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# Civil Registration in the Republic of Argentina

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#### CONTENTS

Foreword	í
The country	1
The civil registration system	1
Civil registration legislation	2
Congresses of civil registration directors	2
Permanent coordinating body for civil registration	2
Some details of registration legislation	. 3
Registration personnel	3
Samples from the registration books	5
Samples of statistical forms	7

#### FOREWORD

In a federated system of government, there is usually no national focus of the civil registration system. This gives rise to problems of coordination, and of obtaining uniformity of procedures and practices. The production of uniform national vital statistics, both in terms of content and quality, is also a special problem. The Republic of Argentina is coping with these problems through their Permanent Coordinating Organization for Civil Registration which has an active program involving the 22 state registration offices, the Federal Capital District and the National Territory.

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### Civil Registration In The Republic Of Argentina Jorge P. Seara\* and Marcelo E. Martin\*\*

#### THE COUNTRY

The Republic of Argentina is in the Southern Hemisphere, occupying its extreme south. Its land area is about 400 million km<sup>2</sup>, with a population presently estimated at 26 million The inhabitants are almost exclusively Caucasian of Spanish and Portuguese European descent

One of the country's most serious problems is underpopulation. Another problem is the maldistribution of the population in such a vast land area, given that 80 percent live in urban, and 20 percent in rural areas

This immediately confronts us with the serious difficulties encountered in attempting to provide the entire country with an efficient civil registration system and the enormous economic and organizational effort required to provide adequately for this fundamental public service

The country is organized on a federal basis and consists of 22 provinces, one Federal District and one National Territory. The Provinces are: Buenos Aires, Catamarca, Córdoba, Corrientes, Chaco, Chubut, Entre Rios, Forgosa, Jujuy, La Pampa, La Rioja, Mendoza, Misiones, Neuqúen, Rio Negro, San Juan, San Luis, Salta, Santa Fé, Santa Cruz, Santiago del Estero, and Tucumán. Each Province elects its local authorities by popular vote.

The Federal District comprises the capital of the country, Buenos Aires, encompassing an area of almost 200 km<sup>2</sup> within the Province of Buenos Aires Here the national authorities are headquartered. The inhabitants of Buenos Aires elect their representatives to the House of Representations or the "Council," but the chief administrator of the city is appointed by the President of the Republic.

The National Territory consists of Tierra del Fuejo, Antartic Argentina and the Southatlantic Island The President of the Republic appoints the Governor who resides in the southernmost city of the world, Ushuaia The governmental system is representative, republican and federal in nature National authorities are elected by popular vote of the entire population and, as already mentioned, provincial authorities are elected by the inhabitants of the respective provinces.

Each province is in turn divided into municipalities or departments and the authorities are again locally elected. Under the successive electoral systems, minority political parties have enjoyed representation.

#### THE CIVIL REGISTRATION SYSTEM

The Argentina federation was patterned after the U.S. Federal System whose Constitution, in 1853, served as a basis for the Argentina Constitution. This means that all powers not delegated to the central government are reserved to the (States) provinces. One such, is the responsibility to organize civil registration. This has resulted in 24 different systems, one for each province, plus the Federal Capital and the National Territory.

Concurrently and independently, there operates in the Capital a "National Registry of Persons," intended to identify both citizens and foreigners, which provides them with a "National Identity Document." To achieve this, all civil registration offices in the country are vested with the corresponding responsibility in their respective jurisdictions.

The local civil registration offices handle not only civil registration and the above identification procedure, but they also serve as recording offices for various incapacities. They record, *inter alia*, judicial declarations of insanity, limitations due to deafmuteness and civil restrictions of the incarcerated Furthermore, many civil registration offices produce demographic statistics; this in addition to the recording of vital events, of judicial functions and the identification of persons

Each of the 24 registration offices is headed by a Director, a number of Deputy Directors, qualified advisors and lower level staff. It is usual for local regulations to require the Directors to be lawyers or actuaries

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Each provincial registration authority then has a number of administrative branch offices These are the contact point with the public and carry out the actual registration function: birth, death and marriage registration, etc Those same offices issue the National Identity Documents, a function they discharge under delegated powers from the National Registry of Persons The country has about 4000 such offices, many of them headed by lawyers or actuaries

#### CIVIL REGISTRATION LEGISLATION

Until 31 December 1963, each of the local jurisdictions (provinces, Federal Capital and the National Territory) followed their own civil registration legislation as enacted by local authorities. This means that identical subject matter was dealt with in a diverse manner, a state of affairs which pointed to the need of achieving some uniformity. To this end, it proposed that the several Directors of Civil Registration meet (together) and the "First Argentina National Congress of Civil Registration Directors" was held in Buenos Aires in 1960.

During the Second Congress which was held in 1961 in Paraná, the capital of Entre Rios, a draft bill was prepared and subsequently approved by the National Congress in October 1963 as Statute No 8204/63 The decree was to apply in the entire country as of 1 January 1964. In the same year, the Congress promulgated Law No 16478. With some subsequent modifications, this law now governs civil registration and personal identity

Also applicable are some substantive issues covered by the Civil Code and some national legislation enacted to deal with specific questions related to the registration of persons, *e.g.*, decree No 18248, dealing with names, and decree No. 18327 which covers creation of a microfilm system for registration

It should be noted that the "National Registration of Persons" system has provisions for issuing the National Identification Document (D N I) for both citizens and foreigners.

Furthermore, the provinces have local regulations to complement the "National Civil Registration Law," intended to facilitate the application of standards in each jurisdiction

#### CONGRESSES OF CIVIL REGISTRATION DIRECTORS

The first two congresses of provincial registrars have already been mentioned. A total of 5 congresses has been held. The third took place in

Mendoza, Province of Mendozo in 1965; the fourth was held in Santa Fé in Santa Fé Province in 1972, and the fifth came to San Salvador de Jujuy in 1974 The sixth congress may be held in the city of La Plata, capital of Buenos Aires Province, in 1979

To reinforce the federative spirit, and to reflect the political organization of the Republic, these congresses have been held in different parts of the country The subject matter of the meetings deals with proposals for improving legislation relating to the registration of persons. Conclusions are transmitted to the national authorities in order to seek improvements in the appropriate legislation

At times, these Directors' meetings are less formal than a congress and somtimes they have a regional character. These may deal with regional issues, or they may lay the groundwork for another congress, or again they may deal with the application of a new legal provision

The congresses and meetings have been a constructive force for improvements in the registration task of the country. It should be noted that registration officials from other South American countries have attended some of these congresses as observers.

#### PERMANENT COORDINATING ORGANIZATION FOR CIVIL REGISTRATION IN THE REPUBLIC OF ARGENTINA

It has already been pointed out that Argentina is a Federal Republic. This means that there is no centrally controlled registration system. The repeated contacts among the local directors pointed to the desirability of institutionalizing these contacts into a permanent organization. In the course of the Fourth Congress, there came into being the "Permanent Coordinating Organization for Civil Registration in the Republic of Argentina," and it was decided that one of the offices should assume the leadership until the next congress. The Head of the Buenos Aires Province Registration Office was so elected and subsequently reelected during the Fifth Congress. This means that the above mentioned organization is headquartered in the Registration Office of Buenos Aires Province at First Street, corner of 60th in the City of La Plata The latter 57 km from Buenos Aires

Since its creation, the Organization has maintained contact with all the Heads of Registration Offices, as well as with many registration offices in other countries and with international organizations Additional functions included responding to inquiries, and representation before the authorities to achieve improvements. Its Director and an adviser attended the "Meeting on Strategies to Improve Civil Registration Data" which was held in Montevideo, Urguay in November 1977 under the auspices of the Inter-American Children's Institute, the Panamerican Health Organization, the Statistical Office of the United Nations, the National Center for Health Statistics (of the U S) and the Agency for International Development

Every four months the Organization publishes an Information Bulletin issued by the Registration Office in the Province of Buneos Aires It usually contains subject matter deemed of interest to all the civil registration offices in the country.

The Organization also maintains a central file that contains registration legislation from many countries, with emphasis on the Spanish-speaking countries These materials are made available for study purposes

# SOME DETAILS OF CIVIL REGISTRATION LEGISLATION

National statute 8204/63, ratified by Public Law 16478, regulates, as already mentioned, matters pertaining to civil registration and civil rights A few of the essential features are explained below:

Organization. The national legislation states that the organization of registration rests with local government, *i.e.*, respective authorities of the provinces, the Federal Capital and the National Territories Public officials in charge of registration offices and their branches are appointed by the Governor of the provinces, the Municipal Mayor of the City of Buenos Aires, and the Governor of the National Territory of Tierra del Fuego

*Offices and branches.* These have been established on the basis of population density, communications, availability of transportation, etc

*Registration books*. An amendment introduced in 1969 as Public Law 18327 provides for separate registration books for births, deaths, marriages, and incompetence. The pages of this book are copied into another book, either by manual transcription, or by microfiche, or by some other system In practice, only very few provinces use the microfiche system and the vast majority function with the traditional duplicate book

Each Director is empowered to use judgment in the establishment of additional books for the recording of events over and above those mentioned previously This has occurred in some cases, for instance, for adoptions, reaching of majority, etc

The birth, death and marriage books are preprinted, with appropriate spaces for each entry

The books are bound and the pages sequentially numbered At the end of each calendar year, a set of books is closed and a new set is started on 1 January The books and other documentation related to registration may be turned over only to the public official charged with their custody, but they may be shown to anyone having a legitimate interest

Archives. Upon completion, the books and their duplicates are filed; one set locally, and the duplicates in the central office of each Registry (of the Federal Capital, the province and the National Territory).

Registration procedures. Birth, marriage, death, etc, registration is carried out in numerical and chronological order. Both the original and the copies are signed by the Registrar and the declarer, except in the case where the copies are microfilmed. The supporting documentation remains on file for a period of time subject to local determination. The period may be no less than 5 years, after which time it may be destroyed.

Indexes and card files. In order to facilitate searches, there is an index at the end of each book Each registration is also transferred onto a card and these cards remain on file in the central offices to futher facilitate local searches In the event where the locality of a birth, marriage or death is not known, it may be possible to obtain this information through the card files of the National Registration Office in the city of Buenos Aires.

*Copies* Interested parties may obtain registration copies in the form of photocopies, certificates, etc. The registration offices also issue a Family Document. This public document contains a certification of the marriage registration, and of the birth and death registration of the couple's children

*Modifications* Should it become necessary to modify a registration, a note to that effect is placed in the margin.

*Birth registration.* Registration takes place within 40 days before the public official in whose jurisdiction the event occurred In case of failure to comply within this time period, Directors are authorized to hear the reasons for noncompliance and they may order the event to be registered for a period of one year after its occurrence. If this legal limit is exceeded, a judicial order is required to effect the registration

The law specifies that birth registration must be based on medical obstetric certificates; who may register the event, the supporting documentation to remain in the registration office, the procedures for registering fetal deaths, etc Upon registration of a birth, the newborn is issued the National Identity Document The latter must subsequently be renewed, for the first time upon reaching the age of 8 The law also makes provision for illegitimate children

*Given names and surnames* Public Law 18248 of 1969 modified existing legislation on this subject The prevailing law now consists of 25 articles These regulate names which may be given to the person being registered; naming in cases of adoptions; names of married, divorced or separated women; protection of names, etc

*Marriages* These are subject not only to the Civil Registration Act, but also to the Civil Marriage Act and to a number of their laws Among them is Public Law 18444 through which Argentina ratified the United Nations' General Assembly's "Convention on Marriage Consent, Minimum Age and Marriage Registration" as signed in New York on 7 November 1962 Thus, there is a full body of law to deal with all questions and situations that may arise in connection with marriage, divorce and annulment

Death registration. Registration must take place within 48 hours of occurrence before the public official in whose jurisdiction the death occurred. After that time, the event is still subject to registration It may, however, result in a fine levied against the person responsible for the delay. The law specifies the form in which death has to be proven, the manner in which the attending physician certifies a death, the persons responsible for the registration and the particulars of the event There are also a number of safequards that must be observed by the public officials These relate to the cause of death, especially in cases where there is some reason to believe that the death may have been caused by a crime. There are other situations where health authorities must be alerted to the possibility of communicable diseases as a cause

Registration beyond jurisdiction. The ethnic composition of Argentina is strongly influenced by a sizeable inmigration from Europe and a large number of the residents were born abroad From a demographic standpoint, there is also much internal migration in the country. What this means is that a birth or marriage may be registered in one place and by the time people have used copies of the registration of these events, they are residents in another jurisdiction To remedy this situation, all the registration offices are authorized to accept what is called "Registration Beyond Jurisdiction" where interested parties may register events that occurred in other countries or other provinces This permits them to obtain copies with greater ease Changes in registration In general, it may be said that changes in registrations to correct errors is vested in judges. For certain cases, however, such as when a mistake was made in an entry that might result in a discrepancy with other documents of the same person, Registration Directors are legally empowered to make corrections

Registration of incompetence All local registration offices have a special book for purposes of registering judicial declarations of insanity, restrictions for reasons of deaf-muteness, civil rights restriction for felons, self-declarations of limitations for physical reasons and other judicially determined restrictions

*Vital statistics* Most of the local registration offices also serve as collection points for vital statistics information Four types of forms must be filled out before an actual entry may be made into a registration book These are: the Statistical Report of Live Birth, the Statistical Report of Marriage, the Death Certificate, and the Fetal Death Certificate (the latter part of this report contains samples of these).

After completion of these forms by the local public officials, they are transmitted to the central offices in the provincial capitals, the Federal Capital and the capital of the National Territory for processing purposes. This is to say, that the civil registration offices act as data collection points, but they have no responsibility for the subsequent statistical operations. However, many local registration offices do have some functions in the area of demographic statistics, primarily the preparation of monthly reports that provide registration totals from individual offices. These are used for internal planning purposes for the distribution of offices and personnel

#### **REGISTRATION PERSONNEL**

Argentina has about 20,000 officials who work in the 24 (existing) Civil Registration Units. The educational level is generally high. The country's education system comprises 3 levels. 7 years of elementary school; and 5 or 6 years of secondary school and 3 to 7 years of university training, depending on specialization. The leadership of the Civil Registration Units is generally in the hands of university graduates Most of the other higher officials have advanced education degrees, whereas the other employees have usually completed secondary school

As far as training of the civil registration personnel is concerned, they do undergo special instruction to acquire the necessary technical skills for the discharge of their duties SAMPLES (in photographs taken directly from the registration books) OF PAGES IN THE REGISTRATION BOOKS FOR BIRTHS, MARRIAGES AND DEATHS.

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Q 29 Categoria:	30. Reme		27 12 24.
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g empleado 2 no remunerado 4	Indicar qué produce a a qué se de		38.6130
	(Ejemplai muebles, vente de carne por	mryor, etc.)	
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INFORME ESTADISTICO	E MATRIMONIO		IAAAT
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B) DATOS DEL CO.	NTRAYENTE	· · · · · · · · · · · · · · · · · · ·	i i i i i i i i i i i i i i i i i i i
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	OHERAYENIE		1 10 18
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CERTIFICADO DE DEFUNCION FETAL		CERTIFICADO DE DEFUNCION	· ····································
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4. Lugar de la a) Provincia: b) Departamento 1 c) Localidad :		tomo	ACIA
defunción felais	3.	4. Nombres y epellido; 4.1 Ducumento de identide tipo No	
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masculino i 🔲 mattimaniai i 🔲 simple i 💭 del cual	4. a)	Ocurrencia de	
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DATOS DE LA MADRE		habituaf	
9. Nombres y apellido:	5.	7. Facha de la defunción ; 8. Focha de Inscripción: 9. Lugar de nacumiento: 10. Si	exo 1
10, Aho de Edad 11, lugar de nacimiento: nacimiento			asculuno
	6. 7.	(si es argentino, andicar Provincia) le	menina
(si as argentina, indicar Provincio) primaria incomp. 2 second. comp. 5 sa ignora y		día mes año día mos año (si es extranjero, indicar País)	
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soltero 1 casada 2 viuda 3 sepanada o divorciada 4unida de hecho 5 se ignoro y	-		
14. Facha de metri, menio a iniciación () y nacieron () de los cuales () y nacieron	10. 11.	dla mes año LLL masse L moras 4 L casado, 2 L diverciado 4 L	se ignora y 🖵
de la unión tenido razos nocieros vivos niños muertos o		ACTIVIDAD ECONOMICA (si el fallecido es menor de 1 año, indicar la ocupación del pa	adre)
mes año abortoron	12. 13.	14. Condición de actividad: trabaja imenor a cargo 4desocupado que 7 15. Protes. u ocu	apse. Habitual:
16. Residencia a) Provincia: b) Departamenia: c) Localidad: habitual:		estudiante 4   no basis (tables 1	
17. Condición de actividad:	14. (2) 15. o)	desocupedo que busca trab 2 jubilado g 6 jubilado 9 6	
Instala Image	15.b) (15.c)	16. Categoria: 17. Rama:	
8 ano de caso 3 pensionada otras 9		patrón t [ cuenta propia 3 [] any leader 2 [ trabajador tamiliar Indicar qué produce o a qué se dedica el establecimiento doi	nde trabaja (Ej-13.
2 19. Categoria:	26 (2) (i) (i) (i)	empleado 2 no renumerado 4 brica de muebles, hogar particular, venta de carne por mayor	r, lejeduria, etc.!
Q   19. Categoria:   20. Rama:     patrona 1   cuenta propia 3   Indicar qué produce o a qué se dedica el establecimiento donde tro- bajo. (Ej.: compañía de seguros, hogar particular, tejedutia, etc.)		PARA FALLECIDOS MENORES DE 1 AÑO	
empleada 2 no remunerada	16. b) 16. c)	18. Filiación: 19. Peso al nacer: 20. Edad de la madre: 21. Situación convugal de la madre:	
DATOS DIL PADRE		matrimonial 1 gramos anos soltera 1 viuda 3 un	nida de kacho 5
21. Ano de Edad 22. Lugar de nocimiento: 23. Instrucción:	17. 2418.		seignora y 💭
nacimiento primario comp. 3 U univ.sncomp. 6 U		22. La madre, cuntando a) b) c)	
(1) es argentino, indicar Provincia) años (1) es extranjero, indicar País) primaria incomp. 2 secund. incomp. 5 ie ignora y	19. 19. 20.	de los cuales encieron vivos iniños y nacieron de	
24. Condición de actividad:		éste, ha tendo:	nytacon (
24. Condición do actividad: desocupado que /   Vertosia 1 estrutionte 5 no busco trabajo   Vertosia 1 estrutionte 5 no busco trabajo   desocupado que busca trabajo 2 jubilado o 1   Outor menor a cargo 4 pensionado otros 9	21.	CERTIFICACION DE CAUSA DE MUERTE	
Z desocupado que busco trabajo 2 jubilado o ja incopacitado 8		autoprial durante su última enfarmedad?	2E. Se practicó autopsia?;
S menor a cargo 4 pensionado otros 9	22. 23.	su olima eniermenad? que suscribe?	si 1 [] no 2
27. Ramo:			ipo entre el comiena
S patrón l ⊥ trabajador tamillar	24. 25.	Parte i : La muerte fue debido a: de ca	ada entermedad y la
empleado 2 no remunerado 4 Indicar que produce o a qué se dedica el establecimiento donde tra- baja. (Ej. : fábrica de muebles, vento de came por mayor, etc.)		Causa inmediata o final a)	112
CERTIFICACION DE CAUSA DE MUERTE	26. 27.	Causas, si las hubiera, que 6)	
28. Gausa de muerte tetat : (Anate sóla una causa en cada ilneo) 1. Gausa inmediata o final (no consigne causas tales como prematurez, nacida muerto, etc.)		dieron origen a la anotada en al. Anotar la causa bá )	
(fetal a matema) a) Causa, il kai bubiera que [	28.	sica en la línea inferior. C	
diemo nigena la anola - b) da en a). Anotar la causa		Parte II: Otros estados patológicos concomitantes	
bàilea en la línea interior(e)	30.	(Enfermedades que contribuyen a la muerte, sin tener relación con la causa inmediata).	
il. Otras causa fetales y/o matemas, concomitantes : (Enfermedades que contribuyeron a la muerte		29. En caso de   Fue: 30.	
sin tener relación con la causa inmediata)		accidente al Lugar donde ocurrió la muerte:	
29. Sa practică 30. La dalunción se produjo: 31. Tiempo de gestación: 32. Peso del felo al nacer: autopsia ?			
durante el parto 2 1 semanas gramos		violento homicidio	N <sup>o</sup> de matricul
ii 1     no 2     antas del porto 1     se ignora y     completos       33, Datos del     Nombres y coellido:     Nº de matricula	Firmo:	31. Datos del Nombres y apellido:	
médico infor-		médico infor-	T.E.:
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autopsia?; si 1 [] no ?[]

Tiampo entre el comienzo

Nº de matrícula

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