

LAW ON REGISTERS OF BIRTHS, MARRIAGES AND DEATHS
15 February 1995

I. GENERAL PROVISIONS

Article 1

Personal data about citizens shall be kept in the Register of Births, Register of Marriages and in the Register of Deaths.

Registers, certified copies and certificates issued based on the Registers are public documents.

Article 2

The Registers shall be kept by the Ministry of Internal Affairs and other organs in cases determined by this Law.

Article 3

Registers shall be kept for each populated area separately, according to registry areas determined by the Ministry of Internal Affairs, by an authorized officer (hereinafter referred to as the Registrar).

As an exception, the Register of Marriages may be kept in populated areas designated for conclusion of marriages.

II. REGISTER OF BIRTHS

Article 4

The following shall be entered in the Register of Births:

1) Data about the birth of the child, as follows: name and surname; sex; hour, day, month, year and place of birth of the child; nationality and single register number.

2) Data about the child's parents as follows: name and surname (for mothers maiden name as well); day, month, year and place of birth; ethnic origin; nationality; domicile and address.

3) Recognition of fatherhood; establishment of fatherhood or motherhood; legalization, adoption and cease of adoption; guardianship and cease of guardianship; conclusion, cease or annulment of marriage; change in the personal name of the parent, i.e. of the adoptive parent; change in the child's nationality; death or declaring a missing person dead.

Article 5

The competent organ which has adopted the decision for entering the data referred to in Article 4, paragraph 1, subparagraph 3 of this Law is obliged to submit the decision to the Registrar for the registry area for which the Register is kept within 15 days from the legal validity of the decision.

Article 6

The birth of the child shall be reported in writing or orally, in which case minutes are prepared, with the Registrar for the registry area where the child was born, within 15 from the day of birth.

The birth of a child in a means of transportation shall be reported to the Registrar for the registry area where the journey of the mother ended.

Stillborns are reported within 24 hours from the delivery.

Article 7

The health care organization is obliged to report the birth of the child at that organization.

The birth of a child outside a health care facility shall be reported by the father, i.e. the persons in the abode of whom the child was born, the mother as soon as she is able to do so or the health care worker

who assisted in the delivery. If there are no persons referred to above or if they are not able to report the birth of the child, then the person who has learned of the child's birth may report the birth.

Article 8

A child of unknown parents is entered in the Register of Births kept for the area where the child was found.

The entry is made based on a decision by the competent guardianship organ as follows: personal name and sex; hour, day, month, year and place of birth of the child determined according to the place where the child was found.

Article 9

The personal name of the child shall be reported for registering in the Register of Births within two months from the day of birth of the child.

The personal name is entered in the Register in the Macedonian language using the Cyrillic alphabet, while names of persons belonging to ethnic minorities shall also be entered in the language and alphabet of the concerned minority.

Article 10

The Register of Births shall be kept in two copies. The second copy is a transcript or a certified copy of the original Register.

III. REGISTER OF MARRIAGES

Article 11

The following shall be entered in the Register of Marriages:

- 1) Data about the concluded marriage as follows: name and surname of spouses; day, month year and place of birth of spouses; their single register number; nationality, ethnic origin; domicile and address of spouses; day, month, year and place of the conclusion of marriage and statements of spouses about their surname;
- 2) Names and surnames of parents of spouses; names and surnames of witnesses to the conclusion of the marriage; name and surname of the officer before whom the marriage has been concluded and name and surname of the Registrar;
- 3) Cease or annulment of the marriage;
- 4) Name and surname and domicile of the proxy in case one of the spouses has been represented by a proxy in concluding the marriage and
- 5) Changes of the name and surname of the spouses.

Article 12

The competent organ, which has adopted the decision for cease, annulment or divorce of the marriage, is obliged to report the change to the Registrar for the registry area for which the Register of Marriages is kept within 15 days from the legal validity of the decision.

IV. REGISTER OF DEATHS

Article 13

The following shall be entered in the Register of Deaths:

- 1) Data about the death as follows: name and surname of the deceased; his/her surname before marriage; sex; hour, day, month, year and place of death; day, month, year and place of birth; marital status before death; nationality; ethnic origin; domicile and address.

2) Name and surname of the spouse and his/her surname before marriage, if the deceased was married; name and surname of the parents of the deceased; name, surname and domicile of the person reporting the death, i.e. name of the organization that reported the death and

3) Declaring a missing person dead and data about the death proven in a court procedure.

Article 14

A death of a person shall be reported in writing or orally when minutes are prepared, with the Registrar for the registry area where the death occurred, i.e. where the deceased was found, within three days from the day of death, i.e. from the finding the deceased, at the latest.

A death of a person occurring in a means of transportation or in a traffic accident shall be registered with the Registrar for the registry area where the deceased shall be buried. If the deceased shall be buried abroad the death is registered with the Registrar for the registry area where the death occurred and if the place is not known with the Registrar for the registry area where the deceased was found.

Article 15

The members of the family of the deceased with whom he/she had lived are obliged to register the death. If the deceased had no family or if the family is not able to register the death, the registering obligation shall apply to the persons with whom the deceased had lived or to the members of the wider family who learned of the death, i.e. to the persons in the abode of whom the death occurred. If there are no such persons then the death is reported by the person who first learned of it.

The death of a person in a health care organization, in a unit of the Army of the Republic of Macedonia or in a penitentiary shall be reported by the health care organization, army unit i.e. the institution where the person died.

Article 16

When reporting a death, a death confirmation issued by a health organization is submitted.

If no confirmation referred to in paragraph 1 of this Article has been issued the death is confirmed by two witnesses in a statement before the Registrar.

The Registrar shall not enter the death in the Register of Deaths if a death confirmation has not been submitted or if there are no witnesses confirming the death.

Article 17

The Registrar shall enter the death of a person whose corpse was found in the Register of Deaths based on minutes on the finding of the corps, to be submitted by the organ performing the examination.

Article 18

A funeral of a deceased person may be conducted prior to the reporting of the death with the Registrar based on a burial license issued by a funeral service company.

The company referred to in paragraph 1 of this Article shall submit a copy of the burial license to the Registrar for the appropriate registry area within three days from its issuance.

Article 19

The declaration of death of a missing person and the death proven in a court procedure shall be entered in the Register of Deaths based on a legally valid court decision. The competent organ shall submit the decision within 15 days from the legal validity of the decision to the Registrar at the registry area where the deceased had his/her domicile.

If the domicile of the deceased is not known or is abroad the decision referred to in paragraph 1 of this Article shall be submitted by the Court to the Registrar at the registry area where the deceased person was born, and if the place of birth is abroad then to the Registrar for the area where the court which adopted the decision is located.

V. COMMON PROVISIONS

Article 20

The Registrar shall enter in the Registers only data, which is reported i.e., contained in the act of the competent organ.

Article 21

Data are entered in the Registers without delays.

If there is a reasonable doubt that certain data to be entered in the Register is incorrect, prior to the entry the Registrar is obliged to examine the veracity of the data.

Article 22

If the death or birth is reported after 30 days from the death or birth, the entry in the Register shall be made only based on a decision.

Article 23

Until the conclusion of the entries in the Registers the correction of mistakes are to be made by the Registrar, and after the closing of the entry corrections of mistakes may be made only based on a decision.

Article 24

Registers are closed and certified at the end of each calendar year.

Article 25

The data on the birth, conclusion of marriage or death of a national of the Republic of Macedonia abroad shall be entered in the Registers kept by the diplomatic-consular missions of the Republic of Macedonia abroad or in the Registers kept on the territory of the Republic of Macedonia.

Entry of data referred to in paragraph 1 of this Article shall be done based on certificates of the Registers of the appropriate organ abroad. The interested party shall submit the certificate, unless otherwise envisaged in an international treaty.

As an exception when the party has not been able to acquire the certificate referred to in paragraph 2 of this Article the entry of data in the Register is made based on a decision adopted on grounds of evidence submitted by the party.

Article 26

When the data on the birth, conclusion of marriage or death of a national of the Republic of Macedonia abroad is entered in the Registers kept in the Republic of Macedonia the entry is made in the following manner:

- 1) For births – in the Register of Births kept for the place of last domicile of both or of one of the parents of the child;
- 2) For conclusion of marriage - in the Register of Marriages kept for the place of last domicile of both or one of the spouses; and
- 3) For deaths - in the Register of Deaths kept for the place of birth of the deceased.

If in the cases referred to in paragraph 1, subparagraphs 1 and 2 of this Article the last place of domicile may not be established the entry shall be made in the Register kept for the place of birth of the concerned persons i.e. if they were not born in the Republic of Macedonia, the entry shall be made in the Register kept for the City of Skopje.

Article 27

The data on the birth, i.e. conclusion of marriage abroad of a person who has acquired the nationality of the Republic of Macedonia is ex officio entered in the Register of Births, i.e. of Marriages kept for the place of last domicile or if the person does not have domicile on the territory of the Republic

of Macedonia in the Register of Births, i.e. Marriages kept for the City of Skopje based on submitted evidence from the Registers of the appropriate organ abroad.

Article 28

A certified copy of the Registers is issued containing the last data entered in the Register at the time of issuance.

A certificate issued on the basis of the Register contains separate data entered in the Register.

A transcript or a copy may be issued of the entries in the Registers.

Article 29

Registers are stored, protected and used in accordance with the law.

Documents referred to in Article 28 of this Law shall be issued upon the request of the person to whom the data in the documents relate. Documents may also be issued to interested persons i.e. to a legal entity or an organ when there is legal interest established by law.

The person, to whom the data entered in the Registers relates to, has the right to inspect the Registers or the documents and decisions based on which entries are made in the Registers. Other interested persons may also inspect the Registers when there is a direct legal interest established by law.

Article 30

Renewal of destroyed, damaged or missing Registers is made by the Ministry of Internal Affairs.

Citizens are obliged to give data that is known to them for purposes of renewal of Registers.

VI. PENAL PROVISIONS

Article 31

The health care organization shall be fined in the amount of five to fifteen salaries for an offence as follows:

1) If it does not report the birth of a child within the prescribed period (Article 7, paragraph 1 related to Article 6, paragraphs 1 and 3 of this Law) and

2) If it does not report the death (Article 15, paragraph 2).

The responsible person of the health care organization or other legal entity shall be fined in the amount of one third to two salaries for the offence referred to in paragraph 1 of this Article.

Article 32

A natural person shall be fined in the amount of one sixteenth to a half of salary for an offence as follows:

1) If he/she does not report the birth of a child within the prescribed period (Article 7, paragraph 2 related to Article 6)

2) If he/she does not register the personal name of the child within the prescribed period (Article 9, paragraph 1).

Registrars who enter false data in the Registers (Article 20) shall be fined in the amount of one third to two salaries.

VII TRANSITIONAL AND FINAL PROVISIONS

Article 33

Registers kept until the entry into force of this Law, as well as certified copies and certificates issued based on those Registers have the legal force of public documents.

Article 34

Within three months from the entry into force of this Law the Minister of Internal Affairs shall adopt bylaws on the manner of keeping, protection, and storage of Registers and documents, issuance of certified copies, certificates, transcripts and copies based on Registers; on the manner of conducting the procedure and making minutes regarding a foundling; renewal of destroyed, damaged or missing Registers, as well as on the forms of Registers, the main Register books, certificates and certified copies issued based on Registers.

In accordance with the Minister of Internal Affairs, the Minister of Health shall adopt bylaws on the form for reporting a birth, death and death confirmation within three months from the entry into force of this Law.

Until the adoption of bylaws referred to in paragraphs 1 and 2 of this Article the hitherto regulations shall apply.

Article 35

With the entry into force of this Law, the Law on Registers (Official Gazette of the Republic of Macedonia No. 15/73, 20/73, 51/88 and 19/90) and the Law on Personal Data in Registers (Official Gazette of the SFRY No. 6/73) shall cease to apply.

Article 36

This Law shall enter into force on the eighth day of its publishing in the Official Gazette of the Republic of Macedonia.