

BILL

No. 22 of 1916.

An Act respecting Vital Statistics.

(Assented to , 1916.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

SHORT TITLE.

1. This Act may be cited as "*The Vital Statistics Act.*"

INTERPRETATION.

2. In this Act unless the context otherwise requires—

1. The expression "Minister" means the member of the Executive Council for the time being administering the Department of Agriculture;

2. The expression "Department" means the Department of Agriculture presided over by the Minister administering this Act;

3. The expression "occupier" where used in this Act shall be construed to include the governor, master, warden, keeper, superintendent or other officer in charge of a gaol, prison, penitentiary, lunatic asylum, hospital, reformatory, immigration building or other public or private charitable institution; and the tenant, proprietor or manager of a hotel;

4. The expression "camp or mine" means and includes any lumber, saw mill, railway or other construction camp, railway camps or any other maintenance work, quarries, mines, smelting or cement works situated outside of the limits of any city, town or village;

5. The expression "undertaker" means, for the purpose of this Act, any person who takes charge of the burial or other disposition of a dead body;

6. The expression "Registrar-General" means the Registrar-General of Vital Statistics;

7. The expression "physician" means a duly qualified medical practitioner practising his profession within the Province of Alberta and registered as such practitioner in the College of Physicians and Surgeons of Alberta;

8. The expression "house" means and includes a part of a house and a tenement building, tent, room or dwelling place, and a suite or flat in an apartment building and a hotel;

9. The expression "registration" means the official recording of particulars of births, marriages and deaths;

10. The expression "prescribed forms" means the forms prepared by the Registrar-General;

11. The expression "forthwith" means that the action thus limited shall take place within twenty-four hours.

ADMINISTRATION.

3. The Minister shall be Registrar-General and shall be charged with the administration of this Act, and, subject to the Minister, the direction, supervision and control of the work under this Act shall be under the jurisdiction of the Provincial Board of Health.

DEPUTY REGISTRAR-GENERAL AND INSPECTOR OF VITAL STATISTICS.

4. The Provincial Medical Officer of Health shall be Deputy Registrar-General of Vital Statistics.

(2) The Lieutenant Governor in Council may appoint an inspector of vital statistics whose duties shall be prescribed by the Registrar-General.

5. For the purposes of this Act the Minister may appoint such persons as he may deem necessary and qualified to be registrars of vital statistics who shall perform the duties required of such registrars by this Act or by any rules, orders or regulations made and in force hereunder.

(2) Such persons shall be known as district registrars and every notice, request, report, transmission or return required by this Act to be made to a district registrar shall be made to the district registrar whose residence or place of business is nearest to the place where the birth, marriage or death took place.

OFFICE AND DUTIES OF THE DISTRICT REGISTRARS.

6. The department shall supply the district registrars with the blank forms and registers necessary for the discharge of the duties herein imposed upon them, and it shall be the duty of such district registrars to apply to the department for the issue of such blank forms and registers whenever they may require them.

(2) The cost and expenses of such forms and registers and the expenses attendant upon the distribution thereof shall be paid out of the general revenue fund of the province.

7. In case of the termination of the appointment of any district registrar by death, resignation or otherwise, all such forms and other matters pertaining to his duties under this Act or in his possession or that of his representative shall forthwith be delivered to his successor in office.

8. Every district registrar shall keep a register, the form of which shall be prescribed by the Registrar-General, of all births, marriages and deaths duly registered by him in the manner required by this Act.

9. Every district registrar shall, within the first week of each month in every year, transmit to the department the forms duly certified under his hand, containing the original entries of all births, marriages and deaths reported to him during the previous month, and if none have been reported he shall notify the department to that effect on forms provided for that purpose.

10. If the district registrar has reason to believe that a birth, marriage or death has taken place, which under this Act should have been registered with him but which has not been so registered, he shall inform the proper person of his duty to register same, and, on failure of such person to make the registration, he shall forthwith supply the department with such information as he may possess in regard to the matter.

11. It shall be the duty of the district registrar to keep the schedules, forms and documents received by him in a place of safety, and he shall use all available means to obtain the necessary information, for the purpose of completing the records required by him.

POPULATION STATISTICS.

12. The secretary of every municipality and district as constituted under *The Local Improvement Act* shall make a return to the department on or before the third day of December in each year, giving the approximate number of people resident in his respective city, town, village, rural municipality or local improvement district and such returns shall be on the form prescribed by the Registrar-General.

CHURCH NOTICES.

13. Every clergyman, minister or other person authorized to baptize or perform the ceremony of marriage or conduct funeral services shall keep registers in such form as may from time to time be determined by the Registrar-General, showing the persons whom he baptizes or marries or who die within his cure or congregation, or over whose bodies he may have conducted funeral services.

(2) The registers mentioned in this section shall be supplied by the department, and shall be the property of the Government but they shall be retained by the church or congregation to which the minister, clergyman or other person performing the ceremony belongs at the time of the first baptism or marriage entry or death which he records therein, and shall thereafter be kept as records in such church, or in the case of the abandonment of the church, they shall be filed in the department and such registers shall be open to inspection at any reasonable hour by registrars.

14. The executive bodies of every religious denomination shall at least once every year, and oftener if required by the Registrar-General, send to the department a list of those persons in their denominations who to their knowledge are authorized or who do perform the marriage ceremony in their denomination.

15. Every minister, clergyman or other person duly qualified to solemnize marriages, except a commissioner appointed by the Lieutenant Governor in Council, shall before solemnizing marriage forward to the department his certificate of ordination or appointment, which when duly examined and registered shall be returned to him personally or by registered mail.

REGISTRATION OF BIRTHS.

16. The father of any child born in this province, or in the case of his death or absence, the mother, or in the case of the death or inability of both parents, any person standing in the place of the parents or present at the birth, or if there is no such person, then the occupier of the house or tenement in which to his knowledge the child was born, shall within one month from the date of birth give notice thereof to the district registrar, giving as far as possible the particulars required in form A in the schedule to this Act, together with such additional information as may from time to time be required by the Registrar-General.

(2) Every person whose duty it is to register a birth shall¹ register such birth under a Christian name as well as a surname.

17. In registering the birth of an illegitimate child, it shall not be lawful for the name of any person to be entered as the father unless at the joint request of the mother and the person acknowledging himself to be the father; and in all cases of registration of the birth of illegitimate children the registrar shall write the word "illegitimate" in the column set apart for that purpose.

18. Upon any person who claims to be one of the parents of an illegitimate child producing to the Registrar-General a statutory declaration made by both parents of such child setting forth—

- (a) The names, occupations and addresses of both parents, the acknowledgment of parentage, the name, sex and date of birth of such child;
- (b) The date of their marriage;
- (c) A certified abstract of their marriage registration;
- (d) That it is their desire to have the child registered as their lawful issue;
- (e) That no legal impediment to their marriage existed at the time of the birth of the said child;

the Registrar-General shall register (whether dead or alive) such child as the lawful issue of such parents and shall make a note in the remarks column of the prescribed form to the effect that the registration has been made under this section. If the same child has been previously registered, the Registrar-General shall make a note in the remarks column of the previous registration and on any transcript thereof which may be on record in the archives of the department.

19. Should the parents or guardians of a child, whose name has been registered, desire to have the Christian name or names of such child changed or corrected, such parents or guardians may make application to the Registrar-General by letter or in person, and the Registrar-General shall, if the age of the child does not exceed ten years, make the required change or correction in the records of the department. There shall be charged on such application a search fee of twenty-five cents and a further fee of fifty cents for a certified abstract of the registration as changed.

20. At the time of registration of a birth, the district registrar shall issue, free of charge, to the person registering such birth, a certificate of registration of birth according to form F in the schedule to this Act.

21. Every legally qualified medical practitioner who attends at the birth of a child shall forthwith give notice thereof on the prescribed form to the district registrar.

(2) Any person who, in the absence of a legally qualified medical practitioner, assumes the responsibilities and duties in connection with the birth of a child, shall forthwith on the birth of said child give notice thereof to the district registrar.

REGISTRATION OF MARRIAGES.

22. Every clergyman, minister or other person authorized by law to celebrate marriages shall report every marriage he celebrates to the district registrar within fifteen days from the date of the marriage with the particulars required by form B in the schedule to this Act, together with such additional information as may from time to time be required by the Registrar-General, and in order to better enable the said clergyman, minister or other person to make the report as aforesaid he shall be furnished on demand by any registrar with blank forms containing the particulars required by the said form B.

REGISTRATION OF DEATHS.

23. The undertaker or any person acting as undertaker or the occupier of a house or tenement in which a death takes place or, if the occupier is the person who has died, then one of the persons residing in the house in which the death took place, or if the death has not taken place within a house, then any person present at the death or having any knowledge of the circumstances attending the same or the coroner who has been notified of a death or has attended any inquest held on the body of such person shall, before the interment of the body, supply to the district registrar according to his or her knowledge or belief all the particulars required to be registered touching such death, according to form C in the schedule to this Act, together with such additional information as may from time to time be required by the Registrar-General.

24. Every registrar shall, immediately on registering any death or as soon thereafter as he is required to do so, without fee or reward, deliver to any person requiring the same for the purpose of burial a certificate (to be known as a burial permit) according to form D in the schedule to this Act stating that the particulars of such death have been duly registered.

25. Every duly qualified medical practitioner who was last in attendance during the last illness of any person shall forthwith on notice or having knowledge of the death of such person transmit to the district registrar a certificate under his signature of the cause of death according to form E in the schedule to this Act, together with such additional information as may from time to time be required by the Registrar-General; and it shall be the duty of every such medical practitioner to apply to the said registrar for blank

forms for that purpose. Upon receipt of the certificate from the medical practitioner by the registrar he shall attach the same in a temporary manner to the registration of death provided for in form C in the schedule hereto, provided that where a coroner's inquiry or inquest is held in connection with any death, it shall be the duty of such coroner to transmit to the said registrar all the particulars necessary according to form C in the schedule to this Act, together with a certificate of cause of death signed by him according to form E in the schedule hereto, before issuing his warrant for burial under *The Coroner's Act*.

(2) Indefinite or unsatisfactory expressions, indicating only symptoms of disease, or conditions resulting from disease, as defined by the Registrar-General, will not be held sufficient for issuing a burial permit; and any certificate containing only such terms shall be returned to the physician for correction and definition. Causes of death which may result from either disease or violence shall be carefully defined. If from violence, the nature of the violence shall be stated and whether (probably) accidental, suicidal or homicidal.

26. In case of any death occurring without medical attendance it shall be the duty of the district registrar to notify the local medical officer of health and refer the case to him for immediate investigation and certification, prior to issuing the burial permit, provided that when the local medical officer of health is not a qualified physician or where there is no such official and in such cases only the district registrar is authorized to prepare and sign a certificate to take the place of the medical certificate hereinafter provided for from the statements of relatives or other persons having adequate knowledge of the facts; provided further, that where it is impossible to arrive at the cause of death, or if the circumstances of the case render it probably that the death was caused by unlawful or suspicious means, the district registrar shall then refer the case to the coroner for his investigation and certification; and any coroner who holds an inquest on the body of any deceased person and makes the certificate of death required for a burial permit, shall state on this certificate, if possible, the name of the disease causing death, or if caused by violence, the probable means of death, whether accidental, suicidal or homicidal as determined by the inquest, and shall in either case furnish such information as may be required by the Registrar-General properly to classify the death.

27. No removal for burial of the body of any person shall take place and no undertaker, clergyman, sexton, householder or other person shall engage in the burial of the body of any person unless a burial permit as provided for in form D in the schedule hereto has been previously obtained from the district registrar to the knowledge of the person so removing or engaging in the burial of the body:

Provided that the body of any person may be interred without a burial permit if the death of such person occurred outside the Province of Alberta:

And provided further that a clergyman, minister or other person who is called upon to perform any funeral or religious service for the burial of any dead body under circumstances rendering it impracticable (by reason of the distance from the post office address of the district registrar to the place

where the burial service takes place or otherwise) to obtain the said certificate in form D prior to the burial of the body, may perform such ceremony without obtaining such certificate, but in this event such clergyman, minister or other person so performing such burial service shall forthwith make a return in form C in the schedule to this Act to the district registrar.

28. Before the disinterment of a body shall take place, a certified extract of the death shall be obtained from the department, for which a fee of fifty cents, together with a search fee of twenty-five cents shall be payable, and said extract shall be presented to the Provincial Medical Officer of Health before a permit for disinterment is issued.

29. Stillborn children or those dead at birth shall be registered only as deaths, and notice of the death shall be filed with the district registrar in the usual manner. A medical certificate relating to the stillbirth shall be signed by the attending physician, and a burial permit according to form D in the schedule to this Act must be procured from the district registrar before the body may be interred.

(2) Stillbirths shall not be included in the departmental annual returns of deaths; they shall be recorded separately.

30. The Registrar-General may register a death which has not been registered by a district registrar provided the information is furnished in accordance with the provisions of this Act.

DUTIES OF CEMETERY CARETAKERS.

31. Except in cases provided in the provisoes to section 27, no caretaker, superintendent or owner of any cemetery whether public or private, nor any clergyman, minister or other person having charge of a church to which a burial ground is attached shall permit the interment of the body of any person in the burial grounds over which he has charge unless he has received a certificate of registration (burial permit) as provided for in form D in the schedule hereto.

32. Every such caretaker, superintendent, owner, clergyman, minister or other person in charge of any cemetery shall on or before the last day of March, June, September and December in each year transmit to the department a return showing the number of burials therein during the preceding three months, giving the names of the persons whose bodies are therein buried and the date on which each interment took place.

CORRECTION OF ERRORS—SUBSEQUENT REGISTRATIONS.

33. If it is discovered that any error has been made in the entry of any birth, marriage or death, then, upon the same being reported to the proper district registrar, it shall be his duty to inquire into the same and if satisfied that an error has been committed it shall be lawful for him to correct the erroneous entry by making the necessary alterations in the margin of the form containing the original entry; and if the original entry of such birth, marriage or death

has been transmitted to the department, he shall report to the department according to the facts of the case, so as to secure the correction of such erroneous entry in the margin of the form containing the original entry.

34. Every registration of a birth, marriage or death shall be made within the time specified; but nothing herein contained shall prevent the subsequent registration of such birth, marriage or death within the period of one year.

35. After the expiration of one year after the date of any birth, marriage or death, the particulars of such birth, marriage or death shall not be registered except with the written authority of the Registrar-General.

36. Every birth, marriage or death registered by the authority of the Registrar-General as herein provided after the expiration of one year shall be accompanied by a search fee of twenty-five cents and a registration fee of fifty cents.

37. The Registrar-General may, if he considers it necessary, require that proofs by affidavit or otherwise be furnished before the authority to register any birth, marriage or death be granted.

38. The original entries of all births, marriages and deaths shall be arranged, indexed and kept in the archives of the department; and any person furnishing satisfactory evidence that it is not for any unlawful or improper purpose shall be entitled to have them searched during the regular business hours of the department on payment of twenty-five cents for each search, and to require extracts duly certified by the Registrar-General on payment of fifty cents for each certificate.

(2) Such certified extracts shall be evidence of the entry and *prima facie* evidence of the facts therein stated in any court.

(3) In the event that a search is required before the returns have been transmitted to the department as required by this Act, any registrar shall, as to the returns in his possession, allow such search to be made on payment to him of the fee of twenty-five cents, but any registrar who may not have transmitted his returns as required by this Act shall not allow such searches to be made after the date when such returns should have been transmitted to the department; provided that any coroner or police officer shall be entitled to have the returns of births, marriages or deaths searched free of charge by the registrar or other officer having charge of such returns in respect of any investigation being made by or inquiry pending before him and to receive extracts duly certified therefrom free of charge.

(4) The district registrar shall be entitled to the fees for such searches for his own use.

39. Each district registrar shall receive a fee to be paid out of the general revenue fund of the province of twenty-five cents for each registration of birth, marriage or death returned by him complete, to the department as herein required.

40. The Registrar-General shall make provision that the original registrations received monthly from the district registrars shall be carefully examined and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the records complete and satisfactory; and all clergymen, physicians, midwives, informants, undertakers and police officers connected with any case and all persons having knowledge of the facts, are hereby required to furnish such information as they may possess regarding any birth, marriage or death upon the demand of the Registrar-General, inspector or any district registrar, in person, by mail or through any other person.

41. All registrations and certificates either for birth, marriage or death shall be written legibly in unfading black ink and no registration or certificate shall be held to be complete that does not supply all the items of information called for by this Act, or satisfactorily account for their omission.

REGULATIONS.

42. The Lieutenant Governor in Council may from time to time make such further rules, orders and regulations as may be required for the purpose of effectually obtaining information required by this Act, and may from time to time alter or repeal any such rules, orders or regulations.

43. The Registrar-General may from time to time, as circumstances require, prescribe additional forms, alter or vary any of the forms in the schedule hereto or substitute new ones therefor.

PENALTIES AND PROSECUTIONS.

44. If any person required by this Act to report births, marriages, deaths or burials, refuses or wilfully neglects to do so within the time named, such person shall be liable on summary conviction thereof to a penalty of not less than one dollar or more than fifty dollars; and it shall be the duty of the district registrars to prosecute all such persons so neglecting or refusing to make the required reports within the time named; but nothing contained in this section shall prevent persons other than registrars from prosecuting defaulters.

45. If a district registrar neglects or refuses to make any complete return as required by this Act, he shall be notified of such neglect or refusal by the Registrar-General and if after notification he fails to make such complete returns within seven days, the Registrar-General may refuse to issue the certificate for the payments of the fees to the district registrar and such district registrar shall be liable on summary conviction to a penalty not exceeding twenty-five dollars.

46. If any undertaker, sexton or other person acting as undertaker shall inter, remove for shipment outside of the province or otherwise dispose of the body of any deceased person without having registered the death and obtained a burial permit as hereinbefore provided, except in the cases

mentioned in the provisoes to section 27 hereof, he shall be liable upon summary conviction to a penalty of not less than twenty dollars nor more than one hundred dollars.

47. Any person who knowingly or wilfully makes or causes to be made a false statement touching any of the particulars required to be reported and entered under this Act shall be liable upon summary conviction thereof to a penalty of not more than twenty-five dollars.

48. No district registrar either personally or through an employee or representative shall accept any fee or fees in connection with the registration of births, marriages and deaths except as hereinbefore provided; and any district registrar accepting any fee or fees other than those provided by this Act shall be liable on summary conviction thereof to a penalty not exceeding twenty-five dollars.

49. Any person wilfully removing, defacing or destroying public notices relating to the registration of births, marriages and deaths shall be liable on summary conviction thereof to a penalty of not more than five dollars.

50. Any person guilty of any act or omission in violation of any of the provisions of this Act for which no other penalty is provided shall be liable on summary conviction thereof to a penalty of not more than twenty dollars.

51. *The Vital Statistics Act*, being chapter 13 of the Statutes of 1907, and amendments thereof, are hereby repealed.

SCHEDULE.

FORM A.

CANADA
PROVINCE OF ALBERTA

{ For the use of the Department only }
Record No.....191....

REGISTRATION OF BIRTH.

Registered at.....

NOTE.—This form must not be mutilated. All information asked for should be given, including full Christian and Surnames of Parents as asked for, and if for any reason this is impossible a Statement must be made to that effect in the column set apart for "Remarks."

Date of Birthday of.....191...	
Place of Birth (Street and No., if any)		
Christian Name and Surname		
Sex (Male or Female)	Is this a single, double or other plural birth?	
Name and Surname of Father		
Native Country of Father		
Profession or Occupation of Father		
Full Name of Mother Before Marriage		
Native Country of Mother		
Name of Doctor in Attendance at Birth (if any)		
Is this Child Legitimate or Illegitimate?		
REMARKS		

I certify the foregoing to be true and correct to the best of my knowledge and belief.
Given under my hand at.....this.....
day of.....191.....

Informant.

Post Office Address.

I hereby certify that the above return was made to me at.....
on the.....day of.....191.....

Registrar.

Registrar's Record No.....of 191....

FORM B.

CANADA
PROVINCE OF ALBERTA

{ For the use of the Department only }
Record No.....of 191....

REGISTRATION OF MARRIAGE.

Registered at

BRIDEGROOM.

Name in Full	
Age	
Place of Residence (Full Postal Address)	
Place of Birth	
Bachelor, Widower or Divorced	
Profession or Occupation	
Names of Parents	{ Father..... Mother (Name before Marriage).....

BRIDE.

Name in Full (If a Widow give both Married and Maiden Names)	
Age	
Place of Residence before Marriage (Nearest Post Office)	
Place of Birth	
Spinster, Widow or Divorced	
Names of Parents	{ Father..... Mother (Name before Marriage).....

Name of Church or Occupier of House in which Marriage took Place and Address (Street and No., if any)	
Names and Addresses of Two Witnesses Other than Officiating Clergyman	Name.....Address..... Name.....Address.....
Religious Denomination of Officiating Clergyman	Of Bridegroom..... Of Bride.....
Date of Marriageday of.....191...
By License or Banns (If by License, State by Whom issued and No. of License)	
REMARKS	

NOTE.—This form must not be mutilated. All information asked for should be given, including full Christian and Surnames of all parties, and if for any reason this is impossible a Statement must be made to that effect in the column set apart for "Remarks."

I certify the foregoing to be true and correct to the best of my knowledge and belief.
Given under my hand at.....this.....
day of.....191.....
.....
Officiating Clergyman.

I hereby certify that the above return was made to me at.....
on the.....day of.....191.....
.....
Registrar.

Registrar's Record No.....of 191....

FORM C.

CANADA
PROVINCE OF ALBERTA

{For the use of the Department only}
Record No.....of 191....

REGISTRATION OF DEATH.

Registered at.....

Name of Deceased in Full	
Date of Deathday of191....
Place of Death (Street and No., if any)	SPECIAL INFORMATION FOR HOSPITALS, INSTITUTIONS, TRANSIENTS OR RECENT ARRIVALS.
Sex (Male or Female)	
Age	
Married or Single	
Profession or Occupation	
Place of Birth	
Cause of Death	
Name of Physician (if any) Attending Fatal Illness	Former or Usual Residence
Religious Denomination	
Place of Interment (Name of Cemetery)	How Long at Place of Death
REMARKS	Where was Disease Contracted

NOTE.—This form must not be mutilated. All information asked for should be given, and if for any reason this is impossible a Statement must be made to that effect, in the column set apart for "Remarks."

I certify the foregoing to be true and correct to the best of my knowledge and belief.
Given under my hand at.....this.....
day of191....

Informant.

Post Office Address.

I hereby certify that the above return was made to me at.....
on the.....day of191....

Registrar.

Registrar's Record No.....of 191....

FORM D.

CANADA
PROVINCE OF ALBERTA

CERTIFICATE OF REGISTRATION OF DEATH.
(BURIAL PERMIT.)

I....., Registrar at.....,
do hereby certify that the particulars of the death of.....
have been duly registered.
Given under my hand at.....this.....
day of.....191....
.....
Registrar.

This certificate must be obtained before the interment of any body may
take place, and must be delivered at the time of burial to the superintendent
or caretaker of the cemetery in which such body is interred, except as
wherein otherwise provided according to section 28, *Vital Statistics Act*.

FORM E.

CANADA
PROVINCE OF ALBERTA.

CERTIFICATE OF CAUSE OF DEATH.

Registration District of.....

Christian Name and Surname of Deceased
Date of Deathday of.....
Place of Death (Nearest Post Office, Street and No., if any)
Name of Occupier of Residence Wherein Death Occurred
Sex
Age
Duration of Illness
Cause of Death	{ Primary Immediate

I hereby certify that to the best of my knowledge and belief the cause
of death above stated is the true cause of death of the person herein named.
Place.....
Date.....
.....
Attending Physician.

N.B.—Physicians furnishing certificates of cause of death will adhere as
closely as possible to the schedule of causes of deaths furnished them
by the Department of Agriculture and are requested to avoid giving
as causes of deaths conditions which are purely symptomatic.

FORM F.

CANADA
PROVINCE OF ALBERTA.

Registration District of.....

CERTIFICATE OF REGISTRATION OF BIRTH.

This is to certify that the birth of.....
.....is registered as having taken place at
.....on the.....day
of.....191....
There is no fee for this certificate.

No. 22.

FOURTH SESSION
THIRD LEGISLATURE
6 GEORGE V
1916

BILL

An Act respecting Vital Statistics.

Received and read the

First time

Second time

Third time

HON. MR. MARSHALL.

EDMONTON:
J. W. JEFFERT, GOVERNMENT PRINTER,
A.D. 1916