

## PART I - PRELIMINARY

### 1 Short title

This Act may be cited as the Civil Status Act 1981.

### 2 Interpretation

In this Act -

"authorised person" means a person who has an authority issued under section 26;

"birth" means the issuing forth of a child dead or alive from its mother after the 28th week of pregnancy;

"Central Civil Status Office" means the Civil Status Office set up in Port Louis and designated as such;

"certificate" in relation to a birth, death, marriage or other matter recorded in a register, means a copy of an extract of the relevant entry in the register;

"entry" means the entry made in a register of, or relating to, a birth, death, marriage or any other matter required to be recorded in a register;

"marriage" means a civil or religious marriage;

"Minister" means the Minister to whom responsibility for civil status matters is assigned;

"Muslim Family Council" means the Council established under section 29;

"Office" means a Civil Status Office;

"officer" means a Civil Status Officer and includes any person appointed under section 4;

"register" means a register required to be kept under section 5 for the purpose of recording any civil status matter;

"Registrar of Civil Status" means the public officer designated as such by the Minister;

his "unauthorised person" means a person recognised by religion as having authority to celebrate marriages

according to his religion and who for a marriage is assisted in accordance with section 28.  
(Amended 9/84; 2/87; 45/90)

## PART II - GENERAL PROVISIONS

### 3 Registrar of Civil Status

(1) There shall be established at such places as the Minister thinks fit public offices to be known as Civil Status Offices where births, deaths, marriages and other matters concerning the civil status of persons shall be registered and such offices shall be under the administrative control of the Registrar of Civil Status.

(2) The Registrar of Civil Status shall be responsible for the registration of all births, deaths and marriages and of every other matter relating to the civil status of persons in Mauritius.

(3) The Registrar of Civil Status shall-

- (a) enforce this Act;
- (b) keep such documents and reports as the Minister may require;
- (c) report to the Attorney-General any irregularity in, or omission from, any register;
- (d) submit to the Minister, not later than the 30 June in every year, a report on the statistics of Mauritius relating to civil status for the preceding year;
- (e) prepare such reports or returns as the Minister may require;
- (f) assist, where required, in the taking of any census;
- (g) publish annually, in respect of entries recorded in registers, a general index arranged alphabetically to be kept at every office; and

appertaining (h) perform such other duties  
or incidental to civil status as the  
Minister may require.

(4) For the purpose of enabling the Registrar of Civil Status to perform his duties under this Act every public officer and every local authority shall, at the request of the Registrar of Civil Status, furnish the Registrar of Civil Status with such particulars relating to civil status as he may require.

(Amended 9/84)

#### **4 Officers in islands other than Mauritius**

(1) Where an officer in Rodrigues is, through illness or any other cause, unable to perform the duties of his office, any other public officer in Rodrigues may, on the written direction of the Resident Commissioner of Rodrigues, perform those duties.

(2) Where no officer has been appointed in an island other than the islands of Mauritius and Rodrigues, or where an officer has been so appointed but is unable, through illness or any other cause, to perform his duties, the Minister may direct any person to perform those duties in that island.

(3) Subject to subsection (4), where a person is appointed under subsection (2), he shall not be deemed to be a public officer by reason only of that appointment.

(4) Every person appointed under subsection (2), shall be deemed to be a public officer for the purposes of the Public Officers Protection Act 1957 and the Criminal Code Act.

#### **5 Registers**

(1) The Registrar of Civil Status shall keep-  
(a) at each office, a register in  
duplicate-  
births (i) for the registration of  
as under section 12, to be known  
the Register of Births;  
civil (ii) for the registration of

to be  
Civil  
deaths  
as

marriages under section 24,  
known as the Register of  
Marriages;

(iii) for the registration of  
under section 38, to be known  
the Register of Deaths;

(b) at each office, a register-

(i) for the registration of  
publications of proposed  
civil  
(b);  
cause

marriages under section 21

(ii) for the registration of the  
or probable cause of death of  
persons under section 46;

(iii) for the registration of  
natural  
not  
the  
children, where the child is  
acknowledged at the time of  
declaration of birth, under  
section 60;

(iv) for the registration of past  
religious marriages under  
section 74, to be known as  
the  
Register of Past Religious  
Marriages;

(c) at the Central Civil Status Office, a  
register-

(i) for the registration of  
orders of  
Chambers  
section 6  
a court or of a Judge in  
transmitted to him under  
or any other enactment;

(ii) repealed;

religious (iii) for the recording of marriages having civil effect reported to him under section 27 (2) and 28 (3) (d), to be known as the Register of Religious Marriages;

remains (iv) for the registration of unidentified bodies or under section 45.

(2) Where registers are kept in duplicate-

such (a) at any office, other than the Central Civil Status Office, the officer in charge of the office shall at the end of each year forward to the Central Civil Status Office one copy of each record; register to be kept as a permanent

the (b) at the Central Civil Status Office, officer in charge shall at the end of each year forward to such place as the Registrar of Civil Status may direct a copy of each such register to be kept as a permanent record.

(3) No register kept under this section shall be open for inspection except upon an order of a Judge in Chambers upon good cause shown for the inspection.

(4) Notwithstanding subsection (3) but subject to subsection (5), where the Registrar of Civil Status has assigned responsibility to an officer to make searches on behalf of the public in general indices kept under section 3(3)(g) at any office, no member of the public shall have access to any general index kept at the office but may apply to, and obtain from the responsible officer such information as he requires from the general indices.

(5) Subject to such conditions as the Registrar of Civil Status may impose, a member of the public may inspect a general index kept at an office where no officer

has been assigned responsibility to make searches in general indices.

(Amended 9/84; 2/87)

## **6 Registration of judicial orders**

(1) Where a court or a Judge in Chambers makes an order relating to civil status, the clerk of the Registry shall not later than 7 days from the making of the order, transmit to the Registrar of Civil Status a copy of the order for registration.

(2) On receipt of a copy of an order under subsection (1), the Registrar of Civil Status shall cause-

- registered in
- (a) the copy of the order to be the appropriate register;
  - (b) where the order amends an entry in any other register, the effect of the amendment to be annotated in that entry.

(Amended 9/84)

## 7 Officers not to act in certain cases

No officer shall register-

- (a) any matter relating to his own civil status;
- (b) the birth, death, marriage or a declaration relating to the civil status of-
  - (i) his ascendant;
  - (ii) his descendant;
  - (iii) his brother or sister;
  - (iv) a person adopted by him or by whom he has been adopted.

## 8 Entries

(1) Every entry shall state the names, profession and address of each person mentioned in the entry and the year, month and day the entry is received.

(2) No officer shall mention or record in any entry anything beyond what parties are required to declare to him.

(3) Except where the personal attendance of any person before an officer is required under any enactment for the purpose of making an entry, that person may be represented before the officer by another person duly appointed as agent by authentic deed.

(4) Any person other than a minor may be a witness to an entry.

(5) (a) An officer shall, immediately after recording an entry, read out the contents of the entry to the parties and to any witnesses.

(b) Where a party or a witness does not understand the English language, the officer shall explain the contents of the entry to that person in a language which the person understands.

(6) (a) The officer, the parties and the

witnesses shall sign the register.

- (b) Where any of the parties or his witnesses is unable to sign, he may affix his mark and the mark shall for all intents and purposes have the effect of a signature.

(7) Where the identity of a person can be established, no entry shall be invalid on the ground that the names of that person in that entry are untrue or incorrect or that there is an error, discrepancy or variance in the description of that person.

## 9 Copies of entries and certificates

(1) Subject to the other provisions of this section, any person may-

- (a) on payment of the appropriate fee specified in the Schedule, obtain a manuscript or photocopy of the entry relating to-
- (i) the declaration of his birth;
  - (ii) the declaration of the birth of his spouse or of any of his ascendants or descendants;
  - (iii) the registration of-
    - (A) his marriage;
    - (B) a previous marriage of his spouse;
    - (C) the marriage of any of his ascendants or descendants; or
  - (iv) any declaration of death other than the first manuscript or photocopy of an entry relating to such declaration;
- (b) on payment of the appropriate fee specified in the Schedule obtain-



the  
relating  
and

(i) an extract in such form as Registrar of Civil Status may approve, of the entry to the declaration of birth, showing only the names, sex date of birth as shown in the entry;

the  
to  
marriage.

(ii) an extract in such form as Registrar of Civil Status may approve of the entry relating to the registration of any

(2) No manuscript or photocopy of an entry shall be delivered except upon satisfactory proof of the identity of the applicant.

(3) An application for a certificate may be made to an officer of-

- (a) the Central Civil Status Office; or
- (b) the office where the entry has been registered.

(4) Where a marriage is celebrated under section 24 or 28, the officer shall deliver to the spouses, free of charge-

- (a) forthwith, an attestation of the celebration of the marriage; and
- (b) on application made to him in that behalf,  
a copy of the entry relating to the registration of the marriage.

(5) Where a copy of an entry relating to a declaration of death is issued, the cause of death shall not be stated.

(6) Subject to subsections (7) and (8), where-

- (a) an entry has been amended under Part VI;

been (b) the name or status of a person has  
amended, as shown by a marginal note  
to the entry relating to the declaration  
of his birth or the registration of his  
marriage every certificate purporting to be an extract of  
the entry shall give the particulars of the entry, and,  
where the entry has been amended, the extract shall show the  
entry as amended without any indication that the entry has  
been amended or of the state of the entry before the  
amendment.

(7) Subject to subsection (8), any person may-

in

for

the

obtain a copy of the entry.

- (a) on a written application to the Registrar of Civil Status;
- (b) on production of an order of a Judge Chambers on good cause shown that an extract of an entry will not suffice the applicant's purpose; and
- (c) on payment of the fee specified in Schedule,

(8) Where an entry has been cancelled or a marriage dissolved-

of

original

issued.

- (a) any copy of the entry so cancelled or the registration of the marriage so dissolved shall reproduce the entry together with any annotation required to be made under this Act;
- (b) no extract of the entry shall be

(9) Where a copy or an extract of an entry is required by consular officers or for official purposes, the copy may be delivered free of charge.

(Amended 9/84; 25/85; 25/90)

## 10 Evidence

(1) Every certificate under the hand of the Registrar of Civil Status or an officer shall be evidence, until the contrary is proved, of the contents of the entry reproduced in the certificate, even where the register containing the entry has disappeared or been lost or destroyed.

(2) A birth, death or marriage may be proved by oral or any written evidence where-

- (a) the registers have been lost or are non-existent; or

which  
birth, death  
alleged to have been made  
or

(b) where the leaves of the registers on the entries relating to the or marriage are are partially or entirely destroyed defaced;

birth  
the  
civil

(c) the marriage was celebrated or the or the death occurred in a country law of which does not provide for status registers or certificates.

(3) Notwithstanding subsection (1), where it is found that the contents of a certificate are at variance with the contents of the entry of which it purports to be a copy or extract, the certificate shall be surrendered to the Registrar of Civil Status who shall issue, free of charge, to the person surrendering the document, a true copy or extract of the entry, as the case may be.

(Amended 9/84; 25/85; 8/97)

## **11 Validity of civil status documents**

(1) A civil status document drawn up in Mauritius shall not be valid unless it is in accordance with this Act.

(2) A civil status document drawn up outside Mauritius shall not be valid in Mauritius unless-

(a) it is in accordance with the law relating to civil status matters of the place where it is drawn up;

(b) the Registrar of Civil Status or authority to which it is presented is satisfied it is genuine; or

(c) it is in accordance with any treaty to which Mauritius is a party.

(Amended 9/84)

## **PART III - REGISTRATION OF BIRTH**

### **12 Declaration of birth**

(1) Subject to subsections (2) and (3) and sections 15, 16 and 17, a declaration of birth shall be made-

(a) before an officer of the district in which the birth took place or in which the parents resided at the time of the birth;

(b) within 45 days of the birth, and shall be registered in the appropriate register.

birth (2) (a) Subject to subsection (3), where a  
the has not been declared within 45 days,  
upon birth shall not be registered except  
of an order of a District Magistrate or  
the Registrar of Civil Status.

of (b) The District Magistrate or Registrar  
evidence as Civil Status may require such  
himself of he thinks necessary to satisfy  
sought to the exact date of birth which is  
be registered.

(3) Where the birth to be registered is that of  
a person more than 3 months old-

be (a) no order under subsection (2) (a) may  
Status; made by the Registrar of Civil

District (b) no order shall be made by the  
Magistrate, except-

is (i) on the conclusions of the  
minister public; and  
(ii) save where the declaration  
made under section 14(3), on  
payment of such fee not  
exceeding 500 rupees as may be  
determined by the Magistrate.

(Amended 9/84; 7/92; 30/94)

### 13 Contents of entry

(1) In the entry registering a birth, the  
officer shall record-

birth; (a) the date, time and place of the

(b) the sex and the names of the child;

- informant;
- (c) the names and address of the
  - (d) subject to subsection (2), the names, profession and address of each parent and of each witness;
  - (e) any other particulars the officer may require.

(2) The name of a parent of a child shall be mentioned in an entry only-

- other
- (a) where the parent is married to the parent of the child;
  - (b) where that parent is not married to other parent of the child but-
    - (i) appears before the officer signs the entry; or
    - (ii) has appointed an agent to appear and sign on his behalf.

(3) Where an agent has signed an entry, the officer shall keep the original or a copy of the power of attorney authorising the agent to sign and shall annotate the entry accordingly.

(4) For the purposes of section 3(3)(f), the Registrar of Civil Status shall in respect of any birth declared to him ascertain from the declarant-

- (a) the age of the mother;
- (b) the number of children born to the mother; and
- (c) the duration of the marriage.

(Amended 9/84)

#### **14 Responsibility for declaration of birth**

(1) The father or mother of the child shall declare the birth of a child, or, where the child is born in a prison, asylum, orphanage, or other institution or

quarantine area or station, the person in charge of that place shall declare the birth.

(2) Every person in attendance upon the mother at the time of, or within 6 hours after, the birth of a child may also declare the birth.

(3) Where the birth of a child more than 45 days old has not been registered, the Permanent Secretary of the Ministry of Women's Rights, Child Development and Family Welfare may cause the birth to be registered under section 12(2) or (3).

(Amended 30/94)

## **15 Birth on Mauritian ship or aircraft**

(1) Where a birth takes place on board any ship or aircraft registered in Mauritius while the ship is at sea or the aircraft is in the air, the master of the ship or aircraft shall draw up and sign a memorandum of the birth, and shall cause it to be signed by the witnesses.

(2) The memorandum shall contain-

- the
- (a) the names, the date of the birth and sex of the child;
- and
- (b) the names and address of his mother of his father, if known;
- been
- (c) the place from which the mother has embarked; and
- (d) such other information as the master considers necessary.

(3) On the arrival of the ship in any harbour of Mauritius or the landing of the aircraft in Mauritius, the master shall deliver the memorandum to the Director of Shipping or the Director of Civil Aviation as the case may be, for transmission to the Registrar of Civil Status who shall cause the birth to be registered in a separate register.

(4) Any child whose birth is registered under this section shall be deemed to have been born in Mauritius.

(Amended 9/84; 28/86) [P1/91]



16 [Repealed 45/92]

17 Finding of newborn child

(1) Any person who finds a newborn child shall within 24 hours of the finding give notice of the fact to the nearest police station.

(2) (a) Upon a notification under subsection (1), the police officer in charge of the station shall examine the child and take possession of the clothing and any effects found with the child.

(b) He shall draw up a report indicating-

- (i) the names, profession and residence of the person who found the child;
- (ii) the place where the child was exhibited to him;
- (iii) the sex and probable age of the child;
- (iv) the time and place where the child was found;
- (v) the nature of all clothing and effects found with the child;
- (vi) any other particulars which in his opinion may assist in the identification of the child.

(3) The report made under subsection (2) shall be signed by the police officer, the person who found the child and any witnesses.

(4) The police officer shall forthwith send the report to the Permanent Secretary, Ministry of Social Security who shall take all necessary steps for the

declaration of the birth of the child and for his upbringing in an orphanage or institution.

(5) The child shall bear the names given to him by the Permanent Secretary, Ministry of Social Security.

#### **PART IV - MARRIAGE**

##### **SUB-PART A - CIVIL MARRIAGE**

#### **18 Application of sub-Part**

A civil marriage shall be governed by the Code Napoleon and this sub-Part.

#### **19 No marriage before publication**

(1) Before a civil marriage may be celebrated, a publication of the intended marriage shall be made in the office of the district where the marriage is to take place.

(2) Subject to section 24A, the publication shall also be made in the office of the district in which each of the parties has resided in Mauritius for 7 days immediately preceding the day of publication. (Amended 39/88)

#### **19A. Marriage of non-citizen to a citizen**

(i) Notwithstanding any other enactment and subject to subsection (3), no marriage shall take place between a non-citizen and a citizen of Mauritius unless the parties comply with the provisions of this section.

(2) No marriage under subsection (1) shall be celebrated-

(a) Unless

(i) publication of the intended marriage is made at the Central Civil Status Office and at the office of the district in which each of the parties to the marriage has been residing for at least 7 days immediately preceding the day of publication;

(ii) the non-citizen has resided in Mauritius for a continuous period of at least 7 days before the first day of the publication;

(iii) the non-citizen produces at the time of making an application for the publication of the marriage-

(A) all certificates required for the of  
ascertaining whether he may lawfully get married;

(B) his passport;

(C)  
subject to subsection (3), a certificate or certificates issued by the competent authorities of his country of residence attesting that he is of good character and is not the suspect in relation to any pending criminal proceedings, investigation or process;

(D) an affidavit sworn before the Master and Registrar of the Supreme Court of Mauritius, as well as a certificate from his country of residence, attesting that he is in gainful employment or, alternatively, has sufficient means to maintain himself;

(E) medical certificates attesting that he is not suffering from any infectious or contagious disease;

(F) such other information as may be prescribed;

(b) before the expiry of a period 10 days commencing on the first day of the publication;

(c) on any private premises or at any place other than at the Central Civil Status Office; or

(d) by any authorised or unauthorised person.

(3) Where the non-citizen satisfied the Registrar of Civil Status that he is unable to comply with subsection

(2) (a) (iii) (C) he may produce an affidavit-

in (a) attesting to the matters specified that subsection;

country (b) sworn and duly authenticated in accordance with the law of his of residence.

(Amended 22/95, 8/97)

## 20 Publication of proposed civil marriage

(1) Where an application is made to an officer for the publication of a proposed civil marriage, the officer shall-

(a) require the applicant to produce the civil status documents which are necessary to ascertain whether the intending spouses may lawfully be married;

(b) inform the applicant that-

(i) different matrimonial regimes are provided for under the Code Napoleon and give the applicant a printed explanatory note to that effect; and

(ii) the intending spouses should consider under which matrimonial regime they wish to be married;

(c) record in the column provided for marginal entries in the notice of the publication of the marriage that he has complied with paragraph (b).

(2) No civil status document required under subsection (1)(a) shall be valid unless it has been issued within 3 months of the date of the application for publication of the marriage.

(3) Where a person has been authorised to marry in accordance with articles 145 to 147 or 154 of the Code Napoleon a copy of the order authorising the marriage shall be produced to the officer.

(4) Where a copy of an order is filed under subsection (3), the officer making the publication of the marriage shall mention that fact in the margin of the notice.

(5) Where any party cannot produce a civil status document required under subsection (1)(a), he may instead produce an affidavit in such form as the Registrar of Civil Status may approve.

(Amended 9/84)

## **21 Publication how made**

Publication of a civil marriage shall-

(a) be made by posting up in some conspicuous place in or about the office a notice signed by the officer in such form as the Registrar of Civil Status may approve;

(b) be recorded by entering the notice in the appropriate register.

(Amended 9/84)

## **22 Objections to marriage**

(1) Where, after publication of a proposed civil marriage, any person has any ground to object to the celebration of the marriage or is of opinion that any provision of this Act or of any other enactment relating to the marriage is likely to be infringed, he may lodge with the Registrar of Civil Status a notice of objection to the proposed marriage.

(2) Upon receipt of a notice of objection under subsection (1), the Registrar of Civil Status shall enquire into the matter and, after hearing the parties, make a decision upholding or rejecting the objection, and inform the parties accordingly.

(3) Any party aggrieved by a decision of the Registrar under subsection (2) may within a period not exceeding 30 days from the date on which he is informed of the decision apply to the Judge in Chambers for an order to quash the decision.

(4) Upon hearing an application under subsection (3) the Judge in Chambers shall make an order quashing or upholding the decision, or such order as he may deem fit.

(5) An order under subsection (4) shall be transmitted to the Registrar of Civil Status who shall cause it to be entered in the appropriate register.

(6) where the proposed marriage may be celebrated in virtue of an order transmitted to the Registrar of Civil Status under subsection (5), the Registrar of Civil Status shall cause the marriage to be celebrated-

(a) at such time as is convenient to the parties;  
and

(b) without the parties having to make a fresh publication of their proposed marriage.

(Amended 22/95)

### **23 Time of civil marriage**

(1) Subject to section 24A and section 24B, a civil marriage shall not take place until after 10 days from the publication of the marriage under section 19.

(2) Where the marriage does not take place within 3 months from the publication, a new publication shall be made before the marriage is celebrated. (Amended 39/88; 25/90)

### **24 Proceeding at celebration**

(1) A marriage may take place on the date selected by the parties in the office or in any private premises.

(2) The Officer shall-

(a) read aloud the names and other particulars relating to the parties;

(b) enquire from the parties the matrimonial regime under which they wish to be married and whether any marriage settlement has been made between them and if so, the name of the notary with whom it is deposited;

- Code
- (c) read articles 212, 213 and 215 of the Napoleon to the parties;
- the
- (d) obtain the consent of each party to marriage;
- (e) declare the parties married;
- the
- (f) draw up in the appropriate register entry relating to the marriage;
- (g) record in the entry the answer of the parties to the question asked in paragraph (b).

#### **24A Marriage of non-citizens**

(1) Notwithstanding sections 19(2), 21 and 23 of this Act, an officer may, where the intending spouses are not citizens of Mauritius, and do not reside in Mauritius celebrate their civil marriage on the day immediately following the day of publication.

(2) The temporary presence in Mauritius of the intending spouses specified in subsection (1) shall not be deemed to constitute residence for the purposes of that subsection.

(3) A certificate issued under the authority of the Prime Minister shall be sufficient proof, for the purposes of subsection (1), that the intending spouses are not citizens of and do not reside in Mauritius.

(Added 39/88)

#### **24B Marriage within the prison compound**

(1) Notwithstanding section 24(1), the marriage of a person serving a term of imprisonment may be celebrated, within the prison compound where he is detained, not less than 28 days after the publication of the marriage under section 19 as the officer in charge of the prison may approve.

(2) No marriage shall be celebrated pursuant to subsection (1) except on such terms and conditions as may be approved on the ground of security.

(Added 25/90)



**SUB-PART B - RELIGIOUS MARRIAGE HAVING EFFECT AS CIVIL MARRIAGE**

**25 Application of sub-Part**

A religious marriage with civil effect shall be governed by the Code Napoleon and this sub-Part.

**26 Authority to celebrate religious marriage with civil effect**

(1) Subject to subsection (2), where the Registrar of Civil Status is satisfied that an applicant has the requisite knowledge and understanding of the Code Napoleon and this Act in regard to marriage to be able to celebrate a religious marriage having civil effect, he shall-

applicant (a) issue a written authority to the  
to celebrate religious marriages; and  
(b) give written notice in the Gazette of  
the issue of the authority.

(2) (a) Where a person applies for authority  
to celebrate Muslim religious marriages,  
the Registrar shall forward a copy of the  
application to the Muslim Family  
Council.

application (b) Upon receipt of a copy of an  
Family under paragraph (a), the Muslim  
Council shall convene the applicant  
and ascertain whether he has the  
knowledge required by subsection (1)  
and make a recommendation to the  
Registrar accordingly.

not  
in  
(c) Where the Muslim Family Council is satisfied that the applicant has the requisite knowledge it may assist him acquiring such knowledge and inform the Registrar accordingly.

(3) An authorised person may celebrate a religious marriage which shall have the effect of a civil marriage.

(4) The Registrar may cancel an authority issued under subsection (1), and where he does so, he shall require the return of the authority issued by him.

(5) The Registrar-  
under  
Family  
authority  
the  
(a) may, before cancelling an authority subsection (4), consult the Muslim Council where the holder of the is a Muslim;  
(b) shall give notice in the Gazette of cancellation of any authority.

(Amended 45/90)

## **27 Marriage by authorised person**

(1) Any authorised person shall ensure, in respect of every marriage he celebrates, that the requirements of the Code Napoleon and of section 20(1)(a) and (b) are complied with.

(2) Any authorised person shall immediately on completing a marriage ceremony enter in a register provided by the Registrar of Civil Status the particulars of the marriage he has celebrated and shall within 7 days of the celebration of the marriage transmit a copy of the particulars of the marriage to the Registrar of Civil Status for registration in the appropriate register.

(3) Every register issued to an authorised person shall be closed at the end of each year and forwarded to the Registrar of Civil Status before the end of January

of the ensuing year with a memorandum drawn up, dated and signed by the authorised person in which the number of marriages entered in the register shall be recorded.

(4) The Registrar of Civil Status may at any time call for, examine, inspect or verify the register issued to an authorised person.  
(Amended 9/84)

**28 Marriage by unauthorised person**

(1) Where any person wishes to be married religiously with civil effect by an unauthorised person he or the unauthorised person who will celebrate the marriage ceremony shall, not less than 10 days before the date of the proposed marriage, inform the Registrar of Civil Status in writing of that fact and of the time and place of the proposed marriage.

(2) On receipt of notification under subsection (1), the Registrar of Civil Status shall designate an officer to attend to the marriage ceremony and inform the person who gave notice under subsection (1) of the designation of the officer.

(3) An officer designated under subsection (2) shall-

that (a) ensure in respect of the marriage the requirements of the Code Napoleon and of section 20(1)(a) and (b) are complied with;

the (b) attend the place of celebration of marriage at least 15 minutes before the time appointed for the ceremony till the end of the marriage ceremony;

either- (c) assist in the marriage ceremony (i) actively if the unauthorised person so requests; or (ii) passively; and

of (d) be responsible for the registration the marriage by making an entry in the appropriate registers in the same manner as for a civil marriage.

(4) The unauthorised person shall give the officer every assistance to enable the officer to fulfill his duties under subsection (3).

(Amended 9/84)

**29 Establishment of the Muslim Family Council**

(1) There shall be a Muslim Family Council which shall consist of-

- (a) a Chairman who shall be a legally qualified person of not less than 5 years' standing;
  - (b) two persons who are conversant with Muslim marriage and traditions;
  - (c) two persons who are officiating priests.
- Muslim
- (2) (a) The Chairman and the other members of the Council shall be appointed by the Minister on such terms and conditions as he thinks fit.
- (b) The Chairman and members of the Council shall not be entitled to any fee or remuneration.

(Amended 45/90)

### **30 Duties of the Council**

The Council-

- (a) shall keep a register of all marriages celebrated in accordance with muslim rites;
- (b) shall keep a register of all provisional decrees of divorce communicated to it under section 31;
- (c) may make rules governing marriages celebrated in accordance with muslim rites and the dissolution of such marriages.

(Added 45/90)

### **31 Communication of provisional decree to Muslim Family Council**

Where in the course of divorce proceedings the parties declare that they were married by a muslim priest

under sub-Part B and the Supreme Court grants a provisional decree of divorce, the Registrar of the Court shall inform the Muslim Family Council accordingly and the Council shall take such action as it may deem appropriate.

(Added 45/90)

32 (Repealed 2/87)

**SUB-PART C - GENERAL**

**33 Celebration of religious marriage**

Except in the case of a marriage celebrated in accordance with muslim rites, no religious marriage shall be celebrated unless-

- (a) the parties to the religious marriage are already civilly married to each other; or
- (b) the celebrant is the holder of an authority issued under section 26; or
- (c) the celebrant is actively or passively assisted at the religious ceremony by an officer in accordance with section 28.

(Amended 2/87; 45/90)

**34 Publication of marriage celebrated abroad**

Where a person intends to be married outside Mauritius and, under the law of that place, it is necessary that the publication of the marriage be made in Mauritius, the publication shall be made at the Central Civil Status Office in the same manner as if the marriage were to be celebrated in Port Louis.

**35 Fees for marriages**

(1) No fee shall be charged for the publication of a civil marriage or celebration of a civil marriage at any office.

(2) The parties to any marriage shall be entitled to receive a free copy of their marriage certificate.

**36 Annotation of marriage in register**

- receives  
marriage
- (1) Where-
    - (a) the Registrar of Civil Status  
any particulars of a religious  
under section 27(2);or



marriage (b) an officer celebrates a civil  
under section 24, or assists in the  
celebration of a religious marriage  
having civil effect under section 28,

the Registrar of Civil Status or the officer shall, not later than 7 days after receiving the particulars or celebrating the marriage, as the case may be, forward to the Central Civil Status Office and to any other office where the register containing the entry relating to the declaration of birth of each of the spouses is kept as a permanent record, a statement of the particulars of the marriage for the purpose of annotating the relevant entries.

(2) The particulars in a statement under subsection (1) shall include-

(a) the names of the spouses;

(b) the office at which the birth of each of the spouses was registered and the register and folio number of the declaration of birth;

(c) the office at which the register containing the marriage entry is kept as a permanent record; and

(d) the register and folio number, and date of the entry relating to the marriage.

(Amended 9/84)

#### **PART V - DEATH**

#### **37 Interment, cremation or immersion at sea**

(1) Notwithstanding sections 161 and 168 of the Public Health Act but subject to subsections (2) and (3) and to any other enactment, the body of any dead person may be disposed of by interment, cremation or immersion at sea.

(2) No interment, cremation or immersion at sea of the body of any dead person shall take place-

(a) without a permit from an officer in such form as the Registrar of Civil Status may

approve;

- hours
- (b) except where the Permanent Secretary, Ministry of Health or any person authorised by him otherwise consents in writing, before the expiry of 24 hours after the death of the person;
- conditions
- (c) in the case of an immersion at sea, except in accordance with such conditions as the Minister, or any person authorised by him, thinks fit to impose.

(Amended 9/84)

### 38 Registration of death

- (1) (a) Two persons who have been-
- last
- (i) present at the death;
- (ii) in attendance during the illness; or
- house
- (b) one person and the occupier of the house or premises where the death took place, shall within 24 hours of the death attend personally at the office of the district where the death took place or where the deceased last resided to declare such death and produce a medical certificate of the cause of death.

- (2) They shall-
- particulars
- (a) furnish to the officer such particulars as the officer may require; and
- appropriate
- (b) sign the relevant entry in the appropriate register in presence of the officer.

(Amended 7/92)

### 39 Contents of entry

- shall
- (1) The entry in the register under section 38 shall mention-

- deceased
- deceased;
- (a) the names, age, sex, residence and profession of the deceased;
  - (b) the names of the spouse of the deceased if he was or had been married;
  - (c) the cause of death;
  - (d) the names of the witnesses;
  - (e) the names of the parents of the deceased and
  - (f) the place of birth of the deceased.

(2) Where any of the particulars specified in subsection (1) are not known to the declarant, that fact shall be recorded.

#### **40 Registration in special circumstances**

(1) Where a death results from a cause specified in section 110 of the District and Intermediate Courts (Criminal Jurisdiction) Act, the Superintendent of Police of the district where the death occurred shall cause it to be registered.

reported to  
declaration  
not  
police

(2) (a) Where a death is declared by private parties and the circumstances the officer who receives the raise a suspicion that the death may have been natural, the officer shall report the matter to the nearest station.

officer  
the

(b) Where the Police sees no grounds for inquiry, they shall notify the officer who shall then register the death on the declaration of the parties.

(3) Where a death is declared to be the result of an accident, and there exists, in the opinion of the officer, no circumstances which raise a suspicion that an offence may have been committed, notwithstanding that there has been a lapse of several days between the time of the

accident and the time of death, the officer may register the death on the declaration of the parties.

#### **41 Death in institutions and similar places**

(1) Where a death occurs in a prison, police station, institution, orphanage or asylum, quarantine area or station or similar place, the person in charge of that place shall cause the death to be registered within 24 hours.

(2) Every person in charge of any such place shall keep a register in a form to be determined by the Registrar of Civil Status in which each death shall be recorded.

(Amended 9/84)

#### **42 Certificate of cause of death**

(1) An officer shall on request furnish without charge to every medical practitioner within his district printed forms of certificates of cause of death in such form as the Registrar of Civil Status may approve.

(2) Every person, who under this Act, is bound to give notice of the occurrence of any death shall-

person who  
illness  
the  
certificate of

(a) in the case of the death of any  
has been attended during his last  
by a medical practitioner, apply to  
medical practitioner for a  
the cause of death;

person who  
illness  
was  
charge  
of the

(b) in the case of the death of any  
was not attended during the last  
by a medical practitioner, but who  
under treatment at a Government  
dispensary, apply to the officer in  
of the dispensary for a certificate  
cause of death,  
and the medical practitioner or the officer in charge of the  
dispensary shall sign and deliver to the applicant a  
certificate of the cause of death.

(2),  
give  
examined  
after  
  
defray  
  
before  
the

(3) (a) In any case not covered by subsection  
any one of the persons required to  
notice of the occurrence of any death  
shall cause the dead body to be  
by a medical practitioner who shall,  
examination, duly sign and deliver a  
certificate of the cause of death.

(b) Where the persons are too poor to  
the expenses of the examination-

(i) they shall make a written  
statement to that effect  
an officer in such form as  
Registrar of Civil Status may  
approve;

a  
a  
for the  
and  
of  
shall,  
body

(ii) the officer shall issue them written authority to apply to Government Medical Officer examination of the dead body the delivery of a certificate the cause of death, and the Government Medical Officer on application, examine the and deliver the certificate required.

(Amended 9/84)

#### **43 Death in quarantine stations**

(1) Where no officer has been appointed for a quarantine station, the person in charge of the station shall keep a register, in a form to be determined by the Registrar of Civil Status, in which he shall record the particulars of every person who dies in the station.

(2) Notwithstanding section 37, where a death in a quarantine station has been recorded under subsection (1), the body may be disposed of without a permit having been issued by an officer.

(3) (a) Where a death has been recorded under subsection (1), the person in charge of the quarantine station shall, not later than 8 days after the quarantine station ceases to be a quarantine station, forward the register kept by him to the Registrar of Civil Status who shall cause an entry to be made in the appropriate register kept at the Central Civil Status Office in respect of every death recorded under subsection (1).

register (b) Every entry in the appropriate  
made under paragraph (a)-  
of (i) shall contain a marginal note  
the circumstances in which it  
is made; and  
under (ii) where the particulars of the  
deceased person required  
may section 38 are not complete,  
be completed by information  
supplied by 2 persons who  
have known the deceased.  
have (c) Where an entry is completed under  
paragraph (b)(ii), this Act shall  
the effect, in respect of any particulars  
supplied by a person who has known  
deceased, as if that person was a  
declarant under section 38.

(4) After all the deaths recorded in a register specified in subsection (1) have been entered in the appropriate register under subsection (3), the register shall be forwarded to the Permanent Secretary, Ministry of Health, to be kept as a permanent record.

(Amended 9/84)

#### **44 Death on board Mauritian ship or aircraft**

(1) Where a death occurs on board any ship or aircraft registered in Mauritius, during any voyage, the master of the ship or aircraft shall draw up and sign a declaration of the death and have the declaration attested by 2 witnesses.

(2) The declaration shall contain the names, age, sex and profession of the deceased, the place at which he has embarked and the cause of death.

(3) On the arrival of the ship in any harbour of Mauritius or the landing of the aircraft, the master shall deliver the declaration to the Director of Shipping or the Director of Civil Aviation, as the case may be, for



transmission to the Registrar of Civil Status who shall cause the death to be registered in a separate register.

(Amended 28/86) [P1/91]

**45 Unidentified dead bodies and human remains**

(1) Where any dead body or human remains have been discovered and cannot be identified, the Commissioner of Police or any Superintendent of Police authorised by him shall cause the dead body or the human remains to be inspected by a medical practitioner, and shall forward the report of the medical practitioner to the Registrar of Civil Status.

(2) (a) The report shall contain a description of the place where the body or remains may have been found.

- other  
the  
conformation  
the  
of the  
been  
may  
by  
drawn  
not  
Status
- (b) It shall mention what clothing or effects have been found near or upon body or remains, describe the state and condition of the body, the conformation, length and density of bones found and the lesions which may exist upon the body or remains.
- (c) The sex, the probable date of death person whose body or remains have discovered, and every detail which afterwards be useful for the identification of the body or human remains shall also be mentioned.
- (3) (a) The report shall be signed and dated the medical practitioner who has it, countersigned by a police officer below the rank of Inspector.
- (b) It shall be kept by the Registrar of Civil Status at the Central Civil Office, and shall be entered verbatim in the appropriate register.

(Amended 9/84)

#### **46 Registration of causes of death**

The cause or probable cause of death of any person shall be entered in the appropriate register and each entry shall bear a number corresponding with the number of the entry in the appropriate register in which the death has been registered.

#### **47 Registration after disposal of body**

(1) Where at the time of the disposal of the body of a dead person, his death has not been registered at an office, no officer shall register the death except upon an order of a Magistrate authorising the registration of death.

(2) No order under subsection (1) shall be made except upon the favourable conclusions of the ministere public.

(3) Where the death of a dead person is registered under subsection (1), the order authorising the registration shall be annotated against the entry.

#### **48 Death outside Mauritius**

Where a person has died outside Mauritius and the body is brought to Mauritius for disposal, an officer may, on production to him of a certificate from a Health Inspector that there is no objection to the disposal, issue a permit authorising the disposal.

### **PART VI - AMENDMENT OF ENTRIES**

#### **49 Multiple entries of birth**

Where the birth of any person is registered more than once, the Registrar of Civil Status shall cause all the entries but one to be cancelled.

(Amended 9/84)

#### **50 Amendment of entries**

(1) In this Part, "amendment" includes rectification or cancellation.

(2) An officer or an interested party may make written application to the Magistrate of the district in which any entry has been registered for an order authorising the Registrar of Civil Status to amend an entry.

(3) Upon receipt of an application under subsection (2), the Magistrate shall refer the application to the ministere public for its conclusions and upon receipt of those conditions shall grant or refuse the application.

(4) Any person who is dissatisfied with the decision of a Magistrate may, not later than 6 weeks from the date of the decision, move the Supreme Court for a reconsideration of the application.

(5) Notwithstanding subsection (4), the ministere public may refer any application to the Supreme Court for determination.

(6) Notwithstanding any other enactment, no fee shall be payable in respect of an application made under this section.

(Amended 9/84)

## **51 Powers of Attorney-General**

(1) The Attorney-General may dispute the validity of an entry or require its amendment.

(2) Every proceeding by or on behalf of the Attorney-General shall be by motion to the Supreme Court calling upon the parties interested to show cause against the motion.

## **52 Amendment to be annotated in margin**

The order or judgment authorising the amendment of an entry shall be recorded verbatim in the appropriate register and a summary of the amendment, shall be made in the margin of the entry in every register in which the entry has been registered.

## **53 Completion of incomplete entries**

(1) Where it is discovered that any entry which is required to be made has not been made, filled up, signed or otherwise completed in any register by the officer having charge of the register, a Judge in Chambers may upon the application of the Attorney-General authorise, by an order in writing, the Registrar of Civil Status to make, fill up, sign or otherwise complete the entry.

(2) Any order under subsection (1) shall be entered in the appropriate register and any entry made, filled up, signed or otherwise completed in accordance with the order, shall be as valid as if the entry has been correctly made at the time it should have been made.

(Amended 9/84)

## **54 Amendment of entries by court after trial**

(1) Without prejudice to the other provisions of this Part, where during the trial of any action or proceeding whether civil or criminal, it appears to a court that any entry in a register should be amended, the court after reference to the *ministere public*, may make an order directing the Registrar of Civil Status to amend the entry.

(2) An order under subsection (1) shall not issue before the judgment in the action or proceeding has become final.

(3) The *ministere public* or any aggrieved party may, where an order has been made under subsection (1), by way of motion, within 15 days of the order, appeal to the Supreme Court.

(4) An order under subsection (1) shall be registered in the appropriate register.

(Amended 9/84)

## **PART VII - CHANGE OF NAME**

### **55 Application for change of name**

Any Mauritian citizen may petition the Attorney-General for leave to make any change to his names.

### **56 Notice of application in Gazette**

(1) The applicant shall give notice of his application in the Gazette and in 2 daily newspapers, one of which at least shall be approved by the Attorney-General.

(2) The notice shall be published at least 3 times in the Gazette and in each of the newspapers.

(3) At any time within 4 months from the last publication under subsection (2), any interested person may oppose the application by filing at the Attorney-General's Office an objection in writing, specifying his grounds of objection.

### **57 Attorney-General may authorise change**

Where-

(a) within the period specified under section 56 (3), no objection is made to the application, or if any objection is made but is rejected by the Attorney-General; and

(b) the Attorney-General is satisfied that there are good and sufficient grounds in support of the application, the Attorney-General may grant the application and authorise the change.

### **58 Registration of change of name**

(1) Where the Attorney-General is satisfied that the appropriate fee specified in the Schedule has been paid or has been remitted under section 62, as the case may

be, he shall cause to be gazetted his decision authorising any change of name.

(2) The name authorised to be borne by the applicant shall be deemed his name, family name and that of his wife and minor children and of any other person by law entitled to bear the name of the applicant.

(3) This Act shall not 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 other enactment.

#### **59 Registrar of Civil Status to rectify entries**

Where a notice authorising a change of name has been published under section 58(1), the Registrar of Civil Status shall inscribe in the margin of the entry of birth of the applicant in the appropriate register and of any other entry concerning the application in any other register, the change authorised by the notice.

(Amended 9/84)

### **PART VIII - MISCELLANEOUS**

#### **60 Acknowledgment of natural child**

(1) Any deed containing the acknowledgment of a natural child shall be entered in full in the appropriate register.

(2) A mention of the acknowledgment with the date of the deed shall be entered in the margin of the entry of birth of the child in every register in which the birth is entered.

#### **61 Costs**

The ministere public or the Government shall not incur any costs nor be liable to any damages with respect to civil status matters.

#### **62 Fees**

(1) The fees specified in the Schedule shall be levied by means of stamps.

(2) The Minister may, by regulations, amend the Schedule and provide for the levy of fees other than those specified in section 9.



- (3) The Minister may remit the fee payable for any change of name where he is satisfied that the person who applies for the change of name is unable to pay the fee.

(Amended 36/94)

**63 Specific offences by officers**

- (1) Any officer who-
- (a) makes any entry on a loose sheet;
  - (b) receives, draws up or registers any entry, extract or certificate otherwise than in strict conformity with this Act;
  - (c) loses or damages or causes or permits to be lost or damaged any register or part of a register or any document in his custody connected with civil status; or
  - (d) celebrates a marriage when the publication prescribed has not been made, shall commit an offence.

(2) Sections 106 and 107 of the Criminal Code shall be applicable to any officer who-

- (a) commits a forgery in any entry in a register or in any copy of the entry in one or more of the modes referred to section 106 of the Criminal Code; or
- (b) in making any entry in any register or in any copy of the entry, fraudulently alters the substance or particulars thereof in one or more of the modes referred to section 107 of the Criminal Code.

**64 Offences by authorised persons**

Any authorised person who makes an entry on a loose sheet or registers a marriage otherwise than in conformity with this Act shall commit an offence and shall, on conviction, be liable to a fine not exceeding 2,000 rupees and to imprisonment for a term not exceeding 2 years.

**65 Destruction or damage**

Every officer or other person who willfully destroys or damages or permits or causes to be destroyed or damaged any register or any document relating to civil status shall commit an offence.

**66 Counterfeiting and altering documents**

Any person not being an officer who-

- causes (a) falsely makes or counterfeits or  
entry, or to be made or counterfeited any  
extract copy of an entry, certificate or  
civil or any other document relating to  
status;
- any (b) fraudulently counterfeits or alters  
signature, date or writing in any  
document specified in paragraph (a);
- any (c) fraudulently inserts in, or adds to,  
any documents specified in paragraph (a)  
word, letter, figure or sign which  
did not exist in the document at the time it  
was signed by an officer;
- any (d) fraudulently erases or alters in any  
document specified in paragraph (a)  
word, letter, figure or sign; or
- to (e) knowingly makes use of any document  
specified in paragraph (a) which has  
been counterfeited, altered or added  
as mentioned above,  
shall commit an offence.

**67 Failure to transmit acknowledgment**

Any notary or other public officer authorised by law to draw up a deed of acknowledgment, shall within 7 days of drawing up of the deed transmit a copy of the deed to the Registrar of Civil Status and if he fails to do so he shall

commit an offence and shall, on conviction, be liable to a fine not exceeding 2,000 rupees.

(Amended 9/84)

## 68 False statements or declarations

Any person who-

affidavit, (a) on being examined or in any makes a statement, which he knows to be false;

officer a (b) makes, signs or marks before an declaration which he knows to be false;

officer (c) makes, signs, or marks before an a declaration containing a statement which he knows to be false; or

or any (d) on giving any notice under this Act regulation under this Act, makes a statement which he knows to be false, shall commit an offence.

## 69 Offences in respect of children

(1) Any person who carries away, conceals or suppresses a newborn infant, or substitutes any child for another, or falsely attributes a child to a woman who has not delivered the child, shall commit an offence.

(2) Where any person having the care of a child, with intent to prejudice or conceal the status of the child, does not produce the child to anyone lawfully entitled to claim it, he shall commit an offence.

## 70 Concealment of birth

(1) Every person who, by any secret disposition of the dead body of a child, whether the child died before, at, or after its birth, endeavours to conceal the birth of the child, shall commit an offence.

(2) Where any person charged before a Judge and jury for infanticide is acquitted and the jury finds that the child has recently been born and that the person charged did, by any secret disposition of the dead body of the child, endeavour to conceal the birth of the child, the court may convict the person charged and pass sentence on

him as if he had been convicted upon an information for the concealment of the birth in breach of subsection (1).

(3) The father or mother of a legitimate child who fails within 3 months of the birth of the child to declare the birth shall commit an offence and shall, on conviction, be liable to a fine not exceeding 500 rupees.

(4) The mother of a natural or illegitimate child who fails within 3 months of the birth of the child to declare the birth of the child shall commit an offence and shall, on conviction, be liable to a fine not exceeding 500 rupees.

(5) Where any person who finds a newborn child neglects to make the declarations and fulfill the formalities required of him by section 17, he shall commit an offence and shall, on conviction, be liable to a fine not exceeding 500 rupees and to imprisonment for a term not exceeding 6 months.

(6) No proceedings shall be instituted under subsection (3) or (4) where the birth of a child has been registered under section 12(3).

#### **71 Disposal of dead body**

Any person who buries or otherwise disposes of any human body-

- (a) without having previously obtained a permit from an officer;
- (b) before the required period; or
- (c) in any unauthorised burial ground,

shall commit an offence and shall, on conviction, be liable to a fine not exceeding 500 rupees or to imprisonment for a term not exceeding 6 months.

#### **72 Concealment of dead body**

(1) Any person who conceals, privately buries or disposes of the body of a person killed, or who has died from the effects of any blow or wound shall commit an offence and shall, on conviction, be liable to a fine not exceeding 2,000 rupees or to imprisonment for a term not exceeding 2 years.

(2) Any person who at the time of making a declaration of death, knowingly fails to disclose that a death has occurred by violence or in suspicious circumstances shall commit an offence and shall, on

conviction, be liable to a fine not exceeding 500 rupees or to imprisonment for a term not exceeding 6 months.

### **73 Penalties**

Any person who contravenes this Act shall commit an offence and shall, on conviction, be liable, where no other penalty is provided, to a fine not exceeding 2,000 rupees and to penal servitude for a term not exceeding 3 years.

### **74 Past religious marriages**

(1) Parties to a religious marriage celebrated before the commencement of this Act who wish that their marriage be registered, whether the marriage took place in Mauritius or abroad, shall make a joint declaration to an officer at the Central Civil Status Office and the officer shall thereupon register the religious marriage in the appropriate register.

(2) Where one of the parties refuses or is unable to make the declaration referred to in subsection (1) or is dead, the other party may, on proof of the marriage, make the declaration.

(3) Proof of the marriage under subsection (2) shall be either by affidavit or by a certificate from the person who celebrated the religious marriage.

(4) Where the declaration is made by one party to the religious marriage under subsection (2), the officer shall-

the other

(a) serve a notice by registered post on the other party at the address of the party, if known; and

(b) cause a copy of the declaration to be posted in a conspicuous place in the Central Civil Status Office.

(5) The other party to the religious marriage may, within 15 days of receipt of the notice under subsection (4) (a), or the posting up of the copy of the declaration under subsection (4) (b), object to the declaration by lodging a notice of objection with the officer.

(6) (a) Subject to paragraph (b), where a declaration is made under subsection (2),



the Registrar of Civil Status shall forward the declaration through a State Attorney to a Judge in Chambers for adjudication.

(b) Where a notice of objection is lodged with the Registrar of Civil Status under subsection (5), paragraph (a) shall not apply, but the Registrar of Civil Status shall inform the party making the declaration of the objection, and either party may apply to a Judge in Chambers for adjudication.

(7) The Judge in Chambers after hearing the parties shall, as soon as convenient, adjudicate on the declaration and make an order authorising the registration of the declaration or upholding the objection, if any.

(8) The Clerk of the Registry of the Supreme Court shall within 8 days of the making of the order transmit a copy of the order to the Registrar of Civil Status who shall forthwith cause it to be registered in the appropriate register.

(9) Where the order authorises the registration of the religious marriage, the Registrar of Civil Status shall cause the declaration of the marriage to be registered in the appropriate register.

(10) Notwithstanding the other provisions of this section, no religious marriage shall be registered in the register of Past Religious Marriages if any of the parties was already civilly married and the civil marriage had not been dissolved at the time of the religious marriage.

(11) Where a religious marriage has been entered in the appropriate register, the Registrar of Civil Status shall cause every entry concerning the parties to the religious marriage in every register kept by him to be annotated.

(12) Where any religious marriage is registered in the Register of Past Religious Marriages, articles 228-1 to 228-10 of the Code Napoleon shall apply in relation to such marriage.

(Amended 9/84; 35/85; 48/91)

**75 Regulations**

The Minister may make such regulations as he thinks fit for the purposes of this Act.

**76 Repeal**

[Spent]

(Amended 9/84; R 1/83)

**77 Commencement**

This Act shall come into operation on 1 January 1982.

-----

**SCHEDULE**

**(Sections 9 and 62)**

|  | <b>FEEs</b> |
|--|-------------|
| 1 For a manuscript or photocopy of an entry in a register other than a registration of a birth ..... | Rs          |
| 25.00  |             |
| 2 For an extract of an entry .....   | Rs          |
| 25.00  |             |
| 3 For any change of name .....   |             |
| Rs500.00   |             |

(Amended 17/91; 36/94)

-----

**CIVIL STATUS REGISTERS RECONSTITUTION ACT 1969**

Act 23 of 1969 - 24 June 1969

WHEREAS the Civil Status Office of Beau Bassin was destroyed by fire on the 10 January, 1969;

AND WHEREAS all Civil Status records kept at the said Office were completely destroyed by the fire;

AND WHEREAS it is expedient to reconstitute and complete civil status registers for the period extending from 1 October 1957 to 9 January 1969;

[Not Reproduced]

-----

**CIVIL STATUS REGISTERS RECONSTITUTION ACT 1977**

Act 20 of 1977 - 26 October 1977

To reconstitute the register of marriages of the Curepipe Civil Status Office for period extending from 1 January 1977 to 18 February 1977.

[Not reproduced]

-----

**CIVIL STATUS REGISTERS RECONSTITUTION ACT 1984**

Act 7 of 1984 - 30 March 1984

To reconstitute the register of marriages of the Quatre Bornes Civil Status Office for the period extending from 1 January to 25 June 1983

[Not reproduced]

-----