“Notification of change of name

15A. Where a person has changed his or her name under section 15, the Registrar must inform relevant state entities as approved by the Minister by notice in the Gazette, of the registration of the person’s new name.”.

Section 23 amended

5. Section 23(1) of the Principal Act is amended after “said register books” by inserting “in the form of a birth certificate, death certificate or marriage certificate as the case may be”.

Section 24 amended

6. Section 24 of the Principal Act is amended after “said duplicate register books” by inserting “in the form of a birth certificate, death certificate or marriage certificate as the case may be”.

Consequential amendments

7.—(1) The Electoral Act 2014 is amended in section 51(4) by deleting “or deed poll” and substituting “, deed poll or registration”.

(2) The Registration Act 1879 is amended in section 2 by deleting “, whether deeds *inter partes* or deed poll” and substituting “including deeds *inter partes*”.

Passed by the Parliament of the Republic of Fiji this 22nd day of September 2021.