

PUBLICATION

SUMMARY OF THE BIRTHS AND DEATHS REGISTRATION ACT OF TANZANIA

CAP. 108 · R.E. 2023

A comprehensive overview of the law governing the registration of births and deaths in Tanzania.

01 INTRODUCTION

The Births and Deaths Registration Act is the principal law governing the registration of births and deaths in Tanzania. It establishes a legal framework for recording vital events, maintaining official population records, and issuing birth and death certificates. The Act assigns responsibilities to registrars, parents, relatives, medical practitioners, and other relevant persons to ensure that births and deaths are properly documented. The Registration Insolvency and Trusteeship Agency (RITA), under the Ministry of Constitutional and Legal Affairs, is the government agency that handles the registration of births and deaths.

Birth and death registration is important because it provides legal proof of identity, nationality, age, family relationships, and death, while also assisting the Government in planning public services and maintaining accurate demographic statistics.

KEY FACTS AT A GLANCE



ENACTED

1920

Chapter 108



CURRENT EDITION

Revised Edition 2023

R.E. 2023



ADMINISTERED BY

RITA, under the Ministry of Constitutional and Legal Affairs



GOVERNS

- ◆ Registration of births
- ◆ Registration of deaths
- ◆ Cause-of-death certificates

“ *An Act to make provision for the registration of births and deaths and for the issue by medical practitioners of certificates of the cause of death.* ”

The Long Title of the Births and Deaths Registration Act, Chapter 108 [R.E. 2023]. It reflects the two principal objectives of the legislation: the registration of births and deaths, and the issuance of medical certificates indicating the cause of death.

02 REASONS FOR ENACTMENT

The Act was enacted in 1920 to address several administrative and legal needs:



(A) CREATION OF OFFICIAL RECORDS

The Government required an official system for recording births and deaths occurring within the territory.



(B) LEGAL IDENTIFICATION

Birth registration establishes a person's legal identity and serves as evidence of age, parentage, and nationality.



(C) PUBLIC HEALTH ADMINISTRATION

Death registration and certification of causes of death assist public health authorities in monitoring diseases and mortality patterns.



(D) POPULATION STATISTICS

The Act enables the Registrar-General to compile annual statistics regarding population growth, mortality, and demographic trends.



(E) LEGAL AND ADMINISTRATIVE PURPOSES

Registration supports inheritance proceedings, succession matters, social services, education enrollment, and national planning.

03 CONTEMPORARY APPLICATION OF THE ACT

Today, the Act remains the principal legislation regulating civil registration in Tanzania. Its contemporary applications include:



BIRTH REGISTRATION

Registration of children born alive; issuance of birth certificates; and establishment of identity for school enrollment, passports, and national identification documents.



DEATH REGISTRATION

Recording deaths occurring within Tanzania; issuance of death certificates; and facilitation of probate and administration of estates.



VITAL STATISTICS

The Registrar-General compiles demographic data used by government agencies for planning health, education, and social welfare programs.



CIVIL REGISTRATION SYSTEM

The Act continues to support Tanzania's civil registration and vital statistics (CRVS) system through district registrars and the Registrar-General.

04 AMENDMENTS TO THE ACT

Since its enactment, the Act has undergone numerous amendments to modernize registration procedures and administrative structures. Major amendments include:

1922	Ordinance No. 29 of 1922
1926	Ordinance No. 20 of 1926
1943	Ordinance No. 19 of 1943
1949	Ordinance No. 39 of 1949
1955	Ordinance No. 30 of 1955
1976	Act No. 11 of 1976
1988	Act No. 13 of 1988
1992	Act No. 19 of 1992
1993	Act No. 1 of 1993
2005	Finance Act No. 13 of 2005
2009	Written Laws (Miscellaneous Amendments) Act No. 3 of 2009
2019	Written Laws (Miscellaneous Amendments) (No. 4) Act No. 11 of 2019
2021	Written Laws (Miscellaneous Amendments) (No. 3) Act No. 5 of 2021 MOST RECENT AMENDMENT

NOTE

These amendments mainly updated administrative structures, registration procedures, fees, and references to public authorities.

05 REPEALS, REPLACEMENTS & CONSOLIDATIONS

REPEAL OF EARLIER LAW

Section 30 of the Act repealed the earlier Proclamation No. 15 of 1917 (Civil Area), which had previously governed registration of births and deaths in certain areas. Existing registers maintained under that Proclamation were preserved and transferred to the Registrar-General.

REPEALED SECTIONS

Certain sections of the Act have themselves been repealed over time:

- ◆ Section 21 - repealed.
- ◆ Sections 27 and 28 - repealed by Act No. 3 of 2009.

The Act has not been completely replaced; rather, it remains in force as Chapter 108 of the Revised Laws of Tanzania.

CONSOLIDATIONS

The Act has undergone legislative consolidation during the revision of Tanzanian laws. Notable consolidations include the Revised Laws of Tanzania, 2002; the Revised Edition 2019; and the Revised Edition 2023. These consolidations incorporate amendments into a single updated text for easier reference and application.

06 OFFENCES AND SANCTIONS UNDER THE ACT

Section 29 creates several offences and penalties:



(A) FAILURE TO REGISTER A BIRTH OR DEATH

A person legally required to register a birth or death who fails to do so within the prescribed period commits an offence. **Penalty:** a fine not exceeding 500 shillings; and the court may order registration to be completed.



(B) REFUSAL TO REGISTER OR PROVIDE REQUIRED INFORMATION

Any person under a duty to register who refuses to register or refuses to provide prescribed particulars commits an offence. **Penalty:** a fine not exceeding 500 shillings; or imprisonment not exceeding one month; or both fine and imprisonment.



(C) FAILURE TO COMPLY WITH COURT ORDER

Where a court orders a person to register a birth or death and the person fails to comply, that person commits a further offence. **Penalty:** the same penalties applicable to refusal to register.



(D) FALSE STATEMENTS AND FRAUDULENT INFORMATION

A person who knowingly provides false information or false documents for the purpose of procuring an entry in the register commits an offence. **Penalty:** a fine not exceeding 1,000 shillings; or imprisonment for a term not exceeding one year; or both fine and imprisonment.

07 CONCLUSION

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The Births and Deaths Registration Act, Chapter 108, is one of Tanzania's **oldest and most important** civil registration laws.,,

Enacted in 1920, it provides the legal basis for recording births and deaths, maintaining national demographic records, and issuing certificates that establish legal identity and proof of death. Through successive amendments and consolidations, the Act has remained relevant to Tanzania's administrative, legal, and public health systems. Its provisions on compulsory registration, record keeping, and penalties for non-compliance continue to support effective governance, population management, and protection of individual legal rights.

08 REFERENCES

- ◆ The Births and Deaths Registration Act, [Cap. 108 of the R.E. 2023]
- ◆ Amendment to the Births and Deaths Registration Ordinance No. 29 of 1922
- ◆ Further Amendment Ordinance No. 20 of 1926
- ◆ Further Amendment Ordinance No. 19 of 1943
- ◆ Further Amendment Ordinance No. 39 of 1949
- ◆ Further Amendment Ordinance No. 30 of 1955
- ◆ Amendment Act No. 11 of 1976
- ◆ Amendment Act No. 13 of 1988
- ◆ Amendment Act No. 19 of 1992
- ◆ Amendment Act No. 1 of 1993
- ◆ Finance Act No. 13 of 2005
- ◆ Written Laws (Miscellaneous Amendments) Act No. 3 of 2009
- ◆ Written Laws (Miscellaneous Amendments) (No. 4) Act No. 11 of 2019
- ◆ Written Laws (Miscellaneous Amendments) (No. 3) Act No. 5 of 2021



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