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THE DEVELOPMENT AND ORGANIZATION OF CIVIL REGISTRATION IN SRI LANKA

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FOREWORD

Sri Lanka is one of the relatively few developing countries which has an adequate civil registration system in operation. An interesting aspect of the registration system, as described in this paper, are the special laws and provisions for persons of different ethnic groups. It appears that the prevalence of laws and regulations that compels individuals to produce a registration certificate for the fulfillment of their various needs has greatly contributed to making civil registration in Sri Lanka both complete and timely.

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THE DEVELOPMENT AND ORGANIZATION OF CIVIL REGISTRATION IN SRI LANKA

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Background

Sri Lanka, originally known as Lanka and until recently as Ceylon, is an island of about 25,000 square miles in the Indian Ocean lying just above the Equator and just below the tip of the Indian subcontinent. Having a tropical climate, the mean annual temperature of the sea coast and the low country is about 81 degrees Fahrenheit. At the highest mountain elevations, the thermometer might fall to the freezing point at night in the cold season.

The great majority of the population are Sinhalese, the early settlers of Sri Lanka. The Sinhalese are of Aryan race and the language Sinhalese is closely akin to Sanskrit. The large majority of the Sinhalese are Buddhists, but a considerable proportion are Christians, mostly Roman Catholics. The Sinhalese can also be grouped into two categories namely the low country Sinhalese and the upcountry Sinhalese, the latter group commonly called the Kandyan for whom there is a special civil status law called the Kandyan Marriage and Divorce Act.

The next ethnic groups are the Tamils, Moors, and the Burghers. Tamils are of two classes: those called Lanka Tamils inhabiting predominantly the northern and part of the Eastern provinces of the Island for centuries; and those who have come from parts of India in search of employment in the earlier coffee plantations and later the tea plantations of the Britishers. The majority of the Tamils profess the Hindu religion.

The Moors or Moormen are Mohammedans of Arab origin and they are chiefly engaged in trade and commerce. Moors profess the Muslim religion and their marriages and divorces are governed by a special law called the Muslim Marriage and Divorce Act.

The Burghers are of Portuguese and Dutch descent. The size of this community is fast decreasing due to migration to countries like Australia and Canada.

Population

The estimated Mid Year Population by Ethnic Groups for 1983 was as follows:

Sinhalese	11,430,000
Lanka Tamils	1,951,000
Lanka Moors	1,111,000
Burghers	39,000
Malays	45,000
Indian Tamils	812,000
Others	29,000
	<hr/>
	15,417,000

The Government

The government of the present Democratic Socialist Republic of Sri Lanka has been preceded by several provincial monarchies of the inhabitants and later by three foreign powers, namely, the Portuguese, the Dutch and the British whose rule over the maritime provinces of the Island extended for over 400 years. The British who took control of the whole Island in 1815 continued its administration until 1948, in which year Sri Lanka gained independence.

Legislative background for civil registration

There is no historical record of the existence of any civil registration system in the country during the times of either the native kings or the Portuguese. However, under the Dutch rule, a

scheme of registration of marriages, births and deaths was embodied in the so-called Dutch "School Thombos" or parish registers of the Colombo Dissavony and the Galle commandement--approximately the present Western and Southern provinces of the Island, respectively. Church registers of marriages, births and deaths were also kept in the churches, chiefly of the Dutch themselves and the other town residents. The Thombos were kept by the "Palliye Gurunnanse" or village schoolmaster under the superior direction of the Scholarchen or Dutch School Board; a revered member of which conducted a periodic examination of the children attending school and baptised and married the villagers. The particulars entered in the Thombos, which date back to the last decade of the 17th century, were the names of the parents including the wasagama or ge-name, or patronymic of the father, usually only the patronymic of the mother, the date of marriage and the names of the children with their ages at baptism shown in years and months, and the dates of baptism. A separate column also showed any change of domicile and the date of death. The Thombos were chiefly intended by the Dutch as a means of proselytizing the village population, only such marriages registered therein being regarded as legal.

From almost the very beginning of their administration, the British recognized that as a fundamental principle of good administration, the domestic occurrences of the people should be registered, and that more systematic measures should be taken for that purpose than had been taken previously.

The earliest British enactment in that direction was Regulation No. 7 of 1815, the year in which the whole Island passed under the rule of Britain. The legislation related to the marriages of native Protestants. This was followed by the Regulation No. 9 of 1822, which provided for the registration of marriages and births of natives, and of non-European residents in the maritime districts. The government school masters in each division were made registrars ex-officio and were required to send transcripts of their registers to the principals of schools at Colombo. Ordinance No. 6 of 1847, which followed, was the first attempt to provide a general system of registration, and applied to all births, deaths and marriages, other than those of the Kandyan Sinhalese and the Muslims. This ordinance was brought into operation by the Proclamation of December 7, 1849 only as regards Christian marriages; and, after amendment by the Ordinances No. 13 of 1862, 13 of 1863 and 8 of 1865, was by the Proclamation of June 3, 1867, brought into force in regard to other marriages as well as births and deaths. Its provisions affecting births and deaths were replaced by the Ordinance No. 18 of 1867, which came into operation on July 1, 1868. The Ordinances No. 6 of 1847 and 18 of 1867 after having been subjected to various amendments by the Ordinances Nos. 15 of 1877 and 11 of 1892 in regard to births, marriages and deaths and by the Ordinance No. 20 of 1891 in regard to deaths were replaced by the Ordinances Nos. 1 and 2 of 1895, which came into operation on July 1, 1897. These bills were drafted and piloted through the Legislative Council by Sir Ponnambalam Arunachalam, the first Sri Lankan Registrar General to be appointed by the British.

The registration of births was very generally disregarded in Sri Lanka. In the absence of any provision for penalties for the failure to register births in the Ordinance No. 18 of 1867, it was generally believed by the public and the Department that the registration of births was not compulsory. The passing of Ordinance No. 1 of 1895 and amendments thereafter removed many of these difficulties. The present law for the registration of births and deaths was passed under Act No. 17 of 1951 which incorporated most of the amendments up to that year and provided for additional information to be included in the birth records.

The general marriage law contained in Ordinance No. 2 of 1895 after having been subjected to amendment by the Ordinances Nos. 10 of 1896 and 19 of 1900 was finally replaced by Ordinance No. 19 of 1907 which came into operation on January 1, 1908, and, which too was subjected to several amendments up to 1955. The general marriage law is applicable to all persons other than the Kandyan Sinhalese and the Muslims.

The Kandyan Law is the old national Sinhalese law and custom as modified by statute. Prior to 1859, the Kandyans had no written laws and marriages were contracted according to customary rites and by public recognition of the unions. The practices of polygamy and polyandry were also prevalent. Ordinance No. 13 of 1859 which abolished polygamy and polyandry made registration essential to the validity of a Kandyan marriage. This Ordinance after several amendments over the years was finally replaced by the Kandyan Marriage and Divorce Act of 1952 which provided, among other things, that persons subject to Kandyan law, could, if they so desired, marry under the General Marriage Law.

The Muslims of Sri Lanka are governed in matrimonial matters by laws and customs of their own, some of which had been reduced to writing in the "Code of Mohammedan Law of 1806." Ordinance No. 8 of 1886 was passed giving the Muslims the opportunity of recording their marriages in registers kept by officially appointed Muslim Registrars. As a result of the unsatisfactory condition of this law in

its application to the needs of the Muslim community, the Governor appointed a select committee of the Legislative Council to report on the Muslim law of marriage and divorce and to make recommendations with regard to its amendment. The recommendations of this committee were embodied in Ordinance No. 27 of 1929 which later was amended and brought into force in January, 1937. This Ordinance was replaced by Act No. 13 of 1951. The power hitherto given to the Minister to appoint quasis or judges who decided on divorces was given to the Judicial Services Commission by amendment Act No. 1 of 1965.

The present laws relating to civil registration in Sri Lanka were amended by the Births, Deaths and Marriages (amendment) Law No. 41 of 1975, wherein, it was provided to issue a free copy of the registration entry in the case of birth or death to the informant, and in the case of a marriage, to the female party.

The Registrar General and the Registrar General's Department

The post of Registrar General and the Registrar General's Department was created in the year 1864, firstly to carry out the duties in respect of land registration in the Island. Later in 1865 when comprehensive legislative arrangements were made, for the registration of births, deaths and marriages, these duties were also placed under the charge of the Registrar General. During Colonial times, the post of Registrar General was always occupied by a very senior member of the Ceylon Civil Service, who at times, had even acted for the Attorney General and piloted bills in the Legislative Council pertaining to his Department.

Administrative and organization structure

The Registrar General, with three Deputy Registrars General and eight Assistant Registrars General head the Central Organization of the Department whose office is situated in Colombo. The Department is decentralised at the District and Divisional level. Each Government Agent of the Administrative Districts, by virtue of office, is the District Registrar, and each Additional Government Agent, Assistant Government Agent, Office Assistant and extra Office Assistant is an Additional District Registrar. The functions of these officers so far as the work of the Registrar General's Department is concerned are very limited.

In addition to these officers, there are departmental Additional District Registrars who are in immediate charge of the district offices. These officers are designated as Registrars of Lands and Additional District Registrars as their duties, in addition to registration of marriages, births and deaths involve the registration of lands, control of Notaries and custody of Notarial deeds; a subject coming under the Registrar General's Department. The Registrar of Lands and Additional District Registrar, is the district level Head of the Department. A local Registrar, whose duty is to register marriages, births and deaths of the Division to which he is appointed, functions under the immediate supervision of the Additional District Registrar.

For purposes of registration of marriages, births and deaths, each administrative District is divided into several units each of which is called a Registration Division. A marriage registration division is generally co-terminus with a Divisional Assistant Government Agents Division. For a marriage registration division there can be more than one marriage registrar. A births and deaths registration division is a sub-division of a Divisional Assistant Government Agents Division; generally co-terminus with one or more Grama Seva Niladhari (Village-Officer) Division. Each births and deaths registration division can have only one Registrar who exercises exclusive jurisdiction over his division in the matter of registration of births and deaths. These registrars are also authorised to register marriages of their own divisions and in the larger marriage registration division within which their births and deaths registration divisions are situated. Registrars called Medical Registrars are appointed to certain proclaimed areas like Municipal, Urban, and Town Council areas to register births, deaths and still births.

Procedure for appointment of a Local Civil Registrar

Married persons of good repute and character and independent means of income and who have obtained the required educational qualifications are appointed as registrars of marriages, births and deaths. Applications are solicited through notices published in the Division and through advertisement published in the Government Gazette. The candidates are subjected to a public interview by an Interview Board at which representations can be made for or against the candidates. Thereafter on the basis of the interview, the District Registrar makes his recommendation to the Secretary in charge of the Ministry of Home Affairs. The Ministry in consultation with the concerned parties

such as the Members of Parliament of the area, selects the most suitable candidate and the final appointment is made by the Registrar General.

The Registrars are permanent residents of the area commanding some influence. They have a good knowledge of the area and have contacts with the people. They are in a position to get information regarding births and deaths occurring in their divisions. Moreover, people prefer to go to a known and respected person in the area for matters that concern them so personally, like a birth, death or marriage. The people can contact them even outside office hours. In the Sri Lankan society, the post of a Registrar of Marriages, Births and Deaths is regarded as a position of honour; hence the incidence of malpractice is minimal.

There are six categories of local civil registrars in Sri Lanka, who may be described as follows:

	<u>Number</u>
1. Salaried Medical Registrars of Births, Deaths, and Still Births who are appointed on a permanent and pensionable basis.	6
2. Non-salaried Medical Registrars of Births, Deaths, and Still Births.	54
3. Registrars of Births, Deaths, and Marriages.	855
4. Registrars of Births and Deaths.	77
5. Registrars of Marriages	134
6. Registrars of Muslim Marriages.	239
Total	<u>1,365</u>

Remuneration to Local Civil Registrars

As mentioned earlier, a registrar must be a person of good repute and character and 'independent means of income'. These essential qualifications are verified before a person is considered for appointment as a registrar. In the formal application for the post of registrar, an applicant is required to state his sources of income and whether he is free from pecuniary embarrassment. These stipulations are designed to make a registrar more independent and do his duty without being tempted to exact unauthorised fee or rewards from members of the public.

However, it is not the intention of the government to get free service from its Civil Registrars. The salaried Medical Registrars are appointed on a permanent and pensionable basis with fixed annual salaries and allowances for conveyance, clerical assistance and office accommodation together with a fee for issuing birth and death certificates. The other categories of registrars receive fees for the number of events registered plus allowances in respect of stationery and ink; office accommodation and a further sum calculated on the basis of the number of certificates issued. While the registrars are forbidden to charge any fee for the registration of births or deaths, they are allowed to receive approved fees from parties for registration of marriages.

Training and instructions for local Civil Registrars

At the very beginning of civil registration work in Sri Lanka, it was recognized that proper instructions and training should be given to the registrars if they were to perform their duties satisfactorily. This requirement has been enforced so rigorously from the early days, that a condition for a registrar's confirmation in his post even today is that he should pass, within six months of his appointment as a registrar, an examination designed to test his knowledge in the relevant registration laws and regulations and the procedures for the performance of his work. The probationary registrar is first given training in his duties at the District Registrar's Office and at the regional Medical Officer's Office. He is trained to write the cause of death in a death registration entry as required by the International Classification of Causes of Death.

A registrar's work is also periodically inspected by his immediate superior, the District Registrar, and at times, by the Registrar General himself and his Assistants. Seminars and meetings are also held at District level to impart to the registrars any new instructions that concern their work and refresh their knowledge about procedures. Manuals explaining the procedures to be followed in all their duties are issued to them at the time of their appointments.

Characteristics of the Civil Registration System

The system of civil registration in Sri Lanka covers the following events:

- (1) Live births
- (2) Deaths
- (3) Still births
- (4) Registration of Estate Births
- (5) General Marriages
- (6) Kandyan Marriages
- (7) Muslim Marriages
- (8) Kandyan Divorces
- (9) Muslim Divorces
- (10) Adoption of Children
- (11) Registration of births not duly register and issue of certificates of probable age.

Registration of Births

The law relating to registration of births and deaths applies to every inhabitant of Sri Lanka irrespective of race or religion. When a birth occurs, the father or mother, and in case the parents are unable to provide the information owing to some reasonable cause, the occupier of the house or building in which the child was born or each person present at the birth, or the person having charge of the child are bound by law to give information of the birth within 42 days of the date of birth to the Registrar of the Division in which the birth occurred. Information of a birth can be given to a registrar either personally in which case the informant has to sign the register of births in token of his having given the particulars concerning that birth, or by means of a written declaration made before two witnesses. Such a declaration should bear a stamp to the value of -/25 cts. Registration of a birth is effected by entering the specified particulars in a birth register in triplicate.

If information of a birth is not given to the Registrar within 42 days of the date of birth, the person bound by law to give information is liable to prosecution and on conviction to a fine of Rs. one hundred or to simple or rigorous imprisonment for a term not exceeding six months.

Though the law required that information of a birth should be given to a Registrar within 42 days of the date of birth, a birth can be registered free of charge within 3 months of the date of birth. After the lapse of 3 months, but before the lapse of 12 months of the date of birth, a birth can be registered only on the making of a written declaration by a qualified person having knowledge of the birth. The declaration is liable to a stamp duty of Rs. 1/-. If one year has lapsed from the date of birth, the declaration is liable to a stamp duty of Rs. 5/-. In respect of a declaration relating to a birth that has not been registered within 3 months of the date of birth, the mere making of a declaration will not suffice. The declarant should adduce evidence as to the correctness of the particulars stated in the declaration.

Registration of Deaths

Information of a death is required to be given to the Registrar of the Division in which the death occurred within 5 days of the date of death. The law casts the obligation of giving information of a death to a Registrar, on the nearest relatives present at death, or in attendance at last illness of the deceased and in the absence of such relative every other relative of the deceased dwelling or being in the same Registrar's division as the deceased and in the absence of such other relatives, each person present at death and occupier of the house in which the death took place. As in the case of births, information of a death too can be given to a Registrar either in person or by means of a written declaration bearing a stamp of -/25 cts. and made before two witnesses. If information of a death is not given to the Registrar within the stipulated period of 5 days, the persons on whom the obligation to give information is cast are liable to prosecution. However, a death can be registered free of charge within 3 months of the date of death. If it is not registered within 3 months, it can be registered afterwards on the making of a written declaration by any qualified person. Such declaration if made within a period of 12 months from the date of death should bear a stamp of Rs.1/-, and if made anytime thereafter should bear a stamp of Rs. 5/-. In the case of sudden death, registration is effected upon a certificate issued by an Enquirer into Sudden Deaths. The cause of death is entered according to the International Classification of Causes of Death. A death is registered in triplicate.

Registration of Still Births

Still births occurring in proclaimed Medical Registrars Divisions, such as Municipal, Urban and Town Council areas are registered for statistical purposes.

Registration of Estate Births and Deaths

As stated earlier, births and deaths occurring in a division are generally registered by the Registrar of the division in which the birth or death took place. However, births and deaths that occur on estates scheduled under the Medical Warrants Ordinance are registered by the District Registrar of the District in which the estates are situated. The Superintendent of each estate is required by law to report every birth and death that occurs in the estate to the District Registrar of the district in which the estate is situated. As it is difficult for a Superintendent to give verbal information of each event, each Superintendent is supplied with report forms which he fills up and sends to the District Registrar.

The scheme of registration of births and deaths may be summarised as follows:

(1) All births and deaths occurring in private hospitals, nongovernment institutions, nursing homes, and houses, etc., have to be registered upon the information of a qualified informant. As a check, the Grama Sevaka Niladhari (Village Officer) is required by law to report to the Registrar the occurrence of every birth and death in his division; (except in certain areas). A registrar will not register a birth or death solely on the village officer's report, but would contact the parent, nearest relative, or other responsible party to have them register the event in the approved manner. Thus, a dual reporting system operates to minimize the occurrence of unregistered events. Private hospitals and nursing homes are required to furnish weekly returns of births and deaths to the appropriate Registrars. This is done to ensure that no event escapes registration.

(2) In respect of events occurring in all government hospitals and institutions, the Medical Officer in-charge is by law required to give the information to Registrars.

(3) In respect of all births and deaths occurring in estates, qualified informants should inform the Superintendents of Estates who are required to ensure that a report relating to each event is sent to the District Registrar to enable him to register the event.

Registration of Marriages

Registration of marriages in Sri Lanka is governed by three separate laws:

- (a) The (general) Marriage Registration Ordinance
- (b) The Kandyan Marriage and Divorce Act
- (c) The Muslim Marriage and Divorce Act.

The majority of the population are subject to the (general) Marriage Registration Ordinance. The Muslims are subject to the Muslim Marriage and Divorce Act, while the Kandyan Sinhalese have the option of getting married either under the Kandyan Marriage and Divorce Act, or under the (general) Marriage Registration Ordinance. A non-Muslim cannot get married under the Muslim Marriage and Divorce Act nor can a non-Kandyan get married under the Kandyan Marriage and Divorce Act.

General Marriages

Parties of any race or creed other than Muslims may marry under the (general) Marriage Registration Ordinance. Under this law a marriage cannot be contracted between a male less than 16 years of age and a female less than 12 years, or if a daughter of European or Burgher parents 14 years of age; and between certain types of relations. No person less than 21 years of age, other than a widower or a widow or a divorced person, is permitted to marry without the consent of a parent or guardian. No marriage can be solemnized under the law until notice of the intended marriage is duly given after the prescribed period of residence is acquired and the Registrar's certificate is obtained, either after the lapse of the prescribed period of 12 clear days or on a special license issued by a District Registrar or by a Divisional Registrar. Marriages under this law are solemnized and registered either by Registrars or solemnized by Ministers of Christian religion in churches. If a marriage is solemnized in a church, the minister solemnizing the marriage writes down in duplicate the necessary particulars concerning that marriage and sends the duplicate statement to the District Registrar of the district in which the marriage was solemnized. The District Registrar who receives

the statement registers the particulars mentioned in the statement in his district marriage register book.

Kandyan Marriages

Persons subject to Kandyan Law should have their marriages registered either under the Kandyan Marriage and Divorce Act or under the (general) Marriage Registration Ordinance. Any marriage between persons subject to Kandyan law which is not registered under either of these laws is invalid. No valid marriage can be contracted under the Kandyan Marriage and Divorce Act between a male who has not completed 16 years of age and a female under 12 years of age; and between certain types of relations. No male under 18 years of age and no female under 16 years of age can get married under this law without the consent of the parents or guardian. No marriage can be registered until notice of the intended marriage is duly given after the prescribed period of residence is acquired and the Registrar's certificate is obtained either after the lapse of the period of 12 clear days or on a 'special license' issued by a District or Divisional Registrar.

Muslim Marriages

Parties professing the Muslim faith are subject to the Muslim Marriage and Divorce Act in the matter of their matrimonial affairs. Registration of marriages is compulsory for Muslims. Notice of marriage is not necessary under this law but the bridegroom and the wali or the guardian of the bride have to make certain declarations before the registration of a marriage. Registration of Muslim Marriages are done by Registrars of Muslim Marriages and is always, preceded by a religious ceremony known as the 'Nikah' ceremony.

Divorces (general)

Dissolutions of marriages of persons married under the (general) Marriage Registration Ordinance are done through the District Courts. The Registrar General does not register these divorces separately. However, the District Judges are required to send a return of divorces granted by them quarterly to the Registrar General. The statistics of divorces are derived from these returns.

Divorces (Kandyan)

Persons married under the Kandyan Marriage and Divorce Act can have their marriages dissolved before a District Registrar. The application for dissolution can be made only on certain grounds. When a divorce is granted after inquiry, the divorce is registered in a divorce register kept by the District Registrar.

Divorces (Muslim)

Divorces of Muslims and their other matrimonial disputes are adjudicated by Muslim 'judges' designated as "Quasis" and such divorces allowed by them are registered in their divorce registers.

Adoption of Children

Adoption of children is governed by the Adoption of Children Ordinance, (Cap. 61) as amended by the Adoption of Children (Amendment) Law No. 6 of 1977. Any person desirous of being authorised to adopt a child can make an application to the appropriate court. A child means a person under the age of 14 years. Upon the court making an order of adoption, it is registered in the register maintained at the Registrar General's Office. Certified copies thereof can be obtained on making an application. Where the adoption order authorises two spouses jointly to adopt a child, it is open to such spouses to make an application to the Registrar General, in the prescribed form, for the re-registration of the birth of that child by the insertion of the names and other particulars of such spouses as the natural parents of that child. Every such application should bear a stamp to the value of Rs.5/- and can be made before the Registrar-General, Assistant Registrar General or a Justice of the Peace.

Registration of births not duly registered and issue of Certificates of Probable Age

It is appreciated that considerable hardship is caused to persons who are sitting examinations or seeking employment, when they find that their births have not been registered and they cannot therefore obtain birth certificates. The Registrar General's Department takes all possible steps to facilitate registration of every birth but cannot always assure registration if parents and others

qualified to give information withhold information of birth from the Registrar. It may be stated that the primary responsibility for nonregistration is that of the parent or other person on whom lay the obligation to furnish the information.

It is in the public interest that records of the Registrar-General's Department should be completely reliable and the courts and the public should continue to have confidence in the accuracy and reliability of the facts recorded in the records of the Department. However sympathetic the attitude taken by the Department may be, registration cannot, therefore, be made many years after the event, without adequate proof of the particulars required for registration. As time passes, the registration of the event becomes more difficult as evidence required to establish the particulars essential for registration will be more difficult to procure.

Where a birth has not been registered within one year of occurrence, a qualified person should furnish a written declaration on a Rs.5/- stamp setting out fully all particulars required for registration. The declaration should be signed before a District Registrar or a Justice of the Peace or a Commissioner of Oaths. The perfected declaration, together with all supporting documents, should be sent to the District Registrar of the district in which the birth occurred. Necessary inquiries will then be made and the birth registered if the evidence adduced justifies registration; if however, registration cannot be effected for some reason, the applicant will be issued by the Registrar General a Certificate of Probable Age which will be valid for all education and employment purposes.

Other facilities provided by the Registrar General's Department

Registration of marriages, births and deaths occurring outside Sri Lanka

Under the Consular Functions Act No. 4 of 1981, there is provision for registration of marriages, births and deaths of citizens of Sri Lanka occurring in countries where a Sri Lanka diplomatic or Consular Officer is appointed.

Alteration or insertion of names in birth registers

A birth is sometimes registered without a name being given to the child. Sometimes the name entered in the birth registration entry is subsequently altered for some reason or other. In such cases provision exists to have the name inserted in the birth register, if a name is not already entered; or for having the name already entered in the entry altered to a new name.

Correction of errors in birth and death registers

There are two types of errors in birth and death registration entries. They are clerical errors and errors of fact or substance. Clerical errors can be corrected without any formality. If it is desired to correct an error of fact or substance in a birth or death registration entry, a written declaration stating the nature of error or errors and correction desired should be furnished by the person upon whose information the birth was registered or by any credible person having knowledge of the truth of the case. When it is desired to rectify the entry relating to race of the father in a birth registration entry, application should be made by the parent or guardian, or a person aggrieved, to the District Court of the district in which the birth occurred.

Records

One of the principal functions of the Department involves record making and record preservation. Every registration of a marriage, birth or death is done in triplicate in a register containing 100 folios. The register containing the completed original folios is filed in the District Registrar's Office. The completed duplicate folios are detached from the register and sent to the Central Record Room of the Registrar General's Department where they are bound into volumes of conventional size, each generally containing between 250 to 300 folios and preserved. The third copy is issued free of charge to the informant in case of a birth or a death, and to the female party in the case of a marriage or divorce. Whenever it is observed that a record of birth or death is damaged or is in danger of becoming illegible, such records are reconstructed and the damaged entries are replaced with the reconstructed entry. Legal provision exists for such action. A scheme of microfilming some of the records is now underway with the help of a voluntary organization.

¹See IIVRS Chronicle, No. 64, December 1988 for details on procedure for late registration in Sri Lanka.

Issue of marriage, birth and death certificates

When a person requires a marriage, birth or death certificate he must first obtain an application form which can be had from any District Registrar's Office, or from any Registrar of Marriages, Births and Deaths or Grama Sevaka Niladhari (Village Officer) in the island. The application should be correctly filled, uncanceled stamps affixed as instructed in the form and transmitted to the District Registrar of the district in which the marriage, birth or death took place. Handwritten certificates were issued till recently, but the process is now mechanized with the introduction of photocopying machines.

Compilation and statistical processing

The Local Registrar, at the time of registering a marriage, or birth or death is required to enter under classified heads all particulars regarding that event in a return which should be sent to the District Registrar before the 10th of the month together with all the duplicate registration entries registered during the previous month. At the District Registrar's Office, these returns and duplicates are checked for their accuracy and the returns dispatched to the Vital Statistics Branch of the Registrar General's Office. The Vital Statistics Branch is headed by a qualified and trained Statistician under whose supervision and guidance all work relating to compilation and processing of statistical data are done. The compilation and issuance of all statistics in the Island were originally the responsibility of the Registrar General when his post carried the responsibilities of several more departments including that of the Commissioner of Census and Statistics as well.

The uses of the civil registration records in Sri Lanka

In Sri Lanka a wide range of uses is being made of its civil registration records both in the administrative field and in the legal sphere.

Birth certificates--For the individual, the earliest need for a birth certificate arises when seeking admission to a school at the minimum approved age of five and a half years. No child is admitted to a school in Sri Lanka without the birth certificate. An earlier scheme of distributing infant milkfoods at subsidised prices was in operation, and this concession was available only to infants who were citizens. The document that was verified to ascertain the age and the citizenship of the recipient of this benefit was the birth certificate. While at school, the information in the birth certificate with regard to the date of birth and the name is often relied on for purposes such as sports competitions, talent competitions and entrances to examinations. Government service in Sri Lanka is conditional to a stipulated minimum age at recruitment and a similar maximum age at retirement. Both these requirements are substantiated with an official birth certificate. Under the Motor Traffic Act, a person who is over the age of eighteen years and who is otherwise qualified and competent could obtain a driver's license. The birth certificate is necessary to verify the age of applicant. Issue of passports to citizens is conditional to proof of citizenship, age, and other particulars through compulsory production of birth certificates. The most important democratic right, to vote and to stand for election is a constitutional guarantee to citizens of Sri Lanka above the age of eighteen years. Authorities responsible for compiling lists of eligible voters could call upon the individual for the production of birth certificates. Under the provisions of the Finance Act, verification of the birth certificate is necessary in order to ascertain citizenship of buyers of land and property whose status as citizens is doubtful, since non-citizens have to pay enhanced taxes.

Marriage certificates--In matters of tax relief, housing loans, and social security benefits, production of the marriage certificate is necessary, if concessionary treatment is desired. The marriage certificate is one of the basic documents that has to be submitted in applying for Sri Lanka citizenship for a non-national spouse of a citizen under the Citizenship Act.

Death certificates--Several ordinances and statutes of Sri Lanka compel the production of the death certificate before benefits or rights accruing to persons under those statutes can be granted. The Workmen's Compensation Ordinance, Life Insurance Laws, Widows' and Orphans' Pension Fund and the Estate Duty Ordinance are some of the significant statutes under which cases involving payments, grants or benefits to deceased persons can be decided only when death certificates are produced.

The prevalence of laws that compels the production of marriage, birth and death certificates for the fulfilment of various needs of the people has tremendously influenced the timely registration of all vital events in Sri Lanka.

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