



National-level designation of responsibilities and organizational structures of a civil registration system



Two components

Legal framework

a) *Principles and Recommendations, para 304-305*

b) *Handbook on Civil Registration and Vital Statistics System: Preparation of a Legal Framework*

Organisational structures at the national level

a) *Principles and Recommendations, para 306-315*

b) *Handbook on Civil Registration and Vital Statistics System: Management, Operation and Maintenance, para 29-81*



Legal framework at national level

Constitution

- Highest law of the land
- Major concepts such as individual rights, citizenship ...
- Generic in character

Law(s)

- Derived from the Constitution
- Substantive as well as procedural provisions
- Some laws are more substantive than others (Family Law, Criminal Law)
- Others are more procedural (Law on Criminal Justice Procedure, Civil Registration Law)

Regulation(s)

- Derived from laws
- Procedural provisions
- Easier to enact



Legal framework – civil registration

- ❑ **Principles of civil registration legislation**
 - ❑ Principle of legality – civil registration reflects reality, i.e. the events that occurred, once registered, become legally valid
 - ❑ Protecting interest of the individual – providing ready access to the service, full information on procedure and outcomes, ensuring confidentiality and privacy of individual information, easy retrieval
 - ❑ Principle of official status – the law must give the registration agency the power and authority to promote registration; update or correct entries in the register; ensure the integrity of the civil registration system
 - ❑ Compulsoriness of registration – the law has to spell out the obligation to register; to outline that entries in the civil registration constitute the only official and legal proof of civil status
 - ❑ Simplification of the service
 - ❑ Free service



Legal framework - components

General provisions

- Definitions of vital events
- Compulsoriness of registration
- Collection of statistical items
- Confidentiality
- Privacy
- Access and safekeeping
- Storage and preservation of records

Civil registration infrastructure

- Agency in charge of registration
- Chief registrar – authority, responsibilities
- Local registrar – authority, responsibilities
- Registration units, notifiers, informants



Legal framework - components

- Sphere of competence of the civil register**
 - Responsibility of the register for completeness and place of registration

 - Making entries in the register**
 - General content of the register
 - Deadlines

 - Specific registers**
 - Indicates specific procedures for registering births, deaths, marriages ...
 - Designates informants for each type of event
 - Incentives for registration
 - Sanctions for non-compliance

 - Amendment of registration records**
 - Spelling out authorization and procedures for amending records
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Legal framework - components

Proof of registration

- Authorizing officials to issue documents certifying the facts of registration

Statistical reports

- Specify the agency where statistical forms need to be sent
- Deadlines for submitting statistical forms
- Cooperation and division of labor

Inspection and penalties

- Oversight procedures and authority
- Penalties

Funding

- Designates source of funding
- Funding procedures



Organizational structures

- Law on civil registration
- Depending on the judicial, political and administrative circumstances
- As well as history, tradition
 - Assigns the authority for registration of vital events
 - A newly formed or existing institution
 - Centralized or decentralized



Centralized civil registration system

- ❑ **Centralized system is characterized by**
 - ❑ Central agency responsible for civil registration
 - ❑ National standards
 - ❑ Uniform registration procedures
 - ❑ Administering and managing the system nation-wide
 - ❑ Supervision
 - ❑ Evaluation
 - ❑ Coordination with other – statistics, health services



Centralized civil registration system

❑ Advantages

- ❑ Standard legal frame for the registration system, promoting uniform legislation
- ❑ Facilitates the interpretation and enforcement of norms and regulations
- ❑ Allows for uniform procedures for recording, including certification and release
- ❑ Maintenance and control over the entire system
- ❑ Facilitates nation-wide research based on uniformity
- ❑ Easier training of registrars, updates of procedures
- ❑ Easier introduction of new standardized technologies



Decentralized civil registration system

- ❑ In a decentralized system – civil registration can be administered at the level of major civil division
- ❑ Common in countries with federal political system
- ❑ Need for an agency at the national level to harmonize procedures, definitions, classifications
- ❑ The role of central statistical agency increases
 - ❑ May act as the clearinghouse
 - ❑ Standardization of methodology



Concluding remarks on organizational structure

- ❑ Irrespective of the organizational paradigm – centralized or decentralized – the registration takes place at the local level
 - ❑ Consequently, the structure of the civil registration units is the building block of the system
 - ❑ So is the role of the local registrar
- ❑ Inter-agency coordination body
- ❑ Sustained emphasis on the role of civil status and civil registration by the Government