

NEW HEBRIDES CONDOMINIUM

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JOINT REGULATION

No. 40 of 1975

TO AMEND the Joint Registration of Births, Acknowledgments, Deaths and Marital Status of New Hebrideans Regulation No. 17 of 1970.

MADE under the provisions of Articles 2:2, 7, 8 and 9 of the Anglo-French Protocol of 1914.

Replacement of s.2 of J.R. No. 17 of 1970

1. Section 2 of the Joint Registration of Births, Acknowledgments, Deaths and Marital Status of New Hebrideans Regulation No. 17 of 1970 (hereinafter referred to as "the principal Regulation") is hereby repealed and replaced by the following section -

" 2. In this Regulation, unless the context otherwise requires -

"civil status" means as appropriate the family relationship, birth, marital status and death of any person;

"death" means the complete disappearance of all evidence of life at any time after live birth has taken place, that is to say, the post-natal cessation of vital functions without capability of resuscitation;

"foetal death" means death prior to the expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy, death being indicated by the fact that after such separation, the foetus does not breathe or show any other evidence of life, such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles. " .

Amendment of s.4 of principal Regulation

2. Section 4 of the principal Regulation is hereby amended by deleting the words "nominate Registrar" and replacing them by the words "appoint for each of the areas thus created one or more Sub-Registrars".

Amendment  
of s.5 of  
principal  
Regulation

3. Section 5 of the principal Regulation is hereby amended by deleting the words "district and each sub-district" and replacing them by the words "Registrar and each Sub-Registrar".

Amendment  
of s.6 of  
principal  
Regulation

4. Section 6 of the principal Regulation is hereby amended by inserting immediately after the word "deaths," the words "foetal deaths,".

Amendment  
of s.8 of  
principal  
Regulation

5. Section 8 of the principal Regulation is hereby amended by inserting immediately after the words "distribute them to the Registrar or Sub-Registrar concerned" the words "and to the Condominium Statistician".

Amendment  
of s.26 of  
principal  
Regulation

6. Section 26 of the principal Regulation is hereby amended by inserting immediately after the words "shall be declared" the words "within a period to be prescribed by the Resident Commissioners by Joint Rules" .

New ss.28A  
and 28B  
added to  
principal  
Regulation

7. The principal Regulation is hereby further amended by inserting immediately after section 28 the following two new sections -

" 28A. Every foetal death shall be declared to the Registrar or Sub-Registrar of the place where it has occurred within a period to be prescribed by the Resident Commissioners by Joint Rules by -

- (a) the mother, or if she is unable to do so, the father or any member of the family of the mother who was present or attended the mother at or about the time of the separation;
- (b) any other member of the family, the owner or occupant of the building in which the separation occurred, any medical officer or any other person, in particular any village chief, local leader or clergyman, who has knowledge of the foetal death.

28B. Every entry in the register of a foetal death by the Registrar or Sub-Registrar shall state -

- (a) the civil status of the mother as fully as possible;
- (b) the date, time and place of the foetal death;

(c) the age and sex of the foetus, if known;

(d) the civil status of the declarant. " .

Replacement of s.29 of principal Regulation

8. Section 29 of the principal Regulation is hereby repealed and replaced by the following section -

" 29. In the case of every death or foetal death where the deceased or the mother was attended by a medical officer, the declaration to the Registrar or Sub-Registrar shall be accompanied by a certificate as to the cause of death signed by such medical officer. In any other case of death or foetal death, the Registrar or Sub-Registrar may, if he thinks fit, require the production of a certificate as to the cause of death signed by a medical officer. " .

Replacement of s.33 (2) of principal Regulation

9. Subsection (2) of section 33 of the principal Regulation is hereby repealed and replaced by the following subsection -

" (2) Each committee shall consist of a chairman appointed in accordance with the following provisions of this subsection and two members chosen from a panel of persons appointed for the purpose by the District Agents. The chairman shall be a District Agent or Assistant District Agent, the Registrar-General or an Assistant Registrar-General or any other person or member of a class of persons nominated by joint decision of the Resident Commissioners. Each committee shall reach its decisions by majority opinion. " .

Amendment of s.33 (3) of principal Regulation

10. Subsection (3) of section 33 of the principal Regulation is hereby amended by inserting immediately after the words "Registrar or" the word "any".

Amendment of s.42(a) of principal Regulation

11. Paragraph (a) of section 42 of the principal Regulation is hereby amended by inserting immediately after the word "death," the words "foetal death," .

Amendment of s.42 (c) of principal Regulation

12. Paragraph (c) of section 42 of the principal Regulation is hereby amended by deleting the words "a child born dead" and replacing them by the words "foetal death" .

New s.44A added to principal Regulation

13. The principal Regulation is hereby further amended by inserting immediately after section 44 the following new section -

" 44A. The Resident Commissioners may appoint one or more persons as Assistant Registrar-General to assist the Registrar-General in the performance of his functions and duties under this Regulation. The Registrar-General may in any case where he is prevented by any cause from the exercise of his powers or the performance of his duties delegate the same to an Assistant Registrar-General. " .

Amendment of s.45 of principal Regulation

14. Section 45 of the principal Regulation is hereby amended by deleting the words "Births, Acknowledgments, Deaths and Marital Status" and replacing them by the words "Civil Status".

Replacement of Schedule

15. The Schedule to the principal Regulation is hereby repealed and replaced by the schedule set out in the Schedule to this Regulation.

Citation and commencement

16. This Regulation may be cited as the Joint Registration of Civil Status of New Hebrideans (Amendment) Regulation No. 40 of 1975 and shall come into operation on the date of its publication in the Condominium Gazette.

MADE at Vila this 30th day of October , 1975.

The Resident Commissioner for the French Republic

Her Britannic Majesty's Acting Resident Commissioner

R. GAUGER

J.A. BURGESS