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Lima, Peru, 30 November to 11 December 1964

DESCRIPTION OF SOME CIVIL REGISTRATION SERVICES IN LATIN AMERICA

Presented by

the secretariat of the Economic Commission for Latin America

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1. Background and purpose of the study

One of the aims of the Second Inter-American Seminar on Civil Registration is to study the civil registration systems in each country and territory in Latin America. For this purpose the ECLA secretariat, in collaboration with some of the other sponsoring organizations, drew up a questionnaire to provide the basis for a description of the organization and main operational features of the civil registration systems, and asked the countries and territories in question to be kind enough to prepare their description in accordance with the suggested outline.

The present document was prepared on the basis of the replies received from countries and individual participants, and is intended to give a general summary of the principal features of the civil registration services in Latin America today.

2. Scope of the study, and the existence of some gaps

The questionnaire, which is reproduced as the annex to the present document, was sent to twenty-five countries, and replies were received from fifteen (Argentina, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, Nicaragua, Panama, Paraguay, Peru, Trinidad and Tobago, the United States and Venezuela). 1/ The documents sent in did not always adhere closely to the lines of the questionnaire, which made the analysis somewhat more difficult. In some cases certain aspects were omitted, and in others the comments made were rather vague. However, the material gathered can be regarded as a useful basis for the discussion of the subject.

3. Comments by subject

There now follows a brief commentary on each of the subjects or organizational and operational aspects stressed in the questionnaire.

(1) Historical review. A historical review of developments in the fifteen countries covered by this analysis reveal the following facts: (a) The civil registration services on the American continent had their immediate origin in the ecclesiastical registers that persisted, as a general rule, into the second half of the last century. (b) The civil registration services were established at about the same period, and have an average history of about eighty years (as regards Argentina, the date taken into account is that of the legislation for the Province of

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1/ After the present document had already been prepared, replies were received from three more countries, El Salvador, Haiti and Puerto Rico.

/Buenos Aires

Buenos Aires, and it is recognized that in other provinces the legislation is of a later date). Exceptions to the general rule are the legislation of the Colony of Virginia in the United States, which goes back to 1632 and is the first on the whole of the American continent, and the Panamanian legislation, which dates from 1912 and entered into force in 1914. (c) The basic legislation now in force can be regarded as out of date, since on the average it was enacted more than twenty-four years ago, and since then the Latin American countries have developed considerably in the economic, social, political and administrative spheres. One indication of the situation is that the legislation in question has undergone numerous amendments. (d) No country has made an attempt to modernize and codify its civil registration laws; and consequently not only is it difficult to grasp and apply these laws, but the progress of the organizations involved is hampered.

(2) Organization of the service. In six countries (Bolivia, Costa Rica, Chile, Panama, Paraguay, and Trinidad and Tobago) the civil registration service is a centralized system, that is, it is run by a central office that directs, inspects and co-ordinates the activities of the local offices. In four of these countries (Bolivia, Chile, Paraguay, and Trinidad and Tobago) the service as a whole is autonomous, and in the remaining two (Costa Rica and Panama) it comes under the Central Electoral Tribunal.

In the other nine countries, on the other hand, the civil registration system is decentralized. In five of these countries (Colombia, Guatemala, Nicaragua, Peru and Venezuela) and in some provinces in Argentina, the service comes under the municipality. In Brazil it is under the authority of the judicial power, and in the United States is under the Public Health Service.

(3) Legal status of registration officials. Of the six countries that have a centralized service, involving a director or chief of the whole, Chile, Costa Rica and Panama require a qualified lawyer for this post, and Panama requires, in addition, ten years of professional experience. In Bolivia the only requirement is a course of legal study, unspecified; in Paraguay there are no special requirements, and Trinidad and Tobago provide no information on this point. In most of the provinces of Canada the provincial director of the civil registration service is not required to have a university degree in statistics but he must have high professional training or experience in administration, ability to implement legal requirements, a keen judgement, and technical training in methodology.

With respect to the registrars and other officials, no entrance requirements are laid down in seven countries (Brazil, Colombia, Costa Rica, Panama, Paraguay, Peru and Venezuela), or in the departments of Guatemala. In Guatemala City, on the other hand, and in the national and district or departmental capitals of Nicaragua, the officials must be lawyers or notaries public. In Chile the requirements are a complete secondary education and a prior training course. In the non-capital

/cities and

cities and in the towns and villages in Nicaragua the official must have had some legal training. In Bolivia some prior training is required. With respect to the United States, although no general rule applies in all States, it is made clear that in general these posts are filled by professionals. In Canada most of the local registrarships are part-time posts filled, according to the importance of the place concerned, by the mayor, judge, medical officer of health or other responsible citizen such as postmaster or farmer. Trinidad and Tobago did not furnish information on this point.

In only two of the countries that replied to the questionnaire (Chile and Paraguay) are the registrars officials of the central government, with security of tenure and promotion opportunities, although this is also the situation in most States in the United States. In the other countries civil registration officials are generally municipal employees without security of tenure or promotion opportunities. Consequently most of the countries have not succeeded in carrying out the recommendation on this point by the first Inter-American Seminar on Civil Registration.

With respect to rates of pay, apart from the United States and Canada (and probably Trinidad and Tobago, which did not furnish information on this point), the situation of registrars is unsatisfactory.

As regards in-service training, only Argentina, Canada, Chile and the United States report regular activities in this field.

(4) Functions of the registrars. The replies to the questionnaire indicate that in Latin America registrars fulfil a number of different functions - legal, statistical, social, identification, and social welfare. In all the countries that replied registrars carry out legal and statistical functions, although those are not always their main functions. In five countries they undertake activities relating to the electoral registers or the electoral process itself, although usually in a sporadic form. In two countries the registrar also has responsibilities in the field of social welfare, in the form of advice and assistance to the needy. In the Province of Buenos Aires in Argentina the registrar also became responsible after 1 January 1964 for identification of new-born infants, and this system will gradually be extended to the other provinces. In Chile there has been a single agency for civil registration and identification since 1943, and thus the registrars also have responsibilities in the field of identification. There are now about thirty local offices dealing with both subjects, and it is expected that the number of these joint offices will gradually increase until they include all the existing local offices. In eight countries, under the existing organization local registrarships are held in some or all parts of the country by such officials as mayors, corregidores, justices of the peace, Municipal Clerks, etc, and consequently the registration activities cannot be regarded as the main function performed.

/(5) Supervising

(5) Supervising the work of the registrars. The forms of control most often used for the civil registration services in the American continent are, in order of frequency, visits of inspection, and examination of entries and items. Indirect forms of control include quantitative and qualitative examination of the statistical report. Visits of inspection are the main means of control in eight countries, and four countries rely mainly on inspection of entries. Chile constitutes an exception by using both means, and Canada uses, in addition to those two means, instruction manuals and specific instructions from the Registrar-General and from the inspection service. Examination of the statistical report is carried out in four countries, and two countries use no specific methods of control. In the United States there is no uniform general rule applied at the national level; each State has its own means of checking the activities of the registration offices, but no detailed information is given about the methods used.

It is clear that in general insufficient importance is attached to checking activities, which can do so much to improve the quality of the registrars' work. Furthermore it should be noted that apart from Canada, no country has furnished information about the use of other more effective and up-to-date methods of control, such as visits by consultants, which can also broaden the official's knowledge and help to prevent future shortcomings.

(6) Coverage of the register. Nine countries (Argentina, Canada, Chile, Costa Rica, Nicaragua, Panama, Paraguay, Trinidad and Tobago, and the United States) report that their civil registration services cover the whole population and all parts of the country, but for some of these countries this achievement seems somewhat theoretical, since the coverage is known not to include the forest areas and population groups that are still living outside modern civilization. Four countries (Brazil, Colombia, Peru and Venezuela) admit that their registration system does not include indigenous groups. In Bolivia the real facts are not known, and Guatemala did not reply on this point.

(7) Registration zones. Generally speaking the replies on this point were incomplete. Nevertheless, certain conclusions can be drawn. (a) In all cases (except Argentina and Bolivia, whose replies are not sufficiently explicit) the registration zones are the same as the basic territorial divisions of the country, and consequently are referred to as municipalities, parishes, districts, communes, etc. (b) Except in Canada and the United States, which are referred to below, the area and boundaries of the zones have not been determined in the light of what is desirable or necessary from the standpoint of civil registration. (c) Only Costa Rica and Panama specifically refer to the area and population of the registration zones. In Costa Rica each zone covers an average of 107 square kilometres and 3,000 persons, and in Panama, 146 square kilometres and 2,341 persons. (d) Apart from Canada and the United States, Costa Rica and Panama are the only two countries that have established registration zones with an area and population in line with the resources of the local registration office.

/In any

In any case, the problem in Latin America is how to achieve a suitable division of the country into registration zones that will permit the registrar to exercise proper control over his territory.

In the United States, the problem is the reverse, since the advanced level of transport and communications, urbanization, map making, and community spirit, have permitted consolidation of registration zones without any risk of weakening the registrar's control over the territory for which he is responsible.

(8) Registration documents. Eleven countries have reported that they use bound books. Trinidad and Tobago provided no information on this point. Canada uses individual record forms. In Chile one of the two copies of the register is in the form of a book, and the other in the form of individual record forms. In the United States an individual record form is generally used, but in some States, such as Massachusetts, a book is used.

Except in Canada and Colombia, where only a single copy of the register is kept, and the United States, where several different systems are used, the other countries that replied keep their record of vital events in duplicate, although in Brazil, Chile, Costa Rica, Guatemala and Panama the two copies are not identical, because it is not regarded as essential that they should be.

All the countries that replied keep a separate book or record form, as the case may be, for each category of vital event, except Colombia, where in the smallest of the territorial divisions used for registration purposes only a single book is kept in which are recorded births, marriages, deaths and legitimations.

In six countries (Bolivia, Chile, Costa Rica, Guatemala, Nicaragua and Paraguay), and presumably also in Trinidad and Tobago, one copy of the record is held locally and the other in a central national archive. In five countries (Argentina, Brazil, Peru, the United States and Venezuela) the second copy of the register is kept by the State or province, and consequently there is no central national archive. In Canada the register is kept in the central office of the province concerned, and in Colombia in the Notarías. As regards the United States, it must be added that by agreement with the national office dealing with vital statistics, the States send a copy of their registration entries to Washington, where the national statistics are published. In Panama the local registrar sends to the capital the book in which the entries are made, which are then transferred to the central record book, and thus no copy of entries or items is kept locally.

(9) Amendments of entries or items. Apart from Trinidad and Tobago, which did not furnish information in this point, the other countries reported that they use judicial or administrative procedures to correct or amend items, or that it could be done by agreement between the parties

/concerned and

concerned and the registrar. Generally speaking judicial procedures are used only in cases of serious error, or mistakes of a fundamental nature, and the other two methods are used to amend less important errors, such as those involving spelling or not affecting the legal status of the subject of the entry. In Guatemala and Venezuela all three of the above procedures can be used, according to the circumstances. In eight countries (Argentina, Brazil, Chile, Colombia, Costa Rica, Nicaragua, Panama and Peru) both judicial and administrative procedures can be used, although the standard used to decide which is applicable is not the same in both countries. In Bolivia and Paraguay civil registration entries can only be amended by judicial procedure, and in Canada only by administrative procedure. In eight out of the twelve countries that replied on this point changes in the legal status of the person concerned (by recognition or legitimation, for example) are made in the form not of an actual correction of the entry, but of a marginal note on the document in question. In the United States there is no generally applicable rule, since the procedure varies from State to State, but all have some suitable method for amending entries.

(10) Definitions of live birth, foetal death and marriage. In ten countries (Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Nicaragua, Panama, Paraguay and the United States) the definitions or legal concepts concerned agree in substance, if not in form, with the internationally recommended definitions of these three vital events. The definition of stillbirth adopted by Canada excludes early foetal deaths as defined by the World Health Organization in 1950. In Argentina the agreement of definitions relates only to the Province of Buenos Aires; although no information is furnished for the other provinces, it is understood that their definitions are not always in accordance with the international criteria. In Bolivia, Guatemala and Venezuela the national legal definitions are not in line with those recommended by the United Nations. Peru did not provide sufficient information to permit placing it in either category, and Trinidad and Tobago did not reply on this point.

(11) Statistical reports. In eight countries (Canada, Chile, Colombia, Costa Rica, Panama, Peru, Trinidad and Tobago and the United States) are in the form of individual certificates, and in five others (Bolivia, Brazil, Guatemala, Nicaragua and Paraguay) the report is in the form of a schedule listing. Venezuela uses both types, since the information is sent to the Department of Statistics, at the Ministry of Development, in the form of individual certificates, and to the Division of Vital Statistics at the Ministry of Health in the form of a listing. Argentina did not specify what type of report is used.

With respect to instructions on the method of using the statistical report, eight countries (Canada, Chile, Colombia, Costa Rica, Guatemala, Panama, Peru and Venezuela) stated that such instructions exist and are in use. Brazil, Nicaragua and Paraguay report that no instructions are issued, and the remaining countries furnished no information on the point.

/In Canada,

In Canada, Chile and Costa Rica the civil registration service helps to determine the content and form of the statistical report. In seven countries (Brazil, Colombia, Nicaragua, Panama, Paraguay, Peru and Venezuela) the service takes no part in this task, and the remaining countries furnished no information on the point.

(12) Inter-institutional relations of the civil registration service. The replies received show that the civil registration service, as might be expected, maintains relations with many government departments, including those dealing with statistics, health, electoral arrangements, identification and conscription for military service. In order of frequency, these relations are as follows: in all the countries that replied the civil registration service maintains functional relations with the statistical and health services; in nine with the electoral services; in six with the identification and conscription services. In nine countries the service also maintains relations with such other institutions as universities, social security services, etc.

The fact that all the countries that replied report that the service maintains relations with the statistical and health services, and that it is responsible for the collection of statistical data, seems to indicate some duplication between the statistical and health services in the processing of statistics.

(13) Committee on Vital and Health Statistics. Of the fifteen countries that replied, eleven (Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Panama, Paraguay, Peru, the United States and Venezuela) have committees on vital and health statistics. The longest established are those in Canada (1945), and in Brazil, Paraguay and Venezuela (1949), and the most recent those in Argentina (1959) and Colombia (1961). However, only those in Canada, Colombia and the United States are really active. Those in Argentina and Chile meet at irregular intervals, but the committees in the remaining countries have done practically nothing. It should be noted that in Argentina, Colombia and Venezuela the Civil Registrar, as the agent responsible for collecting statistical data, is not represented on these committees. It is not known whether this also applies to Brazil. There is no committee in Bolivia or Nicaragua, and there is no information about whether they exist in Guatemala or in Trinidad and Tobago.

(14) National projects for improving civil registration. Canada, Colombia, Paraguay and Peru report specific projects aimed at introducing structural reforms in their civil registration systems. In these four countries the projects are national in scope and involve legislative reforms, although with considerable administrative implications. In addition a project is under study in Canada for the standardization of the form and content of the registration documents, on the basis of a critical review of the statistical usefulness of items on the present documents. Both this and the proposed legislative reform are being undertaken by the Vital Statistics Council for Canada. The reform projects are being undertaken by the national

/statistical office

statistical office and the office of the Civil Registrar, in Colombia; the Ministry of Justice and Labour in Paraguay, and the statistics and census office in Peru.

In Argentina legislative decree No. 8,204 came into force on 1 January 1964, standardizing the work of the provincial civil registration offices, all of which are now governed by the provisions of that decree. In Costa Rica the Civil Registration Office is preparing a campaign aimed basically at raising the technical level of the staff, and showing the community the importance of its work and of prompt registration of vital events. In the United States the Committee of Vital Statisticians and Health Officers, and similar organizations at the State level, are permanently engaged in ensuring that the civil registration system works as smoothly as possible. Panama is contemplating the possibility of decentralizing its civil registration system with a view to making it more flexible, although no specific proposals have yet been published; for some time a school programme has been in progress to educate the population in this field, and efforts are being made to improve certain registration areas.

(15) Use made of the statistical information provided by the civil registration service. The replies received show clearly that the statistical information collected by the civil registration service is not being used as fully as could be wished. It also emerges that the main user is undoubtedly the agency responsible for health control. The thirteen countries that replied on this point all mentioned the health service as one of the users of the data in question. Other users are the planning agencies (seven countries), educational institutions (seven countries), various private institutions (six countries), social security agencies (four countries) and banks and other organizations (three countries). As regards the extent of the use made of the data, in eleven countries the data is used continuously, and the remaining four countries did not mention this point. In six countries both the direct data and the statistical summary are used, and three countries use is made of either one or the other. Bolivia and Panama did not furnish information on this point.

(16) Registration indexes. Only Canada, Chile, Costa Rica and Panama maintain general registration indexes at the national level on the basis of permanent and mechanized processing. Argentina is contemplating the preparation of such an index. In Canada there are also interim indexes prepared (manually or mechanically) by the provincial offices. Six countries (Brazil, Colombia, Guatemala, Nicaragua, Paraguay and Peru) maintain manually prepared indexes on a permanent basis at the local offices, all alphabetical except in Guatemala, where they are chronological. In the United States the practice varies from one State to another, but all have some type of index, and indexes at the State level are usually machine-prepared on a permanent basis. Some areas have cross-indexes arranged by such data as place or date of occurrence. Venezuela has no

/registration index

registration index of any kind, and it is not known whether Bolivia or Trinidad and Tobago have such indexes. National machine-prepared indexes may be either in card form, as in Costa Rica, or in list form, as in Canada and Chile. The local manually prepared indexes, on the other hand, are generally kept in books, and are therefore half alphabetical and half chronological, since the entries are made in the order that the events occur, but according to the first letter of the surname of the subject of the entry.

(16) Vital statistics publications. In five countries (Chile, Nicaragua, Peru, Trinidad and Tobago and Venezuela) both the statistical service and the health service publish vital statistics. In seven countries (Bolivia, Brazil, Colombia, Costa Rica, Guatemala, Panama and Paraguay) such publication is the exclusive responsibility of the statistical service. In Canada both the national and provincial vital statistics agencies publish periodic statistical reports. In the United States the National Center for Health Statistics is responsible for the publication of these statistics at the national level, and health departments at the State level also publish such data.

Thirteen out of the fifteen countries that replied publish annual vital statistics. Only four countries (Costa Rica, Panama, the United States and Venezuela) say how up-to-date the statistics are, the average time-lag being a year, in terms of the period covered. Four countries (Brazil, Costa Rica, Nicaragua and Panama) publish twice a year, and only two mention the time-lag, Costa Rica (four months) and Panama (one or two months). Argentina and Guatemala publish quarterly, but do not indicate the time-lag; and eight countries (Brazil, Canada, Colombia, Guatemala, Panama, Peru, Trinidad and Tobago, and the United States) also publish on a monthly basis. Colombia reports a time-lag of three to six months, and Panama a time-lag of two weeks.

4. Conclusions

The foregoing analysis of the description of the civil registration services in the American hemisphere leads to the following conclusions.

(a) The civil registration services all have their origin in the ecclesiastical registers, which they generally replaced during the second half of the nineteenth century. The basic legislation is out of date, complex, and uncodified, which has made progress difficult. Over the years the civil registration service has developed at a pace that varies from country to country, but most countries have not attained the goal established by the First Inter-American Seminar on Civil Registration, the establishment of a national centralized and independent service.

(b) At present the services are heterogeneous in structure, organization, functions and level of development. In few countries have the civil registration officials attained a satisfactory status,

/especially as

especially as regards security of tenure, promotion opportunities and rates of pay. Consequently their training and level of work is below standard.

(c) Generally speaking the administration of the civil registration services is defective. In several Latin American countries the registration zones are ill defined, the population is not fully covered, and the registrars carry out their functions with few directives, no written instructions and practically no control. Similarly, the registration document has not received sufficient attention, and now varies in nature from country to country. The items or headings are not always printed on the forms, which causes an unnecessary delay in the registration process.

(d) In line with the social development of the American continent, the functions of civil registers have become more diverse. To the main traditional legal function have been added others, no less important, and equally useful in aiding the State to fulfil its high aims.

(e) Although nearly all the countries have had committees on vital and health statistics for several years, hardly any of them conduct any continuing activity, and it is particularly worthy of note that in three countries the civil registration service is not represented on the committee.

(f) The above rather gloomy picture is not rendered any brighter by the fact that at present only three countries have specific projects in hand for structural reform of the civil registration services.

/Annex

Annex

QUESTIONNAIRE

1. Brief historical review.

2. Present organization: whether service is organized in a national, State or provincial basis; whether it is centralized or decentralized; whether autonomous or dependent on some other department, such as the municipality, the courts, etc.

3. Legal status of registration officials.
Director or chief of service; qualifications for appointment (professional degrees or diplomas, publications, etc.).
Registrars: (a) Requirements for entry to the service. Completion of secondary education, special technical courses (state whether these must include statistical studies or merely the legal studies necessary); studies of the science of administration; other entrance requirements. (b) State whether the registrars are government or municipal officials, private employees, etc. (c) Is there security of tenure? (d) Are the appointments career posts with possibilities of promotion? (e) Is the rate of pay adequate in comparison with that received by other public officials? (f) In-service training (type, frequency, etc.).

4. Functions of registrars: legal, statistical, social, identification, electoral. Other functions not directly related to the work of a registrar, such as justice of the peace, mayor, political representative, etc. Indicate which of the above functions are in practice principal functions, and which secondary. If possible estimate the amount of time devoted to each function.

5. Systems in force for supervising the work of the registrars: visits by consultants; visits of inspection; examination of entries, statistical reports, and other documentation (for quality control): indicate the frequency with which each of the above systems is used.

6. Coverage of the register: (a) the percentage of the total or local population covered by the register; (b) percentage of the total or local geographical area covered; (c) any ethnic groups excluded, with an estimate of the numbers.

7. Registration zones: territorial division for civil registration purposes. Suitability of each zone in terms of its area (square kilometres) and population, and of the resources of the local civil registration office. Relationship with other territorial divisions of the country for political and administrative purposes.

/8. Registration

8. Registration documents. Nature: book or separate record forms; printed items; numbering of entries or items, with a separate series of consecutive numbers, or other method; whether the register is kept in a single copy, in duplicate or in triplicate; where the completed books or separate record forms are sent for custody.

9. Procedures used to amend entries or items: (a) in case of error (corrections); (b) in case of subsequent changes in the legal status of the person concerned (legitimation, recognition, adoption, etc.).

10. Definitions of live birth, foetal death, and marriage: (a) definitions used for legal purposes (give national definitions and explain any differences between them and the international definitions;* (b) definitions used for statistical purposes (give national definitions and explain any differences between them and the international definitions).

11. Statistical reports (documents in which the registrar transmits the data for the preparation of vital statistics). Type used for the four basic vital events (births, deaths, foetal deaths and marriages): (a) individual; (b) listing. If listing form is used, state if the civil registrar submits the data in pre-tabulated form to the processing service or services.
Civil registrars' responsibility in determining the content and form of the statistical report. State whether there are written rules on the collection of statistical information and the civil registrar's responsibility in presenting it.

12. Inter-institutional relations of the civil registration service: (a) statistical services; (b) health services; (c) identification services; (d) electoral service; (e) other.
In relation to (a) and/or (b), explain the function and responsibility of the civil registration service in collecting and processing vital statistics.

13. Committee on vital and health statistics: (a) date established; (b) institutions participating; (c) state whether the Committee is active, functions sporadically, or is inactive; (d) any work programmes, indicating whether five-yearly, annual, six-monthly, etc.; (e) frequency of meetings - number of meetings held in the past year and work done during that period.

14. Existence of national plans or projects for the improvement of the civil registration service: (a) Scope - national, State or provincial, local; (b) Nature - juridical (legislative reforms), administrative (procedural reforms, relating to staff, co-ordination of functions, etc.); (c) Specific aims of the individual plans or projects; (d) Authorities responsible for their preparation and/or execution.

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* See Principles for a vital statistics system (Statistical Papers, Series M Nº 19) prepared by the Statistical Office of the United Nations.

/15. Use

15. Use made of the statistical information provided by the civil registration service: (a) list of principal public and private institutions concerned; (b) form in which used (the data themselves, or a statistical summary); (c) frequency of use - continuous, sporadic, etc.

16. Existence and type of registration indexes: (a) national, regional, local; (b) book or card form; (c) manual or mechanical; (d) how classified (alphabetical order of names, by vital event, or by local office; (e) frequency of compilation (continuous, monthly, annual, five-yearly).

17. Vital statistics publications: (a) departments responsible for the publications; (b) type of publication (annual, six-monthly, monthly), and (c) time-lag of publication.