

REGULATIONS MADE IN TERMS OF

Births, Marriages and Deaths  
Registration Act 81 of 1963

section 50

General Regulations

Government Notice 214 of 1987

([OG 5480](http://www.lac.org.na/laws/1987/og5480.pdf))

came into force on 1 January 1988 (GN 214/1987)

The Government Notice which promulgates these regulations repeals   
RSA GN R.1737/1971 and RSA GN R.2385/1975, as well as any amendments thereof.

as amended by

Government Notice 128 of 2001 **(**[GG 2564](http://www.lac.org.na/laws/2001/2564.pdf)**)**

came into force on date of publication: 2 July 2001

Government Notice 214 of 2013 **(**[GG 5264](http://www.lac.org.na/laws/2013/5264.pdf)**)**

came into force on date of publication: 15 August 2013

Government Notice 137 of 2018 **(**[**GG 6647**](http://www.lac.org.na/laws/2018/6647.pdf)**)**

**came into force on date of publication: 13 July 2018**

Government Notice 154 of 2021 **(**[**GG 7**](http://www.lac.org.na/laws/2021/7583.pdf)**583)**

**came into force on date of publication: 19 July 2021**

and as read together with

Government Notice 52 of 2014 **(**[GG 5444](http://www.lac.org.na/laws/2014/5444.pdf)**)**

came into force on date of publication: 11 April 2014

This notice prescribes forms in terms of regulation 2(a)(iii), which it erroneously refers to as regulation 2(iii);

GN 27/2014 (GG 5425) also prescribed forms in terms of this regulation, but was withdrawn by GN 49/2014 (GG 5439).

as amended by

Government Notice 173 of 2016 **(**[GG 6088](http://www.lac.org.na/laws/2016/6088.pdf)**)**

came into force on date of publication: 1 August 2016;

This notice erroneously states that it is amending the regulations contained in GN 214/1987   
when in fact it amends the forms prescribed in GN 52/2014. It also erroneously states that   
previous amendments were made to the regulations by GN 27/2014 (GG 5425); in fact, GN 27/2014 prescibed   
forms without amending the regulations referred to, and was withdrawn and replaced by GN 52/2014.

ARRANGEMENT OF REGULATIONS

1. Definitions

2. Powers and duties of the Secretary, Registrar and Assistant Registrar

3. Prescribed notice or information

4. District or area of registration of a birth

5. Duty of informant

6. Filling in of forms

7. Reregistration of birth

8. Multiple births

9. Death shortly after birth

10. Completion of birth registers and death registers

11. Errors in birth registers and death registers

12. Double registrations

13. Forms which cannot immediately be completed

14. Issuing of certificates and orders

15. Returns

16. Removal orders

17. Burial registers

18. Returns in terms of the Merchant Shipping Act, 1951, and section 38A of the Act

19. Inquiries in terms of section 13 of the Act

20. Duties of marriage officer

21. Certificates of marriage solemnized outside the Republic

22. Mistakes in marriage register

**Definitions**

**1.** In these regulations, unless the context otherwise indicates, words and phrases shall have the meaning assigned thereto in the Act, and -

(i) “form of information” shall mean the form prescribed for giving information concerning a birth, still-birth or death;

(ii) “informant” shall mean, in relation to any information concerning a birth, still-birth or death, any person upon whom a duty to furnish such information to the registrar, assistant registrar, police officer or justice of the peace is imposed under the provisions of the Act or section 189 of the Merchant Shipping Act, 1951 (Act 57 of 1951);

(iii) “marriage officer” shall mean a marriage officer referred to in the Marriage Act, 1961 (Act 25 of 1961);

(vi) “the Act” shall mean the Births, Marriages and Deaths Registration Act, 1963 (Act 81 of 1963).

**Powers and duties of the Secretary, Registrar and Assistant Registrar**

**2.** The powers and duties of -

(a) the Secretary shall be, namely -

(i) to control and supervise the registration of births, marriages and deaths;

(ii) to issue directions in connection with the registration of births, marriages and deaths;

(iii) to prescribe any form, certificate, certified extract, notice or register to be used in connection with the registration of births, marriages and deaths and announce it by notice in the *Gazette*;

[subparagraph (iii) substituted by GN 214/2013]

(iv) to prescribe the correction or alteration of and addition to any forms, certificates, notices or registers or any forms, certificates, certified extracts, notices or registers deemed to have been prescribed under the Act;

(v) to prescribe the disposal, safe custody and preservation of such forms, certificates, notices or registers;

(vi) to examine any form, register, return or document and to amend, correct or complete it in accordance with the Act and these regulations,

[The comma after the word “regulations” at the end   
of paragraph (vi) should be a semicolon.]

(vii) to call for any documentary proof as he may deem necessary;

(viii) to receive and control requisitions for prescribed forms, registers and documents required by the registrar; and

(ix) to cause indexes to be compiled of all birth, marriage and death records in his custody;

(b) the registrar shall be, namely -

(i) to transcribe from the forms of information into the birth register and death register, as the case may be, all such particulars as are provided for in the relevant register;

(ii) to furnish assistant registrars, justices of the peace, police officers, medical practitioners and midwives in his district or area with all prescribed forms and other documents required by them for the execution of their duties under the Act;

(iii) to receive and forward to the Secretary any application made under the Act or these regulations;

(iv) to sign the birth register and death register at the bottom of every page;

(v) to draw up indexes for the birth register and the death register;

(vi) to supervise and control, subject to the lawful directions of the Secretary, the registration of births, still-births and deaths in his district or area and all officers in his district who are angaged in carrying out the provisions of the Act and these regulations;

[The word “engaged” in the phrase “engaged in carrying”  
is misspelt in the *Official Gazette*, as reproduced above.]

(vii) to keep a list of all assistant registrars in his district or area and to advise the official responsible for the appointment of assistant registrars of any change in such personnel; and

(viii) to send to the Secretary by registered post, on the last working day of each week, all forms of information received by him and all certificates and other documents pertaining thereto;

(c) the assistant registrar shall be, namely -

(i) to receive and forward applications made under the Act or these regulations to the registrar of the district of area concerned; and

(ii) to send to the registrar of his district or area on the last working day of each week by suitable postal or other communication, all completed forms of information, certificates and other documents and returns relating thereto; and

(d) both the registrar and the assistant registrar shall be, namely -

(i) to ascertain and thoroughly acquaint himself with the boundaries of the district or area in respect whereof he has been appointed and the boundaries of any urban area within such district or area;

(ii) to furnish the required prescribed forms to informants and, where necessary, assist with the completion thereof;

(iii) to number forms of information consecutively in order of the date of receipt, and

[The comma before the word “and” should be a semicolon.]

(iv) to preserve and keep in safe custody all books, registers and completed documents and forms to which the Act and these regulations refer.

**Prescribed notice or information**

**3.** The prescribed notice or information concerning any birth, still birth or death may be given either verbally or in writing on the appropriate prescribed form duly delivered by hand or prepaid post to the registrar, assistant registrar, police officer or justice of the peace, as the case may be.

[The term “still birth” should appear as one word (“stillbirth”).]

**District or area of registration of a birth**

**4.** When in the case of the proviso to section 19 of the Act the father or mother of the child is resident in an area other than that in which the birth occurred, and that father or mother has furnished the prescribed notice or information to the registrar or assistant registrar in whose area his or her residential address is, such registrar or assistant registrar shall sign and date the form of information and forward it to the registrar of the district or area in which such birth occurred who shall then register such event in the ordinary manner.

**Duty of informant**

**5.** (1) Any informant shall as far as possible furnish all the particulars relating to a birth, stillbirth or death on the relevant form of information.

(2) Except where in section 10 of the Act it is determined otherwise such particulars shall, similarly be furnished in the case of the birth of an illegitimate child.

**Filling in of forms**

**6.** (1) Any entry made in terms of the Act and these regulations on any form, register, certificate or other document shall be written out in full without abbreviations and may be typewritten or written by hand in black ink: Provided that any date, unless otherwise stated, may be written in full in figures.

(2) The signature or mark of an informant shall be made by the informant only and shall be his ordinary signature or mark.

(3) The registrar or assistant registrar shall witness the signature or mark of an informant furnishing verbal information at the office of the registrar or assistant registrar.

(4) When such signature is in a foreign script or illegible, or if the informant has signed the form of information with a mark, the person completing the form shall write the name indicated by such signature or mark in block letters in ordinary writing above or underneath such signature or mark.

**Reregistration of birth**

**7.** With reregistration of a birth as contemplated in section 11 of the Act no reference shall be made to the previous registration on the new form.

[A comma should appear after the word “Act”,   
to offset the opening phrase properly.]

**Multiple births**

**8.** If a woman be delivered of more than one child at a single confinement, the information concerning the birth of each child shall be furnished on a separate form of information and the exact time (if known) of each birth shall be recorded on such form.

**Death shortly after birth**

**9.** If a child is born alive, but dies shortly after birth, forms of information of birth as well as death shall be completed.

**Completion of birth registers and death registers**

**10.** (1) Any birth register and death register, as the case may be, shall be completed in full: Provided that in the case of a still-birth only the full names (if any) of the child, the full names of the father, or of the mother if the child is illegitimate, the date of birth and sex of the child and the word “still-birth” shall be recorded in the death register.

(2) Entries in the birth register and death register, as the case may be, shall be made in the order of the date of registration.

**Errors in birth registers and death registers**

**11.** (1) Before the registrar transcribes any information into any birth register or death register, he shall carefully examine the form of information and, if necessary, amend the contents thereof in accordance with the Act and these regulations.

(2) Any error in any birth register or death register shall be corrected by only drawing a line in ink through the erroneous word, letter or figure and inserting the correct word, letter or figure above it.

(3) An obvious or negligent error or omision, excluding any error or omission referred to in subregulation (4), in any such form or register shall be corrected or completed by the registrar or assistant registrar who shall initial and date such correction or completion.

[The word “omission” is misspelt in the *Official Gazette*, as reproduced above.]

(4) If any error or ommission occurs on any such form or register -

[The word “omission” is misspelt in the *Official Gazette*, as reproduced above.]

(a) in the case of any birth, in connection with -

(i) the names of the child or of the parents;

(ii) the sex of the child;

(iii) the date of birth of the child; or

(b) in the case of any death, in connection with -

(i) the names of the deceased;

(ii) the sex of the deceased;

(iii) the age of the deceased;

(vi) the marital status of the deceased;

(v) the date of death,

(aa) the correction or completion of such error or omission, as the case may be, shall be initialled and dated by the informant and the registrar or assistant registrar concerned; or

(bb) if such informant is not able to personally initial such correction or completion, he shall give written permission thereto; and

(cc) such written permission shall be attached to the form or register concerned.

**Double registrations**

**12.** (1) If any birth, still-birth or death has been registered twice, the registrar or assistant registrar concerned shall, if the relevant forms of information are still in his possession, cancel the form found to be incorrect, or the second form if they are identical, and make a reference on both forms to one another and attach such forms to one another.

(2) The Secretary shall determine which form is to be cancelled if such registrations are discovered after the relevant forms have been forwarded to the Secretary.

**Forms which cannot immediately be completed**

**13.** (1) Any form of information which cannot be completed forthwith in terms of the provisions of section 5 of the Act or these regulations shall be held back by the registrar for a maximum period of one month.

(2) If after expiry of such period it is still found impossible to obtain the prescribed particulars required to complete such form, such registrar shall register the form, forward it to the Secretary and advise the latter of his inability to obtain the necessary information.

(3) If the required information is received after such form has been forwarded to the Secretary, the registrar shall enter the additional particulars in the register concerned and forward such additional particulars to the Secretary to be filled in on such form.

**Issuing of certificates and orders**

**14.** (1) No person shall in respect of a birth, still-birth or death of which he is the informant or a marriage to which he is a party, issue or sign a birth certificate, proof of registration of a birth, burial order, removal order, death certificate or marriage certificate, as the case may be.

(2) The registrar shall on receipt of a form of information or when a search has been made, issue an abridged birth or death certificate on the prescribed forms.

(3) The Secretary, registrar, marriage officer or magistrate may issue upon receipt of a written application for a search to be made in any register as contemplated in section 42(1) of the Act -

(a) an abridged birth certificate;

(b) a full birth certificate;

(c) an abridged marriage certificate;

(d) a full marriage certificate;

(e) an abridged death certificate, or

[The comma before the word “or” in paragraph (e) should be a semicolon.]

(f) a full death certificate,

as the case may be, on the prescribed forms.

(4) The Secretary or any official authorised thereto by him may—

(a) issue any certificate referred to subregulation (3) to government departments of the Republic of South Africa or any foreign country if in his opinion such certificate is required for official purposes;

(b) at any time demand the return of any certificate referred to in subregulation (3) if he suspects that it has been tampered with or that the conditions on which it was issued have not been complied with.

(5) In the case of a still-birth an abridged birth certificate may be issued with the words “Certificate of Still-birth” affixed thereon.

(6) Any birth certificate, marriage certificate or death certificate shall be issued without any amendments.

(7) A fee specified in Column 2 of the Table is payable for the issue of a certificate or the making of an application specified in Column 1 directly opposite that fee:

**Table**

|  |  |
| --- | --- |
| **Column 1** | **Column 2** |
| **Certificate or Application** | **Fee (N$)** |
| Birth Certificate (first time application) | Free |
| Duplicate Birth Certificate | 1st dupl. 100  2nd dupl. 200  3rd dupl. 300  4th dupl. 400  5th dupl. or any additional dupl. 500 |
| Death Certificate (first time application) | Free |
| Duplicate Death Certificate | 1st dupl. 100  2nd dupl. 200  3rd dupl. 300  4th dupl. 400  5th dupl. or any additional dupl. 500 |
| Correction on death record and issuance of corrected death certificate (If the mistake is attributed to client) | 100 |
| Marriage Certificate (first issuance) | Free |
| Duplicate Marriage Certificate | 1st dupl. 100  2nd dupl. 200  3rd dupl. 300  4th dupl. 400  5th dupl. or any additional dupl. 500 |
| Correction on marriage record and issuance of corrected marriage certificate (If the mistake is attributed to client) | 100 |
| Change of surname  *(This excludes costs for advertisements in the newspaper and the Government Gazette)* | 500 |
| Correction of birth certificate (If the mistake is attributed to client) | 200 |
| Correction of parents’ particulars  (If the mistake is attributed to client) | 200 |
| Re-registration (insertion of father’s particulars for per- sons 6 years old and above) | 200 |
| Alteration of surname - for minors | 200 |
| Change of first names | 200 |
| Application for old South West Africa (SWA) record | 100 |

[subregulation (7) inserted by GN 128/2001 and

substituted by GN 137/2018 and by GN 154/2021]

**Returns**

**15.** (1) The person in charge of any hospital, maternity home, nursing home, orphanage or similar institution shall, when called upon to do so, furnish the registrar or assitant registrar of the district or area in which such institution is situated, weekly with a return of all births, still-births and deaths that occurred at such institution.

[The word “assistant” is misspelt in the *Official Gazette*, as reproduced above.]

(2) Such return shall state -

(a) in the case of a birth or still-birth, the date thereof and the name and address of the mother; and

(b) in the case of a death, the date thereof and the full names and identity number of the deceased or, if the identity number is not available, his date of birth.

**Removal orders**

**16.** (1) No removal order shall be granted in terms of section 29 of the Act unless the prescribed form of information in respect of the death of the deceased whose body is to be removed, has been duly completed and handed to the registrar, assistant registrar or police officer, as the case may be.

(2) Any person who removes or causes the removal of a body from the district or area in which the deceased has died shall, unless he is in possession of the prescribed removal order, be guilty of an offence.

**Burial registers**

**17.** The person referred to in section 14 of the Act shall enter into the burial register, in addition to any other particulars which may be required by any urban local authority, the full names and surname of the deceased, sex, last-known address, population group, date of death, date of burial, cause of death, the date and place of issue of the burial order or, if no burial order is produced, the name and address of the clergyman or undertaker.

**Returns in terms of the Merchant Shipping Act, 1951, and section 38A of the Act**

**18.** (1) The registrar shall upon receipt of a return referred to in section 189 of the Merchant Shipping Act, 1951 (Act 57 of 1951), or section 38A of the Act, transcribe the prescribed particulars into the registers concerned and include such returns with the forms of information and other documents which are to be forwarded to the Secretary at the end of each week.

(2) The registrar shall, for the purpose of subregulation (1), on receipt of an application in writing, issue a birth certificate or death certificate, as the case may be, on the prescribed form.

**Inquiries in terms of section 13 of the Act**

**19.** (1) In the case of an inquiry or trial in terms of the provisions of section 13 of the Act, the registrar of the Supreme Court or the clerk of the court concerned shall complete the prescribed form and furnish the following additional particulars, namely -

(a) in the case of a death form natural causes, the nature of the disease, in so far as it has been ascertained, and if a medical practitioner was a witness, as described by such medical practitioner; and

(b) in the case of death from unnatural causes -

(i) if the information is available, whether the injury causing the death is the result of homicide, suicide or accident;

(ii) the nature of the injury; and

(iii) the means whereby or instrument with which the injury was inflicted and the special circumstances, if any, under which the injury was sustained.

(2) If the corpse has not been recovered the words “Body not recovered” shall be added to such particulars.

(3) (a) Any policeman referred to in section 13A(1) of the Act shall as soon as possible complete the prescribed form in respect of the death of a person presumably caused by other causes than natural causes, in triplicate.

(b) Such policeman shall keep the original form with his records and forward the two copies to the magistrate of the district in which the death occurred.

(c) The magistrate shall complete the portions of such form pertaining to him, keep one copy with his records and forward the other one to the registrar concerned.

(4) (a) The registrar shall enter the particulars furnished on the forms referred to in subregulations (1) and (3) in the death register, endorse such entry with the words “Provisional Notification” and keep such forms with his records.

(b) On receipt of such forms the registrar shall issue a provisional death certificate.

(6) (a) On receipt of further particulars at completion of the inquest or other inquiry referred to in section 13 of the Act, the registrar shall enter any additional particulars in respect of the “Provisional Notification” in the death register and, if necessary, alter any particulars already entered to conform with those furnished on such further form.

(b) The registrar shall thereafter delete the words “Provisional Notification” in the death register and forward all the forms concerned to the Secretary.

(7) The registrar shall, on written application, issue a final death certificate.

**Duties of marriage officer**

**20.** (1) Any marriage officer shall after the signing of the register referred to in section 40 of the Act, complete the prescribed marriage certificate and hand it over to one of the spouses concerned.

(2) Any marriage officer shall preserve and keep in safe custody all forms, registers and marriage certificates supplied to him and all completed registers and other documents in his possession.

**Certificates of marriage solemnized outside the Republic**

**21.** (1) If a South African citizen who is ordinarily resident in the territory of South West Africa, marries in a country outside the Republic according to the laws of such country, such person shall, within 60 days of the date of such marriage, furnish the Secretary with a marriage certificate issued by the authorities of such country.

(2) The Secretary shall keep every such certificate received by him and issue a marriage certificate to such person.

**Mistakes in marriage register**

**22.** (1) Every correction or completion in a marriage register shall be initialled by the marriage officer who solemnized the marriage concerned.

(2) (a) Such correction or completion shall also be initialled by one or both spouses, if they are readily available and can be traced within one month from the date of solemnization of the marriage.

(b) If the spouses concerned are not available, the marriage officer shall indicate on such marriage register that the spouses cannot be traced and that he has effected the rectification to the best of his knowledge and ability.

(3) Any document which gave rise to the rectification shall be attached to the original marriage register.

(4) Any error in any marriage register shall be corrected by only drawing a line in ink through the wrong word, letter or figure and inserting the correct word, letter or figure above it.

Forms and Certificates

Government Notice 52 of 2014

**(GG 5444)**

came into force on date of publication: 11 April 2014

This notice prescribes forms in terms of regulation 2(a)(iii), which it erroneously refers to as regulation 2(iii);

GN 27/2014 (GG 5425) also prescribed forms in terms of this regulation, but was withdrawn by GN 49/2014 (GG 5439).

as amended by

Government Notice 173 of 2016 **(GG 6088)**

came into force on date of publication: 1 August 2016;

This notice erroneously states that it is amending the regulations contained in GN 214/1987   
when in fact it amends the forms prescribed in GN 52/2014. It also erroneously states that   
GN 27/2014 (GG 5425) amended the same regulations, making no reference to the fact that   
GN 27/2014 was withdrawn and replaced by GN 52/2014.

**ARRANGEMENT OF ANNEXURES**

Annexure: Application for Registration of Birth

[Annexures A and B of GN 52/2014 were apparently substituted by the Annexure in GN 173/2016,   
although the direction in GN 173/2016 is unclear.]

Annexure C: Application for duplicate abridged/full birth certificate

Annexure D: Application for registration of birth in terms of the Namibian Citizenship Act, 1990

Annexure E: Application for the re-registration of birth

Annexure F: Application for the alteration, insertion, omission of a first name in the birth register

Annexure G: Notice of intention of change of surname

Annexure H: Affidavit

Annexure I: Acknowledgement of Receipt

Annexure J: Application for correction of full birth certificate: Notice of approval

Annexure K: Submission

Annexure L: Acknowledgement of receipt

Annexure M: Application for the authority in terms of section 9 of the Aliens Act, 1937 to assume another surname

Annexure N: Full birth certificate

Annexure O: Full birth certificate non-Namibian

Annexure P: Abridged certificate of registration of birth

Annexure Q: Birth Certificate

Annexure R: Birth certificate for non-Namibians

Annexure S: Particulars of Deceased/stillborn child

Annexure T: Application for the late registration of death

Annexure U: Removal/Burial Order

Annexure V: Application for duplicate death certificate

Annexure W: Death Certificate

Annexure X: Full death certificate

Annexure Y: Death certificate

Annexure Z: Declaration for the purpose of a marriage

Annexure Aa: Consent to the marriage of a minor

Annexure Bb: Application for amendment of a marriage register

Annexure Cc: Application for duplicate marriage certificate

Annexure Dd: Marriage register

Annexure Ee: Marriage certificate

Annexure Ff: Marriage certificate

Annexure Gg: Marriage officer certificate

ANNEXURES

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