



RESOLUTION No. 616/2004

**REGULATIONS FOR THE
REGISTRATION OF BIRTHS**

December 29, 2004

2004



**ÓRGANO ELECTORAL PLURINACIONAL
TRIBUNAL SUPREMO ELECTORAL**

RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

i

**RESOLUTION No. 616/2004
(Issued by the National Electoral Court).**

La Paz, December 29, 2004 HAVING

SEEN AND CONSIDERING:.....

That by Resolution No. 506/2004 of November 3, 2004, the National Electoral Court approved the new "Regulations for the Registration of Births in the Civil Registry," an instrument that was to take effect on the date of its approval.

That due to administrative problems, the Regulations were not distributed in a timely manner to the Departmental Electoral Courts for compliance and application.

THEREFORE:.....

...

**THE NATIONAL OF ITS NATIONAL ELECTORAL COURT, IN USE
LEGITIMATE POWERS,**

RESOLVES:.....

..

First.- To order that the "Regulations for the Registration of Births," approved by Resolution No. 506/2004 of November 3, 2004, and replacing those approved by Resolution No. 14/2004 of March 18, 2004, shall enter into force on January 20, 2005.

Second.- Instruct the Chamber Secretariat to immediately distribute the approved Regulations to all Departmental Electoral Courts in the country.

Third.- All previous legal provisions contrary to those contained in the "Regulations for the registration of births" are hereby repealed.

Messrs. Roxana Ybarnegaray and Jerónimo Pinheiro L. did not sign this Resolution. The former was absent due to vacation, and the latter was on leave.

Let it be registered, made known, and filed.



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

REGULATIONS FOR THE REGISTRATION OF BIRTHS

CHAPTER I GENERAL PROVISIONS

ARTICLE 1.- PURPOSE

The purpose of these Regulations is to regulate the procedure to be followed for the registration of births of children, adolescents, and persons over 18 years of age, without age limit.

ARTICLE 2.- SCOPE OF APPLICATION

The provisions of these Regulations are mandatory for the Departmental Electoral Courts, the National and Departmental Civil Registry Offices, and the Civil Registry Offices.

ARTICLE 3.- PRINCIPLES

These Regulations establish the following principles:

a) Principle of Free Access:

In the absence of express regulatory provisions, it is presumed that all acts carried out in the National and Departmental Civil Registry Offices and Civil Registry Offices are absolutely free of charge.

b) Principle of Publicity:

Whereby persons who demonstrate a legitimate interest may request information from the National Civil Registry Service at any time regarding administrative acts of interest to them.

c) Principle of legality:

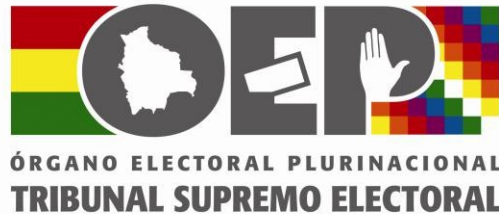
According to which all birth registrations in the civil registry must be carried out in full compliance with the law, this regulation, and others issued by the National Electoral Court.

d) Principle of good faith:

The National Civil Registry Service presumes the veracity and legal validity of the statements made by the applicant for registration, the witnesses who appear, and the documentary evidence provided.

However, it is the obligation of Civil Registry Officers and Departmental Civil Registry Directorates to report any illegal acts observed in the birth registration process to the Public Prosecutor's Office.

e) Principle of Efficiency and Simplicity:



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

By which the registration of births in the Civil Registry must be carried out in the shortest possible time, requiring the user to comply only with the requirements established by these Regulations.

f) Principle of informality:

Failure by the applicant to comply with formal requirements may be remedied, but shall not interrupt the registration process.

g) Principle of non-discrimination:

The rules of this regulation guarantee equality among individuals and prevent discrimination based on the manner in which births are registered.

The application of these regulations must be guided, in all circumstances, by compliance with the principles described above.

ARTICLE 4.- JURISDICTION

Civil registry officials are competent to register the births of children aged 0 to 12 years without administrative procedures and, after administrative procedures, of adolescents and persons over 18 years of age.

Departmental Directors of Civil Registration are competent to hear and decide on applications and procedures for the registration of birth certificates for adolescents aged 12 to 18 and those over 18 years of age.

ARTICLE 5.- RESPECT FOR CULTURAL IDENTITY

When registering birth certificates for persons belonging to an indigenous or native people, Civil Registry Officers must record their names and surnames in a manner that respects their cultural identity and in accordance with current legal regulations.

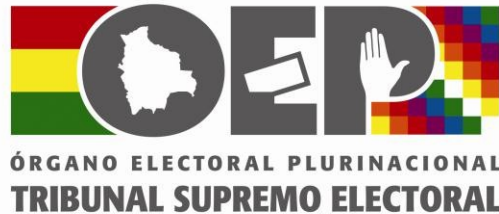
ARTICLE 6.- REGISTRATION OF CHILDREN AND ADOLESCENTS

The registration of the birth of children and the issuance of the first birth certificate must be carried out at no cost to the user, as well as any act or procedure required by the Departmental Directorate of Civil Registration and Civil Registry Offices that gives effect to this right.

Adolescents also enjoy this benefit for three years from December 18, 2003, and must be registered through a completely free administrative procedure.

Civil registry officials shall receive Bs. 8 (eight 00/100 bolivianos) from the National Electoral Court for each registration of a child and Bs. 10 (ten 00/100 bolivianos) for each registration of an adolescent.

ARTICLE 7.- REGISTRATION COST FOR PERSONS OVER 18 YEARS OF AGE



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

The registration of the birth of persons over 18 years of age has a total cost of Bs. 83 (eighty-three 00/100 bolivianos), for the following items:

- a. Birth Certificate Form Bs.1,
- b. (*) Stamp duty for duplicate and dry seal Bs. 29.
- c. Administrative Procedure Fee Ticket Bs. 18
- d. Report and Legalization Fee Bs. 18
- e. Civil Registry Officer Fee Bs. 17

In rural areas and only in the case of registration applications for persons over 18 years of age, the National Electoral Court will reimburse the Civil Registry Officer for the cost of sending the application up to Bs. 7 per shipment. Applications for adolescents must also be sent along with those for persons over 18 years of age.

The paperwork must be sent at least every 15 days.

In the case of special projects approved by the National Electoral Court, the total cost of registration for persons over 18 years of age will be Bs. 58 (fifty-eight 00/100 bolivianos).

- a. Birth Certificate Form Bs. 1
- b. (*) Valued ballot paper for the right to a duplicate and the right to a dry seal Bs. 29
- c. Valued ballot for Administrative Procedure Bs. 18
- d. Civil Registry Officer Fee 10

ARTICLE 8.- JURISDICTION TO ESTABLISH COSTS

The National Electoral Court has exclusive jurisdiction to establish the cost of the forms and stamped forms of the National Civil Registry Service and to approve the fees of the Civil Registry Officers.

(*) NOTE.- Resolution No. 047/2005 of April 13, 2005, replaces the name of the stamped ballot "Right to Duplicate and Right to Dry Seal" with "Right to Duplicate and Security Seal."

(*) AMENDMENTS BY RESOLUTION OF THE S.P. OF THE T.S.E. No. 33-12 OF 03/14/2012

CHAPTER II RULES FOR THE REGISTRATION OF BIRTHS OF CHILDREN AND ADOLESCENTS

ARTICLE 9.- REGISTRATION OF CHILDREN

The registration of the birth of a child, that is, any person between the ages of 0 and 12, shall be carried out before the Civil Registry Officer without the need for prior administrative procedures before the Departmental Civil Registry Office.



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

The registration application must be made on a specific form, which must include details of the documents being submitted.

ARTICLE 10.- REGISTRATION OF ADOLESCENTS

The birth of an adolescent, that is, any person between the ages of 12 and 18, must be registered at a Civil Registry Office after completing the administrative process, which begins at a Civil Registry Office and continues at the Departmental Civil Registry Office, as established in these Regulations.

ARTICLE 11.- APPLICANTS

The application for registration of the birth of a child or adolescent may be submitted by:

- a. Parents or guardian,
- b. In their absence, by relatives up to the third degree of consanguinity.
- c. In their absence, by municipal, ecclesiastical, administrative, and judicial authorities; Community organizations and directors of public or private shelters, in the case of abandoned children and adolescents.

ARTICLE 12.- IDENTITY OF THE PERSON REQUESTING REGISTRATION

The person requesting the registration of the birth of the child or adolescent must present one of the following documents to prove their identity:

- a. Identity card, or
- b. National Registry Card, or
- c. Military Service Book, or
- d. Passport

If the parents or relatives requesting the birth registration do not have the aforementioned documents, they may present the statements of two witnesses of legal age, duly identified, to prove their identity and their relationship to the child or adolescent. The statement must be taken by the Civil Registry Officer in a solemn manner, who must fill out and sign the respective certificate together with the witnesses, free of charge.

Municipal, ecclesiastical, administrative, and judicial authorities; community organizations; and directors of public or private shelters must present a copy of the document of their appointment or otherwise prove that they hold that position, in addition to presenting their identity document.

ARTICLE 13.- PROOF OF THE CHILD'S BIRTH

The person requesting the registration of a child's birth must present one of the following proofs of birth:



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

- a. Certificate of live birth, or
- b. School record, or
- c. Any document bearing the name of the child, or
- d. The statements of two witnesses of legal age, with identity documents.

ARTICLE 14.- EVIDENCE OF BIRTH OR IDENTITY OF THE ADOLESCENT

The person requesting the registration of an adolescent's birth must present one of the following proofs of birth or identity:

- a. Certificate of live birth, or
- b. School record, or
- c. Any document bearing the adolescent's name plus the statements of two witnesses.

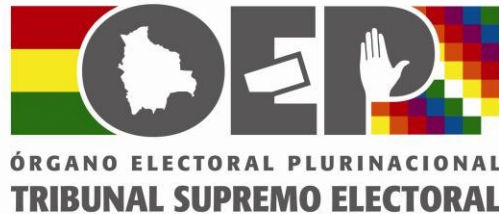
ARTICLE 15. (PROOF OF PARENTAGE OF CHILDREN AND TEENAGERS)

Depending on who requests the registration of the birth of a child or adolescent, the proof of filiation may vary:

- a. If the father and/or mother request the registration of the birth, in order to prove the paternal and maternal filiation of the child or adolescent, a statement by both or one of them before the Civil Registry Officer is sufficient, by virtue of the presumption of filiation determined by Article 65 of the Political Constitution of the State. Consequently, the signature of one of the parents on the registration certificate will be considered proof of parentage with respect to the absent parent and a sworn statement of the existence of that parent.
- b. If, in the absence of the parents, relatives request the registration of the birth, the filiation of the child or adolescent with respect to his or her father and/or mother shall be demonstrated by presenting one of the following documents:
 - Civil Marriage Certificate or Family Book of their parents, or
 - Documents of recognition of a child granted by his or her father and/or mother, or mother, or
 - Medical certificate of live birth, or
 - Court ruling declaring paternity and/or maternity, or
 - Court ruling declaring possession of status.

ARTICLE 16. (CONVENTIONAL SURNAMES)

Conventional surnames shall be assigned when the person registering the birth is not the father or mother of the child or adolescent and provided that paternal and/or maternal filiation cannot be proven.



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

The conventional surname shall be that chosen by the relative or municipal, ecclesiastical, administrative, judicial authority, community organization, or director of the public or private foster home responsible for the child's care at the time of the registration application.

ARTICLE 17.- VERIFICATION OF THE DATABASE

The registration of a child must be carried out after the affidavit of non-existence of a previous birth certificate has been signed.

All Civil Registry Officers must verify in the Database that there is no previous registration for children over the age of 7, at no cost to the user of the service.

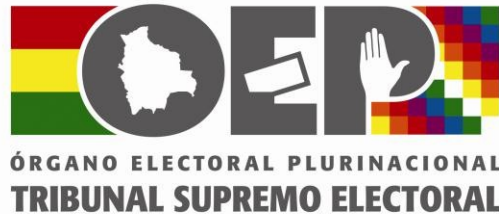
The verification, at no cost, may be carried out at any Civil Registry Office with the decentralized database or in the system of the Departmental Civil Registry Directorate.

The Departmental Civil Registry Directorates, after analyzing the location of the Civil Registry Offices and the conditions in which they carry out their work, may define the Civil Registry Offices that are not required to perform such verification.

ARTICLE 18. (REGISTRATION OF NAMES OF CHILDREN AND ADOLESCENTS)

The registration of the name of a child or adolescent and that of their parents on the birth certificate must be carried out as follows:

- a. If the father and/or mother requests the registration, the child or adolescent must be registered with the first name(s) and parentage indicated by the parent requesting the registration.
- b1. If, in the absence of the parents, a relative requests the registration of the birth and presents the filiation documents of both parents, the child or adolescent must be registered with the first names assigned by the person requesting the registration and the surnames of his or her father and mother, and the first and last names of both parents must also be entered in the respective box on the birth certificate.
- b2. If the relative proves filiation with only one of the parents, or does not prove filiation with either of them, in order to register the child, a request must be made to the Departmental Civil Registry Office to assign the conventional surname(s) as well as the assumed or conventional first and last name as father or mother, consistent with the surname assigned to the child or adolescent.



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

The conventional names and surnames shall be those suggested by the person requesting the registration and shall respect the identity that the child or adolescent has assumed up to that point.

- c. If an ecclesiastical, municipal, administrative, judicial, or community authority, or the director of a public or private home or shelter, requests the registration of the child or adolescent and cannot prove their filiation, the registration shall be made with conventional surnames and conventional first and last names of their parents in accordance with the request made by the person who requested the registration, respecting the identity assumed by the child or adolescent up to that point.

ARTICLE 19.- RURAL FARMING COMMUNITY, INDIGENOUS OR ORIGINARY

The birth of a child or adolescent who is a member of a peasant community, indigenous people, or native people may be registered with only the declaration of two witnesses who are members of the peasant community, indigenous people, or native people, who certify the first and last names of the child or adolescent, their date and place of birth, the first and last names of their father and mother, and the other information that must be recorded in the birth certificate.

Both the surnames of the registered person and those of their parents, in relation to whom filiation has not been legally proven, are recorded as assumptions.

ARTICLE 20.- SIGNING OF THE CERTIFICATE

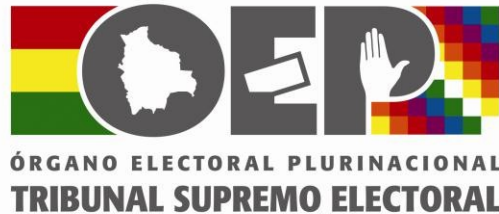
Once the birth has been registered, the person requesting the registration, the Civil Registry Officer, and the witnesses, when presented as proof of birth, must sign the certificate once it has been completed by the Civil Registry Officer.

ARTICLE 21.- BACKGROUND OF THE REGISTRATION

In the case of children, the person requesting the birth registration must present their identity document, proof of birth and parentage to the Civil Registry Officer, along with photocopies of all documents. Once the registration has been completed, the original documents must be returned.

The registration application, any witness statements, and copies of the documents submitted, signed by the Civil Registrar, must be filed as supporting documentation for the registration.

In places where it is not possible to obtain a photocopy, only the birth registration application form,



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

the witness statements, if any, and the live birth certificate, provided that it has been submitted.

ARTICLE 22.- RECOGNITION OF A CHILD

The birth certificate signed by the parent or parents requesting the registration of the birth and two witnesses automatically constitutes a document of recognition of the child.

The recognition of a child made after the registration of the birth certificate in the Book of Recognition is also free of charge, and only the testimony or certified copy of the registered certificate has a cost of Bs. 10, which must be paid to the Civil Registry Officer.

CHAPTER III RULES FOR THE REGISTRATION OF BIRTHS OF PERSONS OVER 18 YEARS OF AGE

ARTICLE 23.- REGISTRATION

The birth of a person over 18 years of age must be registered at a Civil Registry Office after completing the administrative procedure with the Departmental Civil Registry Office, as established in these Regulations.

ARTICLE 24.- APPLICANT

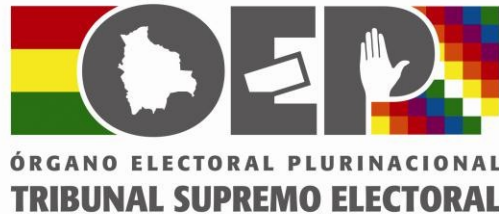
The application for birth registration must be submitted by the person over 18 years of age to any Civil Registry Office. Only in the event of incapacity of the person over 18 years of age may the application be submitted by their parents or guardian.

ARTICLE 25.- PROOF OF IDENTITY

The person requesting the birth registration must prove their identity by presenting one of the following forms of proof:

- a. Identity card or National Unique Registry, or
- b. Military Service Booklet, or
- c. Passport, or
- d. Civil marriage certificate, or
- e. Religious marriage certificate, or
- f. Baptism certificate, or
- g. Any document bearing the name of the person over 18 years of age plus the statements of two witnesses

ARTICLE 26.- PROOF OF PARENTAGE



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

The person over 18 years of age may prove their filiation with respect to their father and/or mother by presenting one of the following pieces of evidence.

- a. Civil marriage certificate of their parents or Family Book, or
- b. Document of recognition of the child issued by their father and/or mother, or
- c. Court ruling declaring paternity and/or maternity, or
- d. Court ruling declaring possession of status, or
- e. Recognition by the father and/or mother at the time of submitting the application for registration of birth, or
- f. Legitimacy established in marriage records or marriage certificates, provided they bear the signature of the father and/or mother, or
- g. Baptism certificate in the case of persons born before 1940
- h. Religious marriage certificate of the parents in the case of marriages celebrated before 1940.

ARTICLE 27.- REGISTRATION OF NAMES

The registration of the names of persons over 18 years of age must be carried out as follows:

- a. If proof of identity and parentage is provided, the person must be registered with the first name they have used throughout their life and with their father's and mother's surnames, and the first names and surnames of both parents must also be entered in the respective box on the certificate.
- b. If only proof of identity and not of parentage is presented, the person over 18 years of age must be registered with the first name and surname that they have proven to have used throughout their life, assigning a supposed first name and surname of the father and/or mother in a manner consistent with the surnames they use, according to the documents they present.

ARTICLE 28.- RURAL COMMUNITY, INDIGENOUS AND NATIVE

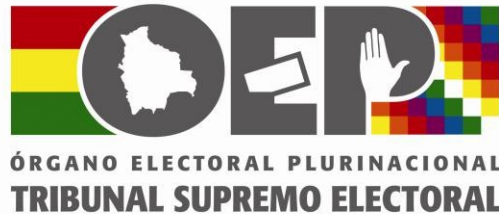
The registration of persons over 18 years of age who are members of rural communities, indigenous peoples, and native peoples shall be carried out in accordance with the requirements established by Supreme Decree No. 27915 of December 13, 2004.

Both the surnames of the registrant and those of their parents, in relation to whom filiation has not been legally proven, are defined as assumptions.

The legal means of proving the filiation of persons are described in Article 26 of this Resolution.

CHAPTER IV CONVENTIONAL SURNAMES AND ASSUMED FIRST AND LAST NAMES

ARTICLE 29. (POWERS OF THE CIVIL REGISTRY DIRECTORATES)



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

The Departmental or Regional Civil Registry Offices may, upon express request:

- a. Assign to the child or adolescent the conventional surname chosen by the relative or person responsible for their care, which must respect the identity that has been assumed up to that point, provided that their parents are unknown, also assigning a first name and an assumed or conventional surname as the parent in a manner consistent with the conventional surname(s) assigned to the child or adolescent.
- b. Assign a first name and a supposed or conventional surname as the names of the father and/or mother of the person over 18 years of age, consistent with the surnames that the person over 18 years of age has demonstrated to use in their life.

ARTICLE 30.- ASSUMED AND CONVENTIONAL FIRST AND LAST NAMES

The terms assumed and conventional used in these Regulations have the same meaning and refer to fictitious names and surnames.

ARTICLE 31.- FILIAL EFFECTS

The assignment of assumed or conventional names and surnames has no filial effects and, therefore, no legal action initiated on the basis thereof may be successful in demanding the fulfillment of obligations by third parties.

ARTICLE 32.- RECORD OF THE ASSIGNMENT

Once the birth has been registered with conventional or assumed names and surnames, this situation must be noted in the Administrative Resolution and in the Registry Book.

ARTICLE 33.- APPLICATION

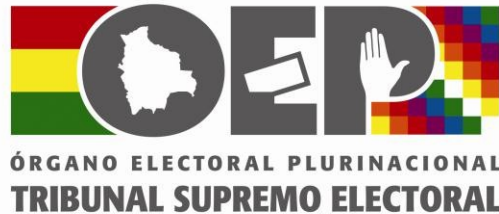
The application for the assignment of a conventional surname or assumed surname(s) for a child must be submitted together with the application for birth registration using a specific form.

The application for the assignment of a conventional surname or assumed surname(s) for an adolescent and/or assumed names as parents of adolescents or persons over 18 years of age must be submitted together with the application for birth registration.

ARTICLE 34.- PROCEDURE

For the assignment of a conventional surname and assumed first and last names to children, the same procedure described in Chapter I of these Regulations must be followed.

CHAPTER V



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

ADMINISTRATIVE PROCEDURE FOR THE REGISTRATION OF BIRTHS OF TEENAGERS AND PERSONS OVER 18 YEARS OF AGE

ARTICLE 35.- CONCEPT

The administrative procedure is the process followed before the Departmental Civil Registry Offices to obtain a resolution authorizing the registration of the birth of an adolescent or a person over 18 years of age.

ARTICLE 36.- PLACE OF SUBMISSION

The application for the registration of the birth of an adolescent or a person over 18 years of age must be submitted to the Civil Registry Office closest to their place of residence.

ARTICLE 37.- SUBMISSION OF THE APPLICATION

Persons who can apply for birth registration must personally submit the application form and the evidence referred to in these Regulations, together with a photocopy of all the documents submitted.

When submitting an application for the registration of an adolescent, the adolescent to be registered must also be present.

ARTICLE 38.- RESPONSIBILITY OF THE ORC

- a) The Civil Registry Officer is responsible for verifying the identity of the applicant and of the person to be registered in the case of adolescents, as well as for verifying that the registration application form has been correctly completed and that the requirements established by these Regulations have been met.
- b) The Civil Registrar must verify compliance with the submission of the documents required by these Regulations and ensure that the photocopies submitted are exactly the same as the original documents, signing the photocopies submitted as proof of this and including the word "verified."
- c) Upon receipt of the application, by whatever means deemed necessary, without delaying the processing of the application, the Civil Registry Officer must investigate the reasons that prevented the birth from being registered earlier, in order to prevent the change of identity of individuals through a new registration. If any irregularities are found, a report must be made to the Departmental Civil Registry Office.
- d) The Civil Registry Officer must send the background information together with the registration application and only copies of the documents submitted to the



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

Departmental Civil Registry Office, returning the original documents to the interested party.

- e) As proof of compliance with the above duties, the Civil Registry Officer must sign the registration application form.
- f) It is also the responsibility of Civil Registry Officers to fill out and sign, together with the witnesses, the affidavit records, at no cost.
- g) The Civil Registry Officer must send the accumulated registration applications to the Departmental Civil Registry Office, either in person or by mail, public transport, or other means.
- h) It is the responsibility of the Civil Registry Officer to follow up on the process until its completion.
- i) Following this same procedure, Civil Registry Officers must send applications for the assignment of assumed or conventional first and last names to the Departmental Civil Registry Directorates.

ARTICLE 39.- COLLECTIVE APPLICATIONS

Collective applications for the registration of births of adolescents and persons over 18 years of age may be submitted, provided that they bear the signature or fingerprint of at least five persons within the group requesting the registration of their birth.

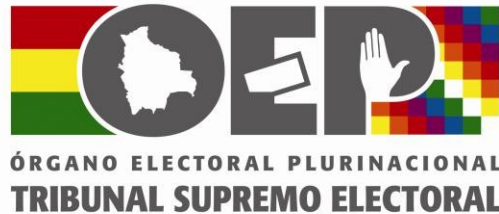
Proof of birth, identity, and parentage must be provided for each case, and the cost of registration in each case is established by these Regulations. The birth certificate must be signed by the parents or relatives in the case of adolescents and by the person registered in the case of persons over 18 years of age.

ARTICLE 40.- RECEIPT OF RECEIPT

As proof of receipt of the application, the Civil Registry Officer must provide the applicant(s) with a receipt.

ARTICLE 41.- CONSIDERATION OF THE APPLICATION

- a) Once the application has been received by the Departmental Civil Registry Office, together with the other documents submitted, it shall be forwarded to the person responsible for verifying the database to establish whether the person whose registration is being requested already has their birth registered.



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

- b) If the person whose registration is requested has their birth registered, the application will be rejected and returned to the Civil Registry Officer along with all the background information and the report from the person responsible for verification.
- c) If the person to be registered does not have a birth certificate, the application and other information, together with the database verification report, must be forwarded to the Head of Legal Control, who, after analyzing the information, will issue a report recommending that the Director(a) of the Civil Registry issue a resolution to carry out the registration or to reject it due to insufficient evidence.
- d) The Departmental Director of Civil Registration, when appropriate, will issue a resolution in two copies instructing the Civil Registry Officer to register the certificate in the Original and Duplicate Books. One copy of the resolution will be delivered to the Civil Registry Officer and the other will remain with the Departmental Directorate of Civil Registration. The records of the procedure must be filed with the Departmental Directorate of Civil Registration.
- e) The record must be signed by the person who submitted the application, any witnesses, and the Civil Registry Officer, noting in the comments the number of the Administrative Resolution that gave rise to the registration.
- f) Once the certificate has been registered, the Civil Registry Officer may issue the corresponding birth certificate.

CHAPTER VI REGISTRATION OF BIRTHS OF CHILDREN OF BOLIVIAN CITIZENS BORN ABROAD

ARTICLE 42. (SUBJECT TO REGISTRATION)

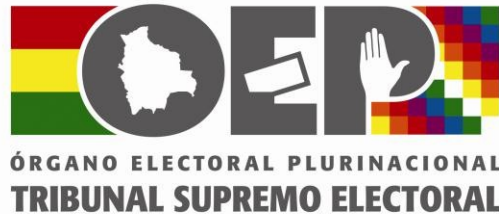
Children of Bolivians born abroad may be registered with a Bolivian consul abroad until the child reaches the age of twelve. After this period, the birth of a child of Bolivian parents may only be registered in Bolivia, subject to administrative procedures.

ARTICLE 43. (RIGHT TO PROCESS THE RECOGNITION OF NATIONALITY)

A son or daughter born abroad to Bolivian parents who have renounced their Bolivian nationality does not lose the right to apply for Bolivian nationality.

ARTICLE 44. (SENDING OF RECORDS)

Immediately after registering the birth in the original and duplicate books, the Bolivian Consul must send a certified copy of the registered birth certificate to the National Civil Registry of Bolivia, through the General Directorate of Consular Affairs.



RESOLUTION 616/2004

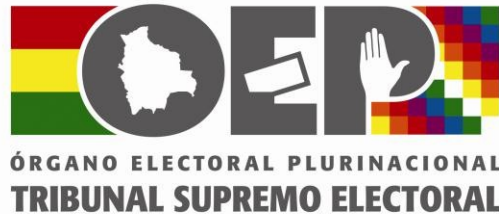
December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

Once all entries have been recorded in the book, the Original Book must be sent, and the Duplicate Book must be kept in custody.

ARTICLE 45. (CERTIFICATES ISSUED)

- I. Certificates issued at a Bolivian consulate abroad may be used to prove registration both within and outside the national territory.
- II. In Bolivia, the only body authorized to issue certificates of registrations made by Bolivian consulates abroad is the National Civil Registry Service through its operational bodies.
- III. If the interested party requires a duplicate certificate of a registration made at a Consulate and the record is not transcribed in the database, the following procedure must be followed:
 - a. The request for the issuance of a duplicate consular registration certificate must be submitted to the Departmental Civil Registry Office of the interested party's domicile, together with the consular certificate issued or a certified copy of the record. If none of these documents are available, at least the following information must be provided: the consulate where the record was registered, the date of registration of the record, and the name or names of the person or persons registered.
 - b. The application, together with the supporting documents, must be sent to the National Civil Registry Office.
The application will be submitted to the National Civil Registry Office if the interested party resides in the city of La Paz.
 - c. The National Civil Registry Office, after verifying the request, will transcribe the record into the system, using the consular certificate or the certified copy of the record submitted, if the registration record is not available. The document used for the transcription will remain as a backup.
 - d. In order for the consular certificate to be transcribed into the computer system, the Consul's signature must be verified by the relevant unit of the Ministry of Foreign Affairs of the Republic. To this end, the National Civil Registry Office must forward that document to that public agency.
 - e. Once the record has been transcribed, the National Civil Registry Office will send a report of the transcribed record to the Departmental Civil Registry Office that received the request or, where applicable, will inform that the record is not available if the interested party did not submit either the



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

consular certificate or a certified copy of the record, and if it is not in the archives of the National Civil Registry Office.

If the request was submitted to the National Civil Registry Office, once the record has been transcribed, the corresponding certificate may be issued at the same office.

- f. The Departmental Civil Registry Office shall issue the corresponding certificate in accordance with the report sent by the National Civil Registry Office or shall provide the interested party with a report stating that the registry record is not available.

ARTICLE 46. (REGISTRATION BEFORE A CONSUL)

The registration of a birth before a Bolivian consul is governed by the same legal provisions established for the registration of births within the national territory. In the registration of births, as determined by Article 49, paragraph c), the identity assumed by the registrant must be respected.

Once a birth has been registered at a Bolivian consulate abroad, it must not be registered again in Bolivia or at another Bolivian consulate abroad.

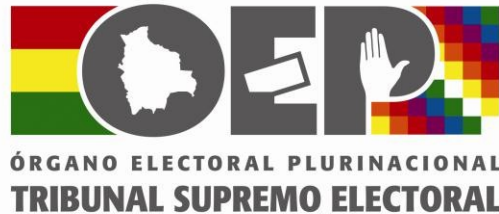
ARTICLE 47. (REGISTRATION IN BOLIVIA)

- I. If the birth of the son or daughter of a Bolivian citizen was not registered at a Bolivian consulate within the period established in Article 42 of these Regulations, registration may only be carried out in Bolivia, when the son or daughter is in the country, following administrative procedures.
- II. The registration must be carried out at the Departmental Civil Registry Office, in the birth registers established for this purpose.
- III. The application for birth registration may be submitted by:
 - a. The son or daughter of a Bolivian citizen born abroad, provided they are of legal age.
 - b. The parents, guardians, or relatives up to the third degree of consanguinity, in the case of minors or those incapable of acting.

The person requesting the registration must prove their identity by presenting an identification document. A copy of this document must be kept with the registration records.

ARTICLE 48. (REQUIREMENTS FOR REGISTRATION)

The requirements for registration are as follows:



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

- a. Application form for the registration of the birth certificate.
- b. Administrative provision issued by the National Immigration Service (original or certified photocopy) recognizing the nationality of the son or daughter of a Bolivian citizen born abroad.
- c. If this procedure was carried out some time ago without registering the birth certificate and the interested party does not have the administrative provision recognizing nationality, a report from the National Immigration Service is required for registration, stating that the person requesting registration has Bolivian nationality or that the person can prove through their identity document that they were recognized as Bolivian.
- d. Birth certificate from the country where the person was born, translated if issued in a language other than Spanish, and legalized by the Ministry of Foreign Affairs and Worship. Or a legalized copy of this document if it is in the archives of the National Immigration Service.
- e. Birth certificate of your Bolivian father or mother, or identity card or Military Service Booklet or Passport of the Bolivian parent. If the father or mother has obtained Bolivian nationality through naturalization, they must present the certificate proving this or the Resolution granting them Bolivian nationality.
- f. An R-59 form and a Birth Certificate form.

ARTICLE 49.- (REGISTRATION PROCEDURE)

- a. The person responsible for receiving documents at the Departmental Civil Registry Office, which is part of the Legal Control Unit, must verify compliance with the established requirements. If there are no observations, they will authorize the purchase of the administrative processing fee and the birth certificate form and issue the corresponding legal report within 48 hours.
- b. The Departmental Director of Civil Registration may instruct the registration of the record or its rejection if it does not meet the established requirements and conditions.
- c. If the registration of the record is ordered, it must be sent to the Head of Archives for registration and printing of the birth certificate for delivery to the interested party. The registration of the first name and surname(s) of the person registered in the record shall be carried out respecting the identity used by the registered person up to that point. If the order of the surnames does not coincide with that



RESOLUTION 616/2004

December 29, 2004

COMPILATION: LEGAL ADVICE Dr. J. Pablo Salinas R.

determined by Article 9 of the Civil Code, this must be noted in the observations section of the record.

- d. The record must be signed by the person who requested the registration.
