

**THE BIRTHS AND DEATHS REGISTRATION  
(AMENDMENT) ACT 1968**

**No. 26 of 1968**

*Date of Assent: 27th April 1968*

*Date of Commencement: 3rd May 1968*

**An Act of Parliament to amend the Births and Deaths Registration Act to provide for the registration of births and deaths occurring abroad, and to make a minor amendment to the Act**

ENACTED by the Parliament of Kenya, as follows:—

Short title.

**1.** This Act may be cited as the Births and Deaths Registration (Amendment) Act 1968.

Amendment of section 2 of Cap. 149.

**2.** Section 2 of the Births and Deaths Registration Act (hereinafter referred to as the principal Act) is amended by inserting immediately after the word “area” which appears in the definition of “registrar” the words “or to register births and deaths occurring outside Kenya”.

Amendment of section 5 of principal Act.

**3.** Section 5 of the principal Act is amended by adding at the end thereof the words “and a fit and proper person to be the registrar of births and deaths occurring outside Kenya”.

Amendment of section 7 of principal Act.

**4.** Section 7 of the principal Act is amended by renumbering it as subsection (1) thereof, and by adding thereafter a new subsection as follows—

(2) The registrar appointed to register births and deaths occurring outside Kenya shall keep a register of births occurring outside Kenya and a register of deaths occurring outside Kenya.

Insertion of new section 10A in principal Act.

**5.** There shall be inserted in the principal Act, immediately after section 10 thereof, a new section as follows—

Mode of registration of births occurring abroad.

10A. (1) A person notifying the birth outside Kenya of a child who is a citizen of Kenya shall produce to the registrar the following evidence of the birth—

(a) firstly, either—

(i) a certificate of birth issued by the appropriate authority in the country

abroad, with an English translation of the certificate if it is not in English;

(ii) if certificates of birth are not issued in the country abroad, a certificate of the birth given by the doctor, midwife or other person who attended the birth; and

(b) secondly, either—

(i) if there is a Kenya Mission in the country abroad, a certificate of a member of the Mission that he is satisfied, from evidence produced to him and inquiries which he has made, that the particulars of the birth given in the birth certificate are correct; or

(ii) if there is no Kenya Mission in the country, such other evidence as the registrar may require;

and the person notifying the birth shall certify in writing to the registrar the correctness and authenticity of the evidence which he produces.

(2) Upon receiving the evidence required by subsection (1) of this section to be produced, the registrar shall forthwith enter the prescribed particulars of the birth in the register of births occurring outside Kenya.

6. There shall be inserted in the principal Act, immediately after section 16 thereof, a new section as follows—

Insertion of  
new section 16A  
in principal  
Act.

Mode of  
registration  
of deaths  
occurring  
abroad.

16A. (1) A person notifying the death of a citizen of Kenya outside Kenya shall produce to the registrar the following evidence of the death—

(a) firstly, either—

(i) a certificate of death issued by the appropriate authority in the country abroad, with an English translation of the certificate if it is not in English; or

(ii) if certificates of death are not issued in the country abroad, a certificate

of the death given by the medical attendant or other person who attended the death; and

(b) secondly, either—

(i) if there is a Kenya Mission in the country abroad, a certificate of a member of the Mission that he is satisfied, from evidence produced to him and inquiries which he has made, that the particulars of the death given in the death certificate are correct; or

(ii) if there is no Kenya Mission in the country, such other evidence as the registrar may require;

and the person notifying the death shall certify in writing to the registrar the correctness and authenticity of the evidence which he produces.

(2) Upon receiving the evidence required by subsection (1) of this section to be produced, the registrar shall forthwith enter the prescribed particulars of the death in the register of deaths occurring outside Kenya.

Amendment of sections 18 and 19 of principal Act.

7. Sections 18 (1) and 19 (1) of the principal Act are each amended by inserting immediately after the word “death”, where it first appears therein, the words “occurring in Kenya”.

Amendment of section 28 of principal Act.

8. Section 28 (1) of the principal Act is amended by inserting therein, immediately after the word “error”, the words “or omission”.

Amendment of section 29 of principal Act.

9. Section 29 of the principal Act is amended by inserting therein, immediately after paragraph (c) thereof, a new paragraph as follows—

(ca) the registration of births and deaths of citizens of Kenya occurring outside Kenya;.