

2012 No. 1203

**REGISTRATION OF BIRTHS, DEATHS, MARRIAGES,
ETC, ENGLAND AND WALES**

**The Registration of Births and Deaths Regulations 1987
(Amendment) Regulations 2012**

<i>Made</i>	- - - -	<i>2nd May 2012</i>
<i>Laid before Parliament</i>		<i>3rd May 2012</i>
<i>Coming into force</i>	- -	<i>28th May 2012</i>

The Secretary of State, in exercise of the powers conferred by section 57(1) and (2) of the Welfare Reform Act 2009(a), makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Registration of Births and Deaths Regulations 1987 (Amendment) Regulations 2012 and shall come into force on 28th May 2012.

(2) In these Regulations—

“the Act” means the Births and Deaths Registration Act 1953(b);

“the principal Regulations” means the Registration of Births and Deaths Regulations 1987(c);
and

“the Welsh Language Regulations” means the Registration of Births and Deaths (Welsh Language) Regulations 1987(d).

Amendment of regulation 2 of the principal Regulations

2. In regulation 2(1) of the principal Regulations (interpretation) for the entry relating to ““relevant registrar” and “relevant superintendent registrar”” substitute—

““relevant registrar”, in relation to the registration of a birth or death, means (subject to paragraph (3)(b) below) the registrar of the sub-district in which the birth or death occurred.”.

Amendment of regulation 3 of the principal Regulations

3. In regulation 3(2)(e) of the principal Regulations (preparation of draft particulars) for “Regulation 11, 12, 13, 34A or 42A,” substitute “Regulation 13, 34A, or 42A”.

(a) 2009 c. 24.

(b) 1953 c. 20.

(c) S.I. 1987/2088.

(d) S.I. 1987/2089.

(e) Regulation 3 was substituted by S.I. 1992/2753. A relevant amendment to paragraph (2) was made by S.I. 1987/844.

Amendment of regulation 5 of the principal Regulations

4.—(1) Regulation 5 of the principal Regulations (signature by mark or in foreign characters) is amended as follows.

- (2) In paragraph (a) omit “a superintendent registrar or”.
- (3) In the full-out words omit “superintendent registrar or”.

Amendment of regulation 9 of the principal Regulations

5.—(1) Regulation 9 of the principal Regulations (entry of particulars on registration) is amended as follows.

- (2) For the heading substitute “Entry of particulars on registration”.
- (3) In paragraph (1) omit “before the expiration of three months from the date of the birth of a child”.

Revocation of regulation 11 of the principal Regulations

6. Regulation 11(a) of the principal Regulations (registration between three and twelve months from date of birth) is revoked.

Amendment of regulation 12 of the principal Regulations

7.—(1) Regulation 12(b) of the principal Regulations is amended as follows.

- (2) For the heading substitute “Report to the Registrar General”.
- (3) In paragraph (1) omit “or a relevant superintendent registrar”.
- (4) For paragraph (2) substitute—
 - “(2) On being satisfied that the Registrar General has issued his written authority to the relevant registrar for the registration of the birth, that registrar, on registering the birth, shall enter in space 15 the words “On the authority of the Registrar General”.”.
- (5) Omit paragraph (3).

Amendment of regulation 13 of the principal Regulations

8.—(1) Regulation 13(c) of the principal Regulations (declaration and registration under section 9 of the Act) is amended as follows.

- (2) For paragraph (1) substitute—
 - “(1) In relation to a live-birth, the officer prescribed for the purposes of section 9(1) of the Act is a registrar who is not the relevant registrar.”.
- (3) For paragraph (5) substitute—
 - “(5)If—
 - (a) not more than twelve months have elapsed from the date of the birth, the registrar shall enter the date on which the entry is made in space 15 of form 1 and shall sign the entry in space 16 of that form, adding his official description;
 - (b) more than twelve months have elapsed since the date of the birth, the registrar shall, on being satisfied that the Registrar General has given written authority in accordance with section 7 of the Act—
 - (i) enter the date on which the entry is made and the words “On the authority of the Registrar General” in space 15 of form 1; and

(a) Regulation was amended by S.I. 1992/2753 and S.I. 2006/2827.

(b) Regulation 12(3) was amended by S.I. 2006/2827.

(c) Regulation 13(1) was amended by S.I. 1997/844 and regulation 13(5) was amended by S.I. 2006/2827.

- (ii) sign the entry in space 16 of that form, adding his official description.”.

Transitional provision in respect of regulation 13 of the principal Regulations

9. Where, prior to the coming into force of these Regulations—
- (a) a declaration has been made under section 9(1) of the Act; and
 - (b) the relevant registrar has not entered all of the particulars required to be registered concerning the birth in the register,

regulation 13(5) of the principal Regulations applies as it applied immediately before the coming into force of these Regulations.

Amendment of regulation 15 of the principal Regulations

10. For regulation 15 of the principal Regulations (officers before whom statements may be made) substitute—

“15. The officer prescribed for the purposes of section 9(5) of the Act (request other than to the relevant registrar for re-registration of birth) is a registrar who is not the relevant registrar.”.

Amendment of regulation 17 of the principal Regulations

11.—(1) Regulation 17(a) of the principal Regulations (re-registration of birth) is amended as follows.

(2) In paragraphs (2) and (3) omit “, and prior to the expiration of three months from the date of the birth,”.

(3) In paragraph (7) omit “within three months from the date of the birth”.

(4) In paragraph (9)(d) omit “if not more than three months have elapsed from the date of the birth,” and substitute a full stop for “; or”.

(5) Omit paragraph (9)(e).

Transitional provision in respect of regulation 17 of the principal Regulations

12. Where, prior to the coming into force of these Regulations—

- (a) a request under section 10A of the Act has been made in accordance with section 9(5) of that Act; and
- (b) the relevant birth has not been re-registered with the written authority of the Registrar General,

regulation 17(9) of the principal regulations applies as it applied immediately before the coming into force of these Regulations.

Insertion of regulation 33A of the principal Regulations

13. After regulation 33 of the principal Regulations (reference to coroner) insert—

“Report to the Registrar General

33A.—(1) Where a relevant registrar is informed that a still-birth which occurred more than twelve months previously has not been registered, he shall make a report to the Registrar General stating, to the best of his knowledge and belief—

(a) Regulation 17 was substituted by S.I. 2009/2165.

- (a) the particulars required to be registered concerning the birth;
- (b) the source of his information; and
- (c) the name, surname and address of any qualified information available to give information for the registration.

(2) Where a report has been, or is required to be, made to the coroner in accordance with regulation 33, the relevant registrar shall also inform the Registrar General of this fact and, upon receiving a coroner's certificate after inquest or being informed that the coroner does not intend to hold an inquest, notify the Registrar General accordingly.

(3) On being satisfied that the Registrar General has issued his written authority to the relevant registrar for the registration of the still-birth, that registrar, on registering the birth, shall enter in space 15 the words "on the authority of the Registrar General".

Amendment to regulation 34 of the principal Regulations

14. In regulation 34(1)(c) of the principal Regulations (registration where no reference to coroner) omit "before the expiration of three months from the date of the still-birth".

Amendment to regulation 35 of the principal Regulations

15.—(1) Regulation 35(a) of the principal Regulations (registration on coroner's notification where no inquest is held) is amended as follows.

(2) In paragraph (1)—

- (a) for "before the expiration of three months from the date of" substitute "in relation to"; and
- (b) for "paragraphs (2) and (3)" substitute "paragraph (2)".

(3) Omit paragraph (3).

Amendment of regulation 36 of the principal Regulations

16.—(1) Regulation 36(b) of the principal Regulations (registration on coroner's certificate after inquest) is amended as follows.

(2) In paragraph (1) omit ", before the expiration of three months from the date of a still-birth,".

(3) For paragraph (2) substitute—

"(2) If the still-birth has already been registered, the relevant registrar shall register the still-birth and the particulars in accordance with paragraph (1) without making any alteration of the original entry."

Amendment of regulation 69 of the principal Regulations

17.—(1) Regulation 69(c) of the principal Regulations (information under the Population (Statistics) Act 1938) is amended as follows.

(2) In paragraph (1)(b) omit "live-".

(3) In the full-out words in paragraph (1) omit "superintendent registrar or".

(4) In the paragraph (2) omit "superintendent registrar or".

(a) Regulation 35(1) was amended by S.I. 1997/844.
 (b) Regulation 36(1)(a) was amended by S.I. 1994/1948.
 (c) Regulation 69 was amended by S.I. 1992/2753.

Amendment of regulation 4 of the Welsh Language Regulations

18.—(1) Regulation 4 of the Welsh Language Regulations (registration and re-registration of births occurring in Wales) is amended as follows.

(2) In the heading omit “live-”.

(3) In paragraph (2)(a)(i) for “3 months” substitute “12 months”.

(4) In paragraph (2)(a)(ii) omit—

(a) “6 or”; and

(b) “superintendent registrar or”.

Home Office
2nd May 2012

Damian Green
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Registration of Births and Deaths Regulations 1987 ('the 1987 Regulations') and the Registration of Births and Deaths (Welsh Language) Regulations 1987 ('the Welsh Language Regulations').

These amendments are considered by the Secretary of State to be appropriate in consequence of certain provisions of the Welfare Reform Act 2009, namely section 56 (registration of births) in so far as it relates to the entries in paragraphs 5 to 9, 12(4), 14 and 20 of Schedule 6. Those provisions make amendments to the Births and Deaths Registration Act 1953 ('the 1953 Act') and the Population (Statistics) Act 1938 to:

- (a) remove the requirement for a superintendent registrar to take a declaration about a birth and sign the birth register in addition to the registrar doing so where the birth is registered after 3 months have expired from the birth;
- (b) remove the requirement for a superintendent registrar to also sign the register in cases where there is a re-registration under section 10A of the 1953 Act (re-registration where parents were neither married nor civil partners);
- (c) remove the time limit on still-birth registrations so that still-births may be registered after 3 months from the date of the event;
- (d) provide, on registration of births, (including still-births) for the collection of particulars about mothers concerning previous births, marriages and civil partnerships.

Regulations 2 to 8 amend various provisions of the 1987 Regulations to reflect the amendments referred to in (a).

Regulation 9 makes transitional provision in respect of regulation 13 of the 1987 Regulations, which concerns declarations and registrations under section 9 of the 1953 Act.

Regulations 10 and 11 amend various provisions of the 1987 Regulations to reflect the amendments referred to in (b).

Regulation 12 makes transitional provision in respect of regulation 17 of the 1987 Regulations, which concerns re-registrations of birth under section 10A of the 1953 Act.

Regulations 13 to 16 amend various provisions of the 1987 Regulations to reflect the amendments referred to in (c).

Regulation 17 amends regulation 69 of the 1987 Regulations to reflect the amendments referred to in (d).

Regulation 18 amends regulation 4 of the Welsh Language Regulations to reflect the amendments referred to in (a) to (c).

© Crown copyright 2012

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

STATUTORY INSTRUMENTS

2012 No. 1203

**REGISTRATION OF BIRTHS, DEATHS, MARRIAGES,
ETC, ENGLAND AND WALES**

The Registration of Births and Deaths Regulations 1987
(Amendment) Regulations 2012

£5.75

E3375 05/2012 123375 19585

ISBN 978-0-11-152400-8



9 780111 524008