



## **Bolivia: Civil Registry Law of 1898, November 26, 1898**

SEVERO FERNÁNDEZ ALONSO,  
CONSTITUTIONAL PRESIDENT OF THE REPUBLIC.  
Whereas, the National Congress has enacted the following law:  
THE NATIONAL CONGRESS  
Decrees:

### **Chapter One: Of the Employees of the Civil Registry**

**Article 1.-** Within one year following the promulgation of this law, the offices of the Civil Registry of Persons will be established.

**Article 2.** In the departmental, provincial, and sectional capitals, the Registry offices shall be under the charge of the currently practicing public notaries. Special officials shall be appointed for the offices of each parish, assisted by a secretary, who shall replace the Registry Officer in case of legitimate impediment. These special officials and their secretaries shall be appointed by the Executive Branch from a list of three candidates submitted by the Prefects, and shall be subject to said authorities and the Public Prosecutor's Office. Their terms shall last for a period of six years, and they may not be dismissed during this period except by a final judgment, nor suspended except in the cases determined by law. The Executive Branch is authorized to organize the offices according to the population of each location, in accordance with the provisions governing the notary service.

**Article 3.-** Upon taking office, the Registry employees will take an oath before the Prefect or Subprefect of the jurisdiction.

**Article 4.** Registrars in general shall receive a salary of Bs. 30 per month for their services, without the option of receiving registration fees. Secretaries shall receive an amount equivalent to half of the aforementioned salary. The corresponding allocation for this service shall be included in the national budget.

**Article 5.-** The fines imposed in accordance with this law shall be transferred to the benefit of the municipal councils and boards of the district.

### **Chapter Two : Books of the Registry**

**Article 6.** The Civil Registry shall be divided into three sections: one for births; one for marriages; and one for deaths. It shall be kept in duplicate in three books, one for each section. These books shall be made of plain paper, provided by the State.

**Article 7.-** The books shall bear on their first pages the printed text of this law, and their pages shall be numbered and signed by the Prefect or Subprefect of the jurisdiction, who shall certify on the last page the number that each book has.

**Article 8.-** At the end of each book, an alphabetical index of all the entries it contains will be added, taken for the purpose of registration, the first letter of the surname registered, and in marriages, those of both spouses separately.

**Article 9.** On the last day of the year, the Registry books shall be closed, and the head of the office and the Prefect or Sub-Prefect of the jurisdiction shall certify at the end of each book the number of entries it contains, and a copy shall be filed in the office. One copy of each book that the Registrar of the central office is required to keep shall be sent to the Departmental Council.

**Article 10°.-** If any of the books of the Registry are lost or destroyed, a copy will be made immediately from the one that exists, in another that meets the same formalities required in article 6°, and those in charge of its custody must certify its accuracy.

**Article 11°.-** The heads of the central and sectional offices are responsible for the destruction, alteration or loss of the books entrusted to their care.

### **Chapter Three: On the entries in the Registry in general**

**Article 12°.-** The entries in the Registry shall be placed in the corresponding book, one after the other in numerical order, without leaving a blank space between them, and must express the date on which they are extended, the name, age, status and address of all persons taking part in them.

**Article 13.-** Every entry must be recorded in both copies of the Registry, and both copies must be sealed with the office seal and signed by the head of the office or their substitute, the interested parties, and two witnesses of legal age and residents of the district, stating the reason that prevents the latter from signing. The witnesses must meet the requirements established by the Notary Law.

**Article 14°.-** The marginal notes will also be sealed and signed by the head of the office in both copies of the Registry, and by the interested parties and witnesses, if they are not of simple reference.

**Article 15°.-** When there is not enough space in the margin of one to make the required annotation, it shall be continued at the foot of the last entry, putting the corresponding reference in both places.

**Article 16°.-** In the Registry entries and marginal notes, abbreviations or numerals may not be used even in the dates, nor may erasures be made; amendments or interlined words must be corrected at the end of the same entry before signing.

**Article 17°.-** Every entry must be read to the interested parties and witnesses, before being signed, and even shown if requested, stating at the end that this formality has been fulfilled.

**Article 18.-** Nothing that is irrelevant or should not be declared in accordance with this law may be expressed in the entries, either by way of a note or in any other form.

**Article 19°.-** The deeds of powers and other documents, which are presented for the registration of the entries in the Registry, must be signed by the one who exhibits them, as well as by the head of the office and filed under the same number as the entry to which it belongs.

**Article 20°.-** When an entry in the Registry has to be suspended, the cause of the suspension will be stated therein, and to continue it a new entry will be made, putting marginal notes of reference in both.

**Article 21°.-** Once an entry has been signed, it may not be rectified or added, except by virtue of the sentence of the competent judge.

**Article 22°.-** The change or addition of the name or surname may not be registered without the authorization of the competent judge, and prior publication in the press, or by posters in public places.

**Article 23.** Those in charge of the Registry may not authorize entries that refer to themselves or their relatives within the fourth degree of consanguinity and second degree of affinity. In this case or any other legitimate impediment, the registration shall be made by the Registrar who is available; failing that, by the investigating judge or parish mayor of the jurisdiction.

**Article 24°.-** The person in charge of the Registry is obliged to give the interested parties within 24 hours from the time it is requested verbally and at all times an authorized copy on common paper, of the entries that are in his books, charging 20 cents per page and having to transcribe the entire entry with the marginal notes that there may be.

**Article 25°.-** The testimonies issued in form by the person in charge of the Registry, under his signature and with the seal of the office, are valid to prove the age, marriage and death of persons from the promulgation of this law, modifying article 179 of the Civil Procedure.

**Article 26°.-** No record from any other Registry than that of the civil status may be presented in court to prove facts that should have been registered therein, without the corresponding registration preceding it.

**Article 27.-** If the head of the office becomes aware of a fact that must be registered, after the deadline for requesting registration has passed, they shall conduct the necessary investigations, solely to make the corresponding entry, and shall report the offenders to the public prosecutor or the parish judges, and to the investigating judges if there are no parish judges. Failure to register shall be punished with a fine of one to five bolivianos, and double that amount if the omission is by the Registrar.

**Article 28°.-** Every individual who has witnessed an event that must be registered in the Registry, is obliged to appear when summoned by the Registrar.

## Chapter Four : Of Births

**Article 29.-** The following shall be recorded in the birth register: 1. All births occurring within the territory of the Republic. 2. All birth certificates for which registration is requested. 3. The acknowledgment and legitimation of children born out of wedlock. 4. Judgments concerning legitimate and natural filiation.

**Article 30°.-** Within eight days of the birth, the declaration of the birth must be made before the person in charge of the Registry, who will travel to the place where the newborn is located, to verify his existence and avoid duplications, extending in the office, the corresponding certificate with the formalities prescribed by this law.

**Article 31°.-** In the jurisdictions of the countryside, the transfer of the head of the office to the domicile of the newborn will not be mandatory, when there is more than one league of distance between one place and another, in such case, the existence of the person must be verified by certificates of the parish mayor, or of the ecclesiastical authority and two witnesses, for which purpose the term in which the declaration of birth must be made will be extended to ten days.

**Article 32°.-** If the registration of a birth is requested after the legal term, a court order will be presented to carry it out.

**Article 33°.-** The judicial order will be issued by the investigating judge, or the parish judge in his absence, and at the request of the interested party, the Registrar or Registry official or the public prosecutor, will determine the average age of the person, between the highest and lowest that are compatible with his development and physical aspects.

**Article 34°.-** If it concerns legitimate children, the father in his absence, or failing him, the mother and in her absence the closest relative that exists in the place, will be obliged to make by himself, or by means of another person, the declaration of birth in the Registry office.

**Article 35°.-** If the child is illegitimate, the person to whose care the child has been delivered shall be obliged to declare the birth.

**Article 36.-** Without prejudice to the provisions of the preceding articles, the doctor and the midwife who have assisted a birth whose legitimacy is not known to them, as well as the person in whose house it was carried out, if it is other than that of the mother, shall be obliged to report it within the legal term before the Registrar or official of the Registry, under the penalty established in article 27.

**Article 37°.-** Births that occur in hospitals, hospices, prisons or other similar establishments, will be declared by their respective administrators under the same penalty.

**Article 38°.-** The administrators of orphanages, and in general any person who finds a newborn or in whose house it has been exposed, will be obliged to declare the birth, and present to the Registry office the clothes, documents and other objects with which it is found, which must be kept among the receipts under the same number that corresponds to the entry.

**Article 39°.-** If the person in charge of the Registry, upon verifying the existence of the newborn, finds him dead, he shall record the entry in the book of deaths, without the wording of the record implying any presumption as to whether he was born alive or not, even if the witnesses declare one thing or another.

**Article 40.-** The registration of birth shall be made by issuing a certificate stating: 1. The place, day, time and year in which it occurred; 2. The sex; 3. The name given to the newborn; 4. The name, surname and address of the father, the mother and the witnesses; 5. The name and surname of the paternal and maternal grandparents; 6. The name, surname and address of the person requesting the registration of the birth; and 7. Whether or not the child is baptized.

**Article 41°.-** If it concerns natural children, no mention will be made of the father or the mother, unless the latter or the former recognizes him or her before the Registrar, in which case only the name of the one who has recognized him or her must be expressed.

**Article 42°.-** In no case may the name of the father or mother be recorded, with respect to whom the filiation had the defect of adultery, incest or sacrilegiousness.

**Article 43°.-** If more than one live child is born from a single birth, as many entries as there are children born will be recorded in the book, specifically designating any physical sign that may contribute to distinguishing them later.

**Article 44°.-** The death of a foundling shall be registered by extending a special entry, which states the place and day in which he was found, his apparent age, his sex, the name and surname given to him, and the documents, clothes or other objects that were found with him.

**Article 45°.-** The registration referred to in case 2° of article 29, will be made by inserting in the record, a complete copy of the entries, and stating the name and address of the person who requests it.

**Article 46°.-** The recognition of natural children will be registered by drawing up a record for this purpose in any Registry office, even if it is not the one of the domicile of the grantor, and putting marginal notes of reference, both in the record, as well as in the birth certificate.

**Article 47°.-** If the birth certificate is not recorded in the office, the Registrar will send within twenty-four hours, to the head of the office where it exists, a legalized copy of the recognition for the purpose of its registration and of the marginal notes.

**Article 48°.-** Notaries who draw up deeds of recognition of children, by special instrument or by will, shall send within eight days, a copy of such documents to the Registrar of the office where the birth certificate is located, understanding the same with respect to final judgments on legitimate or natural filiation, the first paragraph of article 166 of the Civil Code being modified.

**Article 49°.-** When the recognition of a natural child not yet born is carried out, the respective registration will be made after the birth of the child, recording the corresponding entry, in the margin of that of the recognition.

**Article 50°.-** The legitimation of natural children will be registered by extending reference notes to the margin of the act of recognition and marriage.

**Article 51°.-** The registration of filiation judgments, deeds of recognition of natural children, and in general any other document, will be done by inserting in the entry the complete copy of it, and stating the name and address of the person who requests the registration.

**Article 52°.-** Adoptions carried out in accordance with the provisions of Title 8, Chapter One, Book 1 of the Civil Code, shall be subject to the provisions of Articles 48 and 51 of this law,

## Chapter Five : On Marriages

**Article 53°.-** The following shall be registered in the marriage register: 1° Those celebrated within the territory of the Republic; 2° All marriage certificates for which registration is requested; 3° Final judgments declaring the nullity of the marriage, or decreeing divorce.

**Article 54.** Within eight days following the celebration of the marriage, the husband shall be obliged to present for registration in the Registry a copy of the certificate proving the act, signed by the parish priest before whom it was celebrated. In colonies where there is tolerance of religions, this certificate shall be granted by the pastor or minister of the religion with whose rite the marriage took place.

**Article 55°.-** When a marriage certificate from another civil or parish registry is registered, the entire certificate being registered will be inserted.

**Article 56.-** The entry in the Registry concerning a marriage shall state: 1. The Registry in which the birth of the contracting parties was recorded, and the date of registration. 2. The names and surnames, nationality, marital status, profession or occupation, and domicile of the parents and of the paternal and maternal grandparents if they are legally known. 3. Whether the contracting parties are legitimate or illegitimate children; but without stating any other type of illegitimacy than whether they are natural children, or whether they are foundlings. 4. The power of attorney authorizing the representation of the contracting party who does not attend the celebration of the marriage in person, and the name and surname, age, nationality, domicile, and profession or occupation of the attorney. 5. The prior publications required by law, or the circumstance that they did not take place because the marriage was celebrated in articulo mortis, and because they were dispensed with, mentioning in this case the date of the dispensation and the authority that granted it. 6. Proof of freedom of marriage, in the case of marriages of foreigners or military personnel, if the required publications have not preceded the marriage. 7. The existence of any impediment and its dispensation, without specifying the nature of the impediment. 8. The license required by law in the case of children of the family and minors. 9. The names of any children born out of wedlock who are legitimized by the marriage, and whom the contracting parties declare to have had. 10. The name and surname of the predeceased spouse, the date and place of death, and the registry in which it was recorded, in the case of one of the contracting parties being widowed. 11. The circumstance of a prior religious marriage. 12. The assets that each spouse brings to the marital property shall also be stated, provided the spouses so wish. This same may be done in the case where the spouses receive any inheritance.

**Article 57.** The marriage of foreigners contracted in accordance with the laws of their country must be registered in Bolivia when the contracting parties or their descendants establish their residence in Bolivian territory. The registration must be made in the Registry of the district where they establish their domicile or residence. For this purpose, they must present the documents that prove the celebration of the marriage, duly legalized and translated.

**Article 58°.-** Marriage contracted abroad by Bolivians between themselves or with foreigners, subject to the laws in force in the country where it is celebrated, must be registered in the Registry of Diplomatic or Consular Agent of Bolivia in the same country, who will provide the interested parties with a copy of the registration he makes, indicating the last domicile of the contracting party or of the contracting parties, where a record will be made with a complete transcription of the entry.

**Article 59°.-** The judgments in which divorce is decreed, or the marriage is declared null, or in which the amendment of its registration is ordered, shall also be registered in the Registry in which the entry of the former was extended, and marginal notes of reference shall also be put in both entries; for this purpose, the Court that has issued the judgment shall make it known to the person in charge of the Registry, in which it is to be registered, sending the testimony of it in relation, but without expressing in the divorce the cause that motivated it.

**Article 60.** Every marriage registration or judgment decreeing a divorce, annulment of marriage, or amendment of the respective marriage record, must be brought to the attention of the registrars in the registries where the birth of the contracting parties is recorded, accompanied by a certified copy of the entry, so that they may make the corresponding marginal notation in the record concerning this act, unless the non-existence of the birth record is proven. The same notification shall be given to the registrars in the registries where the births of children born of the annulled marriage, or of a marriage whose record has been ordered to be corrected, or of natural children legitimized by the contracting parties upon marriage, were recorded, so that they may also make the corresponding marginal note.

## Chapter Six: On Deaths

**Article 61.** No corpse may be buried without prior registration of its death in the Civil Registry of the district where it occurred, or where the corpse is located; without the Municipality of the same district or its agents issuing a burial permit; and without twenty-four hours having elapsed since the time indicated on the medical certificate, if the death occurred in the capital of a Department, or of a province and municipal or judicial section, where authorized physicians are present. In rural areas and places where there are no physicians and which are more than four leagues from the Registry office, burial may take place twenty-four hours after death, with permission from the corregidor, cantonal agent, or rural mayor, who shall forward the respective report to the Registrar so that the corresponding entry may be made. The aforementioned permission shall be issued on plain paper and without any charge. A fine of five to twenty Bolivianos will be imposed in favor of the municipal funds on the person in charge of the cemetery where a corpse has been buried without the aforementioned license, as well as on all those who have authorized it.

**Article 62°.-** The death record will be made by virtue of the verbal or written report that must be given about it by the relatives of the deceased, or the inhabitants of his same house, or failing that the neighbors, and by the certification of the doctor in the cities.

**Article 63.** It is the duty of the physician who attended the deceased during their final illness, or in their absence, the head of the city or town, to examine the state of the corpse. Only when unequivocal signs of decomposition are present shall they draw up a certificate on plain paper and send it to the municipality. This certificate shall state the name, surname, and any other information they have regarding the deceased's condition, profession, address, and family; the time and day of death, if known, or otherwise, the times they deem probable; the type of illness that caused death; and any existing signs of decomposition. No payment may be demanded for this certificate or for the examination. If the aforementioned physicians are unavailable, any other physician called upon for the purpose, or a layperson, shall perform the examination and issue the certificate, for which the family or heirs of the deceased shall pay fifty cents per certificate.

**Article 64.** Where possible, the registration of death shall include: 1. The year, day, hour, and place of death. 2. The name, surname, age, race, profession or occupation, and address of the deceased and of their spouse, if married. 3. The name, surname, address, and profession or occupation of their parents, if legally identifiable, stating whether they are living or deceased, and of any children the deceased may have had. 4. The illness that caused death. 5. Whether or not the deceased left a will, and if so, the date, town, and notary public where it was executed. 6. The cemetery where the body is to be buried.

**Article 65°.-** Those who witnessed the last moments of a death will be the preferred witnesses for its registration.

**Article 66.** When a death occurs in a hospital, lazaretto, hospice, prison, or other public establishment, the head of the establishment shall be obligated to request a burial permit and to fulfill the necessary requirements for the issuance of the corresponding certificate in the Civil Registry. The head of the establishment shall also record the deaths in a special register that the establishment shall maintain for this purpose.

**Article 67.-** If an unknown person dies, or a body is found whose identity cannot be immediately ascertained, the following shall be stated in the respective registration: 1. The place of death or where the body was found. 2. The sex, apparent age, and any distinguishing marks or defects. 3. The probable time of death. 4. The condition of the body and the position in which it was found. 5. The clothing, papers, or other objects found on or near the deceased that may be useful for identification, which shall be kept for this purpose by the registrar or the judicial authority, as the case may be.

**Article 68°.-** If identification has been obtained, a new entry will be immediately issued stating the circumstances that have been verified, and the corresponding note must be placed in the margin of the previous registration, for which purpose the authority before whom the procedure was carried out must pass to the Registrar in charge, testimony of the result of the investigations carried out.

**Article 69°.-** Whenever there are indications of violent death, the burial license will be suspended until the state of the proceedings that must be carried out according to law allows it.

**Article 70°.-** If a death sentence is executed, the respective Prosecutor, immediately after the execution, will inform the Municipality and the Registrar, attaching testimony with reference to the process, of all or some of the circumstances mentioned in article 63, in order that the death certificate of the accused may be issued and a burial license issued.

**Article 71°.-** If the death is violent or occurs in prison, penal establishment, or as a result of capital execution, no mention will be made in the corresponding entry of the Civil Registry of any of these circumstances.

**Article 72°.-** Deaths occurring during travel will be registered in the Registry of the district where the body is to be left for burial.

**Article 73.** The death of military personnel in times of peace or war, and in Bolivian territory, shall be reported by the head of the corps to which they belonged to the registrar of the district where the death occurs, attaching a copy of their personal details and the information referred to in Article 63, for the corresponding registration. When the death of such personnel occurs in campaign and in foreign territory, the General Staff, after collecting all the aforementioned information, shall forward the notice and personal details to the registrar corresponding to the deceased's last national address.

**Article 74°.-** Bolivian diplomatic and consular agents abroad shall register in their special Register the death of Bolivians occurring in the country in which they are accredited, indicating the ancestry and descendants of those of which they have knowledge, sending a certified copy of this registration, through the Ministry of Foreign Affairs, so that it may be re-registered in the Register corresponding to the last national domicile of the deceased.

**Article 75°.-** By means of a certified copy of every death registration, the persons in charge of the Registry in which the birth was registered shall be informed, so that it may be noted in the margin of the respective records, provided that the deceased died in a different district from his birth.

**Article 76.-** If a foreigner dies without leaving any family in the country, the Registrar shall, within eight days of registration, inform the Prefect, who shall transmit the fact to the diplomatic or consular agent of their nation residing in the nearest place to the burial. If there is none, the Registrar shall contact the Ministry of Foreign Affairs, so that it may transmit the information to the Government of the nation to which the deceased belonged.

**Article 77°.-** Whenever an epidemic develops or there is a well-founded fear of contagion from the type of disease that caused a death, the punctual observance of this law will be subject to the exceptions prescribed by the special laws and regulations on health issued by the competent commissions and authorities.

**Article 78°.- (General Provisions)** All laws and provisions contrary to this one are hereby repealed.

**Article 79°.-** The Executive will regulate this law.

Let it be communicated to the Executive Branch.

Session Hall.

Sucre, November 16, 1898.

RAFAEL PEÑA

JOSÉ MARÍA LINARES

Manuel O. Jofré, (son). SS

Trifón Meleán.- DS

Bernardo Raña Trigo.- DS

Therefore, I promulgate it so that it may be observed and enforced as a law of the Republic.

In Sucre, on November 26, 1898.

SEVERO F. ALONSO.

MACARIO PINILLA.

## Technical Data Sheet ( DCMI )

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## Links to other documents

## References to this standard

[BO-DS-22773] [Bolivia: Supreme Decree No. 22773, April 8, 1991](#)

Supreme Regulatory Decree 196 of July 3, 1943, Supreme Decree 18721 of November 25, 1981, and all provisions contrary to this Supreme Decree are hereby repealed.

## Repealed by

[BO-L-N18] [Bolivia: Law of the Plurinational Electoral Body, June 16, 2010](#)

Law of the Plurinational Electoral Body

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