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REGISTRAR OF RECORDS ACT, 2024

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No. 52 of 2024

REGISTRAR OF RECORDS ACT, 2024

AN ACT TO PROVIDE FOR AND REGULATE THE APPOINTMENT OF A REGISTRAR OF RECORDS AND FOR OTHER PURPOSES.

[Date of Assent - 26th July, 2024]

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

(1) This Act shall be cited as the Registrar of Records Act, 2024.

(2) This Act shall come into operation on such date as the Minister may appoint by notice published in the *Gazette*.

2. Interpretation.

"deed" means documents of title to unregistered land under seal not otherwise specifically mentioned in the definition of 'records';

"document" means any document other than a deed, or promissory notes and bills of exchange not under seal, and which is not otherwise specifically in the definition of 'records';

"Minister" means the Minister responsible for the registration of documents and the registration of births, marriages and deaths.

"records" includes —

(a) freehold and leasehold grants from the Crown;

(b) certificates of naturalisation;

(c) any document under the Public Seal or the Seal-at-Arms;

(d) wills or other testamentary papers on which probate may be granted together with the probate;

(e) wills, which by reason of the law existing prior to the coming into operation of the Administration of Estates Act (*Ch. 108*), cannot be admitted to probate;

(f) all writings under the Royal Sign Manual and renunciations of dower;

(g) affidavits; and

(h) any other document prescribed by the Minister in regulations.

3. Appointment of Registrar of Records.

(1) The Governor-General, acting in accordance with the advice of the Public Service Commission may appoint a person to hold the office of Registrar of Records.

(2) The Registrar of Records shall be responsible for the administration of —

(i) births, marriages and deaths;

(ii) deeds;

(iii) documents; and

(iv) records

under the relevant legislation.

(3) The Registrar of Records shall act under the general direction and supervision of the Minister.

4. Qualifications for appointment.

A person shall be eligible for appointment as Registrar of Records if that person is fit and proper and qualified to hold office —

(a) with a minimum of seven years experience in —

(i) law;

(ii) finance;

(iii) accounting; or

(iv) business or corporation management and administration; and

(b) is a person of integrity and good character;

(c) not having been convicted of a crime involving dishonesty or violence; and

(d) not having been adjudged or otherwise declared bankrupt under any law.

5. Appointment of Deputy Registrar Records and Assistant Registrar of Records.

(1) The Governor-General, acting in accordance with the advice of the Public Service Commission, may appoint one or more suitable persons to hold the office of —

(a) Deputy Registrar of Records; and

(b) Assistant Registrar of Records.

(2) The Deputy Registrar of Records and Assistant Registrar of Records shall assist the Registrar of Records in the discharge of his duties.

(3) During the temporary absence of the Registrar of Records, a Deputy Registrar of Records and Assistant Registrar of Records may lawfully perform all the duties and exercise all the powers of the Registrar of Records as directed in writing by the Registrar of Records.

6. Vesting of powers in Registrar of Records.

(1) The Registrar of Records shall have the powers and carry out the functions previously carried out by the Registrar General in relation to the administration of —

(a) births, marriages and deaths;

(b) deeds,

(c) documents; and

(d) records.

(2) All powers, authorities, jurisdictions, rights, privileges, duties and liabilities by any written law conferred or imposed on the Registrar General whether original or *ex officio* shall be conferred and imposed on the Registrar of Records.

(3) Any reference to the Registrar General in any written law, agreement, contract, deed or other document, shall be deemed to refer to, and shall be read and construed as a reference to the Registrar of Records in the exercise of his functions under this Act.

7. Power to administer oath.

(1) The power to administer oaths and take solemn declarations or affirmations in all matters required to be taken or made by any Act shall be vested in the —

(a) Registrar of Records;

(b) Deputy Registrar of Records; and

(c) Assistant Registrar of Records.

(2) A public officer in the office of the Registrar of Records or designated in writing by notice published in the *Gazette* may administer oaths and take affirmations required to be taken or made by the Registration of Records Act or any other written law.

8. Transitional provision.

A person who immediately before the appointed day holds the office of Registrar General, Deputy Registrar General or Assistant Registrar General shall as from the appointed day of coming into force of this Act —

(a) hold office as Registrar of Records, Deputy Registrar of Records or Assistant Registrar of Records; and

(b) is deemed to have been duly appointed to such office,

in accordance with this Act.

9. Rules.

The Minister may make rules for carrying into effect the objects of this Act.

10. Repeal.

The Registrar General Act (*Ch. 186*) is repealed.

11. Consequential amendments.

(1) A reference in any written law to the Registrar General in the context of registration of births, marriages and deaths, deeds, documents and records shall be construed as a reference to the Registrar of Records in accordance with section 3.

(2) A reference in any written law to the Registrar General Act (*Ch. 186*) shall be construed as a reference to this Act.

(3) The Acts specified in the first column of the *Schedule* are hereby amended in the manner indicated in the second column of the *Schedule.*

SCHEDULE

Act	***Extent of Amendment***
Parliamentary Elections Act (*Ch.7*)	Sections 13A(1) and 13A(2) are amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".
Public Disclosure Act (*Ch. 9*)	Section 10(1) is amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".

Local Government Act (*Ch. 37*)	Sections 38(A)(1) and 38A(2), are amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".
Judicial and Legal Service (Prescribed Public Offices) Act (*Ch. 42)*	The Schedule is amended by the deletion of the words "Registrar-General", Deputy Registrar-General and Assistant Registrar-General and the substitution of the words "Registrar of Records", Deputy Registrar of Records and Assistant Registrar of Records.
Magistrates Act (*Ch. 54*)	Section 5(3) is amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".
Coroners Act (*Ch. 56)*	Sections 20(2), and 34(5) are amended by the deletion of the words "Registrar General" and substitution of the words "Registrar of Records".
Notaries Public Act (*Ch. 57*)	The *First Schedule,* is amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".
Juries Act (*Ch. 59*)	Section 8(4)(b) is amended by the deletion of the words "Registrar-General" and the substitution of the words "Registrar of Records".
Registration of Records Act (*Ch. 187*)	Section 2 is amended by — (a) the deletion of the definition of "Registrar" and the substitution of the following — "Registrar means the Registrar of Records and includes the Deputy

	Registrar of Records and Assistant Registrar of Records.". (b) the deletion of the definition of "Registry" and the substitution of the following — "Registry" means the Registrar of Records Department". Section 16 is amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".
Marriage Act (*Ch. 120*)	any reference in the Act to "Registrar General" shall be construed as a reference to the Registrar of Records"
Marriage Rules (*Ch. 120*)	Rules 4, 6, 8, 18, 19, 21, 22, 23 and 27 are amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".
Marriage Licence Rules (*Ch. 120*)	Rules 2 and 3 are amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".
Foreign Marriage Act (*Ch. 124*)	Sections 2, 3(1), 3(2), 4, 5, 6 and the First Schedule are amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".
Maritime Marriage Act (*Ch. 124A*)	any reference in the Act to "Registrar" or "Registrar-General" shall be construed as a reference to the Registrar of Records"
Matrimonial Causes Act (*Ch. 125*)	Section 39(10) is amended by the deletion of the words "Registrar General" and the substitution of the

	words “Registrar of Records”.
Status of Children Act (*Ch. 130*)	Sections 7(1)(f), 7(1)(h) and 17, are amended by the deletion of the words “Registrar General” and the substitution of the words “Registrar of Records”.
Adoption of Children Act (*Ch.131*)	Section 2 is amended by — (a) the deletion of the definition of “Registrar” and the substitution of the following — “Registrar means the Registrar of Records and includes the Deputy Registrar of Records and Assistant Registrar of Records”.; (b) the deletion of the definition of “Registry” and the substitution of the following — “Registry” means the Registrar of Records Department.”.
Law of Property and Conveyancing (Condominium) Act (*Ch. 139*)	Section 22(4) is amended by the deletion of the words “Registrar General” and the substitution of the words “Registrar of Records”.
Commissions of Inquiry Act (*Ch. 184)*	Section 8, is amended by the deletion of the words “Registrar General” and the substitution of the words “Registrar of Records”.
Births and Deaths Registration Act (*Ch. 188*)	any reference in the Act to “Registrar General” shall be construed as a reference to the Registrar of Records”
Land Surveyors Regulations (*Ch. 251*)	Regulations 5(1)(a), 5(2), 6, 8(5), 19(1) and 27(3) are amended by the

	deletion of the words "Registrar-General" and the substitution of the words "Registrar of Records"
Stamp Rules (*Ch. 370)*	Rules 7 and 9 are amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".
Quieting Titles Act (*Ch. 393*)	Sections 18(2) and 20 are amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".
Georgetown Settlement Revival Act (*No. 1 of 1903*)	Section 2(2) is amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".
Public Finance Management Act, 2023 (*No. 4 of 2023*)	In section 2, the definition of "revenue and taxing agency", is amended by the deletion of the words "Registrar General's Department" and the substitution of the words "Registrar of Records Department".
Stamp Act (*No. 22 of 2024*)	Sections 19(1), 19(2) and 61(3) are amended by the deletion of the words "Registrar General" and the substitution of the words "Registrar of Records".