
STATUTORY INSTRUMENTS

2017 No. 947

**REGISTRATION OF BIRTHS, DEATHS &
MARRIAGES, ETC., ENGLAND AND WALES
CIVIL PARTNERSHIP, ENGLAND AND WALES**

**The Registration of Births, Deaths, Marriages and Civil
Partnerships (Fees) (Amendment) Regulations 2017**

Made - - - - *27th September 2017*
Laid before Parliament *28th September 2017*
Coming into force - - *1st November 2017*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 31(5ED) and 71A of the Marriage Act 1949(1), sections 38A and 39A(1) of the Births and Deaths Registration Act 1953(2) and sections 34 and 258(3) of the Civil Partnership Act 2004(3).

In accordance with section 31(5EE) of the Marriage Act 1949(4), in so far as these Regulations make provision under section 31(5ED) of that Act, before making these Regulations, the Secretary of State has consulted the Registrar General.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) (Amendment) Regulations 2017 and come into force on 1st November 2017.

(2) In these Regulations, “the Fees Regulations” means the Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016(5).

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- (1) [1949 c. 76](#). Section 31(5ED) was inserted by section 52 of, and paragraphs 1, 10(1) and (3) of Part 1 of Schedule 4 to, the Immigration Act 2014 ([c. 22](#)). Section 71A was inserted by section 89(1) and (2)(a) of, and paragraph 1 of Part 1 of Schedule 15 to, the Immigration Act 2016 ([c. 19](#)).
- (2) [1953 c. 20](#). Section 38A was inserted by section 89(1) and (2)(a) of, and paragraph 2 of Part 1 of Schedule 15 to, the Immigration Act 2016; section 41(1) of the Births and Deaths Registration Act 1953 provides that in that Act, “the Minister” means the Secretary of State. Section 39A was inserted by section 56 of, and paragraphs 1 and 17 of Schedule 6 to, the Welfare Reform Act 2009 ([c. 24](#)), and amended by section 89(1) and (2)(b) of, and paragraphs 21 and 30 of Part 2 of Schedule 15 to, the Immigration Act 2016; sub-section (5) was also amended by section 98(1) and (4) of the Deregulation Act 2015 ([c. 20](#)).
- (3) [2004 c. 33](#). Section 34 was amended by section 89(1) and (2)(a) of, and paragraph 4 of Part 1 of Schedule 15 to, the Immigration Act 2016 and by [S.I. 2005/2000](#) and [2008/678](#).
- (4) Section 31(5EE) was inserted by section 52 of, and paragraphs 1, 10(1) and (3) of Part 1 of Schedule 4 to, the Immigration Act 2014.
- (5) [S.I. 2016/911](#).

Amendment of the Fees Regulations

2.—(1) The Fees Regulations are amended as follows.

(2) For regulation 3(2) substitute—

“(2) Subject to paragraph (3), the person specified in column 4 of the table in Schedule 1 in respect of any particular fee payable to that person may reduce, waive or refund part or all of that fee on the grounds—

- (a) that requiring payment of the fee would cause hardship to the person required to make payment;
- (b) of compassion; or
- (c) of error otherwise than on the part of the person required to make payment.

(3) No reduction, waiver or refund may be made in respect of a fee to which regulation 3A applies without the consent of the Registrar General.”.

(3) After regulation 3 insert—

“Transmission of part of fees to Registrar General

3A.—(1) This regulation applies to a category A fee, a category B fee or a category C fee (and referred to in this regulation as “a relevant fee”).

(2) Subject to paragraph (3), on each occasion where the superintendent registrar, registrar or registration authority (as the case may be) is paid a relevant fee, that person must pay to the Registrar General on demand, in respect of each—

- (a) category A fee, a part in the amount of £58.00;
- (b) category B fee, a part in the amount of £47.00;
- (c) category C fee, a part in the amount of £40.00.

(3) Where a relevant fee has been reduced or partially refunded pursuant to regulation 3(2), the amount payable to the Registrar General under paragraph (2) is reduced by the same proportion by which the relevant fee was reduced.

(4) Amounts payable to the Registrar General under this regulation which remain unpaid after the expiry of a period of 28 days commencing with the date of demand are recoverable as debts due to the Crown.(5) In this regulation—

“category A fee” means—

- (a) the fee specified in column 3 of row 12A;
 - (b) the second fee specified in column 3 of row 17A;
 - (c) the fee specified in column 3 of row 37A,
- of the table in Schedule 1;

“category B fee” means—

- (a) the fee specified in column 3 of row 22C;
 - (b) the fee specified in column 3 of row 22D,
- of the table in Schedule 1;

“category C fee” means—

- (a) the fee specified in column 3 of row 4;
- (b) the fee specified in column 3 of row 34,

of the table in Schedule 1.(6).”(6).

(4) The Schedule (amendments to the table in Schedule 1 to the Fees Regulations) has effect.

Amendment of the Civil Partnership (Registration Provisions) Regulations 2005

3. In the Civil Partnership (Registration Provisions) Regulations 2005(7), in regulation 7(4) (applications to the Registrar General to shorten the waiting period), omit “and fee prescribed under section 34(1) of the 2004 Act”.

Amendment of the Proposed Marriages and Civil Partnerships (Waiting Period) Regulations 2015

4. In the Proposed Marriages and Civil Partnerships (Waiting Period) Regulations 2015(8), in regulation 2(3), for “an order made under section 31(5F) of the 1949 Act”, substitute “regulations made under section 71A of the 1949 Act”.

Amendment of the Registration of Marriages Regulations 2015

5. In the Registration of Marriages Regulations 2015(9), in regulation 9(2) (application to reduce the 28 day waiting period), omit “and the fee paid”.

27th September 2017

Nick Hurd
Minister of State
Home Office

(6) Rows 12A, 17A, 22C, 22D and 37A of the table in Schedule 1 to the Fees Regulations are inserted by the Schedule to these Regulations.

(6) Rows 12A, 17A, 22C, 22D and 37A of the table in Schedule 1 to the Fees Regulations are inserted by the Schedule to these Regulations.

(7) [S.I. 2005/3176](#), to which there are amendments not relevant to these Regulations.

(8) [S.I. 2015/159](#).

(9) [S.I. 2015/207](#), to which there are amendments not relevant to these Regulations.

SCHEDULE

Regulation 2(4)

Amendments to the table in Schedule 1 to the Fees Regulations

1. The table in Schedule 1 to the Fees Regulations is amended as follows.
2. In row 4 (application to reduce the 28 day waiting period)—
 - (a) in column 3, for “£28.00” substitute “£60.00”;
 - (b) in column 4, for “The Registrar General” substitute “The superintendent registrar”.
3. In row 7, in column 1, at the end insert “, as modified by regulation 10 of the Marriage of Same Sex Couples (Registration of Buildings and Appointment of Authorised Persons) Regulations 2014(10)”.
4. In row 12, for the entry in column 4 substitute “The parochial church council of the parish or, within the meaning of regulation 8 of the Marriage (Authorised Persons) Regulations 1952(11), the authorised person with custody of the marriage register book”.
5. After row 12, insert—

“12A	Marriage Act 1949 section 61	A correction to an entry in a marriage register book, other than a correction relating to an error caused by the registrar when information was recorded in the register	£90.00	The registrar”
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6. In row 13, in the entry in column 4, for “incumbent” (in both places) substitute “parochial church council of the parish”.

7. After row 16, insert—

“16A	Births and Deaths Registration Act 1953 section 13(1)(12)	Registration of name of child or of alteration of name(13)	£40.00	The registrar or superintendent registrar having the custody of the register”
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8. After row 17, insert—

“17A	Births and Deaths Registration Act 1953 sections 29(1) to (3)(14) and 29A(15) and Registration of Births and Deaths Regulations 1987	A correction to a register of live-births, still-births or deaths, relating to an error caused by a qualified informant concerning a live-birth, still-birth or death when providing information		
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(10) S.I. 2014/106; regulation 10 was amended by S.I. 2016/911.

(11) S.I. 1952/1869.

(12) 1953 c. 20. Section 13(1) was amended by S.I. 1968/1242 and 2006/2809.

(13) The procedure is contained in regulation 14 of S.I. 1987/2088, as amended by S.I. 1991/2275.

(14) Section 29(3) was amended by S.I. 1968/1242 and 2002/1419.

(15) Section 29A was inserted by S.I. 2002/1419 and amended by section 56 of, and paragraph 10 of Part 1 of Schedule 6 to, the Human Fertilisation and Embryology Act 2008 (c. 22).

regulations 55 to 58(16)	to the registrar of live-births, still-births or deaths, by		
	(a) the person with custody of the register	£75.00	The person with custody of the register
	(b) the person with custody of the register on the authority of the Registrar General	£90.00	The person with custody of the register”

9. In row 22 (short certificate of birth obtained under section 33(1) of the Births and Deaths Registration Act 1953)—

- (a) in column 2, omit entry (a) and the corresponding entries in columns 3 and 4;
- (b) in column 2, in entry (b), for “Any other” substitute “A”.

10. After row 22, insert—

“22A	Registration Service Act 1953 section 1(3)(17)	Letter provided by the Registrar General confirming that, on the basis of information provided, no record of a marriage in England and Wales has been found within a 10 year search period	£50.00	The Registrar General
22B	Registration Service Act 1953 section 1(3)	Letter provided by the Registrar General confirming that, on the basis of information provided, no record of a civil partnership in England and Wales has been found within a 10 year search period	£50.00	The Registrar General
22C	Registration Service Act 1953 section 1(3)	Opinion letter by the Registrar General following consideration of the documents referred to in paragraph 5(1)(e), (f) or (i) of Schedule 3 to the Registration of Marriages Regulations 2015(18) provided [to a superintendent registrar] as evidence of the ending of	£75.00	The superintendent registrar [to which the evidence is provided]

(16) S.I. 1987/2088; regulation 55 was amended by S.I. 1989/497, 1997/844, 1997/1533, 2006/2827 and 2009/2165; regulation 56 was amended by S.I. 1989/497, 1994/1948, 2005/3177, 2006/2827 and 2009/2165; regulation 57 was amended by S.I. 1988/638 and 2006/2827; regulation 58 was amended by S.I. 2006/2827.

(17) 1953 c. 37.

(18) S.I. 2015/207.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

		a previous marriage or civil partnership		
22D	Registration Service Act 1953 section 1(3)	Opinion letter by the Registrar General following consideration of documents supplied to a registration authority under paragraph 4 of Schedule 3 to the Civil Partnership (Registration Provisions) Regulations 2005 as evidence of the ending of a previous civil partnership or marriage	£75.00	The registration authority to which the evidence is supplied”

11. After row 25, insert—

“25A	Local Government Act 1972 section 111(1)(19)	Opinion letter by a superintendent registrar following consideration of the documents referred to in paragraph 5(1)(e), (f) or (i) of Schedule 3 to the Registration of Marriages Regulations 2015(20) provided as evidence of the ending of a previous marriage or civil partnership	£50.00	The superintendent registrar
25B	Local Government Act 1972 section 111(1)	Opinion letter by a registration authority following consideration of documents supplied to a registration authority under paragraph 4 of Schedule 3 to the Civil Partnership (Registration Provisions) Regulations 2005 as evidence of the ending of a previous civil partnership or marriage	£50.00	The registration authority”

12. In column 3 of row 34 (application to shorten the waiting period in relation to a notice of proposed civil partnership under section 12(1) of the Civil Partnership Act 2004(21))—

- (a) in column 3, for “£28.00” substitute “£60.00”;
- (b) in column 4, for “The Registrar General” substitute “The registration authority”.

(19) 1972 c. 70. Section 111 also applies to the Isles of Scilly by virtue of S.I. 1978/1844.

(20) S.I. 2015/207.

(21) 2004 c. 33. Section 12(1) was amended by section 52 of, and paragraphs 18 and 23(1) and (2) of Part 2 of Schedule 4 to, the Immigration Act 2014.

13. After row 37, insert—

“37A	Civil Partnership (Registration Provisions) Regulations 2005 regulation 20(22)	A correction to an entry in the civil partnership register, other than a correction relating to an error caused by the registration authority when information was recorded in the register	£90.00	The registration authority”
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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016 (S.I. 2016/911) (“the Fees Regulations”), as well as the Civil Partnership (Registration Provisions) Regulations 2005 (S.I. 2005/3176), the Proposed Marriages and Civil Partnerships (Waiting Period) Regulations 2015 (S.I. 2015/159) and the Registration of Marriages Regulations 2015 (S.I. 2015/207).

These Regulations increase one fee prescribed by the Fees Regulations and introduce new fees for specified registration services.

The fee which is being increased is as follows:

Reduction in the Marriage/Civil Partnership 28 day notice period (from £28.00 to £60.00).

The new fees which are being introduced are as follows:

A correction to an entry in a register book;

Opinion letter following consideration of documents provided from outside the British Isles as evidence of the ending of a previous marriage or civil partnership;

Letter provided by the Registrar General confirming no record of a marriage or a civil partnership entry in England and Wales has been found within a 10 year search period;

A first short birth certificate;

Registration of a name of a child or alteration of a name.

The fees are being set at full cost recovery levels.

The Fees Regulations are also amended to include a discretion for part or all of a fee to be reduced, waived or refunded, and to require part of specified fees received by the superintendent registrar, registrar or registration authority to be paid over to the Registrar General.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.