

No. 21 of 2024.

*Civil and Identity Registration Act 2024.*

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**ARRANGEMENT OF SECTIONS.**

**PART I. - PRELIMINARY.**

1. Compliance with constitutional requirements.
2. Interpretation -
  - “adoption”
  - “adult”
  - “authorised celebrant”
  - “birth”
  - “birth registration form”
  - “change”
  - “child”
  - “collecting agent”
  - “Coordinating Committee”
  - “Court”
  - “CRVS”
  - “death”
  - “death registration form”
  - “Deputy Registrar-General”
  - “disposal of human remains”
  - “document”
  - “event”
  - “foetal death”
  - “foetal death registration form”
  - “former Act”
  - “foundling”
  - “foundling notification form”
  - “health facilities”
  - “marriage”
  - “marriage registration form”
  - “medical attendant”
  - “medical practitioner”
  - “minister of religion”
  - “name”
  - “National Identity Document”
  - “notifier”
  - “parent”
  - “prescribed fee”
  - “prohibited name”
  - “Register”
  - “Registrar”
  - “Registry”
  - “Senior Registry Officer”
  - “statistical information”
  - “subject of information”
  - “this Act”

“vital events”  
“vital statistics”.

3. Operation.

**PART II. - ADMINISTRATION.**

*Division 1. - Establishment of the Civil and Identity Registry.*

4. Establishment of the Civil and Identity Registry.
5. Powers of the Registry.
6. Functions of the Registry.

*Division 2. - Establishment of the Office of the Registrar-General.*

7. Appointment of the Registrar-General.
8. Functions of the Registrar-General.
9. Delegation.
10. Vacation of office of Registrar-General.
11. Public Service rights of the Registrar-General to continue.
12. The Registrar-General's Seal.
13. Execution of documents.

*Division 3. - Appointments of other officers.*

14. Appointment of Deputy Registrar-General and Senior Registry officers.
15. Appointment of other staff.

**PART III. - COORDINATION OF THE CRVS SYSTEM.**

*Division 1. - The National CRVS Coordinating Committee.*

16. The National CRVS Coordinating Committee.
17. Functions of the Coordinating Committee.
18. Membership of the Coordinating Committee.
19. Meeting of the Committee.
20. Quorum of the Coordinating Committee.

*Division 2. - Roles and Responsibilities of other Stakeholders.*

21. Roles and responsibilities of the Ministry of Health.
22. Roles and responsibilities of other government agencies.

**PART IV. - REGISTRATION OF BIRTHS.**

*Division 1. - Notification of birth.*

23. Notifiers of birth.
24. Births must be notified.
25. Births under special circumstances.

*Division 2. - Registration or recording of birth.*

26. Registrar-General to obtain information.
27. Births notified must be registered.

28. Recording of paternal information.
29. Recording of guardianship.
30. Registration of foundling child.
31. Recording of births outside Papua New Guinea.

***Division 3. - Change of name.***

32. Prohibited names.
33. Registration without a name or with a temporary name.
34. Change of name of child.
35. Consent of child to change of name.
36. Parents may apply to Court for name.
37. Change of name of adult.
38. Use of name by repute or usage.

***Division 4. - Registration of change of name.***

39. Registration of change of name.
40. Change of name to be included with birth information.

**PART V. - FOETAL DEATHS.**

41. Foetal deaths in Papua New Guinea must be notified.
42. Foetal deaths in Papua New Guinea must be registered.

**PART VI. - REGISTRATION OF ADOPTIONS.**

***Division 1. - Papua New Guinea Adoptions.***

43. Registration of adoptions by Papua New Guineans.
44. Variation or discharge of adoption order.

***Division 2. - Non-Papua New Guinea Adoptions.***

45. Registration of adoptions by non-Papua New Guineans.
46. Registrar-General may provide adoption information to registration authorities overseas.

**PART VII. - NATIONAL IDENTITY DOCUMENTS.**

47. Registration and issuance of National Identity Documents.
48. Person's national identity card.

**PART VIII. - REGISTRATION OF DEATHS.**

***Division 1. - Notification of deaths to the Registrar-General.***

49. Notifiers of death.
50. Deaths must be notified.
51. Notification of death by a minister of a religion, etc.
52. Registrar-General may require person to notify death.

***Division 2. - Registration of other deaths.***

53. Deaths under special circumstances.

54. Recording of deaths outside Papua New Guinea.
55. Deaths must be registered.
56. Particulars of missing persons and persons presumed dead.
57. Identification and registration of dead bodies in case of mass deaths.

*Division 3. - Cause of death to be determined.*

58. Registrar-General must be advised of cause of death.
59. Cause of death must be recorded in the Register.
60. Registrar-General may forward medical certificates.

**PART IX. - REGISTRATION OF MARRIAGES.**

*Division 1. - Marriages in Papua New Guinea must be notified and registered.*

61. Marriages in Papua New Guinea must be registered.
62. Registrar-General may require person to notify marriage.
63. Recording of marriages outside Papua New Guinea.
64. Registration of customary marriages.

*Division 2. - Registration of dissolution of marriage.*

65. Dissolution or annulment of marriage must be recorded in the Register.
66. Recording of dissolution or annulment of marriages outside Papua New Guinea.
67. Changes of name in relation to marriage.

**PART X. - REGISTER OF BIRTHS, DEATHS AND MARRIAGES.**

*Division 1. - Creation and maintenance of the Register.*

68. Register of births, deaths and marriages.
69. Registrar-General must keep documents.
70. Registrar-General to be satisfied in respect of information.
71. Corrections and amendments to the Register.
72. Court may order that an event be registered.
73. Office at which Registrar-General may receive documents.

*Division 2. - Protection of privacy and data security.*

74. Data Privacy.

*Division 3. - Certificates.*

75. Certificates in respect of information recorded in the Register.
76. Content of certificates.
77. Certificate admissible in legal proceedings.

*Division 4. - Searches of Register and other records held by the Registry.*

78. Search for register and other records.

*Division 5. - Fees.*

79. Fees.

**PART XI. - ACCOUNTS AND FINANCES OF THE REGISTRY.**

80. Finance and budget framework.  
81. Application of the *Public Finances (Management) Act 1995*.  
82. Accounts.  
83. Audit.

**PART XII. - REPEALS, SAVINGS AND TRANSITIONAL PROVISIONS.**

*Division 1. - Repeals.*

84. Repeals.

*Division 2. - Transitions.*

85. Transitional provisions.  
86. Continuation of contracts, etc.  
87. Transfer of accounts to the Registry.  
88. Rights and liabilities.

**PART XIII. - OFFENCES AND PENALTIES.**

89. Falsification of certificate, document or particulars.  
90. False report and representation.  
91. Unauthorised alteration of particulars.  
92. Unauthorised access to or interference with the Register.  
93. Destruction or damage of report or Register.  
94. Providing services without required national identity document.

**PART XIV. - MISCELLANEOUS.**

95. The Register.  
96. Registration equipment.  
97. Review by Registrar-General and the court.  
98. Registrar-General may impound and destroy certain documents.  
99. Regulations.



No.            of 2024.

AN ACT

entitled

***Civil and Identity Registration Act 2024,***

Being an Act -

- (a) to provide for the establishment and maintenance of a registry for births, deaths and marriages and the recording in the Registry of information in respect of births, deaths, marriages, changes of name and adoptions, that take place in Papua New Guinea; and
  - (b) for the issuing of identity document in respect of information recorded in the Register; and
  - (c) for accessing information recorded in the Register; and
  - (d) to repeal the ***Civil Registration Act*** (Chapter 304),
- and for related purposes,

MADE by the National Parliament to come into operation in accordance with a notice in the National Gazette by the Head of State, acting with, and in accordance with, the advice of the Minister.

**PART I. - PRELIMINARY.**

**1. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS.**

(1) This law, to the extent that it regulates or restricts a right or freedom referred to in Subdivision III.3.C (***qualified rights***) of the ***Constitution***, namely -

- (a) freedom from arbitrary search and entry conferred by Section 44; and
- (b) the right to privacy conferred by Section 49; and
- (c) the right to freedom of information conferred by Section 51; and
- (d) the right to freedom of movement conferred by Section 52,

of the ***Constitution***, is a law that is made for the purposes of giving effect to the public interest in public order and public welfare.

(2) For purposes of Section 41 of the ***Organic Law on Provincial Governments and Local-level Governments***, it is declared that this law relates to a matter of national interest.

**2. INTERPRETATION.**

In this Act, unless the contrary intention appears -

“adoption” means a change in the legal parent or parents of a child;

“adult” means a person who is 18 years of age or more;

“authorised celebrant” means -

- (a) a minister of religion registered under the ***Marriage Act*** (Chapter 280); or
- (b) the Registrar-General; or
- (c) the Deputy Registrar-General; or
- (d) a person authorised by the Registrar-General from time to time to solemnise marriages in accordance with this Act.

## *Civil and Identity Registration*

- “birth” means the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy, which, after such separation, breathes or shows any other evidence of life, such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached and each product of such a birth is considered live birth;
- “birth registration form” means the form prescribed by Regulation or by the Registrar-General for birth registration;
- “change” in relation to a name, includes an addition, deletion or substitution;
- “child” means a person under the age of 18 years as provided under the *Lukautim Pikinini Act 2015*;
- “collecting agent” is a person designated by Regulation or by the Registrar-General as a person responsible for notifying a vital event;
- “Coordinating Committee” means National CRVS Coordinating Committee established under Section 16;
- “Court” means the District Court or, where appropriate, the National and Supreme Court;
- “CRVS” is an acronym for Civil Registration and Vital Statistics;
- “death” means the permanent disappearance of all evidence of life at any time after live birth has taken place (post-natal cessation of vital functions without capability of resuscitation) and excludes foetal deaths;
- “death registration form” means the form prescribed by the Registrar-General for death registration;
- “Deputy Registrar-General” means a person appointed as such under Section 14;
- “disposal of human remains” means the burial, interment, cremation, removal from the country, or other authorised disposition of a dead body or foetus, and placing the remains in the custody of an educational or scientific institution for the purpose of medical education or research;
- “document” includes electronic information;
- “event” means the occurrence of a live birth, death, foetal death, marriage, annulment or dissolution of marriage, judicial separation, adoption or recognition of parenthood;
- “foetal death” means death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of the pregnancy and death is indicated by the fact that after such separation the foetus does not breath or show any other evidence of life, such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles;
- “foetal death registration form” means the form prescribed by the Registrar-General for foetal death registration;
- “former Act” means *Civil Registration Act* (Chapter 304);
- “foundling” means any new born child found in Papua New Guinea, alive but abandoned, whose biological parents cannot be found or determined;
- “foundling notification form” means the form prescribed by the Registrar-General for registration of foundlings;
- “health facilities” means persons and organisations providing health care and related services  
in the country, including but not limited to -
- (a) health facilities, services and programs provided by the National Government, a Provincial Government or a Local-level Government; and
  - (b) public hospitals; and
  - (c) provincial health authorities; and
  - (d) non-government health care providers; and

## *Civil and Identity Registration*

- (e) private health care providers;
- “marriage” means a union between a biological male and a biological female;
- “marriage registration form” means the form prescribed by the Registrar-General for marriage registration;
- “medical attendant” includes licensed or certified health workers under *the Medical Registration Act* (Chapter 398);
- “medical practitioner” means a registered medical practitioner within the meaning of the *Medical Registration Act* (Chapter 398);
- “minister of religion” means -
  - (a) a person recognised by a religious body or a religious organisation as having authority to solemnise marriages in accordance with the rites or customs of the body or organisation; or
  - (b) a person recognised by a religious body or a religious organisation as having the authority to conduct burial rites in accordance with the rites or customs of the body or organisation;
- “name” in respect of a child, means the one name designated to be treated as the surname of the child and one or more other names;
- “National Identity Document” includes the National Identification Card and birth certificate issued by the Registry;
- “notifier” means the individual or institution whose responsibility, designated by law, is to report to the Registrar the fact of the occurrence of a vital event and to provide all the information on and all the characteristics of the event;
- “parent” in respect of a child, includes a person who has legally adopted the child whether such adoption has occurred in Papua New Guinea or elsewhere;
- “prescribed fee” means a fee prescribed by the Regulation;
- “prohibited name” means a name, that in the Registrar-General’s opinion -
  - (a) may cause offence to a reasonable person; or
  - (b) is unreasonably long; or
  - (c) without adequate justification, includes, or resembles official title or rank;
- “Register” means the Register of birth, foetal death, death and marriage created and maintained by the Registrar-General under Part V and Part X;
- “Registrar” means the Registrar-General appointed under Section 7 and includes an Acting Registrar-General and a Deputy Registrar-General so appointed;
- “Registry” means the Civil and Identity Registry;
- “Senior Registry Officer” means a Senior Registry Officer appointed under Section 14;
- “statistical information” includes number of -
  - (a) birth; or
  - (b) marriage; or
  - (c) death and other events related to these three vital events without names and other personal information of the subject of information;
- “subject of information” means a person in whose absence a request has been made to the Registry for release of personal information regarding the same;
- “this Act” includes the Regulation;
- “vital events” means birth, marriage, death and other events related to these three vital events;
- “vital statistics” means systematically tabulated information about births, marriages, divorces, deaths, foetal deaths and induced terminations of pregnancy, based on registration, preparation, transcription, collection, compilation and analysis of these vital events.

### **3. OPERATION.**

This Act does not affect the operation of the *Coroners Act* (Chapter 32), the *Adoption of Children Act* (Chapter 278) or the *Marriage Act* (Chapter 280).

**PART II. - ADMINISTRATION.**

*Division 1. - Establishment of the Civil and Identity Registry.*

**4. ESTABLISHMENT OF THE CIVIL AND IDENTITY REGISTRY.**

(1) The Civil and Identity Registry is hereby established.

(2) The Civil and Identity Registry -

- (a) is a body corporate with perpetual succession; and
- (b) shall have a common seal; and
- (c) may acquire, hold and dispose of property; and
- (d) may sue and be sued in its corporate name.

(3) All Courts and persons acting in a judicial capacity shall take judicial notice of the seal of Civil and Identity Registry affixed to a document and shall presume that it was duly affixed, until the contrary is proved.

**5. POWERS OF THE REGISTRY.**

(1) The Registry has full powers to do all necessary actions and incidental to its functions.

(2) Without prejudice to the generality of the power of the Registry, the Registry has the following powers:

- (a) to collect and retain; and
- (b) to protect and maintain; and
- (c) to share information and data of Papua New Guineans collected pursuant to this Act, subject to the provisions of this Act, other laws or regulations implemented under this Act.

(3) The Registry shall -

- (a) be responsible for the registration of all births, deaths, foetal deaths, marriages and adoption in Papua New Guinea; and
- (b) be responsible for the issuance of identity documents; and
- (c) be responsible for the administration of collection, maintenance, storage and preservation of all data and information relating to Papua New Guineans; and
- (d) have such other functions as are given to it by this Act.

**6. FUNCTIONS OF THE REGISTRY.**

The Registry shall have the following functions:

- (a) to establish and maintain the Register of births, marriages, deaths and foetal deaths;
- and
- (b) to administer the registration system established by this Act and ensure that it operates efficiently, effectively and economically; and
  - (c) such other functions under any other law.

*Division 2. - Establishment of the Office of the Registrar-General.*

**7. APPOINTMENT OF THE REGISTRAR-GENERAL.**

(1) The manner of appointment, suspension and dismissal of the Registrar-General is as specified in the *Regulatory Statutory Authorities (Appointment to Certain Offices) Act 2004*.

## *Civil and Identity Registration*

- (2) A Registrar-General shall be -
  - (a) appointed for such period, not exceeding five years as determined by the Head of State, acting on advice; and
  - (b) be eligible for re-appointment.
- (3) The Registrar-General is the Chief Executive Officer of the Registry.
- (4) The Head of State shall not appoint a person as Registrar-General unless he is satisfied that the person possesses at least five years of management experience and is suitably qualified.
- (5) The terms and conditions of appointment and service of the Registrar-General shall be as determined by the Salaries and Remuneration Commission pursuant to Section 216A (*Salaries and Remuneration Commission*) of the *Constitution*.
- (6) For the purposes of this section, the office of the Registrar-General is an office to which Division III.2 (*Leadership Code*) of the *Constitution* applies.

### **8. FUNCTIONS OF THE REGISTRAR-GENERAL.**

- (1) The Registrar-General shall be responsible for the administration of this Act and shall have the following functions:
  - (a) to be responsible for the daily operations of the Registry; and
  - (b) to recommend the appointment of the Provincial Registrars and other senior officers of the Registry;
  - (c) to nominate data collection agents; and
  - (d) to be responsible for the finances of the Registry.
- (2) The Registrar-General may -
  - (a) enter into partnerships for funding and technical support for the administration of the civil and identity registration functions; and
  - (b) enter into agreements with other government agencies to establish or designate such agencies as collecting agents and to ensure sharing of statistical information; and
  - (c) draft and propose changes in the regulations issued, pursuant to this Act, to ensure uniformity of practice; and
  - (d) adopt information technology solutions in order to facilitate registration and transmission and to protect and secure civil and identity registration information.

### **9. DELEGATION.**

- (1) The Registrar-General may, in writing, delegate to any person appointed under Section 14, any of the powers of the Registrar-General under this Act, except this power of delegation.
- (2) The powers that the Registrar-General may delegate include, but are not limited to -
  - (a) correction of clerical errors on the Register; and
  - (b) recording and registration of births, deaths, foetal deaths and marriages and its dissolution or annulment; and
  - (c) issuing of certificates and identification documents; and
  - (d) conducting of civil marriages.

### **10. VACATION OF OFFICE OF REGISTRAR-GENERAL.**

- (1) If the Registrar-General -
  - (a) dies; or
  - (b) becomes permanently incapable of performing his duties; or
  - (c) resigns his office by writing under his hand addressed to the Head of State; or

## *Civil and Identity Registration*

- (d) engages, without the consent of the Head of State, acting on advice, in any paid employment outside the duties of his office; or
  - (e) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit; or
  - (f) is convicted of an offence punishable by death or imprisonment for one year or longer and, as a result of the conviction, is under sentence of death or imprisonment,
- his appointment as Registrar-General automatically terminates.

(2) The Head of State may, acting on advice, at any time terminate the appointment of the Registrar-General for inability, inefficiency, incapacity or misbehaviour.

### **11. PUBLIC SERVICE RIGHTS OF THE REGISTRAR-GENERAL TO CONTINUE.**

(1) If an officer of the Public Service is appointed to be the Registrar-General, his service as the Registrar-General shall be counted as service in the Public Service for the purposes of determining his rights (if any) in respect of -

- (a) leave of absences on the ground of illness; and
- (b) furlough or pay in lieu of furlough, including pay to dependants on the death of the officer.

(2) The office of Registrar-General is an office to which the provisions of the *Public Services (Management) Act 1995* apply in relation to leave to serve under another Act.

### **12. THE REGISTRAR-GENERAL'S SEAL.**

(1) The Registrar-General shall use the seal of his office as published by notice in the National Gazette.

- (2) All Courts, Judges and persons acting judicially shall take judicial notice of -
- (a) the signature of a person who holds or has held the office of the Registrar-General; and
  - (b) the fact that, that person holds or has held that office; and
  - (c) the seal of the Registrar-General.

### **13. EXECUTION OF DOCUMENTS.**

(1) In this section unless the contrary intention appears, "electronic device" means desktop or laptop computer, hand held device, tablet, smartphone or other electronic product or device that has a platform on which to download, install or run any software program, code, script or other content.

(2) The Registrar-General may issue a certificate or other document under his signature, seal, or both, or by a copy of his signature, seal, or both produced by stamp, machine imprint and electronic device or by a method prescribed by this Act or by Regulation.

(3) All Courts must take judicial notice of the signature and seal of the Registrar-General affixed under Subsection (2), and until the contrary is proved, must presume that it was properly affixed.

## *Civil and Identity Registration*

### *Division 3. - Appointments of other officers.*

#### **14. APPOINTMENT OF DEPUTY REGISTRAR-GENERAL AND SENIOR REGISTRY OFFICERS.**

(1) The Registrar-General shall, in consultation with the Minister responsible for internal security matters and the Departmental Head of the Department responsible for public service matters, appoint such officers of the Public Service or of the Papua New Guinea Civil and Identity Registry to be Deputy Registrar-General and Senior Registry Officers for the effective and efficient administration of this Act.

(2) A Deputy Registrar-General has and may exercise the powers and perform the functions and duties of the Registrar-General, except the power of delegation.

(3) Subject to this Act, a Senior Registry Officer shall exercise the powers and perform the functions and duties under this Act under the directions of the Registrar-General.

(4) Subsection (1) does not prevent the Registrar-General from making appointment outside of the Public Service and the Papua New Guinea Civil and Identity Registry in certain cases.

#### **15. APPOINTMENT OF OTHER STAFF.**

(1) Subject to Subsection (2), any staff other than the Registrar-General required for the purposes of this Act, shall be officers or employees of the Public Service.

(2) This section does not prevent any person from being employed by the Registry, on contract or otherwise, for the purposes of the Registry.

### **PART III. - COORDINATION OF THE CRVS SYSTEM.**

#### *Division 1. - The National CRVS Coordinating Committee.*

#### **16. THE NATIONAL CRVS COORDINATING COMMITTEE.**

The National CRVS Coordinating Committee of the Papua New Guinea Civil and Identity Registry is hereby established.

#### **17. FUNCTIONS OF THE COORDINATING COMMITTEE.**

(1) The Coordinating Committee shall prepare and submit the annual report and action plans to the Minister for approval.

(2) The Coordinating Committee shall be responsible for monitoring of the policy and ensuring that the CRVS System is effectively coordinated by its members.

#### **18. MEMBERSHIP OF THE COORDINATING COMMITTEE.**

(1) The Coordinating Committee shall comprise of -

- (a) the Registrar-General, *ex-officio*, who shall be the Chairman; and
- (b) a representative of the office responsible for national statistical matters; and
- (c) a representative of the Department responsible for national health matters; and
- (d) a representative of the Department responsible for community development and religion matters; and
- (e) a representative of the Electoral Commission; and
- (f) a representative of the Department responsible for finance matters;
- (g) a representative of the Department responsible for foreign affairs and immigration matters; and

## *Civil and Identity Registration*

- (h) a representative of the Department responsible for justice matters; and
- (i) representative of the Medical Board; and
- (j) representative of the Department responsible for national planning and monitoring matters; and
- (k) representative of the Department responsible for provincial and local-level government affairs matters; and
- (l) members from other agencies or organisations as deemed appropriate.

(2) Members of the Committee under Subsection (1)(b) to (k) (inclusive) shall be preferably at the deputy level.

### **19. MEETING OF THE COORDINATING COMMITTEE.**

(1) The Coordinating Committee shall convene its meeting quarterly with the Registrar-General as the Chairperson and the representative of the national Department of Health as the Co-Chairperson, and as often as required.

(2) A member of the Committee who is unable to attend a meeting may designate a representative, preferably at a senior level.

### **20. QUORUM OF THE COORDINATING COMMITTEE.**

(1) At the meeting of the Committee -

(a) a quorum shall comprise of five members, at least one of whom is the Registrar-General;

and

(b) the Chairman, or in his absence, the Co-Chairperson, shall preside.

(2) Subject to this Act, the procedure of the meeting is determined by the Committee.

(3) The Coordinating Committee may establish other adhoc committees, as may be required from time to time.

(4) The Coordinating Committee may invite development partners for partnership and stakeholder relationship building.

### *Division 2. - Roles and responsibilities of other stakeholders.*

### **21. ROLES AND RESPONSIBILITIES OF THE MINISTRY OF HEALTH.**

(1) Subject to *National Health Administration Act 1997*, the Ministry of Health shall ensure notification of births, deaths and foetal deaths, and the regular and timely flow of information to the Civil and Identity Registry.

(2) The Ministry of Health shall provide training on cause of death determination and coding of cause of death information.

(3) The head of a health facility shall ensure that a registration of birth form is completed for every birth in a health facility and a registration of death form is completed for every death in a health facility, and that the original or a copy of such form is forwarded to the Registry.

### **22. ROLES AND RESPONSIBILITIES OF OTHER GOVERNMENT AGENCIES.**

(1) In this section and Section 60, unless contrary intention appears, "government agency" means a department or an agency or an instrumentality of the Independent State of Papua New Guinea.

## *Civil and Identity Registration*

(2) Subject to Section 74, when required, other government agency may liaise with Papua New Guinea Civil and Identity Registry to collect statistical information required for their purposes.

(3) On request, relevant government agencies shall furnish to Papua New Guinea Civil and Identity Registry any information on vital events for registration purposes.

### **PART IV. - REGISTRATION OF BIRTH.**

#### *Division 1. - Notification of birth.*

#### **23. NOTIFIERS OF BIRTH.**

(1) The notifiers of birth shall notify the Registrar-General of the birth irrespective of where the birth occurs.

- (2) The notifiers are, in order of priority -
- (a) the head of the health facility where the birth occurs at a health facility; or
  - (b) medical attendant at the birth, where the birth occurs at a place other than a health facility and the medical attendant assisted in delivering the birth; or
  - (c) mother or father, where the birth occurs at a place other than a health facility and there was no provision from a medical attendant; or
  - (d) any other relative that assume guardianship of the child; or
  - (e) other persons as designated by this Act, its regulations, or from time to time by the Registrar-General.

(3) The notifiers under Subsection (2)(a) and (b) must notify the Registrar-General of the birth of a child -

- (a) within 21 days from the date of the birth; and
- (b) in a form and manner subject to any conditions as the Registrar-General in writing requires.

#### **24. BIRTHS MUST BE NOTIFIED.**

(1) A birth in Papua New Guinea not registered under the former Act or any other law must be notified under this Part.

- (2) Notification under Subsection (1) shall include the following:
- (a) the gender of the child; and
  - (b) the date and place of birth of the child; and
  - (c) the complete names and the address and occupation of the mother and of the father, if known; and
  - (d) any other information as prescribed by Registrar-General in writing requires.

(3) A person notifying a birth under Subsection (1) must do so within 21 days from the date of birth of the child.

(4) A birth is notified under this Part when a person required or authorised by this Part to notify the Registrar-General of the birth -

- (a) completes and signs a birth registration form and the form is received by the Registrar-General; or
- (b) provides to the Registrar-General the information required by a birth registration form in a form and manner and subject to such conditions as the Registrar-General in writing approves.

**25. BIRTHS UNDER SPECIAL CIRCUMSTANCES.**

(1) When a birth occurs during a flight to a place of disembarkation in Papua New Guinea, the captain of the aircraft shall notify the Registrar-General of the birth.

(2) When a birth occurs on a vessel during a voyage to a place of disembarkation in Papua New Guinea, the captain of the vessel shall notify the Registrar-General of the birth.

(3) When a woman gives birth while in a correctional institution, the head of that facility shall notify the Registrar-General of the birth.

*Division 2. - Registration or recording of birth.*

**26. REGISTRAR-GENERAL TO OBTAIN INFORMATION.**

(1) The Registrar-General may take all reasonable steps to obtain the information required to register the birth when notifiers under Section 23(2)(a) and (b) fail to do so by the date specified by the Registrar-General.

(2) Other notifiers of birth may be compelled by the Registrar-General from time to time to provide information on birth.

(3) If the Registrar-General is satisfied that the information obtained under Subsection (1) and (2) is adequate for the purpose, the Registrar-General must register the birth and issue a unique identity number.

**27. BIRTHS NOTIFIED MUST BE REGISTERED.**

(1) If the Registrar-General is satisfied on being notified of a birth that -  
(a) it is a birth required or authorised to be notified under this Part; and  
(b) the information provided is complete, or adequate for the purpose of registration,  
the Registrar-General shall register the birth and issue a unique identification number.

(2) If the Registrar-General is satisfied on being notified of a birth that information required to be provided is not provided, the Registrar-General -

- (a) must require the person notifying the birth to provide the missing information by a date specified by the Registrar-General; and
- (b) may take such other steps as in the Registrar-General's opinion are reasonable and necessary to obtain and record in the Register, the missing information; and
- (c) must register the birth if sufficient information is provided, even if some information remains missing, and issue a unique identity number.

(3) If a birth of a person born in Papua New Guinea has not been notified within the time specified under Section 24(3), such birth shall be registered and a unique identity number issued, except that evidentiary requirements as specified by Regulation have been met.

**28. RECORDING OF PATERNAL INFORMATION.**

(1) Subject to Section 29, no person shall be registered as the father of such child unless the person acknowledges paternity -

- (a) by signing the birth notification form; or
- (b) by submitting a written declaration to the Registrar-General confirming him being the Father of the child; or
- (c) the mother gives the prescribed particulars of the birth of the child and of the person claiming to be the father; and

## Civil and Identity Registration

- (d) the person claiming to be the father acknowledges in writing to the Registrar-General to being the father of the child.

(2) Upon receipt of written declaration and the Registrar-General is satisfied that the person has acknowledged his paternity over the child, the Registrar-General shall register him as the father.

(3) Where the Registrar-General is satisfied that the mother is dead or is otherwise incapable of giving the prescribed particulars, and -

- (a) the father gives the prescribed particulars of the birth of the child, including his own particulars; or  
(b) an informant who satisfies the Registrar-General that he is acquainted with the facts, gives the prescribed particulars and the person acknowledges in writing, that he is the father of the child; or  
(c) the Court, on application gives its consent to particulars of the person filling the birth registration form as the father of the child,

the Registrar-General shall register the person as the father of the child.

(4) If, at any time after registration of the birth of an illegitimate child, the Registrar-General is satisfied by a letter or such other evidence as he may deem sufficient that both the mother and the person acknowledging himself to be the father require the name of or any other particulars relating to the father to be entered in the Register, the Registrar-General may enter in the Register the particulars required to be entered.

### 29. RECORDING OF GUARDIANSHIP.

(1) Where the father is absent for whatever reason or if the biological father of the child does not wish to acknowledge paternity under Section 28(1) and a male relative of the child willingly wishes to claim guardianship over a child, the Registrar-General shall authorise the recording of such information regarding guardianship.

(2) Subject to the *Lukautim Pikinini Act 2015*, where guardianship is imposed by the Court, the Registrar-General shall authorise the recording of such information regarding guardianship.

### 30. REGISTRATION OF FOUNDLING CHILD.

(1) Where, upon the determination of the Director of the Child Welfare Office, a child has been found abandoned, and the biological parents cannot be identified or found, the Director of the Child Welfare Office shall notify the Registrar-General of the foundling, within 21 days after the date of finding of the child.

(2) Notification shall include any other information as prescribed by the Registrar-General in writing -

- (a) the date and location of finding; and  
(b) gender and approximate birth date of child; and  
(c) name and address of the person or institution with whom the child has been placed for care; and  
(d) name given to the child by the custodian of the child.

(3) If the Registrar-General is satisfied on being notified of the foundling that -

- (a) the child has been abandoned; and

## *Civil and Identity Registration*

(b) the information provided in the foundling notification form is complete, or adequate for the purpose of registration and correct, the Registrar-General shall register the foundling, in the same manner as birth registration, and issue a birth certificate to the custodian of the child.

### **31. RECORDING OF BIRTHS OUTSIDE PAPUA NEW GUINEA.**

(1) A child born to a citizen of Papua New Guinea, outside of Papua New Guinea, may be reported -

- (a) to the Registrar-General upon return to Papua New Guinea; or
- (b) to the Papua New Guinean embassy or consulate in the country of birth.

(2) The Registrar-General shall record the birth reported under Subsection (1) and issue a unique identity number.

### *Division 3. - Change of name.*

### **32. PROHIBITED NAMES.**

If the Registrar-General is satisfied on being notified of a birth that the information includes a prohibited name, the Registrar-General shall -

- (a) register the birth following the procedures under Section 33; and
- (b) require the person notifying the birth to advise the Registrar-General in writing of a name for the child that does not include a prohibited name by a date specified by the Registrar-General; and
- (c) on being advised of a name for a child under Paragraph (b), record the name in the notification of the birth of the child and register the birth under this Part.

### **33. REGISTRATION WITHOUT A NAME OR WITH A TEMPORARY NAME.**

(1) Where the parents or guardian of a newborn child are unable to provide a name at the time of registration, the Registrar-General shall issue a unique identity number, and require the parents or guardian to submit the name of the child to the Registrar-General within 28 days, or as prescribed by Regulations.

(2) The parents or guardian shall be allowed to supply the name, once determined, within a period and upon compliance with requirements, prescribed in the Regulations.

### **34. CHANGE OF NAME OF CHILD.**

(1) The parents or guardian of a child whose birth is registered in Papua New Guinea may apply to the Registrar-General, in the form and manner approved by the Registrar-General for registration of a change of name of their child.

- (2) An application under Subsection (1) may be made by one parent or guardian if -
- (a) the applicant is the sole parent or guardian named in the Register; and
  - (b) the Registrar-General is satisfied that the other parent or guardian is unavailable.

(3) If the parents or guardian of a child are unavailable or for some other reason or are unwilling to exercise their parental responsibilities to the child, the guardian or legal custodian of the child under Section 29(2) may apply under this section for registration of a change of the name of the child.

### **35. CONSENT OF CHILD TO CHANGE OF NAME.**

If an application under Section 34 is for a child over 16 years but under 18 years, the Registrar-General may register the change only if the Registrar-General is satisfied that -

- (a) the child consents to the change of name; or

## *Civil and Identity Registration*

- (b) if the child is unable by reason of mental illness or intellectual or physical incapacity to understand the meaning and implications of the change of name and the change of name is in the best interests of the child.

### **36. PARENTS MAY APPLY TO COURT FOR NAME.**

(1) If the parents of a child are unable to agree on a name for the child, either parent may apply to the Court for an order giving the child a name.

(2) On hearing an application under Subsection (1), the Court shall give the child a name and order that the name be recorded in the notification of the birth of the child.

(3) On the making of an order under Subsection (2), the Registrar of the Court which made the order shall provide a sealed copy of the order to the Registrar-General.

(4) On receipt of the notification of a birth that is under an order made under Subsection (2), or, after recording the name of the child under any order in the notification of the birth of the child already held, the Registrar-General must register the birth under this Part.

### **37. CHANGE OF NAME OF ADULT.**

(1) An adult whose birth is registered in Papua New Guinea may apply to the Registrar-General, in the form and manner the Registrar-General in writing approves, for registration of a change of their name.

(2) The Registrar-General may require a statutory declaration from the applicant and any other documents as the Registrar-General shall determine.

### **38. USE OF NAME BY REPUTE OR USAGE.**

Nothing in this Part prevents a change of name by repute or usage or deed poll, or as otherwise provided by this Act or other laws.

#### *Division 4. - Registration of change of name.*

### **39. REGISTRATION OF CHANGE OF NAME.**

- (1) If, in respect of an application for a change of name, the Registrar-General is satisfied -
- (a) that the application is in accordance with this Part; and
  - (b) as to the identity and age of the person whose name is to be changed; and
  - (c) that the change of name is not sought for a fraudulent or other improper purpose; and
  - (d) that the proposed name is not and does not contain a prohibited name; and
  - (e) the requirements of Section 35 have been met where the application is in respect of a child over 16 years but under 18 years,

the Registrar-General may register the change of name by making a notation in the register regarding the change of name.

(2) Subject to Subsection (1), the name of a person is changed when details of the change are recorded in the Register.

(3) Nothing in this Part requires the Registrar-General to register a change of name where the Registrar-General is not satisfied as to the purpose and intention of an applicant.

(4) An application for a change of name shall be accompanied by a prescribed fee.

**40. CHANGE OF NAME TO BE INCLUDED WITH BIRTH INFORMATION.**

(1) If the name of a person whose birth is registered under this Act or the former Act is changed, the Registrar-General must record the change of name in the Register as an amendment to the information about the birth of that person.

(2) The original information regarding name shall not be deleted or discarded but it shall be preserved in the record and a notation added regarding the amendment.

**PART V. - FOETAL DEATHS.**

**41. FOETAL DEATHS IN PAPUA NEW GUINEA MUST BE NOTIFIED.**

(1) The notifiers under Section 23 of this Act shall notify the Registrar-General of foetal deaths.

(2) In the event of a foetal death that occurs with medical attendance, the notifier must provide to the Registrar-General a medical certificate, in a form and manner the Registrar-General in writing requires, completed and signed by the medical attendant -

(a) responsible for the care of the mother at the birth; or

(b) who examined the foetus,

certifying to the best of his knowledge and belief the cause of the foetal death and such other information as the Registrar-General in writing requires.

(3) A person notifying a foetal death must do so within 21 days from the date of foetal death.

(4) A foetal death is notified under this Part when a person required or authorised by this Part to notify the Registrar-General -

(a) completes and signs a foetal death notification form and the form is received by the Registrar-General; or

(b) provides to the Registrar-General the information required for foetal death registration in a form and manner and subject to such conditions as the Registrar-General in writing approves.

**42. FOETAL DEATHS IN PAPUA NEW GUINEA MUST BE REGISTERED.**

(1) Foetal deaths must be registered in a separate register.

(2) Registration of foetal death shall be mandatory for foetuses with at least 20 weeks age of gestation or weighing more than 500 grams.

(3) If the Registrar-General is satisfied on being notified -

(a) of the fact or occurrence of the foetal death; and

(b) the information provided is complete, or adequate for the purpose of registration, and correct,

the Registrar-General shall register the foetal death.

**PART VI. - REGISTRATION OF ADOPTIONS.**

*Division 1. - Papua New Guinea Adoption.*

**43. REGISTRATION OF ADOPTIONS BY PAPUA NEW GUINEANS.**

(1) An adoption in Papua New Guinea not registered under the former Act must be registered under this Part.

## *Civil and Identity Registration*

(2) An adoption order made by a Court of competent jurisdiction in Papua New Guinea shall contain a direction to the Registrar-General to make in the Register maintained an entry specifying such particulars as may be prescribed.

(3) On receiving a copy of an order and a notice under Subsection (2) for a child whose birth has been registered under this Act or the former Act or any other law, the Registrar-General shall record in the Register as part of the information about that birth the information contained in the notice and must amend that birth information -

- (a) by recording the name conferred on the child by the adoption order in substitution of the name of the child immediately prior to adoption; and
- (b) by recording the full name and details of each adopting parent in substitution of the name and details of the natural or last adopting parents; and
- (c) by sealing the original birth record with the Court order.

(4) On receiving a copy of an order under Subsection (2) in respect of a child whose birth has not been registered under this Act or the former Act or any other law, the Registrar-General must do these three following steps:

- (a) register the birth, as if it is notified of a birth under Section 24; and
- (b) record the adoption in the manner prescribed by Subsection (3); and
- (c) retain and seal the original birth record together with the Court order.

#### **44. VARIATION OR DISCHARGE OF ADOPTION ORDER.**

(1) On making of an order varying or discharging an adoption order, the Registrar of the Court making the order must provide a sealed copy of the order to the Registrar-General.

(2) On receipt of a copy of an order for variation under Subsection (1), the Registrar-General shall -

- (a) record in the Register, as part of the information in respect of the birth of the child to whom the order relates, particulars of the variation; or
- (b) cancel the registration records under the discharged adoption order, and unseal and re-register the previous birth registration records.

#### *Division 2. - Non-Papua New Guinean Adoption.*

#### **45. REGISTRATION OF ADOPTIONS BY NON-PAPUA NEW GUINEANS.**

(1) Where adoptions are made by non-Papua New Guineans, the Registrar-General shall not authorise the registration unless he is satisfied that -

- (a) a person has been properly adopted in accordance with the laws of a country outside Papua New Guinea; and
- (b) the particulars required for the purpose of this Part have been correctly provided.

(2) On confirming that Subsection (1) has been complied with, the Registrar-General may direct that Section 43 with any necessary modifications, apply to and in relation to the adoption as if the adoption has been effected through an adoption order made by the Court.

#### **46. REGISTRAR-GENERAL MAY PROVIDE ADOPTION INFORMATION TO REGISTRATION AUTHORITIES OVERSEAS.**

If the Registrar-General is satisfied that -

- (a) an authority constituted in a country outside Papua New Guinea has the function of recording information relating to births within that country; and

## *Civil and Identity Registration*

(b) a person who has been adopted in Papua New Guinea was born in that country, the Registrar-General may supply to the authority information about the adoption when requested by the authority to do so.

### **PART VII. - NATIONAL IDENTITY DOCUMENT.**

#### **47. REGISTRATION AND ISSUANCE OF NATIONAL IDENTITY DOCUMENT.**

(1) A citizen of Papua New Guinea who is 18 years and above shall register for, a National Identity Card, bearing the person's unique identity number issued upon birth registration under Section 27 or recording under Section 31.

(2) A birth certificate shall be the legal document of identification for children under 18 years.

(3) If a person's birth has not been previously registered under Section 27 or recorded under Section 31, the Registrar-General shall register or record that person's birth at the time of registration for the National Identity Card.

(4) Naturalised citizens shall register for a national identity card within the time specified and subject to the requirements prescribed by the Regulation and shall be provided with a unique identity number.

(5) The Registrar-General shall collect personal information for the purposes of this Act, but not restricted to -

- (a) full name; and
- (b) date of birth; and
- (c) gender; and
- (d) photograph; and
- (e) fingerprints; and
- (f) correspondence address; and
- (g) place of registration; and
- (h) any other biometric features as the Registrar-General from time to time determines.

(6) The national identity card issued under Subsection (1) or (4) shall be renewed after 10 years from the date of issue.

#### **48. PERSON'S NATIONAL IDENTITY CARD.**

(1) A person's national identity card issued under this Act shall have all the necessary security features as prescribed by Regulation.

(2) A national identity card issued by the Registrar-General shall be the legal identity document for a Papua New Guinean who is 18 years and above and can be used by the individual to engage in all lawful activities.

(3) All agencies of government and private corporations shall recognise and accept a person's national identity card as valid for all lawful transactions, including but not limited to -

- (a) taxation; and
- (b) banking; and
- (c) enrolment in any education institution; and
- (d) access to health services; and
- (e) voting in an election; and
- (f) registration of a motor vehicle, boat and other vessels of transportation; and
- (g) any other activity that requires the presentation of the identification document.

## *Civil and Identity Registration*

- (4) For purposes of -
- (a) banking; and
  - (b) registration of motor vehicle, boat and other vessels of transportation, a person's national identity card shall be a requirement.
- (5) For purposes of -
- (a) enrolment in school, for children below the age of 18; and
  - (b) access to health services; and
  - (c) registration for voting,
- the head of the facility or agency which provides these services shall request to see a birth certificate or for persons 18 years and above, a national identity card.
- (6) In the absence of either document, the head of the facility or agency shall facilitate birth registration or national identity card registration, as appropriate, but shall not deny access to these services.
- (7) Subject to *Citizenship Act 1996*, a person who holds dual citizenship may be recognised under this section.

### **PART VIII. - REGISTRATION OF DEATHS.**

#### *Division 1. - Notification of deaths to the Registrar-General.*

#### **49. NOTIFIERS OF DEATH.**

- (1) Notifiers of death shall notify the Registrar-General of the death irrespective of where the death occurs.
- (2) The notifiers are, in order of priority -
- (a) the head of the health facility, where the death occurs at a health facility; or
  - (b) medical attendant at the death, where the death occurs at a place other than a health facility and a medical assistant was present to confirm the death; or
  - (c) mother or father, where the death occurs at a place other than a health facility and a medical attendant was not present to confirm the death; or
  - (d) any other relative that assume guardianship of the child; or
  - (e) other persons as designated by this Act, its regulations, or from time to time by the Registrar-General.
- (3) The notifiers under Subsection (2)(a) and (b) must notify the Registrar-General of the death
- (a) within 21 days from the date of the death; and
  - (b) in a form and manner and subject to any conditions as the Registrar-General in writing requires.
- (4) Other notifiers of death may be compelled by the Registrar-General to notify deaths from time to time.

#### **50. DEATHS MUST BE NOTIFIED.**

- (1) A death in Papua New Guinea not registered under a former Act or other law must be notified.

## *Civil and Identity Registration*

- (2) A death is notified when a notifier -
  - (a) completes and signs a death registration form and the form is received by the Registrar-General; or
  - (b) records and provides to the Registrar-General the information required by a death registration form in a form and manner and subject to such conditions as the Registrar-General in writing approves.

### **51. NOTIFICATION OF DEATH BY A MINISTER OF A RELIGION, ETC.**

(1) Subject to the *Cemeteries Act* (Chapter 302), a minister of a religion who conducts a funeral service, for a person whose death occurred in Papua New Guinea shall request from the deceased's next of kin proof of notification or registration of death and in its absence, shall notify the Registrar-General of the death.

(2) Where remains are disposed off without a funeral service, the person responsible for the disposal of human remains shall request from the deceased's next of kin proof of notification or registration of death and if none are presented, shall act as the notifier of the death.

(3) The notifier under Subsections (1) and (2) shall take necessary steps to notify the Registrar-General within 21 days from the date of disposal of the human remains and shall report to the Registrar-General, all funeral services conducted and all remains disposed of, in the form, frequency and manner prescribed by the Registrar-General.

### **52. REGISTRAR-GENERAL MAY REQUIRE PERSON TO NOTIFY DEATH.**

(1) The Registrar-General may take all reasonable steps to obtain the information required to register the death where notifiers under Section 49(2)(a), (b) or 51(1) fail to do so by the date specified by the Registrar-General.

(2) Other notifiers of death may be compelled by the Registrar-General from time to time to provide information on the death.

(3) A person required by the Registrar-General under Subsections (1) and (2) fails to do so within specified date, the Registry may conduct an inquiry to prove or disprove the fact of the death.

(4) Subject to Subsection (3) where an enquiry is required, the Provincial or District Registrar, as the case may be, shall take the necessary steps to complete the inquiry and forward the findings to the Registrar-General.

### *Division 2. - Registration of other deaths.*

### **53. DEATHS UNDER SPECIAL CIRCUMSTANCES.**

(1) When a death occurs during a flight to a place of disembarkation in Papua New Guinea, the captain of the aircraft shall notify the Registrar-General of the death.

(2) When a death occurs on a vessel during a voyage to a place of disembarkation in Papua New Guinea, the captain of the vessel shall notify the Registrar-General of the death within 21 days.

(3) When a death occurs in a correctional institution, the head of that facility shall notify the Registrar-General of the death within 21 days.

(4) A person notifying a death under Subsection (1) shall do so within 21 days from the date of death or date of disembarkation, whichever is later.

## *Civil and Identity Registration*

### **54. RECORDING OF DEATHS OUTSIDE PAPUA NEW GUINEA.**

(1) If a citizen of Papua New Guinea whose birth has been registered or recorded in Papua New Guinea or who has a national identity card, dies outside of Papua New Guinea, the next of kin shall report the death -

- (a) to the Registrar-General; or
- (b) to the embassy or consulate where the death occurred.

(2) The Registrar-General shall record the death and retire the unique identity number from the Registry.

### **55. DEATHS MUST BE REGISTERED.**

(1) A death in Papua New Guinea not registered under the former Act or any other law must be registered under this Part.

- (2) If the Registrar-General is satisfied on being notified of a death under this Part that -
- (a) the death is a death required or authorised to be registered under this Part; and
  - (b) the information provided is complete or sufficient for purposes of registration, and correct,

the Registrar-General shall register the death by recording the information in the Register, and retire the unique identity number from the Register.

(3) If the Registrar-General is satisfied on being notified of a death under this Part that information required to be provided is not provided, the Registrar-General -

- (a) shall register the death by recording in the Register the information contained in the notification as it is; and
- (b) shall require the person notifying the death to provide the missing information by a date specified by the Registrar-General; or
- (c) may take any other steps, as in the Registrar-General's opinion are reasonable and necessary to obtain and record in the Register, the missing information.

(4) When a death has not been notified within the time specified under Section 49(3), the death should be notified as prescribed by the Regulation.

(5) The death under Subsection (4) shall be registered if evidentiary requirements as specified by the Regulations have been met.

(6) This Part does not authorise the Registrar to enter in a Register of deaths kept under this Act the particulars of a person to whom the *War Deaths Registration Act* (Chapter 414) applies.

### **56. PARTICULARS OF MISSING PERSONS AND PERSONS PRESUMED DEAD.**

(1) In this section, "authorised affidavit of death" means an affidavit made under an order of the Coroner's Court granting an applicant leave to swear that the death of a person to whom Subsection (2) applies occurred on or about a given date.

(2) On production of an authorised affidavit of death, the Registrar-General may register, in a register of deaths, the particulars of a person who -

- (a) disappears within the country; or
- (b) is presumed drowned or killed in waters within or adjacent to the country and whose body is not found; or
- (c) disappears from a vessel or aircraft proceeding from a port or airport in the country to another port or airport in the country or another country; or

## *Civil and Identity Registration*

- (d) was on board a vessel or aircraft proceeding from a port or airport in the country to another port or airport in the country or another country that disappears in circumstances that indicate that the vessel or aircraft and the person are lost.
- (3) The affidavit referred to in Subsection (1) shall state -
  - (a) name of the deceased if known; and
  - (b) the gender of the deceased; and
  - (c) the date of birth or estimated age if date of birth unknown; and
  - (d) the date of death, or approximate date of death if exact date unknown; and
  - (e) the annexed order, or an official copy of the order, under which it is made.
- (4) Missing persons and persons presumed dead shall be registered in a separate Register.

### **57. IDENTIFICATION AND REGISTRATION OF DEAD BODIES IN CASE OF MASS DEATHS.**

(1) In case of events resulting in mass deaths such as natural calamities, accidents, epidemics or war, the Registrar-General, with the assistance of the Local-level Government, ward recorders, police authorities and the Ministry of Health, shall endeavour to identify the dead bodies.

(2) If the body has been identified, it shall be registered in accordance with Part VIII.

(3) If the deceased cannot be identified, the death may be registered, in the manner prescribed by the Regulations, and subject to the following requirements:

- (a) in place of a name, the unidentified body shall be given a unique case number; and
- (b) the unidentified body must be buried in an individual marked grave, or in a separate, marked body bag in case of mass burials, to allow for future identification.

(4) Persons missing in natural calamities, accidents, epidemics or war may be registered by their next of kin, upon sufficient proof, as provided by the Regulation.

### *Division 3. - Cause of death to be determined.*

### **58. REGISTRAR-GENERAL MUST BE ADVISED OF CAUSE OF DEATH.**

(1) In this section unless contrary intention appears "medical certificate of death" means an official determination of the conditions resulting in a human's death, which is recorded on a death certificate.

- (2) If the death occurred in Papua New Guinea and -
  - (a) the death occurred in, or the remains were brought to a health facility, the head of the health facility, shall provide to the Registrar-General a medical certificate certifying the cause of death; and
  - (b) the deceased was attended to by a medical attendant within three months prior to death, the medical attendant shall provide to the Registrar-General a medical certificate certifying the cause of death.

(3) If a death occurred in Papua New Guinea and the notifier under Section 49(2), or certifier under this section is of the opinion that the deceased -

- (a) was killed; or
- (b) was drowned; or
- (c) died a sudden death, the cause of which is unknown; or
- (d) died under suspicious or unusual circumstances; or

## *Civil and Identity Registration*

- (e) died while under an anaesthetic in the course of a medical, surgical or dental operation or an operation of a similar nature; or
- (f) died within a year and a day after the date of an accident to which the cause of death is directly attributable; or
- (g) died in a mental hospital, a correctional institution or a lock-up while a prisoner or in custody; or
- (h) died in such circumstances that the cause of death and the circumstances of death should be more clearly and definitely ascertained; or
- (i) died not having been attended by a medical practitioner at any time within three months before his death,

the notifier, certifier or the Registrar shall refer the case to the Coroner or the nearest police station for investigation.

(4) Subject to the *Coroners Act* (Chapter 32), the Coroner shall submit a medical certificate of cause of death to the Registrar-General.

(5) A person required by Subsection (1) to provide a medical certificate of cause of death to the Registrar-General must do so -

- (a) within 21 days from the date of death if known; or
- (b) if the date of death is not known, within 21 days from the date of discovery of the death.

(6) Where a case is referred to the Coroner for inquiry, the Coroner must submit a medical certificate of cause of death to the Registrar-General within 21 days from the date of completion of the inquiry.

(7) For deaths to which Subsections (2) or (6) do not apply, the Registrar-General shall register the death without a medical certification of cause of death, or as provided in the Regulations regarding determination of cause of death.

(8) If cause of death information is not available, nothing in this section shall prevent registration of death.

### **59. CAUSE OF DEATH MUST BE RECORDED IN THE REGISTER.**

(1) On receipt of a medical certificate of cause of death under this Part, the Registrar-General must record the cause of death in the Register.

(2) If, in respect of a death registered under this Part, the cause of death is not determined, the Registrar-General must record that fact in the Register as part of the information about the death.

### **60. REGISTRAR-GENERAL MAY FORWARD MEDICAL CERTIFICATES.**

The Registrar-General shall -

- (a) collect medical certificate of cause of death from the Ministry of Health; and
- (b) issue death certificate to relatives of the deceased; and
- (c) forward on request, the medical certificate of cause of death with other relevant supporting documents -
  - (i) to a government agency for the purpose requested; and
  - (ii) to court officers for admission in Court as evidence.

**PART IX. - REGISTRATION OF MARRIAGES.**

*Division 1. - Marriages in Papua New Guinea must be notified and registered.*

**61. MARRIAGES IN PAPUA NEW GUINEA MUST BE REGISTERED.**

(1) A marriage solemnised in Papua New Guinea not registered under the former Act or any other law must be registered, under this Part.

(2) An authorised celebrant who solemnises a marriage in Papua New Guinea must notify the Registrar-General within 21 days from the date of the marriage.

(3) Subject to Subsection (2), a marriage is notified when the celebrant solemnising the marriage -

- (a) completes and signs a marriage registration form and is received by the Registrar-General; or
- (b) records and provides to the Registrar-General the information required by a marriage registration form in a form and manner and subject to conditions as the Registrar-General in writing approves.

(4) A notification under Subsection (2) must be assented to by the parties to the marriage and two witnesses by signature on the marriage registration form approved by the Registrar-General.

(5) Where the Registrar-General is satisfied that the information obtained under Subsection (3) is adequate for the purpose, the Registrar-General shall register the marriage under this Part and issue the certificate.

(6) The Registrar-General shall also register a change of name as a consequence of marriage, in the form and manner prescribed in the Regulation.

**62. REGISTRAR-GENERAL MAY REQUIRE PERSON TO NOTIFY MARRIAGE.**

(1) The Registrar-General may take all reasonable steps to obtain the information required to register the marriage when an authorised celebrant under Section 61(2) fails to notify the marriage by the date specified by the Registrar-General.

(2) Information obtained under Subsection (1) by the Registry shall be final and be treated as true record of the marriage.

(3) Where Registrar-General is satisfied that the information obtained under Subsection (1) is adequate for the purpose, the Registrar-General shall register the marriage and issue a certificate.

**63. RECORDING OF MARRIAGES OUTSIDE PAPUA NEW GUINEA.**

(1) The Registrar-General may be notified of the marriage of a Papua New Guinean citizen outside of Papua New Guinea -

- (a) by a representative of a Papua New Guinea foreign mission who has attended the marriage of a Papua New Guinean citizen in that country; or
- (b) by the Papua New Guinean citizen who is a party to the marriage.

(2) The Registrar-General shall not record the marriage in the marriage registry until he is satisfied -

- (a) that the marriage has been correctly solemnised under the laws of that other country; and
- (b) the marriage is valid under the laws of Papua New Guinea; and

## *Civil and Identity Registration*

(c) certificate pertaining to the marriage has been provided to the Registry.

(3) If the Registry is satisfied as to the authenticity of a certificate received under Subsection (2)(c), the Registrar-General shall record in the Register the information contained in the certificate.

### **64. REGISTRATION OF CUSTOMARY MARRIAGES.**

(1) Subject to Part II of the *Marriage Act* (Chapter 280), the Registrar-General shall not register a customary marriage until the Registrar-General is satisfied that -

- (a) all customary practices prevailing in a particular locality where a customary marriage has taken place has been complied with; or
- (b) a Village Court Magistrate has issued a notice or a certificate to a couple concerning their customary marriage; or
- (c) a minister of a religion has issued a blessing certificate to a couple on the customary marriage; and
- (d) a man is marrying only one first wife and not more than one under his custom; and
- (e) that a woman is marrying only one husband and not more than one under her custom.

(2) Subject to Subsection (1), the Registrar-General shall register the customary marriage and issue a certificate in the prescribed form.

(3) Customary marriage registered under Subsection (2) is valid and effective for all purposes.

### *Division 2. - Registration of dissolution of marriage.*

### **65. DISSOLUTION OR ANNULMENT OF MARRIAGE MUST BE RECORDED IN THE REGISTER.**

(1) The officer of the Court that has dissolved a civil marriage solemnised in Papua New Guinea, must notify the Registrar-General of the dissolution of the said marriage that has attained finality, by

submitting to the Registrar-General a certified copy of -

- (a) a decree absolute; or
- (b) a decree of presumption of death; or
- (c) a decree of nullity of marriage.

(2) On receipt of the certified copy of the decree under Subsection (1), and such other requirements, the Registrar-General shall record in the Register as part of the information in respect of the marriage the information contained in the decree.

(3) The Registrar-General shall not record in the Register the dissolution of customary marriage, until the Registrar-General is satisfied that -

- (a) all customary practices prevailing in a particular locality where a customary marriage has taken place has been complied with in dissolving the marriage; or
- (b) a Village Court Magistrate has issued a notice or a certificate stating the annulment of the marriage.

(4) On receipt of requirements under Subsection (3), and such other requirements, the Registrar-General shall record in the Register as part of the information in respect of the marriage.

**66. RECORDING OF DISSOLUTION OR ANNULMENT OF MARRIAGES OUTSIDE PAPUA NEW GUINEA.**

(1) If the Registrar-General is satisfied that a marriage registered under this Act or the former Act or any other law has ended as a result of a legal process outside Papua New Guinea, which is a process recognised as valid under the laws of Papua New Guinea, the Registrar-General must record in the Register as part of the information in respect of the marriage that fact and particulars in respect of the relevant legal process.

(2) For the purposes of Subsection (1), the Registrar-General may require such information in respect of the ending of the marriage.

**67. CHANGES OF NAME IN RELATION TO MARRIAGE.**

(1) Upon dissolution of a marriage, the spouse who, during the marriage, changed his or her name as a consequence of marriage may revert to his or her name prior to marriage, upon application in the form and manner approved by the Registrar-General.

(2) An application under Subsection (1) must be accompanied by a prescribed fee.

**PART X. - REGISTER OF BIRTHS, DEATHS AND MARRIAGES.**

*Division 1. - Creation and maintenance of the Register.*

**68. REGISTER OF BIRTHS, DEATHS AND MARRIAGES.**

(1) The Registry shall create and maintain an updated register to be known as the Register of births, deaths and marriages which may comprise wholly or partly of an electronic or computer system or any other form or forms as the Registrar-General from time to time considers appropriate for the purposes of this Act.

(2) Any register, document, index and all information, proceedings and generally all acts, which were made, created, collected or originated under the *Civil Registration Act* (Chapter 304) or any enactment repealed by the *Civil Registration Act* (Chapter 304) and the *Marriage Act* (Chapter 280), which subsist or are in force on the date this Act comes into force, shall remain in force for all purposes.

(3) If there is corresponding provision in this Act in relation to Subsection (2), the register, document, index and all information, proceedings and generally all acts, are deemed to have been made, created, collected or originated under that corresponding provision.

(4) A Register maintained under the *Civil Registration Act* (Chapter 304) forms part of the Register created under this Act.

(5) The Registrar-General -

- (a) shall record in the Register information required to be so recorded by this Act or any other law; or
- (b) may record in the Register information that is authorised to be so recorded by this Act or any other law; or
- (c) subject to this Act or any other law, may record in the Register information which the Registrar-General is satisfied should be recorded in the Register.

## *Civil and Identity Registration*

(6) The Registry shall maintain any indexes or register on information recorded in the Register and in respect of documents and information otherwise held by the Registry under this Act, the former Act, or any other law as in the Registrar-General's opinion are necessary to ensure the information and the documents are reasonably accessible to the Registrar-General and to any person authorised by this Act or other law to have access to them.

(7) The Registrar-General shall ensure that all information stored in an electronic or computerised form remains intact and preserved by means of an appropriate form of computer backup or other system of duplication or storage.

### **69. REGISTRAR-GENERAL MUST KEEP DOCUMENTS.**

The Registry shall retain in an electronic form or otherwise the original or a copy of every document received by the Registry that is required or authorised to be provided to the Registrar-General in respect of the notification and registration of an event under this Act.

### **70. REGISTRAR-GENERAL TO BE SATISFIED IN RESPECT OF INFORMATION.**

(1) Subject to this Act, on receipt of any notification, certificate, form, application or other document or information in respect of an event, the Registry must carefully consider the circumstances surrounding the event and the information received in respect of it.

(2) In relation to Subsection (1), if the Registrar-General is satisfied that -

- (a) the information is correct; and
- (b) the event and the information should properly be recorded in the Register or be otherwise recorded,

the Registrar-General shall certify that fact and register the event or amend, correct, void or record the information in the Register, as the case may require.

### **71. CORRECTIONS AND AMENDMENTS TO THE REGISTER.**

(1) If, on application by any person or on the Registry's own initiative, after reasonable inquiry, the Registrar-General is satisfied that -

- (a) an event not required to be registered have been registered; or
- (b) information recorded in the Register about an event is incomplete, incorrect, or misleading; or
- (c) information should be recorded in the Register as part of the information about an event previously registered,

the Registrar-General shall register the event or correct, amend, void or record information in the Register as the case may be.

(2) Other than corrections or minor errors, additions or substantive changes to the record shall be made in such a way as to not alter the original entry.

(3) An application under Subsection (1) shall -

- (a) be in a form and manner the Registrar-General in writing approves; and
- (b) specify the event and the information that are the subject of the application; and
- (c) where the Registry so requires, include the following:
  - (i) evidence supporting the accuracy of the information; and
  - (ii) a statutory declaration verifying the accuracy of the information; and
  - (iii) any other evidence the Registry requires; and
- (d) be accompanied by the prescribed fee.

(4) For the purposes of inquiry under Subsection (1), the Registrar-General may require person to provide information in respect of an event by a date and in any form as the Registrar-General requires.

## *Civil and Identity Registration*

(5) The Registrar-General may delegate the power to correct clerical errors or errors that are apparent upon examination of the document to his deputies and other senior registry officers.

(6) Only the Registrar-General may order the amendment, cancellation or voiding of entries in the Register.

### **72. COURT MAY ORDER THAT AN EVENT BE REGISTERED.**

(1) If, on application by the Registrar-General or any other person or on its own initiative, the Court is satisfied on any of the following:

- (a) an event required to be registered under this Act is not registered; or
- (b) an event not required to be registered under this Act should be registered; or
- (c) information recorded in the Register about an event is incomplete, incorrect or misleading; or
- (d) information should be recorded in the Register as part of the information in respect of an event previously registered,

the Court may order that the event be registered under this Act or make any orders as are necessary to complete, correct, clarify or delete an entry in the Register.

(2) On the making of an order under Subsection (1), the Court making the order shall provide a sealed copy of the order to the Registrar-General.

- (3) On receipt of a sealed copy of an order under Subsection (1), the Registrar-General shall -
- (a) register the event by recording in the Register the information contained in the order; or
  - (b) amend, void or record information in the Register in accordance with the order.

(4) The Registrar-General may appeal against the order issued by the Court under this section.

### **73. OFFICE AT WHICH REGISTRAR-GENERAL MAY RECEIVE DOCUMENTS.**

Unless otherwise provided in this Act or any other law, any notification, certificate, form, application or other document about an event required to be received by the Registrar-General under this Act may be made to any office of the Registry.

## *Division 2. - Protection of privacy and data security.*

### **74. DATA PRIVACY.**

(1) Vital events registers housed within the Papua New Guinea Civil and Identity Registry is a national asset owned by the Independent State of Papua New Guinea.

(2) Access to or sharing of information in the Register shall only be in accordance with this Act, other laws, or by consent of the subject of information.

(3) Written consent of the subject of information shall be required even when the request is made by a relative, except in the following circumstances:

- (a) the person making the request is a mother, father or legal guardian, or in their absence, a relative having custody of, a subject of information who is a minor or who is of unsound mind; or
- (b) the request is made pursuant to other laws allowing sharing information without the consent of the subject of information, or by Court order, and the data requested is necessary for the fulfilment of a constitutional or legal mandate; or

## *Civil and Identity Registration*

- (c) the request is made to protect the life and health of the subject of data, or another person, and the subject of information is not legally or physically able to express consent; or
- (d) the request is made to respond to a national emergency, to comply with the requirements of public order and safety, or to fulfil functions of public authority which necessarily includes the processing of personal data for the fulfilment of the mandate; or
- (e) the request is made by the next of kin of the deceased for a specific legal purpose, and that data requested is pertinent to the purpose.

(4) Access to information in the Register by government agencies, officials, civil servants and private institutions shall -

- (a) be in strict compliance with this Act; and
- (b) only be allowed if the requesting agency or institution have mechanisms in place that is of the standard that satisfies the Registrar-General to ensure data privacy, confidentiality and security is maintained.

(5) A private individual seeking information from the Register is subjected to Subsection (3).

(6) Subject to Subsection (4), before releasing the information, the Registrar-General shall ensure that personal information is protected from unauthorised or accidental access, damage, standard loss or other risks presented by data processing.

### *Division 3. - Certificates.*

#### **75. CERTIFICATES IN RESPECT OF INFORMATION RECORDED IN THE REGISTER.**

(1) Subject to this Act, a person may apply to the Registrar-General for a certificate in respect of his information recorded in the Register or otherwise held by the Registry.

(2) An application under Subsection (1) shall -

- (a) be in a form and manner the Registrar-General in writing approves; and
- (b) have the consent of the subject of information or in case of a minor or a person of unsound mind, the consent of a parent or a legal guardian; and
- (c) specify the information that is the subject of the application; and
- (d) state the reasons for the applicant's interest in the information; and
- (e) include any other information the Registrar-General requires; and
- (f) be accompanied by the prescribed fee.

(3) In considering an application under Subsection (1), the Registrar-General shall have regard to the following:

- (a) the relationship between the applicant and the subject of information; and
- (b) the age of the subject of information; and
- (c) the content of the information; and
- (d) whether providing the certificate will result in an unjustified intrusion into the privacy of someone other than the applicant; and
- (e) whether providing the certificate will contravene or frustrate the purposes of any other enactment; and
- (f) any other matters which in the Registrar-General's opinion are relevant to the application.

(4) If the Registrar-General is satisfied that it is appropriate to do so, he may issue a certificate.

## *Civil and Identity Registration*

### **76. CONTENT OF CERTIFICATES.**

- (1) A certificate issued under Section 75 may -
  - (a) record and certify as accurate all or part of the information recorded in an entry in the Register or otherwise held by the Registry; or
  - (b) certify that no information is recorded by entry in the Register or is otherwise held by the Registry,  
about a specified event.
- (2) If the information contained in a certificate issued under Section 75 about an event is prescribed by the Regulation, a certificate issued by the Registrar-General containing information about the event must contain the information so prescribed.
- (3) If the Registrar-General is satisfied that a certificate to be provided under Section 75 relates to birth information on a still-born infant or a person who is dead, the certificate shall bear the expression 'still-born' or 'deceased' accordingly.
- (4) If a certificate provided under Section 75 relates to birth information on someone who has changed his name under Part IV, Division 4, the certificate shall only bear the new name.
- (5) If required for a specific legal purpose, the Registrar-General may provide a certification confirming a change of name and stating the previous name.

### **77. CERTIFICATE ADMISSIBLE IN LEGAL PROCEEDINGS.**

A certificate issued by the Registrar-General under Section 75 is admissible in any legal proceedings as evidence -

- (a) of the recording by entry in the Register the information to which the certificate relates; and
- (b) of the facts recorded in the information to which the certificate relates.

#### *Division 4. - Searches of Register and other records held by the Registry.*

### **78. SEARCH FOR REGISTER AND OTHER RECORDS.**

- (1) Upon request by an individual of specific information in the Register, the Registrar-General may -
  - (a) search the Register or other electronic device or computer systems under the control of and accessible to the Registrar-General for information in respect of a specified event; and
  - (b) provide a print-out of information located as a result of a search under Paragraph (a); and
  - (c) search documents held by the Registrar-General under this Act or a former Act, containing information in respect of a specified event; and
  - (d) permit inspection of any document containing information located as a result of a search under Paragraph (c); and
  - (e) provide a copy of any relevant document containing information located as a result of a search under Paragraph (c).
- (2) Subject to Section 74, a request under Subsection (1) shall -
  - (a) be in a form prescribed in the regulation; and
  - (b) specify the event and the information to which the request relates; and
  - (c) state the reasons for the request; and
  - (d) be accompanied by the prescribed fee.

## *Civil and Identity Registration*

(3) If a request relates to information and documents about one person or parties to a marriage, the Registrar-General must have regard to the following:

- (a) the relationship between the applicant and the subject of information; and
- (b) the age of the subject of information or the document; and
- (c) the content of the subject of information or the document; and
- (d) whether granting the request will result in an unjustified intrusion into the privacy of someone other than the applicant; and
- (e) whether granting the request will contravene or frustrate the purposes of any other enactment; and
- (f) any other matters which in the Registrar-General's opinion are relevant to the request.

(4) Subject to Section 74, if the Registrar-General is satisfied that it is appropriate to do so, the Registrar-General may grant the request.

(5) If a request relates to information and documents about more than one person other than the parties to a marriage, and the Registrar-General is satisfied that -

- (a) the request is made by someone acting on behalf of a government department or agency or a body or person gathering statistics, or carrying out genuine health or demographic research; and
- (b) information relating to particular individuals is not sought and will not be retained; and
- (c) granting the request would not contravene or frustrate the purposes of this or any other enactment; and
- (d) it is in the public interest that the request be granted, subject to Subsection (6), the Registrar-General shall grant the request.

(6) In granting a request under Subsection (5), the Registrar-General shall impose any conditions, as in all the circumstances are practicable to protect from unjustified intrusion into their privacy of those to whom the requested information and documents relate.

### *Division 5. - Fees.*

#### **79. FEES.**

(1) The following acts shall be free:

- (a) the registration of births and deaths; and
- (b) the registration of adoption; and
- (c) the issuance of the original birth and death certificates; and
- (d) the issuance of original national identity card; and
- (e) adding the name of a child, within a prescribed time.

(2) Subject to *Public Finances (Management) Act 1995*, other fees may be prescribed in the Regulations.

### **PART XI. - ACCOUNTS AND FINANCES OF THE REGISTRY.**

#### **80. FINANCE AND BUDGET FRAMEWORK.**

The Registry shall be financially supported through the following sources:

- (a) appropriations under the National Budget; and
- (b) fees received by the Registry under this Act; and
- (c) contributions or donations to the Registry through private sector and development partners; and
- (d) borrowings by the Registry pursuant to the *Public Finances (Management) Act 1995*.

## *Civil and Identity Registration*

### **81. APPLICATION OF THE *PUBLIC FINANCES (MANAGEMENT) ACT 1995.***

(1) The *Public Finances (Management) Act 1995* applies to the Papua New Guinea Civil and Identity Registry.

(2) The Papua New Guinea Civil and Identity Registry is a statutory body pursuant to the *Public Finances (Management) Act 1995*.

### **82. ACCOUNTS.**

The Registry has a duty to keep proper accounts and other records in respect of its operations in accordance with standard business practices.

### **83. AUDIT.**

(1) The Registry shall cause its accounts to be audited in accordance with the requirements of Part III of the *Audit Act 1989*.

(2) Software and systems audit to the Registry may be conducted from time to time as directed by the Registrar-General.

## **PART XII. - REPEALS, SAVINGS AND TRANSITIONAL PROVISIONS.**

### *Division 1. - Repeals.*

### **84. REPEALS.**

(1) The *Civil Registration Act* (Chapter 304) is repealed.

(2) Any register, document, index and all information, proceedings and generally all acts, which were made, created, collected or originated under the *Civil Registration Act* (Chapter 304) and its amendments, or any enactment repealed by that enactment and the *Marriage Act* (Chapter 280), which subsist or are in force on the date this Act comes into force shall remain in force for all purposes.

(3) If there is corresponding provision in this Act in relation to Subsection (2), the register, document, index and all information, proceedings and generally all acts, are deemed to have been made, created, collected or originated under that corresponding provision.

(4) Any register maintained under the *Civil Registration Act* (Chapter 304) and its amendments forms part of the Register created under this Act.

### *Division 2. - Transitions.*

### **85. TRANSITIONAL PROVISIONS.**

(1) All staff of the Civil Registry Office shall not be made redundant and shall continue to occupy positions, whether acting or substantive in the transitional Papua New Guinea Civil and Identity Registry establishment in whatever capacity that they occupied in the Civil Registry Office until the Minister responsible for the administration of this Act makes a decision concerning their future appointment to the Registrar-General based on the organisational structure.

(2) All Civil Registry Office terms and conditions granted, including the application of the Public Service General Orders, shall continue to apply to the transferred staff during the transitional period, until such time that the Registrar-General implements the Papua New Guinea Civil and Identity Registry terms and conditions.

## *Civil and Identity Registration*

(3) All continuous service with the Civil Registry Office shall be deemed to be continuous service with the Papua New Guinea Civil and Identity Registry and all entitlements accrued with the Civil Registry Office on the basis of that service shall be deemed to be entitlements accrued in the Papua New Guinea Civil and Identity Registry which become a liability of the Papua New Guinea Civil and Identity Registry.

(4) Subject to Subsection (1), the Registrar-General shall, in consultation with the Departmental Head of the Department responsible for public service matters -

- (a) appoint all staff to positions in the Papua New Guinea Civil and Identity Registry; or
- (b) advertise for applicants from within or outside of the Papua New Guinea Civil and Identity Registry at the sole discretion of the Registrar-General in consultation with the Minister responsible.

(5) The staff of the Papua New Guinea Civil and Identity Registry shall -

- (a) continue to contribute to the Nambawan Super Fund or any superannuation fund; and
  - (b) retain their superannuation rights unchanged; and
  - (c) not be entitled to have their contributions or the State's contributions paid out,
- unless and until their services are terminated from the Papua New Guinea Civil and Identity Registry.

(6) The service and entitlements of staff and employees in the National Public Service and the Civil Registry Office accrued prior to creation of Papua New Guinea Civil and Identity Registry shall become service and entitlements accrued in the Registry.

### **86. CONTINUATION OF CONTRACTS, ETC.**

(1) All contracts, agreements, deeds, bonds or other instruments entered into, made with or addressed to the State through the Papua New Guinea Civil and Identity Registry, insofar as they relate to the functions of the Registry under this Act, are, to the extent that they were, immediately before the coming into operation of this Act, binding on and of full force and effect against or in favour of the State and are:

- (a) on that coming into operation, binding on the Registry; and
- (b) of full force and effect against or in favour of the Registry as fully and effectually as if, instead of the State, the Registry was a party to them or bound by them or entitled to the benefit of them.

(2) Where a contract, agreement, deed, bond or other instrument of the kind referred to in Subsection (1) is substantially at variance with this Act, it shall nevertheless continue in full force and effect until the earliest possible date of its renegotiation or renewal according to its terms, at which time it shall be renegotiated or renewed so as to ensure substantial compliance with this Act.

### **87. TRANSFER OF ACCOUNTS TO THE REGISTRY.**

All monies immediately before the coming into operation of this Act standing to the credit of, and in accounts opened by or on behalf of, the Civil Registry Office, including any trust account opened under the *Public Finances (Management) Act 1995* are, on that coming into operation, shall be transferred to and stand to the credit of the Registry in compliance with *Public Finances (Management) Act 1995* or any other law.

### **88. RIGHTS AND LIABILITIES.**

All rights, obligations and liabilities of the State in respect of the Papua New Guinea Civil and Identity Registry immediately before the coming into operation of the Act continue unabated subject to the Act.

**PART XIII. - OFFENCES AND PENALTIES.**

**89. FALSIFICATION OF CERTIFICATE, DOCUMENT OR PARTICULARS.**

(1) A person who, without the written authority of the Registrar-General, affixes or causes to be affixed to any document an impression of the signature or the seal of the Registrar-General, commits an offence.

Penalty: A fine not exceeding K1,000.00 or imprisonment for a term not exceeding two years, or both.

(2) A person who without the written authority of the Registrar-General alters any document issued by the Registrar-General under this Act, commits an offence.

Penalty: A fine not exceeding K1,000.00 or imprisonment for a term not exceeding two years, or both.

(3) A person who, when making a report under this Act, includes in the report a particular which is known to him to be false, is guilty of an offence.

Penalty: A fine not exceeding K1,000.00 or imprisonment for a term not exceeding two years, or both.

(4) Any person who aids and abets in the commission of the acts mentioned in this Section, is guilty of an offence.

Penalty: A fine not exceeding K1,000.00 or imprisonment for a term not exceeding two years, or both.

**90. FALSE REPORT AND REPRESENTATION.**

(1) A person who makes or purports to make a false report under this Act, is guilty of an offence.

Penalty: A fine not exceeding K20,000.00 or imprisonment for a term not exceeding 10 years, or both.

(2) A person who, knowing it to be false or misleading, makes a false or misleading representation in any form, application, request, certificate, statement, notice or other document provided to the Registrar-General under this Act, commits an offence.

Penalty: A fine not exceeding K20,000.00 or imprisonment for a term not exceeding 10 years, or both.

**91. UNAUTHORISED ALTERATION OF PARTICULARS.**

A person who fraudulently alters any particulars contained in -

- (a) a written report made under this Act; or
- (b) a register of births, deaths and marriages kept under this Act; or
- (c) or aids and abets in the alteration,

is guilty of an offence.

Penalty: A fine not exceeding K20,000.00 or imprisonment for a term not exceeding 10 years, or both.

**92. UNAUTHORISED ACCESS TO OR INTERFERENCE WITH THE REGISTER.**

Subject to Part III of the *Cybercrime Code Act 2016*, a person who, without authorisation under this Act or other laws or without the written authority of the Registrar-General does any of the following:

- (a) obtains access to information recorded in the Register; or
- (b) obtains access to information or documents otherwise held by the Registry under this Act; or
- (c) alters, deletes or records information in the Register; or
- (d) alters, deletes or records information otherwise held by the Registry under this Act; or
- (e) alters, deletes or records a document otherwise held by the Registry under this Act,

commits an offence.

Penalty: Fines and terms of imprisonment as per Part III of the *Cybercrime Code Act 2016*.

**93. DESTRUCTION OR DAMAGE OF REPORT OR REGISTER.**

A person who wilfully and maliciously destroys or damages -

- (a) a written report made under this Act; or
- (b) a register of births, deaths, marriages or other vital events related to them kept under this Act,

is guilty of an offence.

Penalty: A fine not exceeding K100,000.00 or imprisonment for a term not exceeding 30 years, or both.

**94. PROVIDING SERVICES WITHOUT REQUIRED NATIONAL IDENTITY DOCUMENT.**

(1) A person who provides banking and vehicle registration services under Section 48(4), without requiring the submission of a national identity document, is guilty of an offence.

Penalty: A fine not exceeding K5,000.00 or imprisonment for a term not exceeding five years, or both.

(2) In case of corporations, all directors and responsible officers shall be liable for the offence.

Penalty: A fine not exceeding K5,000.00 or imprisonment for a term not exceeding five years, or both.

**PART XIV. - MISCELLANEOUS.**

**95. THE REGISTER.**

The registers maintained under the *Marriage Act* (Chapter 280) form part of the Register under this Act.

**96. REGISTRATION EQUIPMENT.**

(1) In this section, unless contrary intention appears -

- (a) "licensor" means, a supplier or provider of all or any ICT platform or equipment used by the licensee under licence for the purpose of this Act; and
- (b) "licensee" means, Papua New Guinea Civil and Identity Registry; and
- (c) "source code" means list of human-readable instructions written by the licensor during the development of a program.

## *Civil and Identity Registration*

(2) The licensor shall, on purchase of the equipment or platform, release the software source code on agreement to the licensee for the purpose of this Act.

(3) The licensee shall take all reasonable precaution to ensure that release of the source code under Subsection (2) shall not affect, abridge, encumber, diminish or otherwise impair the intellectual and any other property rights of the licensor in and to the licensed software.

(4) The licensee shall take all reasonable precaution to protect the source code and documentation and preserve its confidential proprietary and trade secrets perpetually.

(5) All data collected using civil and identity registration equipment under this Section shall remain the intellectual property of the Independent State of Papua New Guinea.

### **97. REVIEW BY REGISTRAR-GENERAL AND THE COURT.**

(1) A person whose interests are affected by a decision of the staff of the Registry, including a senior registry official, under this Act may apply to the Registrar-General for review of the decision.

(2) A person whose interests are affected by a decision of the Registrar-General under this Act may apply to the Court for a review of the decision.

### **98. REGISTRAR-GENERAL MAY IMPOUND AND DESTROY CERTAIN DOCUMENTS.**

If the Registrar-General is satisfied that a document -

- (a) bears a forged or unauthorised impression of the signature or the seal of the Registrar-General; or
- (b) that purports to be issued under this Act has been forged or falsified; or
- (c) issued under this Act has been altered; or
- (d) issued under this Act contains information which, as a result of an addition, deletion or substitution of information by the Registrar-General under this Act, is no longer accurate or complete, the Registrar-General may impound and with the consent of either -
  - (i) the Attorney-General; or
  - (ii) the Minister; or
  - (iii) the Judge; or
  - (iv) the Auditor-General,

as the case may be, destroy the document.

### **99. REGULATIONS.**

(1) The Head of State, acting on advice, may make regulations for all or any of the following purposes:

- (a) prescribe fees or a basis for calculating fees for the purposes of this Act, but subject to *Public Finances (Management) Act 1995*; and
- (b) generally prescribe any matter, form or thing required, authorised or necessary to be prescribe for the purposes of the effective and efficient administration of this Act; and
- (c) prescribe any remuneration for services carried out by any person under this Act.

(2) The Regulations made under this Act may -

- (a) be of general or limited application; or
- (b) differ according to differences in time, place or circumstance; or
- (c) require the making of a statutory declaration; or

*Civil and Identity Registration*

- (d) require the giving and collecting of information for the purposes of statistics, including matters to be notified, matters to be registered, or both.

I hereby certify that the above is a fair print of the *Civil and Identity Registration Act 2024* which has been made by the National Parliament.

Acting Clerk of the National Parliament.

I hereby certify that the *Civil and Identity Registration Act 2024* was made by the National Parliament on 28 November 2024 by an absolute majority in accordance with the Constitution.

Acting Speaker of the National Parliament.