

Seychelles

## Civil Status Act

### Chapter 34

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# Civil Status Act

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# Seychelles

## Civil Status Act

### Chapter 34

Commenced on 22 April 1893

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*[Amended by [Civil Code of Seychelles \(Consequence of Enactment\) Act, 2021 \(Act 24 of 2021\)](#) on 1 July 2021]*

*[Act 4 of 1883; Act [16 of 1898](#); Act [7 of 1904](#); Act [4 of 1911](#); Act [14 of 1916](#); Act [4 of 1917](#); Act [14 of 1917](#); Act [9 of 1919](#); Act [11 of 1925](#); Act [1 of 1934](#); Act [21 of 1938](#); Act [7 of 1946](#); Act [9 of 1948](#); Act [10 of 1951](#); Act [1 of 1953](#); Act [15 of 1955](#); Act [4 of 1956](#); Act [9 of 1958](#); Act [5 of 1959](#); Act [7 of 1961](#); Act [3 of 1963](#); Act [19 of 1963](#); S.I. 6 of 1971; S.I. 91 of 1975; Act [13 of 1975](#); S.I. 104 of 1975; S.I. 72 of 1976; Act [23 of 1976](#); Act [22 of 1980](#); Act [16 of 1982](#); Act [17 of 1985](#); Act [7 of 1989](#); Act [10 of 2000](#); S.I. 57 of 2000; S.I. 47 of 2009]*

## Preliminary

### 1. Short title

This Act may be cited as the Civil Status Act.

### 2. Interpretation

In this Act, unless the context otherwise requires

"**Act**" means an act of the civil status;

"**affidavit**" includes solemn affirmations;

"**district**" means the electoral area assigned to a branch civil status office or other civil status office for the purpose of registration of matters concerning the civil status of persons;

*[inserted by section 2(a)(i) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

"**judicial department**" includes the Supreme Court and any other court that may exist in Seychelles and the registries thereof;

"**gazetted**" means published in the Seychelles Government Gazette;

"**interment**" includes cremation;

*[inserted by section 2(a)(ii) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

"**the court**" means the Supreme Court;

"**judge**" means a Judge in Chambers;

"**magistrate**" means any judicial officer exercising magisterial powers;

"**oath**" includes solemn affirmations;

"**office**" means office of the civil status;

"**officer or civil status officer**" means officer of the civil status;

"**Outer Islands**" means the islands or groups of islands listed in Part II of the First Schedule of the Constitution of the Republic of Seychelles;

*[inserted by section 2(a)(iii) of Act 10 of 2000 w.e.f. 1 December 2000]*

"**register**" means register of the civil status.

## Part I – The Civil Status Department

### Offices of civil status

#### 3. Offices of civil status

- (1) There shall be in Victoria a public office where births, marriages and deaths and other matters concerning the civil status of persons shall be registered in accordance with the provisions of this Act, which office shall be called the Central Civil Status Office.
- (2) There shall be a branch civil status office at Praslin, which shall be called the civil status office of the Praslin ward. Such office shall be the office for all civil status matters concerning the following Islands – Praslin, Aride, Ile aux Fous or Booby Island, Ile Curieuse, Ile Ronde, Ile Cousin or North Cousin, Ile Cousine or South Cousin.

*[section 3(2) amended by section 2(b)(i) of Act 10 of 2000 w.e.f. 1 December 2000]*

- (3) The Minister may from time to time order that additional civil status offices be established in any district or Island at such places, for such time and under such conditions as may seem fit.
- (4) The civil status office on La Digue shall be the office for all civil status matters concerning the islands of La Digue, Félicité, Marianne, Grande Soeur, Petite Soeur and Ile aux Cocos.

*[section 3(4) inserted by section 2(b)(ii) of Act 10 of 2000 w.e.f. 1 December 2000]*

- (5) The civil status office at Anse Royale shall be the office for all civil status matters concerning the electoral areas of Anse Royale, Au Cap, Takamaka, Baie Lazare and Anse Boileau.

*[section 3(5) inserted by section 2(b)(ii) of Act 10 of 2000 w.e.f. 1 December 2000]*

#### 4. Existing offices

The civil status office existing at Victoria at the commencement of this Act shall be deemed the Central Civil Status Office for Seychelles, and any branch, additional or other civil status office, existing shall be deemed a branch, additional or other civil status office referred to in this Act.

### Civil status officers

#### 5. Chief Officer of Civil Status

- (1) It shall be lawful for the President to appoint a Chief Officer of the Civil Status who shall be the head of the Civil Status Office, and shall have the superintendence and control of all officers of the civil status in Seychelles.
- (2) Such officer shall before entering on his duties take the oaths prescribed for officers of the civil status by the Official Oaths Act.
- (3) The Chief Officer of the Civil Status shall have all the powers of a civil status officer and may act as such in any part of Seychelles.

## 6. Other officers may be appointed

- (1) It shall be lawful for the President to appoint from time to time as many proper persons as may be needed to be civil status officers. Such officers shall be civil status officers for the whole of Seychelles and shall have power to act in any office to which they may be attached or transferred by the Chief Officer of the Civil Status.
- (2) The appointment of a civil status officer shall be notified in the *Gazette*.
- (3) Every person so appointed shall on his first appointment take the oath prescribed by the Official Oaths Act.
- (4) Every person having been appointed an officer or assistant or additional officer of the civil status for any district or island and officiating as such at the commencement of this Act shall be deemed an officer appointed under this Act.

## 7. Temporary officers during prevalence of epidemic disease

Whenever it shall be urgent during the prevalence of any epidemic disease, to provide for the prompt and immediate fulfilment of the legal formalities required previous to the burial of bodies, it shall be lawful for the President to appoint in any part of Seychelles as many temporary assistant civil status officer as may be required, concurrently with the then existing officers, to receive declarations of deaths and deliver permits of burials.

## 8. Officers of civil status to be public functionaries

The Chief Officer of the Civil Status, every civil status officer, and any clerk acting as such shall be deemed public functionaries, and be entitled to the protection and be liable to the responsibilities and penalties which by any law are provided with regard to public functionaries.

### Duties of the civil status officers

## 9. Chief Officer of the Civil Status

It shall be the duty of the Chief Officer of the Civil Status to enforce the provisions of this Act. He shall report to the Commissioner of Police any offence against this Act, and to the Minister any neglect of duty committed by any person charged with such duty, and any irregularity or omission appearing in any register.

## 10. Further duties of the Chief Officer of Civil Status

- (1) The Chief Officer of the Civil Status shall register or cause to be registered all births, marriages and deaths and all other acts connected with the civil status in the Republic of Seychelles.

*[section 10(1) amended by section 2(c)(i) of Act 10 of 2000 w.e.f. 1 December 2000]*

- (2) He shall prepare and forward to the Minister within the first three months of each year an annual report on the vital statistics of Seychelles for the year preceding.
- (3) He shall have the custody and be answerable for the safe keeping of—
  - (a) all registers, records and instruments connected with the Civil Status of which he has now the custody under Act 17 of 1871; and
  - (b) all registers, duplicate registers, documents and instruments which, under the provisions of this Act, may be required to be kept in the central office.

*[section 10(3) repealed and substituted by section 2(c)(ii) of Act 10 of 2000 w.e.f. 1 December 2000]*

## 11. Duties of other officers

- (1) The officers attached to the central office shall receive, draw up and register all acts of birth, marriage and death of Mahé and such other islands as may not be provided with a civil status office, under the supervision of the Chief Officer of the Civil Status who shall be directly answerable for the proper registration of such acts in conformity with the provisions of this Act. All such officers shall be under the immediate control of the Chief Officer of the Civil Status who may from time to time issue directions as to the distribution of work in the central office.
- (2) Every officer of a district or additional office shall receive, draw up and register all acts of birth, marriage and death and all other acts connected with the civil status in his district and shall in all matters connected with the discipline and administration of the office under his charge, be bound to obey the directions of the Chief Officer of the Civil Status.

Every officer shall be bound to make every report and furnish every return that may from time to time be required of him by the Chief Officer of the Civil Status.

## 12. When an officer cannot act

An officer shall not receive, draw up and register any act in which his own status or that of any of his ancestors, parents, descendants, sisters or brothers shall be concerned, but such act may be received by any other officer.

This article shall not apply to any outlying island where there is only one person competent to act as civil status officer.

## 13. Yearly indexes

Every officer charged with the keeping of any register of births, deaths or marriages shall prepare current alphabetical indexes of the content of such registers, and every entry in such indexes shall be made immediately after the act to which it relates has been registered. The said indexes shall be closed at the end of each year and shall be in duplicate. In the case of a district or additional office one of such duplicates shall be kept with the records of his office, and the other shall together with the duplicate of the register be sent to the Chief Officer of the Civil Status.

## 14. Decennial tables

The Chief Officer of the Civil Status shall within twelve months after the commencement of this Act prepare a decennial alphabetical table with statistical abstracts of all deaths, births, marriages, adoptions and divorces which have occurred during the ten years ending the 31st December, 1892, and afterwards, shall prepare a similar decennial table within the first six months after each tenth year from the 31st December, 1891.

The said tables and abstracts shall be prepared and registered in accordance with forms prepared by the Chief Officer of the Civil Status.

Such alphabetical tables both annual and decennial shall further be typed, and a copy of the same sent to every office to be kept there and open to the public for information.

## Part II – Registers and Act of the civil status

### Registers

#### 15. Keeping of registers

- (1) Declarations of birth and death, and celebrations of marriage at any office shall be registered in printed books (hereafter called registers) kept accordingly to the forms given in Schedule A hereto.
- (2) Separate registers shall be kept for birth (other than still-births), for deaths, and for marriages (other than marriages in *articulo mortis*). Such registers shall be in duplicate; they shall be of such size, and remain in use and be closed for and at such time, as the Chief Officer of the Civil Status may direct.
- (3) Separate registers (not in duplicate) shall also be kept for the purposes of this Act for the registration of still-births, of causes of death, of marriages in *articulo mortis*, of banns of marriage, of decrees of divorce, of judges' orders, of acts of acknowledgment of natural children, and of adoption. Each such register shall be of such size, and remain in use and be closed for and at such time as the Chief Officer of the Civil Status may direct.
- (4) The Minister may, by regulation, amend schedule A.

#### 16. Pages to be numbered

- (1) The pages of every register shall be numbered and shall also bear the initials, written or stamped, of the Chief Officer of the Civil Status of Seychelles.
- (2) On each page one act only shall be inscribed.
- (3) No blank page shall be left between two declarations but such acts shall be inscribed consecutively and without interruption.

#### 17. Closing of registers

The officer in every district or additional office, and in the central office the Chief Officer of the Civil Status shall immediately after the last act entered in the register draw up, date and sign a memorandum in which the number of acts entered in the register shall be recorded.

#### 18. Closed registers

- (1) Within one month of being closed one of the duplicates of every register required to be kept in duplicate shall in the case of a district or additional office be forwarded to the central office, the other duplicate being kept as a permanent record in such district or additional office.
- (2) Within the same period one of the duplicates of every register of the central office shall be forwarded for safe custody to such place as may be chosen by the Minister, the other being kept as a permanent record of such central office.

#### 19. Instruments to be authenticated

- (1) Every instrument, declaration or document which shall in connection with any act be received by an officer, shall be authenticated by such officer with the date on which the same has been received and with his signature.
- (2) Within the first month after the expiration of the year during which the said instruments, declarations, documents or acts have been received, the officer who has received them shall forward

them with a return thereof to the Chief Officer of the Civil Status who shall have the custody of the same.

## 20. Power to verify

The Minister or any officer deputed by him, the Chief Justice, a magistrate, and any Justice of the Peace, the Chief Officer of the Civil Status, the Attorney General, and the Auditor General, shall have power at any time, to examine, inspect and verify the registers of any civil status officer.

## 21. Errors, etc., to be reported

All errors, omissions, or irregularities discovered in the course of inspection under the preceding section shall be at once made known to the Minister, who will thereupon refer the matter to the Attorney General for any action that may be necessary in order to have the register rectified.

## 22. Extracts from registers

- (1) Every person shall be entitled upon the payment of the fee mentioned in the tariff contained in Schedule B to obtain from any officer a copy of any act registered in any register in the custody of such officer. Every such copy shall be signed by the officer delivering the same, and shall be certified by him as a true copy of the act itself:

Provided that such person may, at his request and upon payment of the fee mentioned in Schedule B, be issued by such officer, in lieu of the copy, a certificate in such form as may be provided by the Chief Officer of the Civil Status.

- (2) Every such copy, even if the original register has disappeared or has been lost or destroyed, shall be evidence as fully as the register itself until it be proved false.
- (3) If at any time it is discovered that any such copy although certified to be correct is nevertheless in point of fact at variance with the original registers, the holder of the said copy shall be entitled on giving up the same to be furnished with another copy free of charge. Such substituted copy shall bear an annotation stating that the delivery thereof has been made free by virtue of the present section and the incorrect copy shall be delivered into the custody of the Chief Officer of the Civil Status.
- (4) When a copy of an act shall be presented to a Judge or other authority for legalisation no stamp, registration or other duty or fee shall be chargeable thereupon.

## 23. \*\*\*

*[section 23 repealed by section 2(d) of Act 10 of 2000 w.e.f. 1 December 2000]*

## Rules as to registration of declarations

## 24. Date, etc., to be mentioned in every Act

In every act the year, month and day of receiving the same, shall be stated, as well as the names, surname, national identity number, profession and residence of all persons therein mentioned.

*[section 24 amended by section 2(e) of Act 10 of 2000 w.e.f. 1 December 2000]*

## 25. Only statements of parties to be recorded

It shall not be lawful for any officer to mention or record in any act either as a note or as a statement in the body of the act anything beyond what the parties are bound to declare to him.

**26. When parties may be represented by agents**

In any case in which the parties interested are not bound by law to appear in person they may be represented before the officer by an agent expressly appointed to represent them by an authentic deed.

**27. Witnesses to act**

Persons appearing as witnesses to any act must not be under eighteen years of age; the witnesses may be selected by the parties, and relatives may be so selected.

**28. Act to be read to parties and signed by them**

- (1) The officer shall read the act entered by him to the parties, or their attorneys and the witnesses, and shall record in the act that it has been so read.
- (2) The act shall be signed by the officer, the parties and witnesses. In case any of the parties or witnesses be unable to sign, such person shall make his mark on the act.

**29. Acts of the civil status drawn up abroad**

Any act of the civil status drawn up in any country out of Seychelles shall be deemed valid as an act of the civil status if it has been drawn up in accordance with the law in force in such country.

**30. When acts are not vitiated**

- (1) No act shall be vitiated or rendered void on account of the true or correct names of the parties thereto not having been used or on account of any error, discrepancy or variance in any description, provided that in case of dispute the identity of the parties be established.
- (2) No act shall be impeachable on the ground that the person by whom it has been registered was not at the time of such registration lawfully qualified to register such act or to give it full effect and validity:

Provided always that the person having registered such act was at the time of registration lawfully authorised to act as a civil status officer under [section 6](#).

*[section 30(2) proviso amended by section 2(f) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

**Part III – Acts of birth****31. Period within which declaration of birth must be made**

- (1) The declaration of the birth of any child shall be made at any time within the thirty days following the day of its birth before the officer of the district where the child is born. It shall not be necessary to present the child when its birth is declared, and all acts of birth drawn up before the passing of this Act are hereby declared to be valid whether the child has been presented to the officer of the civil status or not.
- (2) If the birth has not been declared within the aforesaid period, the birth shall not be registered, except upon an order of a judge and on payment of a fine not exceeding one hundred rupees unless the lateness of the declaration be accounted for to the satisfaction of the judge. The judge shall be entitled to require such evidence as he may deem necessary to satisfy himself touching the exact date of the birth of the person whose birth is sought to be registered.
- (3) If the birth to be registered be that of a person more than three months old, no such order shall be given by the judge, except on payment of a fine not exceeding five hundred rupees:

Provided that it shall be lawful for the President to remit or reduce such fine upon sufficient cause being shown.

### 32. Who may make declaration

The birth may be declared by the father and mother together, or if the father is not known, the mother alone, by any medical practitioner, midwife or other person having been present at the birth or by the owner or occupier of the premises on which the birth took place.

The act of birth shall be drawn up forthwith in the presence of two witnesses. No fee or duty of any kind shall be charged by the officer for receiving such declaration and drawing up the act of birth.

### 33. Facts to be mentioned in act

In the act shall be mentioned the day, hour and place of birth, the sex of the child, the names given to it, the names, surnames, national identity numbers, profession and residence of the father and mother and those of the witnesses.

*[section 33 amended by section 2(g) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

### 34. Information to be given to parents

Where a birth is declared or registered under this part, the officer to whom it is declared or by whom it is registered shall inform—

- (a) the parents of their duty to maintain the child under sections 4 and 6 of the Children Act and that failure to fulfil that duty is an offence, and
- (b) *[paragraph (b) repealed by section 1(b) of [Act 24 of 2021](#)]*

### 35. Declaration of birth of natural child

Whenever the birth of a natural child shall be declared every officer is hereby expressly forbidden to mention in the act of birth the name of the father, unless the father consents to such mention, either by appearing and signing or marking the act, either personally or by agent appointed under an authentic deed to sign for him.

Where any such deed is produced mention thereof shall be made in the margin of the act of birth and the original or copy of the authority shall be kept by the officer.

### 36. Finding of newborn child

- (1) Any person, who shall find a newborn child, shall be bound, within twenty-four hours after finding the child, to give notice to the fact to the nearest officer of police.
- (2) The said officer shall immediately proceed to examine the child, and he shall take possession of the clothing and other effects found with the child. He shall then draw up a report setting forth the name, surname, profession and residence of the person who has found the child; the place where the child was exhibited to him, the sex, probable age, and apparent origin of the child, the marks or other descriptive particulars by which the child may be afterwards identified: a description of the clothing and effects found with the child, the circumstances of time and place where the child has been found; and he shall sign his report and cause the same to be signed or marked by the person who has found the child, and by such other witnesses as he may procure.
- (3) The said report shall, together with the clothing and effects found with the child, be forwarded to the Commissioner of Police, who shall cause the birth to be registered; and the child shall bear in the act the name and surname given to him by the Commissioner of Police.



- (4) The Commissioner of Police shall immediately after the registration of the birth report the same to the Minister, who shall *ex-officio* appoint a guardian to the child until such child is claimed; he shall have the child duly brought up in an orphanage or elsewhere, and the expenses of the child shall be paid by the Government to the institution to whose charge such child shall be committed.
- (5) Every person finding a newborn child, or every officer of police aforesaid who shall neglect to comply with the provisions of this section shall incur the penalties mentioned in [section 116](#).

### 37. Persons taking charge of infant

If any person receive or take charge of an infant whose birth has not been declared and registered or cannot be ascertained, every such person shall be deemed to have found a newborn child, and shall be bound to fulfil the formalities and make the declarations required in [section 31](#), and shall in default thereof incur the penalties mentioned in the said section:

Provided that if it be subsequently discovered that the birth of such child has been declared and registered, the second registration shall upon an order of a judge be cancelled by the Chief Officer of the Civil Status.

### 38. Birth in prisons, etc

- (1) If any birth take place in any prison, depot, asylum, orphanage, hospital, workhouse, barracks or military hospital, it shall be the duty of the person or officer in charge of any such establishment to have the said birth duly declared and registered before and by an officer, within eight days after the birth.
- (2) If any birth take place in any quarantine station or any area temporarily placed in quarantine it shall be the duty of the officer in charge of the said station or area, as soon as the quarantine has ceased, to cause the birth to be registered in the district where the said station or area is situated, or if there is no civil status office in such district, at the central office.

### 39. Birth on board ship registered in Seychelles

- (1) Whenever any birth shall take place on board of any ship registered in Seychelles during any voyage and while the said ship is not in any harbour in Seychelles, it shall be the duty of the master of the said ship or of the officer replacing him to draw up and sign a memorandum of the said birth, and to cause the same to be signed by the witnesses.
- (2) The said memorandum shall contain the name and surname of the child born, the name of his mother, the name of the father, if the mother be married; and if the child be not born in wedlock, the name of the father only in case such father be on board and acknowledges the child and signs or marks his acknowledgment; the place from which the mother has been embarked, the sex of the child, the date of his birth, and every other particulars which may further be necessary.
- (3) Upon the arrival of the ship in any harbour in Seychelles, the aforesaid master or officer shall be bound to deliver such memorandum to the Chief Officer of the Civil Status who shall cause the birth to be registered and the act of birth shall be signed by the master, or by the person producing the declaration, and by a second witness.

#### 39A. Birth on board an aircraft

The provisions of [section 39](#) shall, *mutatis mutandis*, apply whenever any birth shall take place on board of any aircraft registered in Seychelles during a flight and while the aircraft is not in an airport in Seychelles, as if the references in that section to "the master" "ship" and "harbour" were references respectively to "the pilot", "aircraft" and "airport".

[section 39A inserted by section 2(h) of Act [10 of 2000](#) w.e.f. 1 December 2000]

## Part IV – Acts of marriage

### Qualifications and conditions necessary for contracting marriage

40. \*\*\*

*[section 40 repealed by section 1(b) of [Act 24 of 2021](#)]*

41. \*\*\*

*[section 41 repealed by section 1(b) of [Act 24 of 2021](#)]*

42. \*\*\*

*[section 42 repealed by section 1(b) of [Act 24 of 2021](#)]*

43. \*\*\*

*[section 43 repealed by section 1(b) of [Act 24 of 2021](#)]*

44. \*\*\*

*[section 44 repealed by section 1(b) of [Act 24 of 2021](#)]*

45. \*\*\*

*[section 45 repealed by section 1(b) of [Act 24 of 2021](#)]*

46. \*\*\*

*[section 46 repealed by section 1(b) of [Act 24 of 2021](#)]*

47. \*\*\*

*[section 47 repealed by section 1(b) of [Act 24 of 2021](#)]*

48. \*\*\*

*[section 48 repealed by section 1(b) of [Act 24 of 2021](#)]*

49. \*\*\*

*[section 49 repealed by section 1(b) of [Act 24 of 2021](#)]*

50. \*\*\*

*[section 50 repealed by section 1(b) of [Act 24 of 2021](#)]*

51. \*\*\*

*[section 51 repealed by section 2(k) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

## Publication

52. \*\*\*

*[section 52 repealed by section 1(b) of [Act 24 of 2021](#)]*

53. \*\*\*

*[section 53 repealed by section 1(b) of [Act 24 of 2021](#)]*

54. \*\*\*

*[section 54 repealed by section 1(b) of [Act 24 of 2021](#)]*

55. \*\*\*

*[section 55 repealed by section 1(b) of [Act 24 of 2021](#)]*

56. \*\*\*

*[section 56 repealed by section 1(b) of [Act 24 of 2021](#)]*

57. \*\*\*

*[section 57 repealed by section 2(m) of Act [10 of 2000](#) w.e.f. 1 December 2000 and by section 1(b) of [Act 24 of 2021](#)]*

58. \*\*\*

*[section 58 repealed by section 1(b) of [Act 24 of 2021](#)]*

59. \*\*\*

*[section 59 repealed by section 1(b) of [Act 24 of 2021](#)]*

## Oppositions to marriage

60. \*\*\*

*[section 60 repealed by section 1(b) of [Act 24 of 2021](#)]*

61. \*\*\*

*[section 61 repealed by section 1(b) of [Act 24 of 2021](#)]*

62. \*\*\*

*[section 62 repealed by section 1(b) of [Act 24 of 2021](#)]*

63. \*\*\*

*[section 63 repealed by section 1(b) of [Act 24 of 2021](#)]*

64. \*\*\*

*[section 64 repealed by section 1(b) of [Act 24 of 2021](#)]*

65. \*\*\*

*[section 65 repealed by section 1(b) of [Act 24 of 2021](#)]*

66. \*\*\*

*[section 66 repealed by section 1(b) of [Act 24 of 2021](#)]*

67. \*\*\*

*[section 67 repealed by section 1(b) of [Act 24 of 2021](#)]*

### **Dispensations**

68. \*\*\*

*[section 68 repealed by section 1(b) of [Act 24 of 2021](#)]*

### **Proof of consent of parents, guardians, etc.**

69. \*\*\*

*[section 69 repealed by section 1(b) of [Act 24 of 2021](#)]*

### **Celebration of marriage**

70. \*\*\*

*[section 70 repealed by section 1(b) of [Act 24 of 2021](#)]*

71. \*\*\*

*[section 71 repealed by section 1(b) of [Act 24 of 2021](#)]*

72. \*\*\*

*[section 72 repealed by section 1(b) of [Act 24 of 2021](#)]*

### **Legitimation of natural children in act of marriage**

73. \*\*\*

*[section 73 repealed by section 1(b) of [Act 24 of 2021](#)]*

## Fees

74. \*\*\*

[section 74 repealed by section 1(b) of [Act 24 of 2021](#)]

75. \*\*\*

[section 75 repealed by section 1(b) of [Act 24 of 2021](#)]

76. \*\*\*

[section 76 repealed by section 1(b) of [Act 24 of 2021](#)]

## Marriages in articulo mortis

77. \*\*\*

[section 77 repealed by section 1(b) of [Act 24 of 2021](#)]

78. \*\*\*

[section 78 repealed by section 1(b) of [Act 24 of 2021](#)]

79. \*\*\*

[section 79 repealed by section 1(b) of [Act 24 of 2021](#)]

## Part V – Acts of death

### 80. Conditions of interment

- (1) No interment shall take place except in a duly authorised and registered burial ground and upon a permit from an officer for which permit no fee shall be charged.
- (2) No interment shall take place before the expiration of eighteen hours, nor shall anybody be kept unburied longer than thirty-six hours after death, except with the written permission of a government medical officer:

Provided that during the prevalence of epidemic disease regulations may be made under the Public Health Act providing for the interment of the dead within shorter periods of time than those stipulated in subsection (1). Such regulations may also provide for the imposition of a fine not exceeding five hundred rupees, with or without imprisonment not exceeding six months, for any breach or contravention thereof.

### 81. Registration of death

- (1) No permit shall be issued and no interment shall take place (except when otherwise expressly provided) until the death of the person to be interred has been registered by an officer of the district where the death has occurred upon the declaration of two witnesses.
- (2) The act shall mention the name, surname, national identity number, age, sex, residence and profession of the deceased, the name, surname and national identity number of the husband or wife, if the deceased was married at the time of his death, or had been married, and the names, surnames and national identity numbers of the witnesses. The act shall also mention the names,

surnames and national identity numbers of the father and mother of the deceased and the place of his or her birth. If any of the above particulars be not known to the declarants, the fact shall be recorded.

*[section 81(2) repealed and substituted by section 2(r) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

## **82. Registration in cases of sudden death**

- (1) Whenever death results from any of the following causes namely, when a person—
  - (a) has committed suicide; or
  - (b) has been killed by another or by an animal or by machinery or by accident; or
  - (c) has died under circumstances raising a reasonable suspicion that some person has committed an offence; or
  - (d) has died in prison or while in custody of the police,it shall be the duty of the officer in charge of the police station of the district wherein the death occurred to cause the same to be registered.
- (2) Whenever a death is declared by private parties and when the circumstances reported to the civil status officer receiving such declaration raise a suspicion that the death may not have been natural, the said officer shall refer the parties to the police authorities who shall forthwith proceed to make an inquiry as prescribed in the Criminal Procedure Code.
- (3) When a death is declared by private parties to be due to the consequences of an accident and if several days have elapsed between the time of the happening of such accident and the time of death and if no circumstances importing a suspicion that an offence may have been committed are declared to the civil status officer the death may be registered on the declaration of such private parties.

## **83. Owners and occupiers to declare deaths**

The owner or occupier of any premises in which any death shall happen, shall be bound before twenty-four hours have elapsed after such death, to give notice thereof to the officer of his ward and it shall be his duty to send two persons who have been present at the death, or in attendance during the last illness of the deceased, to declare the said death.

The same duty shall fall to every owner, occupier, or manager of any rural property, and of every establishment in town or in the country.

## **84. Death in prisons, etc**

- (1) If a person dies in any prison, police station, hospital, barracks, or military hospital, orphanage or asylum it shall be the duty of the officer or person in charge of such establishment to cause the same to be registered within twenty-four hours as prescribed by this Act.
- (2) Every such officer or person in charge of any such establishment shall further be bound to keep a register in the form prescribed by the Chief Officer of the Civil Status and approved by the Minister in which any such death shall be recorded.

## **85. Deaths in quarantine stations**

- (1) Every officer in charge of a quarantine station shall keep a register in the form prescribed by the Chief Officer of the Civil Status, and approved by the Minister, and shall be bound to enter in the said register the death of any person who shall die in the station. No interment shall lawfully be made of any person who has died in a quarantine station until the death has been duly registered, as hereinbefore required.

- (2) Within eight days after the station has ceased to be in quarantine, the officer in charge of such station shall forward to the Chief Officer of the Civil Status the register kept by him, and every death therein recorded shall be registered in the register of deaths of Victoria, with an annotation upon the margin of each act, touching the circumstances of the registration of the act, and it shall be the duty of the Chief Officer of the Civil Status, when registering the deaths in the registers of his office, to make mention of all such additions required by [section 79](#) which may not have been ascertained at the quarantine station, but may be ascertained and declared by two witnesses in Victoria.
- (3) The Chief Officer of Civil Status shall return such register to the Chief Medical Officer who shall keep it as a permanent record of his office.

## 86. Deaths on board registered ships

- (1) Whenever any death shall occur on board of any ship registered in Seychelles during any voyage it shall be the duty of the master of the ship or of the officer replacing him to draw up and sign a declaration of the said death and to cause the same to be attested by the signature or mark of two witnesses.

The said declaration shall contain the name, surname, age, sex, and profession of the deceased, and the place at which he had embarked, as well as the cause of death.

- (2) Upon the arrival of the ship in any harbour in Seychelles the aforesaid master or officer shall be bound to deliver the declaration herein mentioned to the officer of the civil status of the place where the ship has arrived, who shall register the death and it shall be the duty of the officer when registering such death, to make mention of all such additions required by [section 81](#) which may not have been ascertained on board the ship but may be ascertained and declared by two witnesses. The officer shall file among his records the said declaration.

## 87. \*\*\*

*[section 87 repealed by section 2(s) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

## 88. Dead bodies

- (1) It shall be the duty of the Commissioner of Police and in his absence of any police officer, whenever any dead body has been found and cannot be identified, to require a duly qualified medical practitioner to make a post-mortem examination of such body or human remains and report the result thereof to him in writing for transmission to the Chief Officer of the Civil Status.
- (2) Every such report shall contain a description of the place where such body or remains aforesaid may have been found: it shall mention what clothing or other effects have been found near or upon such body or remains: it shall minutely describe the conformation, state and condition of every such body, the conformation, length, and density of the bones found and the lesions which may exist upon such body or remains.  
  
It shall further state the sex, the probable date and cause of death of the person whose body or remains have been discovered. It shall further contain every detail which may afterwards be useful for the identification of the aforesaid body or human remains.
- (3) Every such report shall be signed and dated by the medical practitioner who has drawn it; it shall be countersigned by the Commissioner of Police. It shall be kept by the Chief Officer of the Civil Status among the records of the central office, and shall be entered verbatim in a special register which shall not be a duplicate register.
- (4) If the body or remains have been found upon an island being private property, or leased to a private person, the person in charge of such Island shall report the discovery to the nearest officer of police. If there be no officer of police to whom such report can be made before interment, such person in charge shall before permitting the interment write down a description of the place where the body

or remains were found, and as far as possible a description of the position and appearance of the body, stating the sex, and he shall further draw up a list and description of the articles of clothing or other effects found on or near the body, and shall take possession of the same. The description and list, and the articles found shall be forwarded by the earliest opportunity to the nearest officer of police. Any person failing to comply with the provisions of this section shall be liable on conviction to a fine not exceeding five hundred rupees.

#### **89. Register of causes of death**

It shall be the duty of the Chief Officer of the Civil Status to keep and issue separate books or registers wherein shall be entered the causes or probable causes of death, each entry in such separate register bearing a number corresponding with the number of the act of death to which the same relates.

#### **90. Deaths not duly registered before interment**

If the death of any person deceased in Seychelles has not been registered before interment, it shall not be lawful to register such death except upon an order of a judge or magistrate. Mention of the order shall be made in the margin of the act.

#### **91. Death out of Seychelles, registration, interment**

When the body of a person who has died out of Seychelles is brought to Seychelles for interment, the death of such person may be registered in the central office in conformity with this Act and thereupon a permit of burial may be issued.

### **Part VI – Divorce, acknowledgment of children adoption, and changes with respect to names**

#### **92. Copy of judgment to be sent to Chief Officer of Civil Status**

- (1) Whenever a judgment of divorce has been pronounced by the court, it shall be the duty of the Registrar to forward within eight days from the date of such judgment a copy certified by him of such judgment.
- (2) The judgment shall be entered by the Chief Officer of the Civil Status in a special register which shall not be a duplicate register, and a marginal mention of such divorce with date of the judgment shall be made on the act of marriage of the divorced parties in every register in which such act is entered.

### **Acknowledgment of natural children**

#### **93. Registration of acknowledgment**

- (1) Any deed containing the acknowledgment of a natural child shall be entered in full in a separate register, which shall not be a duplicate register, and a mention of such acknowledgment with the date of the deed shall be entered in the margin of the act of birth of such child in every register in which such birth is entered.
- (2) Any notary or other public officer authorised by law to draw up such deed of acknowledgment shall be bound within eight days to send a copy of the said deed to the Chief Officer of the Civil Status, and in default of so doing he shall be liable to a fine not exceeding fifty rupees.



## Change of name

### 94. Application for change of name

- (1) Every person who is a citizen of Seychelles and has resided in Seychelles for three years may apply by petition to the Chief Officer of the Civil Status for leave to make any change in or addition to his name, surname or family name.

*[section 94(1) amended by section 2(t)(i) of Act 10 of 2000 w.e.f. 1 December 2000]*

- (1A) In the case of an application in respect of a minor the consent in writing of both parents, or in their absence, that of the guardian shall be annexed to the application.

*[section 94(1A) inserted by section 2(t)(ii) of Act 10 of 2000 w.e.f. 1 December 2000]*

- (2) An application under subsection (1) shall be accompanied by the fee mentioned in Schedule B.

### 95. Notice of application in Gazette

- (1) The applicant shall be bound to give notice of his application in the *Gazette* and in a daily newspaper. Such notice shall be published at least three times in the *Gazette* and such newspaper.

*[section 95(1) repealed and substituted by section 2(u) of Act 10 of 2000 w.e.f. 1 December 2000]*

- (2) At any time within four months from the last publication any person interested therein may oppose such application by filing in the Central Civil Status Office a protest in writing, setting forth his grounds of objection.

- (3) A protest in writing under subsection (2) shall be accompanied by the fee mentioned in Schedule B which shall, where the protest is allowed, be refunded to the person filing the protest.

### 96. Chief Officer of Civil Status may authorise proposed change

If within the prescribed period no opposition is made to the application, or if any such opposition is made but is not considered well founded and if it further appears that there are any good and sufficient grounds in support of the application, the Chief Officer of the Civil Status may grant such application and authorise the proposed change and addition.

### 97. Notice of authorisation to be published

The Chief Officer of the Civil Status shall cause to be gazetted any decision by him authorising any such change and addition.

Thereupon the name authorised to be borne by the applicant shall thenceforth be deemed his name, and the surname or family name as altered or added to in conformity with such decision shall thenceforth be the surname or family name of the applicant and that of his wife and children and of any other person by law entitled to bear the surname or family name of such applicant.

### 98. Proviso relative to name assumed under contract of marriage, testament and donation

Nothing herein contained shall affect the right of any person to assume and bear any surname or family name which he may be entitled to assume and bear under any contract of marriage, testament or donation.

### 99. Chief Officer of Civil Status to rectify acts of civil status

When a notice authorising a change or addition of name or surname or family name has been published under [section 97](#) the Chief Officer of the Civil Status shall forthwith inscribe in the margin of the act of

birth of the applicant and of any other act concerning such applicant, the alteration or addition authorised by such notice.

## **Part VII – Amendment and cancellation of acts of the civil status**

### **100. Amendment of Acts**

A judge may, upon the written application of the Chief Officer of the Civil Status or any party, order the amendment without any fee, stamp or registration due of any act whenever such judge shall be satisfied that any error has been committed in any such act or in the registration thereof. Nothing herein contained shall prevent any interested person from asking by action before the Supreme Court for the rectification or cancellation of any act.

*[section 100 amended by section 2(v) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

### **101. Powers of Attorney General**

It shall be lawful for the Attorney General to dispute the validity of any act or to require the rectification or annulment thereof whenever he shall deem it fit. Every proceeding by or on behalf of the Attorney General for any purpose aforesaid shall be by motion and rule calling upon the parties interested to show cause against such application.

### **102. Costs**

In no case in which the Attorney General deems fit to act or is called upon to act, with respect to matters relative to the civil status, or otherwise with respect to the provisions of this Act, shall any liability for costs or damages be incurred by the Attorney General or by Government, in any way or upon any ground whatsoever.

### **103. Judgment not binding upon parties not called**

Any order of a judge or magistrate or judgment of the court for the amendment, rectification or annulment of any act shall not be binding upon any interested party who shall not have either moved or applied for such order or judgment or shall not have been made a party to it.

### **104. Amendment to be noted in margin of act**

Any such order or judgment shall be entered verbatim in a special register, which shall not be a duplicate register and a summary mention of the amendment, rectification or annulment decreed shall be made in the margin of the act in every register in which such act has been registered.

### **105. Completing acts left incomplete**

Whenever it shall be discovered that either before or after the commencement of this Act any act has not been entered, filed up, signed or otherwise completed in any register by the officer having charge of such register, a judge may upon the application of the Chief Officer of the Civil Status authorise by an order in writing, any officer for the time being in charge of the register to enter, fill up, sign or otherwise complete any such acts in any such registers.

### **106. Costs of proceeding to be borne by officer in fault**

The officer who ought to have entered, filled up, signed or otherwise completed any such act shall be liable for the costs of any such application to the judge and of any further proceedings that may become necessary upon such application:

Provided that nothing herein contained shall bar any criminal prosecution to which such officer may be liable under this Act or the Penal Code.

**107. Acts completed under Judge's order to be valid**

All acts entered, filled up, signed and otherwise completed under the above provisions shall be as valid as if such acts had been, at the time of the declaration, entered, filled up, signed and otherwise completed in conformity with this Act.

**Part VIII – Offences and penalties****108. Penalty against officer for breach of provisions as to registration, etc**

Any officer who—

- (a) inscribes any of his acts upon loose sheets; or
- (b) receives, draws up or registers any act otherwise than in strict conformity with the provisions of this Act; or
- (c) by negligence or carelessness loses or injures or allows to be lost or injured any register or part thereof or any instrument, deed, order or other document connected with the civil status and in his custody; or
- (d) celebrates a marriage without proof of the consent of the parents or other persons whose consent is required by law; or
- (e) celebrates a marriage when the publications prescribed have not been made or the prescribed intervals between the publication and celebration of the marriage have not elapsed and no dispensation has been obtained,

shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred rupees.

**109. Solemnising marriage in *articulo mortis* without complying with Act**

Any minister of religion who shall celebrate a marriage in *articulo mortis* otherwise than in strict conformity with the provisions of this Act or who shall fail to send to the officer of the civil status the act of any such marriage as required shall be liable to a fine not exceeding two hundred rupees.

**110. Destroying or injuring acts of the civil status**

Every person who shall wilfully destroy or injure or cause to be destroyed or injured any register of the civil status or any instrument connected therewith, shall be deemed guilty of an offence and on conviction shall be liable to imprisonment with or without hard labour for any period not exceeding two years.

**111. Forgery by officer**

Sections 335, 337 and 347 of the Penal Code shall be applicable to any officer who—

- (a) commits forgery in any register or act or in any copy of such act in one or more of the modes referred to in section 333 of the Penal Code; or
- (b) in drawing up an act or any copy of such act or in making any entry in any register under this Act fraudulently alters the substance or particulars thereof in any manner referred to in section 333 of the Penal Code.

**112. Counterfeiting, altering, etc., acts**

Any person not being an officer who—

- (a) falsely makes or counterfeits or causes to be made or counterfeited any act, or copy of an act or any instrument connected therewith; or

- (b) fraudulently counterfeits or alters any signature, date or writing in any register or act or in a copy of any such act or in any instrument connected therewith;
- (c) fraudulently inserts in or adds to, any register, act, copy or instrument above referred to, any word, letter, figure or sign which did not exist in such register, act or instrument at the time the same was signed by an officer of the civil status; or
- (d) who fraudulently erases or alters in any register, act or instrument above referred to any word, letter, figure or sign; or
- (e) who knowingly makes use of any act, copy or instrument above referred to which has been counterfeited, altered or added to as above mentioned, shall be guilty of an offence and liable on conviction to imprisonment with or without hard labour for any period not exceeding two years.

### 113. Penalty for making false statement or declaration

Any person who—

- (a) when examined on oath, or in any affidavit wilfully makes a false statement knowing the same to be false; or
- (b) makes, signs or marks before an officer a false declaration, knowing such declaration to be false; or
- (c) makes, signs or marks before an officer a declaration containing a false statement which he knows to be false,

shall be guilty of an offence and on conviction liable to a fine not exceeding one thousand rupees or imprisonment for any term not exceeding two years.

### 114. Concealment, substitution of children, etc

- (1) Any person guilty of carrying away, concealing or doing away with a newborn infant, or substituting any child for another, or of falsely attributing a child to a woman who shall not have been delivered at all, shall be deemed guilty of an offence and on conviction liable to imprisonment with or without hard labour for any term not exceeding two years.
- (2) If, with intent to prejudice or conceal the status of any child, any person having the care of such child shall not produce it to anyone lawfully entitled to claim the same, such person shall be liable to the penalties mentioned in the foregoing subsection.

### 115. Penalty for concealing birth

- (1) If any woman shall be delivered of a child every person who shall by any secret disposition of the dead body of such child, whether such child died before, at or after its birth, endeavour to conceal the birth thereof shall be liable to imprisonment for any term not exceeding two years.
- (2) If any person tried for murder of a child shall be acquitted thereof, it shall be lawful for the jury by whose verdict such person shall be acquitted to find, in case it shall so appear in evidence, that the child had been born within twelve months before its death and that such person did by some secret disposition of the dead body of such child by any means whatsoever endeavour to conceal the birth thereof, and thereupon the court may pass sentence under subsection (1) of this section as if such person had been convicted upon an information for the concealment of the birth.
- (3) The father or mother of a legitimate child who shall fail within three months of the birth of such child to declare the birth shall be guilty of an offence and be liable on conviction to a fine not exceeding one hundred rupees. The same penalty shall apply to the mother of a natural child who fails to make the declaration above prescribed.

**116. When a newborn child is found**

Any person who, having found a newborn child, shall neglect to make the declarations and fulfil the formalities required of him by [section 36](#) shall be guilty of and on conviction liable to a fine not exceeding two hundred rupees or imprisonment not exceeding six months.

**117. Burial without a permit**

Whoever shall bury or otherwise dispose of any human body without having obtained a permit from an officer of the civil status, or before or after the period required under [section 80](#), or in any unauthorised burial ground, shall be punished by a fine not exceeding five hundred rupees or by imprisonment not exceeding six months.

**118. Concealing the body of a person deceased by the effect of violence**

Whoever shall conceal, privately bury or otherwise dispose of the body of a person killed, or who has died from the effects of any blow or wound, shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred rupees or to imprisonment for any term not exceeding two years.

**119. Penalty for obstructing marriages by unwarranted or malicious oppositions**

If any person makes opposition to a marriage without having a right under the laws of Seychelles to oppose the marriage, or if it appears to the court that the opposition is made maliciously, the court may inflict upon such opposing party a fine not exceeding one thousand rupees besides costs of suit.

**120. Penalties with respect to masters of ships registered in Seychelles**

If any master of a ship registered in Seychelles or the officer replacing such master and being in command of the said ship neglects, upon his arrival in any harbour in Seychelles, to declare to the civil status officer of the place the deaths or births which have occurred on board the said ship before his arrival in the aforesaid harbour and if any such master or officer has neglected to comply with the provisions of this Act respecting deaths or births in ships registered in Seychelles, the master or officer shall incur a fine not exceeding five hundred rupees.

**121. Penalty for not making declarations in cases of suspicious, violent or sudden deaths**

In any case of a suspicious, or violent or sudden death, the persons declaring such death, when acquainted with the circumstances of such death who shall fail to disclose such circumstances, shall be guilty of an offence and liable to a fine not exceeding five hundred rupees or to imprisonment for any term not exceeding six months.

**122. Attempt**

If any person attempts to commit any offence for which the punishment of imprisonment is provided in this Act, such person shall be liable to be punished as if he had been guilty of the full offence whenever such attempt has been made manifest by a commencement of execution and has been suspended or has failed in its effect only by circumstances independent of the will of such person.

**123. Accomplices**

Persons who in any of the ways referred to in the Penal Code, shall be accomplices in any offence for which the punishment of imprisonment is provided in this Act, shall be liable to the punishment provided for such offence in the same manner as if such offence was one provided for by the Penal Code.

**124. Offences to be reported to the police**

It shall be the duty of the Chief Officer of the Civil Status, of every judge or magistrate, of every officer and of every police officer to report to the Commissioner of Police every offence against this Act of which they may become aware.

**125. Inquiries by Commissioner of Police**

The Commissioner of Police shall inquire into every offence against this Act which has been reported to him, or in any other way brought to his cognisance or touching which it may appear that information ought to be obtained.

**126. Commissioner of Police to report to Attorney General. Power of direction given to Attorney General**

The Commissioner of Police shall report to the Attorney General all offences against this Act brought to his knowledge, the steps taken by him in connection therewith and the result of such steps, and the Attorney General shall by virtue of his office have power to issue such instructions as he is empowered to issue under any law in force in Seychelles.

**127. Fees payable under this Act**

- (1) The fees enumerated in the Schedule B shall be levied with respect to acts connected with the civil status.
- (2) Such fees shall be levied by means of stamps upon the said acts and shall accrue to the Treasury.
- (3) The Minister may, upon sufficient cause being shown, remit or reduce, in any particular case, the fee payable under [section 94](#) or [section 95](#) and may by regulation made under this section amend the Schedules.

**Part IX**

*[Part IX repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

**128. \*\*\***

*[section 128 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

**129. \*\*\***

*[section 129 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

**130. \*\*\***

*[section 130 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

**131. \*\*\***

*[section 131 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

**132. \*\*\***

*[section 132 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

133. \*\*\*

*[section 133 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

134. \*\*\*

*[section 134 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

135. \*\*\*

*[section 135 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

136. \*\*\*

*[section 136 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

137. \*\*\*

*[section 137 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

138. \*\*\*

*[section 138 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

139. \*\*\*

*[section 139 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

140. \*\*\*

*[section 140 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

141. \*\*\*

*[section 141 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

142. \*\*\*

*[section 142 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

143. \*\*\*

*[section 143 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

144. \*\*\*

*[section 144 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

145. \*\*\*

*[repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

146. \*\*\*

*[section 146 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

147. \*\*\*

*[section 147 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

148. \*\*\*

*[section 148 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

149. \*\*\*

*[section 149 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

150. \*\*\*

*[section 150 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

151. \*\*\*

*[section 151 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

152. \*\*\*

*[section 152 repealed by section 2(w) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

153. \*\*\*

*[section 153 repealed by section 2(w) of 10 of 2000 w.e.f. 1 December 2000]*

154. \*\*\*

*[section 154 repealed by section 2(w) of 10 of 2000 w.e.f. 1 December 2000]*

155. \*\*\*

*[section 155 repealed by section 2(w) of 10 of 2000 w.e.f. 1 December 2000]*

156. \*\*\*

*[section 156 repealed by section 2(w) of 10 of 2000 w.e.f. 1 December 2000]*

## **Part X – Outer Islands**

*[heading amended by section 2(x) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

### **Special provisions relating to late registration of births and deaths**

#### **157. Orders for late registration of births**

- (1) For the purpose of this Part "Outer islands" means the islands of the Seychelles archipelago other than Mahe, Praslin, La Digue and the Islands adjacent thereto.
- (2) In respect of birth occurring in the Outer islands the order for late registration of births mentioned in subsections (2) and (3) of [section 31](#) may be given either by a judge, or within the limits of his jurisdiction, by a Justice of the Peace for the outlying districts.

*[section 157 amended by section 2(y) of Act [10 of 2000](#) w.e.f. 1 December 2000]*



**158. Rules as to permits of interment for La Digue and adjacent islands**

- (1) Whenever any death shall occur on La Digue Island or on any of the islands adjacent thereto, during the absence of the officer of civil status from La Digue Island, it shall be lawful for the officer for the time being in charge of the police station at La Digue to issue a permit for interment without previous registration of the declaration of death by an officer of the civil status.
- (2) The police officer shall report in writing to the civil status officer, on each visit of the latter to La Digue, all permits issued by him since the last visit.
- (3) The formal declaration of the death required by sections [81](#) and [83](#) shall be made to the civil status officer at latest on his first visit to La Digue Island after the date of the death.

**159. Rules as to interment on Outer Islands**

*[section 159 amended by section 2(z)(iii) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

- (1) In the Outer Islands permits for interment before registration of death may be delivered by the manager or occupier of the estate or property on which the death shall have occurred.

*[section 159(1) amended by section 2(z)(i) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

- (2) The said manager or occupier shall report all such cases to the nearest civil status officer by first opportunity.
- (3) The formal declaration of the death required by sections [79](#) and [81](#) shall be made to the civil status officer within forty-eight hours of the arrival at Mahé of the first boat or aircraft which shall have left the Island after the death.

*[section 159(3) amended by section 2(z)(ii) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

**160. Persons granting permits to satisfy themselves as to cause of death**

It shall be the duty of all persons empowered by this Part to issue permits of interment to satisfy themselves as far as possible as to the cause of death before granting such permit.

**161. Reference to police authority in certain cases**

No permit shall be issued under this Part by a manager or occupier for the burial of any person who shall have died from any of the causes mentioned in [section 80](#) without reference to the nearest police authority, unless such reference is absolutely impossible on account of distance or impossibility of communication:

Provided that, whenever such reference is impossible, the manager or occupier shall inquire carefully into the circumstances of the death and note appearances of the body before permitting interment, and shall draw up a memorandum of the same and forward such memorandum by the earliest opportunity to the nearest police authority.

**162. Police officer in charge of stations on islands may be appointed officer of civil status for certain purposes**

- (1)
  - (a) It shall be lawful for the President to appoint any non-commissioned officer in charge of a police station on any Outer Islands to be an officer of the civil status for such island and adjacent islands for the purpose of registering deaths.
  - (b) Such appointment shall be personal to the officer appointed and shall terminate with his transfer to another station.
  - (c) Any officer so appointed shall before exercising the functions of officer of civil status take the oath of office, as such, before a judge in chambers, and shall in matters connected

with such functions be amenable to the instructions of the officer of civil status having jurisdiction under this Act over the island to which he shall be appointed.

- (2) The officer of civil status having jurisdiction under this Act shall on each visit to the island to which such non-commissioned officer shall be appointed, examine all entries made by such officer and shall initial the same, and he shall report any irregularities discovered to the Chief Officer of the Civil Status at Mahé.

*[section 162 amended by section 2(aa) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

### **163. Police officers may be also given power as civil status officer**

*[amended by section 2(ab)(ii) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

It shall be lawful for the President, subject to the conditions mentioned in [section 162](#), to appoint any non-commissioned officer in charge of the any police station to act as officer of civil status for the purpose mentioned in that section:

*[section 163 amended by section 2(ab)(i) of Act [10 of 2000](#) w.e.f. 1 December 2000]*

Provided that every such officer shall, between the first and sixth day of each month, produce his registers of deaths to the Chief Officer of the Civil Status for inspection and such Chief Officer shall initial each act registered therein.

## **Schedule A**

Birth in Seychelles (Form I)(CS001.pdf): [www.seyllii.org/greybook](http://www.seyllii.org/greybook)

Publication of marriage in Seychelles (Form II)(CS001.pdf): [www.seyllii.org/greybook](http://www.seyllii.org/greybook)

Act of marriage - Marriage in the Seychelles (Form III)(CS001.pdf): [www.seyllii.org/greybook](http://www.seyllii.org/greybook)

Act of marriage "In Articulo Mortis" (Form IV)(CS001.pdf): [www.seyllii.org/greybook](http://www.seyllii.org/greybook)

Affidavit under section 53 (Form V)(CS001.pdf): [www.seyllii.org/greybook](http://www.seyllii.org/greybook)

Civil Status of Seychelles (Form VI)(CS001.pdf): [www.seyllii.org/greybook](http://www.seyllii.org/greybook)

Death in Seychelles (Form VII)(CS001.pdf): [www.seyllii.org/greybook](http://www.seyllii.org/greybook)

**Schedule B - Fees (Section 127)**

		Rupees
1.	For every extract from or copy of an act of the Civil Status.	50
	<i>[Schedule B item 1 amended by regulation 2(a) of <a href="#">SI 47 of 2009</a> w.e.f. 1 May 2009]</i>	
2.	For each certificate under the proviso of section 22(1).	50
	<i>[Schedule B item 2 amended by regulation 2(b) of <a href="#">SI 47 of 2009</a> w.e.f. 1 May 2009]</i>	
3.	For a dispensation of one publication of the banns of marriage.	50
4.	For a dispensation of age.	10
5.	For a licence when there exist prohibited degrees of consanguinity or affinity.	10
6.	For registering any rectification of an act of the Civil Status.	1
7.	For registering any adoption.	1
8.	For registration of any divorce.	1
9.	For each certificate under section 58 of subsections (1) and (4).	10
10.	For each licence under section 52(3)	100
	<i>[Schedule B item 10 amended by regulation 2(c) of <a href="#">SI 47 of 2009</a> w.e.f. 1 May 2009]</i>	

11.	For each search under the 1st proviso to section 53.	0.50
12.	For each application under section 94.	1000.
	<i>[Schedule B item 12 amended by regulation 2(d) of <a href="#">SI 47 of 2009</a> w.e.f. 1 May 2009]</i>	
13.	For each protest under section 95.	400.

*[Notes to the 1991 Ed:*

- (1) *The Civil Status Act (Cap 89 1971 ED and the Civil Status (Christian Marriages) Act (Cap 90, 1971 ED) and the Civil Status (outlying Districts) Act (Cap 91, 1971 ED) have been consolidated in this Edition as the Civil Status Act.*
- (2) *The exercise and performance of powers and duties under sections 6, 7, 31(3) Proviso, 36(4), 40, 45, 52(3), 59, 68, 75 Proviso have been delegated to the Chief Officer of the Civil Status by S.I. 23 of 1972. (Cap 241 Sub. Leg.)*
- (3) *The Evidence (Seychelles) Order, 1962, (U.K. S.I. 1962, No. 2608 of 28th November 1962) makes entries contained in the register of birth, marriages and death under the Civil Status Act admissible in evidence in the United Kingdom and provides for their proof by official certificates issued by the Chief Officer of the Civil Status, Civil Status Officer or in the case of Christian marriage a minister.]*