

Act on Birth and Death Record, and Creating Birth Certificates and National Identity Cards

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Chapter One

Introduction and Objective

Introduction and
Title

1. (a) This Act prescribes procedures and guidelines for registration procedures for children born in Maldives, procedures for preparation of the birth certificate of Maldivians and National Identity Card and death certification and formulation of death registry to those persons died in the Maldives.
- (b) This Act shall be titled as ‘Law on Birth and Death Record, and Creating Birth Certificates and National Identity Cards’

Objectives

2. The objectives of this Act are to achieve the following:
 - (a) Establish procedures for registration for children born in Maldives;
 - (b) Establish procedures for preparation of the birth certificate for children born in Maldives;
 - (c) Establish procedures to determine national identity number and preparation of national identity card for Maldivians’
 - (d) Establish procedures for death certification for persons died in Maldives;

- (e) Establish procedures for registration of persons died in Maldives.

Chapter Two

Birth Registration

Mandatory birth registration of the children born in Maldives

- 3. It is mandatory for the parents of the child born in Maldives to register the birth as prescribed in this Act. If the parents of the child are absent, the obligation is on the guardian of the child.

Application for registration of the children born in Maldives

- 4. (a) For registration of birth to every child born in the Maldives, the application for birth registration shall be submitted to the Island or City Council of where the child was born within 7 (seven) days of birth.
- (b) If the child was born in an uninhabited island, the application for registration shall be submitted within the duration referred in part (a) of this Article, to the first inhabited Islands' or City Council.
- (c) For the purpose of part (a) and (b) of this Article, it shall be considered that application for registration has been submitted upon the completion and submission of the birth record form as referred in Article 5 of this Act.

Completing the
Birth Record Form

- 5.
- (a) Upon birth of every child in the Maldives, the information of birth shall be recorded in the designated Birth Record Form.
 - (b) If the child was born in a health service Centre, the Birth Record Form shall be submitted to the said Centre. And the Birth Record Form shall be completed by the health workers that assisted during the birth of the child.
 - (c) Even if the child was not born in a health service Centre, the Birth Record Form shall be submitted to the Health service centre in that island or city.
 - (d) If the child was born in an uninhabited island, the Birth Record Form shall be submitted to the health service Centre of the first inhabited island or city
 - (e) For the purpose of parts (c) and (d) of this Article, the birth record form shall be completed by the health worker at the health service centre the child has been taken to.
 - (f) Notwithstanding parts (b), (c), and (d) of this Article, it does not restrict midwives who has received a license or permit through the Council stated in the Health Service Professionals Act to complete and submit the Birth Record Form where health workers did not assist the birth.
 - (g) The procedures to be followed by health service Centres for circumstances referred in parts (b), (c), and (d) of this

Article, and for circumstance referred in part (f) of this Article, where Birth Record Form is completed by other than a health service Centre, shall be stated in the Regulations formulated pursuant to this Act.

Contents and
format of the child
delivery form

6. (a) The following information shall be included in the birth record form:
 - (1) Date of birth;
 - (2) Time of birth;
 - (3) Place of birth;
 - (4) Atoll and island of birth;
 - (5) Birth weight;
 - (6) Gender;
 - (7) Mode of delivery;
 - (8) Gestational age;
 - (9) Information of the mother and father of the child;
 - (10) Bio-information of the birth attendant
 - (11) Past obstetric history;
 - (12) Other information as stated in the regulations formulated pursuant to this Act.
- (b) The mother, father, birth attendant and the person who provided the information, shall sign the Birth Record Form.
- (c) Notwithstanding part (b) of this Article, where the father is absent or the father unable to sign the Birth Record Form

for being out of country, provided the mother has signed the birth record form, the form shall be accepted.

(d) The template of the Birth Record Form shall be included in the Regulation formulated pursuant to this Act.

Submitting
information of birth
to the Council

7. As referred in Article 5 of this Act, completion of birth record form shall be submitted to the health service centre and The information in the said form shall be submitted by the health service centre to Island or City Council as prescribed by regulations formulated pursuant to this Act.

Birth Registration

8. (a) The Council shall undertake birth registration of the child upon receiving the information related to birth of the child, as referred in Article 7 of this Act.

(b) Even if the marriage has been dissolved when the child is born, the child shall be registered even though the applicability of legitimacy of the child is ongoing pursuant to provisions of Family Act.

(c) If application for birth registration of the child who was born out of wedlock was submitted, the birth of the child shall be registered.

(d) Pursuant to this provision, where the Council registers the child birth registration, the information of birth shall be included in the Birth Registry as referred in Article 9 of this Act.

Birth Registry

9. (a) Councils or Cities of all inhabited islands shall maintain a registry of information of birth, for all children born in that island or city.
- (b) The following information shall be included in the Birth Registry referred in part (a) of this Article:
- (1) Date and time of birth;
 - (2) Place of Birth;
 - (3) Gender;
 - (4) Information of the mother and father of the child;
 - (5) Additional information related birth of the child as stated in the regulations formulated pursuant to this Act.
- (c) Procedures to formulate and maintain the Birth Registry referred in part (a) of this Article and procedures to release record of information of an individual child to the parents shall be stated in the regulations formulated pursuant to this Act.

Amending the information in the birth Registry

- 10.** (a) Should the information on the Birth Registry referred in Article 9 of this Act needed to be amended or revised, such shall be done in accordance with the regulations formulated pursuant to this Act, per stated conditions by the Council.
- (b) When the information on the birth registry referred in Article 9 of this Act is amended or revised, such shall be recorded with the reasoning and date.
- (c) Other than revision of a typographical error, requests by any persons for revisions shall not be accepted unless otherwise by proving the authenticity of the information by a legal document.
- (d) For the purpose of part (c) of the Article, the requirement of the legal document shall be included in Regulations formulated pursuant to this Act.

Birth Registration
and reporting of
the children
abandoned after
birth

- 11.** (a) If a child born in Maldives was found, where parents and place of birth is unknown, where there is no caretaker, abandoned in a public space or elsewhere, the information of the child shall be informed immediately to the state institute mandated with the responsibility child protective services or police services or island or City Council and the child shall be taken to a health service Centre.
- (b) The reported child referred in part (a) of this Article shall be under State care until the parents of the child has been identified.
- (c) If the child referred in part (a) of this Article is under State care within the period stated in Article 4 (a) of this Act, the state institute mandated with the responsibility child protective services shall temporarily register that child.
- (d) Pursuant to this provision, a child shall be registered, after having submitted the Birth Record Form as referred in parts (c), (d) and (e) of Article 5 of this Act, in the island or city where the child was found, or if in an uninhabited island, at the first island or city the child is taken to as referred in Article 7 of this Act.
- (e) Pursuant to part (d) of this Article, in registering the child, the place of birth shall be the place the child was found at, unless there is evidence that the birthplace is elsewhere. And

if not proven otherwise, the date of birth shall be the birth date as conferred by the health worker that examined the child.

- (f) Information required for temporary registration pursuant to this Article shall be included in the Regulation formulated pursuant to this Act.
- (g) Once the mother and father of the temporary registered child pursuant to this Article, has been identified, the information on the birth registry shall be revised by the Council.
- (h) If the information of the mother and father of the temporary registered child pursuant to this Article, has not been identified within the period stated in the regulation formulated pursuant to this Act, the information included in the registry as referred in part (e) of this Article shall be considered as the permanent information included in the registry of the child.
- (i) Notwithstanding part (h) of this Article, if correct information of the temporary registered child pursuant to regulation formulated pursuant to this Act was submitted, upon verification of the said information, the birth registry shall be revised by the Council.

- (j) The conditions for revising the information referred in part (i) of this Article shall be included in the regulation formulated pursuant to this Act.
- Recording information of stillbirth, miscarriages and abortions
- 12.** (a) The health service centres shall record information of stillbirth, miscarriages and abortions that take place in those centres in accordance with the conditions stated in the regulation formulated pursuant to this Act.
- (b) The information referred in part (a) of this Article shall be recorded in the form or forms designated for them.
- (c) The information recorded pursuant to this Article shall be submitted in accordance with the regulation formulated pursuant to this Act to Ministry of Health.
- (d) The information recorded pursuant to this Article, the way the information shall be recorded, the procedure to submit the said information to Ministry of Health shall be included in the regulation formulated pursuant to this Act.
- Registration of children born abroad in the Maldives' Registry
- 13.** (a) The children born abroad for Maldivian parents shall be registered in the Maldives in accordance with this Act and the Regulation formulated pursuant to this Act.
- (b) In the event a child has been born abroad to Maldivian parents, the information of birth of the child shall be registered in that country in accordance with the laws of that

country, and an official document stating the information of the birth shall be obtained.

- (c) If the parent of the child generally lives in Maldives, and the child was born abroad, the information of the birth of the child shall be registered within 7 (seven) days of arriving to the Maldives.
- (d) If the parent of the child generally does not live in Maldives, the information of birth of the child shall be registered within 6 (six) months of birth registration in the country of birth. The information to register birth shall be submitted in accordance with the regulation formulated pursuant to this Act by the mother or father of the child.
- (e) The information of birth referred in parts (c) or (d) shall be submitted to the institute stated in the Regulation formulated pursuant to this Act.

Submitting birth registration information of children to the Department

- 14.** The information of children registered as stated in this Chapter by the Council shall be submitted to the Department in accordance with the Regulation formulated pursuant to this Act.

Chapter Three

Creating Birth Certificate

Creating Birth
Certificate

- 15.** (a) Submission for preparation of the birth certificate for a child born in Maldives or a child born to Maldivian parents abroad, shall be within 6 (six) months from date of birth.
- (b) Preparation of the birth certificate as referred in part (a) of this Article shall be submitted the island or city council to which the child was born.
- (c) If the child is born abroad, the mother or father shall in accordance with part (a) of this Article submit for preparation of birth certificate to the Island or City council which the mother or father is registered or to a institute that is prescribed by a Regulation formulated pursuant to this Act.
- (d) It is the responsibility of the father or mother of the child to submit for preparation of the birth certificate in accordance with this Article. If neither parent is present, the submission for preparation of the birth certificate shall be undertaken by the child's guardian.
- (e) Upon submission for preparation of the birth certificate of the child in accordance with part (a) of this Article, the Council shall prepare the birth certificate in accordance to stated conditions Article 16 of this Act and subject to procedures prescribed in this Act and Regulation formulated pursuant to this Act.

Format and
Contents of the
Birth Certificate

- (f) The birth certificate prepared by the Council in accordance with this Article shall be a permanent birth certificate. And any revision to such certificate shall be made in accordance with Article 17 of this Act.
 - (g) The procedure to submit for preparation of the birth certificate, the information to be submitted and procedures for the Council to follow in preparation of the birth certificate shall be included in the Regulation formulated pursuant to this Act.
- 16.**
- (a) In addition to the information required to be included in the birth registry as referred in Article 9 part (b), the national identification number referred in Article 20, name of the child, the permanent residential island or city shall be included in the birth certificate.
 - (b) For the purpose of part (a) of this Article, the name of the child shall be included in the birth certificate provided that the name is suitable name for Muslims and is approved by a state institution.
 - (c) For the purpose of part (a) of this Article, the information of the permanent residential may be included after registering the child in an inhabited island or City Council in accordance with the Law on becoming an Island Resident of Maldives.

Amending the Birth Certificate

- (d) The birth certificate shall be in both Dhivehi and English languages. The template of the certificate shall be included in the Regulation formulated pursuant to this Act.
- 17.** (a) If the information included in the birth certificate prepared for a child in accordance with Article 15 is contradictory to the information included in the birth registry prepared in accordance with Article 9, the Council shall upon verification of the information in the birth registry referred in Article 9, revise the birth certificate of the child.
- (b) Where information in a birth certificate has been submitted for amendment after it has been prepared, if the information requested for amendment is included in the birth registry referred in Article 9 of this Act, any such information may be amended upon verification of the information by a legal document that is submitted to the Council.
- (c) Should information included in the birth certificate such as name has been submitted to be amended, such amendment to the name shall be made in accordance with the Regulation formulated pursuant to this Act.
- (d) The procedures and circumstances for which amendments to birth certificate may be made shall be included in the Regulation formulated pursuant to this Act. Any information included in the birth certificate shall not be

amended contrary to the procedures and circumstances stated in the said Regulation.

Preparation Birth Certificate without cost

18. Preparation of the birth certificate for the first time shall be done with no cost. Nonetheless, this Act does not restrict from charging a fee in accordance with the Regulation formulated pursuant to this Act for renewal of birth certificate for being damaged or lost certificate and for amendment of the name in the birth certificate submitted by the parents of the child.

Submitting information of birth certificate to the Department

19. The information of the children birth certificate has been prepared as stated in this Chapter shall be submitted to the Department of National Registration by the Island or City Council.

Chapter Four

Creating National Identity Card

National Identification Number

20. (a) The State shall assign a unique national identification number to all children born to Maldivians in the Maldives and abroad upon their birth registry in accordance with Chapter two of this Act.

(b) The number referred in part (a) of this Article shall be permanently issued to owner and shall be assigned only

once. And the number shall not be transferred or used by any other person.

- (c) The procedures to issue national identification number referred in part (a) shall be included in the Regulation formulated pursuant to this Act.
- (d) State shall assign a national identification number to foreigners upon receiving Maldivian citizenship in accordance with Maldivian Citizenship Act to each of them.
- (e) The procedures to issue national identification foreigners who receive Maldivian Citizenship in accordance with the Maldivian Citizenship Act shall be included in the Regulation formulated pursuant to this Act.
- (f) The national identification number referred in part (a) and (d) shall be issued by the Department of National Registration.

National Identity
Card

- 21.**
- (a) The State shall issue a National Identity Card to every Maldivian citizen for every national identification number referred in Article 20 of this Act.
 - (b) The National Identity Card shall be issued pursuant to part (a) of this Article provided that the person has prepared a birth certificate in accordance with Article 15 of this Act.
 - (c) The following information shall be included in the National Identity Card:

- (1) National Identification Card Number;
 - (2) Full name;
 - (3) Date of Birth;
 - (4) Gender;
 - (5) Permanent address;
 - (6) Additional information stated in the regulations formulated pursuant to this Act.
- (d) In addition to the information stated in part (c) of this article, the national identity card shall include the signature or fingerprint of the owner and a photograph of the person.
- (e) The National Identity Card shall be in both English and Dhivehi language. The template of the card shall be included in the regulations formulated pursuant to this Act by Department of National Registration.

- Status of the Card **22.**
- (a) The National Identity Card is the State official document identifying the person.
 - (b) Where it is mandatory to submit documentation of proof of identity, it shall be sufficient upon submission of the National Identity Card.

- Application for Card **23.** (a) Application to prepare National Identity Card shall be submitted to Department of National Registration in accordance with the regulations formulated pursuant to this Act.
- (b) the procedure and documents to be submitted for the preparation of the national identity card shall be included in the regulations formulated pursuant to this Act.
- Creating Card without cost **24.** Creation of the National Identity Card for the first time shall be done with no cost. Nonetheless, this Act does not restrict from charging a fee in accordance with the Regulation formulated pursuant to this Act for reapplication of card pursuant to Article 25 (a) (1), (4) and (5) of this Act.
- Card Renewal **25.** (a) Should the following occur, Department of National Registration shall be informed at the earliest and submission for the renewal of the card shall be made in accordance with the Regulation formulated pursuant to this Act.
- (1) Lost or stolen card;
- (2) Change of information in the card;
- (3) Change of appearance from the picture in the card;
- (4) Damaged or worn out to the extent unusable;
- (5) Additional circumstances that may be prescribed in Regulations formulated pursuant to this Act for card renewal.

(b) Should Department of National Registration be informed of any of the circumstances referred in part (a) of this Article occur, a new card shall be prepared for the person in accordance with the Regulation formulated pursuant to this Act.

Amending the information on card

26. (a) Should any information included in the National Identity Card is changed, such shall be informed to Department of National Registration, and such shall be submitted to Department of National Registration to amend the information.

(b) Should an application to amend the information on a National Identity Card be submitted to the to the Department as referred in part (a) of this Article, a new card shall be prepared to that person in accordance with the Regulation formulated pursuant to this Act.

Cancelling the Card

27. (a) The Department may cancel the National Identity Card issued to a Maldivian provided the following circumstances have been met.

- (1) The card was issued based on false information;
- (2) Withdrawal of citizenship in accordance with the Law by person the card was issued.
- (3) death of the person the card was issued.

- (b) In the event, the National Identity Card be cancelled by the Department, the owner of the card, or the inheritors in the event of part (a) (3) shall be informed within 7 (seven) days of cancellation.
- (c) Where part (a) (1) of this Article is applicable for a card prepared for a Maldivian, the card shall be renewed upon verification of information in accordance with Regulation formulated pursuant to this Act.
- (d) Notwithstanding part (c) of this Article, this Act does not restrict imposing penalties in accordance with Chapter 6 where card has been renewed pursuant to part (1) (a) of this Article.
- (e) Should part (a) (1) of this Article was for a card prepared for a foreigner who has received Maldivian citizenship in accordance with Maldives Citizenship Act, the card shall be renewed provided that the status of Maldivian citizenship remains.
- (f) For the purpose of part (e) of this Article, the status of Maldivian citizenship shall be determined in accordance with the Maldivian Citizenship Act.

- Delivering the Card **28.**
- (a) In the following circumstances the National Identity Card shall be returned to the Department, or any other persons determined by the Department.
 - (1) The Card has been received by another person other than the owner of the card
 - (2) Death of the card owner.
 - (b) In reference to part (a) (2) of this Article, where card owner died in the Maldives, the death of the person shall be registered in accordance with Article 33 of this Act, and upon informing to the Department, the Department shall cancel the issued card.
 - (c) In reference to part (a) (2) of this Article, where card owner died in abroad, it shall be informed to the Department by the inheritors in accordance with Regulation formulated pursuant to this Act. And once informed in that regard, the Department shall cancel the issued card.

Chapter Five

Death Declaration and Registration of Death

Death Certification
of deceased and
Registration of
Death

- 29.** (a) Death of persons died in Maldives shall be reported in accordance with this Act, and Regulations formulated pursuant to this Act.
- (b) Where a person died in a place other than a health service Centre, the death or knowledge of death shall be reported to a health service Centre. within 2 (two) hours of the person's death or knowledge of the persons' death.
- (c) Prior to burial of person's death in Maldives or where his body is requested to be taken abroad, or prior to taking the body of the deceased abroad provided that the deceased is a foreigner or prior to satisfying procedures stated in the Act, their death shall be certified in accordance with this Act.

Procedure for
certification of
death

- 30.** (a) In the event a person died in a health service Centre, a licensed health professional with the certification at the health Centre shall, upon thorough observation the body of the deceased, certify the death.
- (b) In the event a person died in a place other than a health service Centre, the body of the deceased shall be taken to a health service Centre to certify the death in accordance with Regulation formulated pursuant to this Act.
- (c) In the event a person died in a place other than inhabited island or city, the person's body shall be taken to the first

inhabited island or city with a health service Centre to certify death.

- (d) The body of the deceased that is taken to a health service Centre in reference to parts (b) and (c) of this Article shall be, observed thoroughly by a licensed health professional with the authorisation to certify death.
- (e) The procedures for health service Centre in certifying a persons' death as referred in parts (a) and (d) of this Article shall be in accordance with Regulation formulated pursuant to this Act.

Delivering the document for certification of death

- 31.** (a) The document certifying death as referred in Article 30 shall be issued by the health service Centre to the person responsible for the deceased.
- (b) The following information shall be included in the document for death certification referred in part (a) of this Article:
 - (1) Information of the deceased;
 - (2) Manner of death;
 - (3) Reason of death;
 - (4) Date and time of death;
 - (5) Place, Atoll and island of death;
 - (6) Information of the death certifier;

- (7) Additional information as stated in the Regulations formulated pursuant to this Act.
- (c) The death certificate shall be in both Dhivehi and English languages. The template of the certificate shall be included in the Regulation formulated pursuant to this Act.
- (d) A copy of the death certificate issued for the deceased in reference to part (a) of this Article, shall be submitted to the respective Council by the person who received the document.
- (e) If the deceased is a foreigner, the information of the person's death shall be informed to the respective authority of the country of the deceased in accordance with Regulation formulated pursuant to this Act.
- (f) The procedures for issuance of death certificate shall be included in the Regulation formulated by the Ministry of Health pursuant to this Act.

Amending the document for certification of death

32. The document for certification of death can be amended in accordance with Regulation formulated pursuant to this Act by persons permitted by the said Regulation.

Registration of death of the deceased

33. (a) The City or Island Council of every inhabited island or city of Maldives shall maintain a registry containing information of death of the deceased of that respective island or city.

(b) Upon receipt of the document for certification of death has been received to the Council as stated in Article 31 of this Act, in accordance with Regulation formulated pursuant to this Act, the death of the deceased shall be recorded in the registry referred part (a) of this Article.

(c) In registering the death of the deceased persons in Maldives as referred in part (a) of this Article, the Council shall record information stated in Article 31 part (b) of this Act.

(d) The procedures for registering the deaths of the deceased persons in Maldives shall be included in the Regulation formulated pursuant to this Act.

Registration of death in Maldives of those deceased abroad

34. (a) The inheritors or persons stated in the Regulation formulated pursuant to this Act, shall submit information of death for registration of Maldivians who deceased abroad.

(b) The death certification document issued by the relevant authority of the country the person deceased shall be

considered proof of death certification for registration of Maldivians who deceased abroad.

- (c) Death registration of Maldivians who deceased abroad shall be submitted to the Authority stated in the Regulation formulated pursuant to this Act.
- (d) Death registration of Maldivians who deceased abroad shall be submitted within the specified duration and in accordance with the procedures stated in the Regulation formulated pursuant to this Act.

Not charging for registration and certification of death
Submitting information of death to the Department

- 35.** In reference to this Chapter, creation of the death certificate document or registration of death shall be done with no cost.
- 36.** In reference to this Chapter, information of the registered deceased person, accordance with the Regulation formulated pursuant to this Act, shall be submitted to the Department of National Registration by the respective Council.

Chapter Six

Miscellaneous

- Prohibited Activities **37.**
- (a) It is prohibited for any persons to undertake the following.
 - (1) Forging or illegally changing a birth record form or birth certificate or death certification document or National Identity Card;
 - (2) Submitting false information to prepare a birth record form or birth certificate or death certification document or National Identity Card;
 - (3) Intentionally damaging birth certificate or death certification document or National Identity Card;
 - (4) Using a birth certificate or death certification document or National Identity Card issued to another person to undertake an illegal activity or to acquire unlawful benefit;
 - (5) Intentionally using an illegally amended birth certificate or death certification document or National Identity Card or using an illegally created document.
 - (b) The penalty for undertaking any activity referred in part (a) of this Article is between 10,000 (ten thousand) Rufiyaa and 15,000 (fifteen thousand) Rufiyaa.
 - (c) It is prohibited for staff of health service Centre or staff of Council or staff of Department or staff of Ministry or staff of other State institution to undertake the following

- (1) Intentionally preparing birth record form or birth certificate or birth registry or death certification document or National Identity Card unlawfully against this Act and Regulation formulated pursuant to this Act.
 - (2) Illegal disclosure of confidential information which is required to be maintained pursuant to this Act.
- (d) The penalty for undertaking any activity referred in part (c) of this Article is between 15,000 (fifteen thousand) Rufiyaa and 25,000 (twenty-five thousand) Rufiyaa.

Not registering
Birth

38. Not registering birth of a child within the duration stated or not creating the birth certificate within the duration stated in this Act, by the mother or father or the person mandated by Law to undertake this where the mother or father is absent, shall be subject to a fine of 10,000 (ten thousand) Rufiyaa

Acts penalties are
not prescribed

39. Person or persons undertaking unlawful acts that penalties are not prescribed in this Act, shall be subject to a penalty by discretion of the relevant authority for a fine between 5,000 (five thousand) Rufiyaa and 15,000 (fifteen thousand) Rufiyaa applicable Regulation formulated pursuant to this Act.

Penalties

40. (a) Penalties stated pursuant to Article 37 part (b) and (d), and Articles 38 and 39 of this Act shall be imposed in accordance with Regulation formulated pursuant to this Act, in respective circumstance, by the relevant authority as stated by the respective regulation.

(b) For the purpose of part (a) of this Article, the following authorities shall penalise for the below stated acts:

- (1) Ministry of Health in relation to undertaking matters related to birth record form and death certification;
- (2) Department of National Registration in in relation to undertaking matters related to creation of birth certificate, preparation of National Identification Card and issuance of national identification number;

- (3) Respective council in relation to undertaking matters related birth and death registration.
- (c) The Ministry shall formulate guidelines for imposing penalties referred in part (a) (1) of this Article in accordance with Regulation formulated pursuant to this Act.
- (d) The Department of National Registration shall formulate guidelines for imposing penalties referred in parts (a) (2) and (3) of this Article in accordance with Regulation formulated pursuant to this Act.

Ensuring confidentiality and protection of information

- 41.** (a) All information submitted in accordance with this Act to Ministry or Council or Department for registration of birth and death shall be deemed as confidential information.
- (b) A mechanism to protect the information submitted, shall established by the Ministry or Council or Department as stated by this Act. And the stated institutions shall formulate guidelines to ensure confidentiality of such information.
- (c) Unless otherwise stated in another Act, the procedure and extent for providing information maintained in reference to this Act, by Ministry or Council or Department to other state institution shall be in accordance with Regulation formulated pursuant to this Act.

Disclosing
information of
individuals

- (d) Notwithstanding part (c) of this Article, information pertaining to individuals shall be disclosed in accordance with Article 42 of this Act.
 - (e) Information disclosed by relevant authorities pursuant to this Act shall be deemed as confidential information.
- 42.**
- (a) Unless otherwise stated in another Act, in recording birth and death information pursuant to this Act by Ministry or Council or Department pertaining to individuals, the said information shall be disclosed in a manner identity of individual is known provided that the information is requested by an entity having acquired legal right through Law to obtain the said information pursuant to the said Law.
 - (b) For the purpose of part (a) of this Article, the information shall be disclosed and the entity receiving the information shall treat the information as confidential information. And the identity of the individual shall not be disclosed under any circumstances,
 - (c) For the purpose of part (a) of this Article, the persons and the circumstances for releasing information to state Institutions shall be included in the Regulation formulated by the relevant authority pursuant to this Act.

Collecting statistics
and publishing
them

- 43.** (a) It is the responsibility of the Ministry of Health to collate and publish national statistics in relation to birth of children and information of deaths.
- (b) In publishing the information of birth of children and information of deaths as referred in part (a) of this Article, the Ministry shall ensure the accuracy of the said information.
- (c) The procedure to collate and publish information in relation to birth of children and information of deaths as stated in this Article shall be included in the Regulation formulated pursuant to this Act.

Documents issued prior to ratification to be considered as valid

44. Unless otherwise stated in this Act, Birth Record Form, birth registry, birth certificate, National Identity Card, death certificate issued pursuant to relevant Act, prior to ratification of this Act shall be considered as valid documentation.

Confirming documents issued pursuant to the Act is valid

45. Should the owner of the document issued pursuant to this Act require to verify the authenticity of the document, upon submission of the document to the authority the document was issued to, the said authority shall confirm its authenticity, and shall in accordance with guidelines formulated by the authority issue a document attesting its authenticity.

Submitted originals and notarised copies of the documents

46. For registration in the Maldives of the children born abroad and for registration in the Maldives of deaths abroad, the original of the document from the country of birth and death shall be submitted to the relevant authority pursuant to this Act. Where the original is not available to be submitted, a notarised copy from the relevant authority of that country shall be submitted.

Submitting Complains

47. (a) The Ministry of Health, Department of National Registration and relevant councils shall facilitate mechanism for submission and resolution of complains in relation to services rendered through this Act.

(b) The procedure for resolution of complains as referred in part (a) of this Article, shall be included in regulations formulated by relevant authorities pursuant to this Act. In

the said procedures, the duration to resolve the complaint and the procedure to inform the decision on the complaint to the individual submitting the complaint shall be included in the Regulations formulated by relevant authorities pursuant to this Act.

Formulating
Regulations

48. (a) Unless otherwise stated in this Act, the following regulations shall be formulated and implemented by Ministry of Health.

- (1) Regulation related to Birth Record Form;
- (2) Regulation for death certification and death reporting;
- (3) Regulation for recording information of miscarriages, abortion, and stillbirth;
- (4) Regulation for publishing statistics of birth and death.

(b) Unless otherwise stated in this Act, the following regulations shall be formulated and implemented by Department of National Registration.

- (1) Regulation for registration of children born in Maldives and abroad for Maldivians;
- (2) Regulation for formulation and maintenance of birth registry;
- (3) Regulation for formulation of birth certificate;
- (4) Regulation for issuance of national identification number and formulation of National Identity Card;

- (b) “Birth” shall be defined as from time of conceiving to full term or preterm delivery of foetus, where the baby breathes, a pulse in the heart or the umbilical cord is observed.
- (c) “Registration of birth” shall be defined recording the information of birth in the birth record form as referred in Chapter 2 of this Act.
- (d) “Registration of death” shall be defined recording the information of death in the death certification form as in referred in Chapter 5 of this Act.
- (e) “Health Service Centre” shall be defined as the hospital or health centre established in inhabited island or city to provide health service.
- (f) “Health professional” shall be defined as the professionals providing health service in accordance with Law no: 13/2015 (Health Professionals Act).
- (g) “Midwives” shall be defined as midwives licensed or permitted by the Maldives Nursing and Midwifery Council established pursuant to Health Professionals Act.
- (h) “Birth Record Form” shall be defined as the form designated to record information of birth of a child.
- (i) “National identification number” shall be defined as the number specially issued to an individual for identification as referred in Article 20 of this Act.

- (j) “National Identity Card” shall be defined as the card or document issued to a Maldivian for identification as a Maldivian as referred in Article 21 of this Act.
- (k) “Death certification document” shall be defined as the document issued by relevant health service centre for death in Maldives, with the type and reason for death.
- (l) “Ministry” or “Ministry of Health” shall be defined as the Government entity responsible for implementing policies related to recording information of birth, recording death certification.
- (m) “Department of National Registration” or “Department” shall be defined as the Department of National Registration formulated through Presidential order no: 54/84.
- (n) “Council” shall be defined as the island or City Councils formulated pursuant to Law no: 7/2010 (Act on Decentralization of the Administrative Divisions of the Maldives).
- (o) “Guardian” shall be defined as mother or father, or legal guardian or parent.
- (p) “Legal guardian” shall be defined as the person assigned custody where mother, father and parent are absent. If the child is in State care, the State is considered the legal guardian.

- (q) “Maldivian Citizenship Act” shall be defined as Law no: 4/69 (Maldivian Citizenship Act) including all amendments to the Act.
- (r) “Law on becoming an Island Resident of Maldives” shall be defined as Law no: 46/78 (Law on becoming an Island Resident of Maldives) including all amendments to the Act.
- (s) “Health Professionals Act” shall be defined as Law no: 13/2015 (Health Professionals Act) including all amendments to the Act.