
First published in the Government *Gazette*, Electronic Edition, on 26 May 2022 at 5 pm.

No. S 408

REGISTRATION OF BIRTHS AND DEATHS ACT 2021

REGISTRATION OF BIRTHS AND DEATHS REGULATIONS 2022

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In exercise of the powers conferred by section 61 of the Registration of Births and Deaths Act 2021, the Minister for Home Affairs makes the following Regulations:

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations are the Registration of Births and Deaths Regulations 2022 and come into operation on 29 May 2022.

Definitions

2. In these Regulations, unless the context otherwise requires —
- “birth certificate” includes a replacement birth certificate;
 - “conveyance” means an aircraft, a vessel or a train;
 - “death certificate” includes a replacement death certificate;
 - “responsible person”, for a child in relation to the child’s birth registration, has the meaning given by section 8(5) of the Act;
 - “stillbirth certificate” includes a replacement stillbirth certificate.

Prescribed website for birth particulars, death particulars and stillbirth particulars

3. The prescribed website mentioned in the definitions of birth particulars, death particulars and stillbirth particulars in section 2(1) of the Act is www.ica.gov.sg.

PART 2

BIRTHS

Birth registration under section 9(2) of Act

4. Where the birth of a child in Singapore is registered under section 9(2) of the Act based on incomplete birth particulars —

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- (a) as mentioned in section 9(4) of the Act, the duty of a responsible person for the child under section 8(1) of the Act continues despite such registration, until section 8(1) of the Act has been complied with in respect of the child; but
- (b) to avoid doubt, where the child's birth is registered under section 9(2) of the Act without a name, the duty of a responsible person for the child under section 8(1) of the Act to provide a name for the child is limited by the period mentioned in section 20(2) of the Act.

Birth registration under section 13(2) of Act

5.—(1) This regulation applies in respect of a child born in a conveyance outside, but bound for, Singapore, whose birth is registered under section 13(2) of the Act based on incomplete birth particulars.

(2) A responsible person for the child (called in this regulation the applicant) may, at any time, apply to the Registrar-General for the child's birth particulars (except the child's name), that were not available to the Registrar-General at the time of the birth registration, to be entered in the register of births.

(3) The applicant must provide to the Registrar-General any information or evidence the Registrar-General requires that supports the application, or verifies the accuracy of the matters contained in or accompanying the application, within the time the Registrar-General requires.

(4) Where the child's birth is registered under section 13(2) of the Act without a name, section 20 of the Act applies in respect of the child's name.

Re-registration of birth of person legitimated by Legitimacy Act 1934

6.—(1) If the Registrar-General re-registers the birth of a person (called in this regulation the subject person) under section 15(5) of the Act (on an application made under section 15(2) of the Act), the Registrar-General must enter in the register of births —

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- (a) the particulars of the subject person's father; and
 - (b) where the application made under section 15(2) of the Act includes a change of name, and where the new name satisfies section 15(5)(b) of the Act — the subject person's new name.

(2) Except as provided in paragraph (1)(a) and (b), the Registrar-General must, when re-registering the subject person's birth under section 15(5) of the Act, enter in the register of births (without any alteration) all the birth particulars of the subject person that had been recorded in the register of births before the re-registration.

Re-registration of birth in relation to Status of Children (Assisted Reproduction Technology) Act 2013

7.—(1) If the Registrar-General re-registers the birth of a person (called in this regulation the subject person) under section 17(5) or (6) of the Act (on an application made under section 17(2) of the Act), the Registrar-General must enter in the register of births —

- (a) the particulars of the subject person's parent or parents, as the case may be; and
- (b) where the application made under section 17(2) of the Act includes a change of name, and where the new name satisfies section 17(5)(b) or (6)(b) of the Act (as the case may be) — the subject person's new name.

(2) Except as provided in paragraph (1)(a) and (b), the Registrar-General must, when re-registering the subject person's birth under section 17(5) or (6) of the Act, enter in the register of births (without any alteration) all the birth particulars of the subject person that had been recorded in the register of births before the re-registration.

Re-registration of birth of person legitimated by Status of Children (Assisted Reproduction Technology) Act 2013

8.—(1) If the Registrar-General re-registers the birth of a person (called in this regulation the subject person) under section 18(5) of the

Act (on an application made under section 18(2) of the Act), the Registrar-General must enter in the register of births —

- (a) the particulars of the subject person's father; and
- (b) where the application made under section 18(2) of the Act includes a change of name, and where the new name satisfies section 18(5)(b) of the Act — the subject person's new name.

(2) Except as provided in paragraph (1)(a) and (b), the Registrar-General must, when re-registering the subject person's birth under section 18(5) of the Act, enter in the register of births (without any alteration) all the birth particulars of the subject person that had been recorded in the register of births before the re-registration.

Fee for application to alter child's name under section 21(2) of Act

9. An application under section 21(2) of the Act to alter a child's name in the register of births must be accompanied by the applicable fee specified in the Schedule.

Issue of birth certificate after birth registration under section 9, 13 or 14(1)(a) of Act

10.—(1) After registering the birth of a child under section 9(1), 13(1) or 14(1)(a) of the Act, the Registrar-General may issue a birth certificate for the child, in the form and manner the Registrar-General thinks fit, to —

- (a) where the child's birth is registered under section 9(1) of the Act — any of the responsible persons for the child who provided the child's birth particulars under section 8(1) of the Act;
- (b) where the child's birth is registered under section 13(1) of the Act (on an application made under section 12(1) of the Act) — the applicant; or

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- (c) where the child's birth is registered under section 14(1)(a) of the Act — any of the adopting parents mentioned in the adoption order for the child.

(2) If a child's birth is registered under section 9(2) or 13(2) of the Act, the Registrar-General may (if a birth certificate has not been issued previously in respect of the child under this paragraph) issue a birth certificate for the child, in the form and manner the Registrar-General thinks fit, to —

- (a) where the Registrar-General enters the child's name in the register of births under section 20(4) of the Act (on an application made under section 20(1) of the Act) — the applicant; or
- (b) where a responsible person for the child applies to the Registrar-General for the child's birth certificate — the applicant.

(3) If an application mentioned in paragraph (2)(b) is made, the applicant must provide to the Registrar-General any information or evidence the Registrar-General requires that supports the application, or verifies the accuracy of the matters contained in or accompanying the application, within the time the Registrar-General requires.

(4) Before a birth certificate is issued to a person under this regulation, that person must pay the applicable fee specified in the Schedule for the birth certificate.

Cancellation and surrender of birth certificate

11.—(1) A birth certificate issued under these Regulations or a specified written law is cancelled if the Registrar-General does any of the following in respect of the registration of the birth mentioned in the birth certificate:

- (a) cancels the registration of the birth under section 41 of the Act;
- (b) re-registers the birth under section 14(1)(b), 15(5), 17(5) or (6) or 18(5) of the Act;
- (c) alters the record of the birth in the register of births in any other way.

(2) A person who is issued a birth certificate in hard copy form under these Regulations or a specified written law must surrender the birth certificate to the Registrar-General, within the time specified by the Registrar-General in the notice mentioned in sub-paragraph (b), if —

- (a) the birth certificate is cancelled under paragraph (1); and
- (b) the Registrar-General gives written notice of the cancellation to that person.

(3) A person who, without reasonable excuse, contravenes paragraph (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,500 or to imprisonment for a term not exceeding one month or to both.

(4) In this regulation, “specified written law” means —

- (a) the repealed Act;
- (b) the Adoption of Children Act 1939 as in force before 29 May 2022; or
- (c) the Legitimacy Act 1934 as in force before 29 May 2022.

Cancelled birth certificate under regulation 11(1)(b) — issue of new birth certificate

12.—(1) If the birth certificate of a person (called in this regulation the subject person) is cancelled under regulation 11(1)(b), the Registrar-General may issue a new birth certificate for the subject person, in the form and manner the Registrar-General thinks fit, to —

- (a) where the subject person’s birth is re-registered under section 14(1)(b) of the Act — any of the adopting parents mentioned in the adoption order for the subject person;
- (b) where the subject person’s birth is re-registered under section 15(5) of the Act (on an application made under section 15(2) of the Act) — the applicant;
- (c) where the subject person’s birth is re-registered under section 17(5) or (6) of the Act (on an application made under section 17(2) of the Act) — the applicant; or

(d) where the subject person's birth is re-registered under section 18(5) of the Act (on an application made under section 18(2) of the Act) — the applicant.

(2) Before a new birth certificate is issued to a person under this regulation, that person must pay the applicable fee specified in the Schedule for the new birth certificate.

Cancelled birth certificate under regulation 11(1)(c) — issue of replacement birth certificate

13.—(1) If the birth certificate of a person (called in this regulation the subject person) is cancelled under regulation 11(1)(c), the Registrar-General may issue a replacement birth certificate for the subject person, in the form and manner the Registrar-General thinks fit, to —

- (a) in the case where the Registrar-General alters the subject person's name in the register of births under section 21(5) of the Act (on an application made under section 21(2) of the Act) — the applicant; or
- (b) in any other case —
 - (i) where the subject person is a minor — the person who was issued the firstmentioned birth certificate before its cancellation under regulation 11(1)(c); or
 - (ii) where the subject person is not a minor — the subject person.

(2) Before a replacement birth certificate is issued to a person under paragraph (1)(a), that person must pay the applicable fee specified in the Schedule for the replacement birth certificate.

Extract from record in register of births — application by eligible person

14.—(1) An eligible person (called in this regulation the applicant) for another person (called in this regulation the subject person) may apply to the Registrar-General for an extract from the record of the subject person's birth in the register of births.

(2) The application must be accompanied by the applicable fee specified in the Schedule.

(3) The applicant must also provide to the Registrar-General any information or evidence the Registrar-General requires that supports the application, or verifies the accuracy of the matters contained in or accompanying the application, within the time the Registrar-General requires.

(4) The Registrar-General may issue to the applicant (or a person authorised by the applicant for that purpose) an extract from the record of the subject person's birth in the register of births if the Registrar-General —

- (a) is satisfied that the applicant has complied with the requirements relating to the application; and
- (b) is able to identify the record in the register from the information provided by the applicant or any search of the register carried out under regulation 29(2).

(5) In this regulation —

“eligible person”, for a subject person, means —

- (a) where the subject person is alive and a minor — a responsible person for the minor;
- (b) where the subject person is alive and not a minor — the subject person or a parent of the subject person; or
- (c) where the subject person is deceased —
 - (i) a parent, spouse, child, sibling, grandparent or grandchild of the subject person; or
 - (ii) an administrator or executor of the estate of the subject person;

“responsible person”, for a minor, means the following:

- (a) a parent of the minor;
- (b) where the minor has a legal guardian, the legal guardian;

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- (c) where the minor is the subject of an order under section 54(1)(b) or 56(2), or section 57 (read with section 56), of the Children and Young Persons Act 1993, and an additional order is made under section 55(4) or 58(2) (as the case may be) of that Act that enables the Director-General of Social Welfare or a protector to make a decision relating to the minor's name — the Director-General of Social Welfare or the protector, as the case may be.

Extract from record in register of births — application by other person

15.—(1) A person (called in this regulation the applicant) who is not an eligible person for a subject person mentioned in regulation 14 but wishes to obtain an extract from the record of the subject person's birth in the register of births must apply to the Registrar-General for it.

(2) The application must be accompanied by the applicable fee specified in the Schedule.

(3) The applicant must also provide to the Registrar-General any information or evidence the Registrar-General requires that supports the application, or verifies the accuracy of the matters contained in or accompanying the application, within the time the Registrar-General requires.

(4) The Registrar-General may issue to the applicant (or a person authorised by the applicant for that purpose) an extract from the record of the subject person's birth in the register of births if the Registrar-General —

- (a) is of the opinion that the provision of the extract to the applicant is in the interest of the subject person, or that the applicant has any other legitimate interest in the matter that justifies the provision of the extract to the applicant;
- (b) is satisfied that the applicant has complied with the requirements relating to the application; and

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- (c) is able to identify the record in the register from the information provided by the applicant or any search of the register carried out under regulation 29(2).

Cancellation and surrender of extract from record in register of births

16.—(1) An extract from the record of a birth in the register of births that is issued to any person under these Regulations or the repealed Act is cancelled if the Registrar-General —

- (a) cancels the registration of the birth under section 41 of the Act;
- (b) re-registers the birth under section 14(1)(b), 15(5), 17(5) or (6) or 18(5) of the Act; or
- (c) alters the record of the birth in the register of births in any other way.

(2) A person who is issued an extract from the record of a birth in the register of births in hard copy form under these Regulations or the repealed Act must surrender the extract to the Registrar-General, within the time specified by the Registrar-General in the notice mentioned in sub-paragraph (b), if —

- (a) the extract is cancelled under paragraph (1); and
- (b) the Registrar-General gives written notice of the cancellation to that person.

(3) A person who, without reasonable excuse, contravenes paragraph (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,500 or to imprisonment for a term not exceeding one month or to both.

Record of birth of person before adoption as child

17.—(1) No person is to have access to any record (called in this regulation a former record) of the birth of a person (called in this regulation the subject person) that was entered in the register of births before the re-registration (or, where there has been more than one re-registration, the last re-registration) of the subject person's birth under section 14(1)(b) of the Act, or section 12 of the Adoption of

Children Act 1939 as in force before 29 May 2022 (as the case may be), except as provided in this regulation.

(2) A person (called in this regulation the applicant) who wishes to obtain a copy of a former record of a subject person's birth in the register of births must apply to the Registrar-General for it.

(3) The application must be accompanied by the applicable fee specified in the Schedule.

(4) The applicant must also provide to the Registrar-General any information or evidence the Registrar-General requires that supports the application, or verifies the accuracy of the matters contained in or accompanying the application, within the time the Registrar-General requires.

(5) The Registrar-General may issue to the applicant (or a person authorised by the applicant for that purpose) a copy of the former record (mentioned in the application) of the subject person's birth in the register of births if the Registrar-General —

- (a) is of the opinion that the provision of the former record to the applicant is in the interest of the subject person, or that the applicant has any other legitimate interest in the matter that justifies the provision of the former record to the applicant; and
- (b) is satisfied that the applicant has complied with the requirements relating to the application.

PART 3

DEATHS

Issue of death certificate

18. After registering a death under Part 4 of the Act, the Registrar-General may issue a death certificate, in the form and manner, and to such person as, the Registrar-General thinks fit.

Cancellation and surrender of death certificate

19.—(1) A death certificate issued under these Regulations or the repealed Act is cancelled if the Registrar-General does either of the

following in respect of the registration of the death mentioned in the death certificate:

- (a) cancels the registration of the death under section 41 of the Act;
- (b) alters the record of the death in the register of deaths in any way.

(2) A person who is issued a death certificate in hard copy form under these Regulations or the repealed Act must surrender the death certificate to the Registrar-General, within the time specified by the Registrar-General in the notice mentioned in sub-paragraph (b), if —

- (a) the death certificate is cancelled under paragraph (1); and
- (b) the Registrar-General gives written notice of the cancellation to that person.

(3) A person who, without reasonable excuse, contravenes paragraph (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,500 or to imprisonment for a term not exceeding one month or to both.

Cancelled death certificate — issue of replacement death certificate

20. Where a death certificate is cancelled under regulation 19(1)(b), the Registrar may issue a replacement death certificate, in the form and manner, and to such person as, the Registrar-General thinks fit.

Extract from record in register of deaths — application by eligible person

21.—(1) An eligible person (called in this regulation the applicant) for a deceased person may apply to the Registrar-General for an extract from the record of the deceased person's death in the register of deaths.

(2) The application must be accompanied by the applicable fee specified in the Schedule.

(3) The applicant must also provide to the Registrar-General any information or evidence the Registrar-General requires that supports

the application, or verifies the accuracy of the matters contained in or accompanying the application, within the time the Registrar-General requires.

(4) The Registrar-General may issue to the applicant (or a person authorised by the applicant for that purpose) an extract from the record of the deceased person's death in the register of deaths if the Registrar-General —

- (a) is satisfied that the applicant has complied with the requirements relating to the application; and
- (b) is able to identify the record in the register from the information provided by the applicant or any search of the register carried out under regulation 29(2).

(5) In this regulation —

“eligible person”, for a deceased person, means —

- (a) a parent, spouse, child, sibling, grandparent or grandchild of the deceased person;
- (b) an administrator or executor of the estate of the deceased person; or
- (c) a licensed insurer that is party to an insurance contract relating to the deceased person;

“licensed insurer” has the meaning given by section 2 of the Insurance Act 1966.

Extract from record in register of deaths — application by other person

22.—(1) A person (called in this regulation the applicant) who is not an eligible person for a deceased person mentioned in regulation 21 but wishes to obtain an extract from the record of the deceased person's death in the register of deaths must apply to the Registrar-General for it.

(2) The application must be accompanied by the applicable fee specified in the Schedule.

(3) The applicant must also provide to the Registrar-General any information or evidence the Registrar-General requires that supports the application, or verifies the accuracy of the matters contained in or accompanying the application, within the time the Registrar-General requires.

(4) The Registrar-General may issue to the applicant (or a person authorised by the applicant for that purpose) an extract from the record of the deceased person's death in the register of deaths if the Registrar-General —

- (a) is of the opinion that the provision of the extract to the applicant is in the interest of the estate of the deceased person, or that the applicant has any other legitimate interest in the matter that justifies the provision of the extract to the applicant;
- (b) is satisfied that the applicant has complied with the requirements relating to the application; and
- (c) is able to identify the record in the register from the information provided by the applicant or any search of the register carried out under regulation 29(2).

Cancellation and surrender of extract from record in register of deaths

23.—(1) An extract from the record of a death in the register of deaths that is issued to any person under these Regulations or the repealed Act is cancelled if the Registrar-General —

- (a) cancels the registration of the death under section 41 of the Act; or
- (b) alters the record of the death in the register of deaths in any way.

(2) A person who is issued an extract from the record of a death in the register of deaths in hard copy form under these Regulations or the repealed Act must surrender the extract to the Registrar-General, within the time specified by the Registrar-General in the notice mentioned in sub-paragraph (b), if —

- (a) the extract is cancelled under paragraph (1); and

(b) the Registrar-General gives written notice of the cancellation to that person.

(3) A person who, without reasonable excuse, contravenes paragraph (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,500 or to imprisonment for a term not exceeding one month or to both.

PART 4

STILLBIRTHS

Issue of stillbirth certificate

24. After registering a stillbirth under Part 5 of the Act, the Registrar-General may issue a stillbirth certificate, in the form and manner, and to such person as, the Registrar-General thinks fit.

Cancellation of stillbirth certificate

25. A stillbirth certificate issued under these Regulations is cancelled if the Registrar-General does either of the following in respect of the registration of the stillbirth mentioned in the stillbirth certificate:

- (a) cancels the registration of the stillbirth under section 41 of the Act;
- (b) alters the record of the stillbirth in the register of stillbirths in any way.

Cancelled stillbirth certificate — issue of replacement stillbirth certificate

26. Where a stillbirth certificate is cancelled under regulation 25(b), the Registrar-General may issue a replacement stillbirth certificate, in the form and manner, and to such person as, the Registrar-General thinks fit.

Extract from record in register of stillbirths — application by parent

27.—(1) An application for an extract from the record of a stillborn child's stillbirth in the register of stillbirths is permitted to be made under paragraph (2) only if —

- (a) the stillbirth is not registered under the repealed Act; and
- (b) the applicant is a parent of the stillborn child.

(2) The application must be made to the Registrar-General and must be accompanied by the applicable fee specified in the Schedule.

(3) The applicant must also provide to the Registrar-General any information or evidence the Registrar-General requires that supports the application, or verifies the accuracy of the matters contained in or accompanying the application, within the time the Registrar-General requires.

(4) The Registrar-General may issue to the applicant (or a person authorised by the applicant for that purpose) an extract from the record of the stillborn child's stillbirth in the register of stillbirths if the Registrar-General —

- (a) is satisfied that the applicant has complied with the requirements relating to the application; and
- (b) is able to identify the record in the register from the information provided by the applicant or any search of the register carried out under regulation 29(2).

Cancellation of extract from record in register of stillbirths

28. An extract from the record of a stillbirth in the register of stillbirths that is issued to any person under these Regulations is cancelled if the Registrar-General —

- (a) cancels the registration of the stillbirth under section 41 of the Act; or
- (b) alters the record of the stillbirth in the register of stillbirths in any way.

PART 5
MISCELLANEOUS

Search of register

29.—(1) This regulation applies when —

- (a) an application is made by a person (called in this regulation the applicant) under regulation 14, 15, 21, 22 or 27 for an extract from a record (called in this regulation the subject record) in the relevant register; but
- (b) the information provided by the applicant to the Registrar-General in support of the application is not sufficient to identify the subject record in the relevant register.

(2) The Registrar-General may search for the subject record in the relevant register by carrying out a search of all the records entered in the relevant register during such period as the Registrar-General thinks fit if —

- (a) the Registrar-General assesses that it is feasible to carry out the search; and
- (b) the applicant pays the applicable fee specified in the Schedule.

Translation of Japanese reference in register

30.—(1) This regulation applies to the issue of an extract from a record in a register, or a copy of the former record of the birth of a person, under these Regulations.

(2) If the Registrar-General issues any document mentioned in paragraph (1) in respect of any record that was entered or altered in a register during the Japanese occupation of Singapore, the Registrar-General may —

- (a) where the record includes a date in the Japanese style or format — replace that date with the corresponding date in the Gregorian calendar in the document;

- (b) where the record includes a place assigned with a Japanese name — replace that name of the place with the name used for the place prior to the Japanese occupation of Singapore in the document; or
- (c) where the record includes the nationality of a person that is different from what the person’s nationality would have been had the Japanese occupation of Singapore not taken place — replace that nationality with the nationality that would have been entered in the register for that person had the Japanese occupation of Singapore not taken place.

Waiver or reduction of fee to be paid

31. The Registrar-General may, in any particular case, waive or reduce any fee required to be paid under these Regulations.

Paid fee not refundable

32. Any fee paid under these Regulations is not refundable.

Revocation

33. The Registration of Births and Deaths Rules (Cap. 267, R 1) are revoked.

THE SCHEDULE

Regulations 9, 10(4), 12(2), 13(2),
14(2), 15(2), 17(3), 21(2), 22(2), 27(2)
and 29(2)(b)

FEEES

- | | |
|---|------|
| 1. Application to alter a child’s name under section 21(2) of the Act | \$33 |
| 2. Issue of a birth certificate under regulation 10, 12 or 13 | \$18 |
| 3. Application for an extract from a record in a register under regulation 14, 15, 21, 22 or 27 | \$40 |
| 4. Application for a copy of a former record of birth mentioned in regulation 17(2) | \$40 |

THE SCHEDULE — *continued*

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| 5. Search of records in a register for any period before 1986 (called in this item the search period) under regulation 29(2) | \$50 for every month or part of the month in the search period |
| 6. Search of records in a register for any period (called in this item the search period) in or after 1986 under regulation 29(2) | \$40 for the search period |

Made on 11 May 2022.

PANG KIN KEONG
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

[MHA/112/2/0048; AG/LEGIS/SL/267/2020/1 Vol. 1]