



BERMUDA

**VOLUNTARY REGISTRATION OF VITAL DOCUMENTS
(MISCELLANEOUS AMENDMENTS) ACT 2024**

2024 : 7

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WHEREAS it is expedient to amend the Marriage Act 1944, the Registration (Births and Deaths) Act 1949, the Registrar-General (Recording of Documents) Act 1955 and the Domestic Partnership Act 2018 to allow for the voluntary registration of births, deaths, marriages and domestic partnerships of persons that occur outside of the jurisdiction; and for connected matters;

Be it enacted by The King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

**PART 1
PRELIMINARY**

Citation

1 This Act may be cited as the Voluntary Registration of Vital Documents (Miscellaneous Amendments) Act 2024.

**PART 2
AMENDMENT OF MARRIAGE ACT 1944**

Amends section 29

2 Section 29 of the Marriage Act 1944 is amended—

(a) by repealing and replacing subsection (1) as follows—

“(1) The Registrar-General shall keep in his office a book to be called the General Register of Marriages in which—

(a) all marriages conducted in Bermuda;

(b) any marriage of a person conducted in another jurisdiction,

shall be recorded as provided in this section.”;

(b) by inserting after subsection (4) the following—

“(5) Where a person enters into a marriage in another jurisdiction, the Registrar-General is authorised, upon receipt of the relevant documentation, and payment of such fee as prescribed under the Government Fees Regulations 1976, to record and register the marriage.

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- (6) For the purposes of this section, a person means a person who—
- (a) possesses Bermudian status under the Bermuda Immigration and Protection Act 1956;
 - (b) is a British Overseas Territories Citizen by virtue of the grant to him by the Governor of a certificate of naturalisation;
 - (c) is the spouse of a person under paragraph (a) or (b); or
 - (d) is the child, stepchild or adopted child under the age of eighteen years of a person under paragraph (a) or (b)."

PART 3

AMENDMENT OF REGISTRATION (BIRTHS AND DEATHS) ACT 1949

Amends section 3

3 Section 3 of the Registration (Births and Deaths) Act 1949 is amended by inserting after subsection (1)(b) the following—

"(ba) a book to be called the Voluntary Register in which a live or still birth of a child that occurred outside of Bermuda, or the death of a person that occurred outside Bermuda, may be recorded as provided in this Act; "

Amends section 8

4 Section 8 of the Registration (Births and Deaths) Act 1949 is amended by inserting after subsection (4) the following—

"(5) Where a child is born alive outside of Bermuda, the Registrar-General shall, upon application, and the payment of such fee as prescribed under the Government Fees Regulations 1976, be authorised to voluntarily record and register the birth of the child."

Amends section 11

5 Section 11 of the Registration (Births and Deaths) Act 1949 is amended by inserting after subsection (10) the following—

"(11) For the purposes of record-keeping under subsection (9), the Registrar-General is authorised, upon application, to voluntarily record and register the death of a person who dies in another jurisdiction as provided under section 13B."

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Inserts sections 13AA, 13A and 13B

6 The Registration (Births and Deaths) Act 1949 is amended by inserting after section 13 the following—

“VOLUNTARY REGISTRATION OF BIRTHS AND DEATHS

Interpretation of Part

13AA A person for the purposes of this part means a person who—

- (a) possesses Bermudian status under the Bermuda Immigration and Protection Act 1956;
- (b) is a British Overseas Territories Citizen by virtue of the grant to him by the Governor of a certificate of naturalisation;
- (c) is the spouse of a person under paragraph (a) or (b); or
- (d) is the child, stepchild or adopted child under the age of eighteen years of a person under paragraph (a) or (b).

Voluntary registration of birth

13A (1) Where a child is born to a person outside of Bermuda, whether born alive or still-born, the person may apply to the Registrar-General to register the birth certificate of the child in the Voluntary Register.

(2) A person under subsection (1) shall submit—

- (a) the birth certificate and all supporting documentation required; and
- (b) the fee prescribed under the Government Fees Regulations 1976.

(3) A separate application shall be used in respect of every child.

(4) The Registrar-General may require an applicant to present any further information, verification or documentation, as the case may be, that is reasonably required to verify the information in such a way as he may direct.

(5) The Registrar-General shall keep as part of the records of their offices all notices received by them under this section.

(6) A birth certificate voluntarily registered under this section shall be treated as a birth registered under section 8 and the Registrar-General may require information under section 14 or alter the entry in the register under section 15.

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Voluntary notification of death

13B (1) Whenever a person dies outside of Bermuda, then subject to this section, a relative of the deceased person may register the death certificate in the Voluntary Register.

(2) The relative of the deceased person shall—

(a) submit the death certificate and all supporting documentation required; and

(b) pay the fee prescribed under the Government Fees Regulations 1976.

(3) The Registrar-General may require an applicant to present any further information, verification or documentation, as the case may be, that is reasonably required to verify the information in such a way, as he may direct.

(4) The Registrar-General shall keep as part of the records of their offices all notices received by them under this section.

(5) A death certificate voluntarily registered under this section shall be treated as a death registered under section 11 and the Registrar-General may require information under section 14 or alter the entry in the register under section 15.”.

PART 4

AMENDMENT OF REGISTRAR-GENERAL (RECORDING OF DOCUMENTS) ACT 1955

Amends section 10

7 Section 10 of the Registrar-General (Recording of Documents) Act 1955 is amended by inserting after subsection (2) the following—

“(3) The Registrar-General is authorised, upon application, and the payment of such fee as prescribed under the Government Fees Regulations 1976, to record and register any birth, death, marriage, domestic partnership and name change of a person that occurs in another jurisdiction.

(4) For the purposes of this section, a person means a person who—

(a) possesses Bermudian status under the Bermuda Immigration and Protection Act 1956;

(b) is a British Overseas Territories Citizen by virtue of the grant to him by the Governor of a certificate of naturalisation;

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- (c) is the spouse of a person under paragraph (a) or (b); or
- (d) is the child, stepchild or adopted child under the age of eighteen years of a person under paragraph (a) or (b).”.

PART 5

AMENDMENT OF DOMESTIC PARTNERSHIP ACT 2018

Amends section 21

8 Section 21 of the Domestic Partnership Act 2018 is amended—

(a) by repealing and replacing subsection (1) as follows—

“(1) The Registrar shall keep at the office of the Registrar-General the General Register of Domestic Partnerships in which—

- (a) all domestic partnerships conducted in Bermuda; and
- (b) a domestic partnership of a person that was entered into in another jurisdiction,

shall be recorded as provided in this section.”.

(b) by inserting after subsection (5) the following—

“(6) Whenever a person enters into a domestic partnership in another jurisdiction, the Registrar-General is authorised, upon receipt of the relevant documentation, and payment of such fee as prescribed under the Government Fees Regulations 1976, to record and register their domestic partnership.

(7) For the purposes of this section, a person means a person who—

- (a) possesses Bermudian status under the Bermuda Immigration and Protection Act 1956;
- (b) is a British Overseas Territories Citizen by virtue of the grant to him by the Governor of a certificate of naturalisation; or
- (c) is the domestic partner of a person under paragraph (a) or (b).”.

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**PART 6
MISCELLANEOUS**

Consequential amendments

9 The Government Fees Regulations 1976 are amended in the Schedule as follows—

(a) in Head 22A (Domestic Partnership Act 2018) by inserting after paragraph (10) the following—

“ (11) Voluntary registration of domestic partnership under section 21 \$50 ”;

(b) in Head 44 (Marriage Act 1944) by inserting after paragraph (11) the following—

“ (12) Voluntary registration of marriage under section 29 \$50 ”;

(c) in Head 66 (Registrar-General (Recording of Documents) Act 1955) by revoking paragraph (6) and replacing as follows—

“ (6) Recording and registering any document other than a deed poll or voluntary registration of birth, death, domestic partnership, marriage or adoption—
(a) where the Registrar prepares a copy—
(i) for the first page or part thereof \$120
(ii) for each additional page or part thereof \$25
(b) where a copy is supplied—
(i) for the first page or part thereof \$85
(ii) for each additional page or part thereof \$20
(c) where a duplicate copy is stamped, per page or part thereof \$25 ”;

(d) in Head 67 (Registration (Births and Deaths) Act 1949) by inserting after paragraph (7) the following—

“ (8) Voluntary registration of birth under section 13A \$50 ”

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(9) Voluntary registration of death under section 13B \$50

”.

Commencement

10 This Act shall come into operation on such day as the Minister appoints by notice in the Gazette.

[Assent Date: 22 March 2024]