CHAPTER 20

Births and Deaths Registration Act, 1953

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An Act to consolidate certain enactments relating to the registration of births and deaths in England and Wales with corrections and improvements made under the Consolidation of Enactments (Procedure) Act, 1949.

[14th July 1953.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

REGISTRATION OF BIRTHS

Particulars of births to be registered.

1.—(1) Subject to the provisions of this Part of this Act, the birth of every child born in England or Wales shall be registered by the registrar of births and deaths for the sub-district in which the child was born by entering in a register kept for that sub-district such particulars concerning the birth as may be prescribed; and different registers shall be kept and different particulars may be prescribed for live-births and still-births respectively:

Provided that, where a living new-born child is found exposed and no information as to the place of birth is available, the birth shall be registered by the registrar of births and deaths for the sub-district in which the child is found.

(2) The following persons shall be qualified to give information concerning a birth, that is to say—

(*a*) the father and mother of the child;

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(*b*) the occupier of the house in which the child was to the knowledge of that occupier born ;

(*c*) any person present at the birth ;

(*d*) any person having charge of the child.

Information concerning birth to be given to registrar within forty-two days.

2. In the case of every birth it shall be the duty—

(*a*) of the father and mother of the child ; and

(*b*) in the case of the death or inability of the father and mother, of each other qualified informant,

to give to the registrar, before the expiration of a period of forty-two days from the date of the birth, information of the particulars required to be registered concerning the birth, and in the presence of the registrar to sign the register:

Provided that—

(i) the giving of information and the signing of the register by any one qualified informant shall act as a discharge of any duty under this section of every other qualified informant ;

(ii) this section shall cease to apply if, before the expiration of the said period and before the birth has been registered, an inquest is held at which the child is found to have been still-born.

Information concerning finding of new-born child to be given to registrar within forty-two days.

3. Where any living new-born child is found exposed, it shall be the duty of the person finding the child, and of any person in whose charge the child may be placed, to give to the best of his knowledge and belief to the registrar, before the expiration of forty-two days from the date on which the child was found, such information of the particulars required to be registered concerning the birth of the child as the informant possesses, and in the presence of the registrar to sign the register:

Provided that the giving of information and the signing of the register by any one of the said persons shall act as a discharge of any duty under this section of any other of them.

Registrar's power to require information concerning birth.

4. Where, after the expiration of forty-two days from the date of the birth of any child or from the date when any living new-born child is found exposed, the birth of the child has, owing to the default of the persons required to give information concerning it, not been registered, the registrar may by notice in writing require any qualified informant—

(*a*) to attend personally at the registrar's office, or at some other place appointed by the registrar within his sub-district, before such date (being not less than seven

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days after the receipt of the notice nor more than three months after the date of the birth or finding) as may be specified in the notice; and

(*b*) to give information to the best of that person's knowledge and belief of the particulars required to be registered concerning the birth; and

(*c*) to sign the register in the presence of the registrar:

Provided that any such requirement shall cease to have effect if, before the date specified in the notice and before the person to whom the notice is given complies with it, the birth is duly registered.

Registration of births free of charge.

5. Where the registrar receives personally from any qualified informant, at any time before the expiration of three months from the date of the birth of any child or from the date when any living new-born child is found exposed, information of the particulars required to be registered concerning the birth of the child, then, subject as may be prescribed in the case of an alleged still-birth where no certificate such as is mentioned in subsection (1) of section eleven of this Act is delivered, he shall forthwith register the birth and the particulars, if not previously registered, in the prescribed form and manner without any fee or reward from the informant:

Provided that if in pursuance of a request in writing the registrar registers the birth—

(*a*) at the residence of the person making the request; or

(*b*) at the house at which the birth took place, that house not being a public institution,

the informant shall pay to the registrar a fee of one shilling and sixpence.

Registration between three and twelve months from date of birth.

6.—(1) Where, after the expiration of three months from the date of the birth of any child or from the date when any living new-born child is found exposed, the birth of the child has not been registered, the registrar may by notice in writing require any qualified informant—

(*a*) to attend personally at the district register office before such date (being not less than seven days after the receipt of the notice nor more than twelve months after the date of the birth or finding) as may be specified in the notice; and

(*b*) to make before the superintendent registrar a declaration according to the best of the declarant's knowledge and belief of the particulars required to be registered concerning the birth; and

(*c*) to sign the register in the presence of the registrar and the superintendent registrar.

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(2) Upon any qualified informant attending before the registrar and superintendent registrar, whether in pursuance of a requirement or not, and making such a declaration as aforesaid and giving information concerning the birth, the registrar shall then and there in the presence of the superintendent registrar register the birth according to the information of the declarant, and the superintendent registrar before whom the declaration is made, the registrar and the declarant shall each sign the entry of the birth.

(3) On the registration of a birth under this section, the declarant shall pay a fee of three shillings and ninepence to the superintendent registrar and, except where the delay was caused by the failure of the registrar to make a requirement under section four of this Act or otherwise by the registrar's default, a like fee to the registrar.

(4) This section shall not apply in the case of a still-birth.

Registration after twelve months from date of birth.

7.—(1) Where, after the expiration of twelve months from the date of the birth of any child or from the date when any living new-born child is found exposed, the birth of the child has not been registered, the birth shall not be registered except with the written authority of the Registrar General and in such manner and subject to such conditions as may be prescribed, and the fact that the authority of the Registrar General has been obtained shall be entered in the register.

(2) On the registration of a birth under this section, the informant shall pay a fee of seven shillings and sixpence to the superintendent registrar and, except where the delay was caused by the failure of the registrar to make a requirement under section four or six of this Act or otherwise by the registrar's default, a like fee to the registrar.

(3) This section shall not apply in the case of a still-birth.

Penalty for improper registration after three months from date of birth.

8. Save as provided in the two last foregoing sections, a registrar shall not register the birth of any child after the expiration of three months from the date of birth or, in the case of a living new-born child found exposed, from the date of the finding, and any person who registers any birth, or causes any birth to be registered, in contravention of this section shall be liable on summary conviction to a fine not exceeding ten pounds.

Giving of information to a person other than the registrar.

9.—(1) Any person required by or under this Act to give information to the registrar concerning a birth, not being a still-birth, may give that information by making and signing in the presence

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of and delivering to such officer as may be prescribed a declaration in writing of the particulars required to be registered concerning the birth.

(2) The officer in whose presence such a declaration is made shall send the declaration to the registrar who shall in the prescribed manner enter the birth in the register.

(3) An entry made under the last foregoing subsection shall be deemed for the purposes of this Act to have been signed by the person who signed the declaration, and a person making a declaration under this section shall be deemed to have given information concerning the birth to the registrar and to have complied with any requirement of the registrar made under this Act to attend and give that information.

(4) Where a declaration is made under this section, the declarant shall pay to the officer in whose presence the declaration is made a fee of three shillings, without prejudice, however, to any fee payable under section six or seven of this Act.

Provision as to father of illegitimate child.

10. Notwithstanding anything in the foregoing provisions of this Act, in the case of an illegitimate child, no person shall as father of the child be required to give information concerning the birth of the child, and the registrar shall not enter in the register the name of any person as father of the child except at the joint request of the mother and the person acknowledging himself to be the father of the child, and that person shall in that case sign the register together with the mother.

Special provision as to registration of still-birth.

11.—(1) Any qualified informant giving information to the registrar of the particulars required to be registered concerning a still-birth shall upon giving that information either—

(*a*) deliver to the registrar a written certificate that the child was not born alive, signed by a registered medical practitioner or certified midwife who was in attendance at the birth or who has examined the body of the child; or

(*b*) make a declaration in the prescribed form to the effect that no registered medical practitioner or certified midwife was present at the birth or has examined the body, or that his or her certificate cannot be obtained, and that the child was not born alive.

(2) The registrar upon registering a still-birth shall, if so required, give either to the informant or to the person who has control over, or who ordinarily effects the disposal of bodies at, the place at which it is intended to dispose of the child's body a certificate under his hand in the prescribed form that he has

registered the still-birth, but may, on receiving written notice of the still-birth accompanied by such a certificate as is mentioned in paragraph (*a*) of the foregoing subsection, before registering the still-birth give to the person sending the notice a certificate that he has received notice of the still-birth; and any certificate given under this subsection shall be given without fee. PART I —*cont.*

(3) A registrar by whom a certificate has been given under the last foregoing subsection may, upon receiving a satisfactory explanation of any circumstances by reason of which the certificate is not available for the purposes of the enactments relating to the disposal of the bodies of dead persons, issue on payment of the prescribed fee a duplicate thereof either to the person to whom the original certificate was given or to the person effecting the disposal; and any such duplicate certificate shall be in a distinctive form.

Certificate of registration of birth.

12. At the time of registering the birth of any child, the registrar shall, if so required by the informant of the birth and upon payment to him by the informant of a fee not exceeding fourpence, give to the informant a certificate under his hand in the prescribed form that he has registered the birth.

Registration of name of child or of alteration of name.

13.—(1) Where, before the expiration of twelve months from the date of the registration of the birth of any child, the name by which it was registered is altered or, if it was registered without a name, a name is given to the child, the registrar or superintendent registrar having the custody of the register in which the birth was registered, upon delivery to him at any time of a certificate in the prescribed form signed—

(*a*) if the name was altered or given in baptism, either by the person who performed the rite of baptism or by the person who has the custody of the register, if any, in which the baptism is recorded, or

(*b*) if a name has not been given to the child in baptism, by the father, mother or guardian of the child or other person procuring the name of the child to be altered or given,

and upon payment to him by the person procuring the name mentioned in the certificate to be entered of a fee of one shilling and sixpence, shall, without any erasure of the original entry, forthwith enter in the register the name mentioned in the certificate as having been given to the child, and, after stating upon the certificate the fact that the entry has been made, shall forthwith send the certificate to the Registrar General together with a certified copy of the entry of the birth with the name added under this subsection.

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(2) Where the name of a child is altered or given in baptism, the person who performed the rite of baptism or who has the custody of any register in which the baptism is recorded shall issue the certificate required under this section on payment of a fee not exceeding one shilling and sixpence.

(3) This section shall apply with the prescribed modifications in relation to births at sea of which a return is sent to the Registrar General.

(4) This section shall not apply in relation to a still-born child.

Re-registration of births of legitimated persons.

14.—(1) Where, in the case of any person whose birth has been registered in England or Wales, evidence is produced to the Registrar General which appears to him to be satisfactory that that person has become a legitimated person within the meaning of the Legitimacy Act, 1926, the Registrar General may authorise at any time the re-registration of that person's birth, and the re-registration shall be effected in such manner and at such place as may be prescribed:

Provided that, except where—

(*a*) the name of a person acknowledging himself to be the father of the legitimated person has been entered in the register in pursuance of section ten of this Act; or

(*b*) the paternity of the legitimated person has been established by an affiliation order or otherwise by a decree of a court of competent jurisdiction; **or**

(*c*) a declaration of the legitimacy of the legitimated person has been made under section seventeen of the Matrimonial Causes Act, 1950,

the Registrar General shall not authorise the re-registration unless information with a view to obtaining it is furnished by both parents.

(2) Where the Registrar General believes any person to have become a legitimated person within the meaning of the Legitimacy Act, 1926, on the marriage of his parents, and the parents or either of them fail to furnish within a period of three months from the date of the marriage such information, if any, as may be necessary to enable the Registrar General to authorise the re-registration of that person's birth, the Registrar General may at any time after the expiration of the said period require the parents or either of them to give him such information concerning the matter as he may consider necessary, verified in such manner as he may direct, and for that purpose to attend personally either at a registrar's office or at any other place appointed by him within such time, not being less than seven days after the receipt of the notice, as may be specified in the notice.

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(3) No fee for re-registration under this section shall be charged if the necessary information for the purpose is furnished before the expiration of the said period of three months; but in any other case there shall be charged in respect of the re-registration such fees, not exceeding in the aggregate ten shillings, as may be prescribed.

(4) This section shall apply with the prescribed modifications in relation to births at sea of which a return is sent to the Registrar General.

PART II

REGISTRATION OF DEATHS

Particulars of deaths to be registered.

15. Subject to the provisions of this Part of this Act, the death of every person dying in England or Wales and the cause thereof shall be registered by the registrar of births and deaths for the sub-district in which the death occurred by entering in a register kept for that sub-district such particulars concerning the death as may be prescribed:

Provided that where a dead body is found and no information as to the place of death is available, the death shall be registered by the registrar of births and deaths for the sub-district in which the body is found.

Information concerning death in a house.

16.—(1) The following provisions of this section shall have effect where a person dies in a house.

(2) The following persons shall be qualified to give information concerning the death, that is to say—

(*a*) any relative of the deceased person present at the death or in attendance during his last illness;

(*b*) any other relative of the deceased residing or being in the sub-district where the death occurred;

(*c*) any person present at the death;

(*d*) the occupier of the house if he knew of the happening of the death;

(*e*) any inmate of the house who knew of the happening of the death;

(*f*) the person causing the disposal of the body.

(3) It shall be the duty—

(*a*) of the nearest relative such as is mentioned in paragraph (*a*) of the last foregoing subsection; or

(*b*) if there is no such relative, of each such relative as is mentioned in paragraph (*b*) of that subsection; or

(*c*) if there are no such relatives, of each such person as is mentioned in paragraph (*c*) or (*d*) of that subsection; or

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(*d*) if there are no such relatives or persons as aforesaid, of each such person as is mentioned in paragraph (*e*) or (*f*) of that subsection,

to give to the registrar, before the expiration of five days from the date of the death, information to the best of his knowledge and belief of the particulars required to be registered concerning the death, and in the presence of the registrar to sign the register:

Provided that—

(i) the giving of information and the signing of the register by any one qualified informant shall act as a discharge of any duty under this subsection of every other qualified informant;

(ii) this subsection shall not have effect if an inquest is held on the body or touching the death of the deceased person.

Information concerning other deaths.

17.—(1) The following provisions of this section shall have effect where a person dies elsewhere than in a house or where a dead body is found and no information as to the place of death is available.

(2) The following persons shall be qualified to give information concerning the death, that is to say—

(*a*) any relative of the deceased who has knowledge of any of the particulars required to be registered concerning the death;

(*b*) any person present at the death;

(*c*) any person finding or taking charge of the body;

(*d*) any person causing the disposal of the body.

(3) It shall be the duty—

(*a*) of each such relative as is mentioned in paragraph (*a*) of the last foregoing subsection; or

(*b*) if there are no such relatives, of each other qualified informant,

to give to the registrar, before the expiration of five days from the date of the death or of the finding of the body, such information of the particulars required to be registered concerning the death as the informant possesses, and in the presence of the registrar to sign the register:

Provided that—

(i) the giving of information and the signing of the register by any one qualified informant shall act as a discharge of any duty under this subsection of every other qualified informant;

(ii) this subsection shall not have effect if an inquest is held on the body or touching the death of the deceased person.

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Notice preliminary to information of death.

18. If, before the expiration of five days from the date of the death or of the finding of the dead body of any person, a qualified informant of that person's death sends to the registrar a written notice of the occurrence of the death or of the finding of the body accompanied by a notice given under subsection (2) of section twenty-two of this Act of the signing of a certificate of the cause of death, the information of the particulars required to be registered concerning the death need not be given before the expiration of the said five days, but shall, notwithstanding the notice, be given before the expiration of fourteen days from the date aforesaid by the person giving the notice or by some other qualified informant.

Registrar's power to require information concerning death.

19.—(1) Where, after the expiration of the relevant period from the date of the death or finding of the dead body of any person, the death of that person has, owing to the default of the persons required to give information concerning it, not been registered, the registrar may by notice in writing require any qualified informant—

(*a*) to attend personally at the registrar's office, or at some other place appointed by the registrar within his sub-district, before such date (being not less than seven days after the receipt of the notice nor more than twelve months from the date of the death or of the finding of the body) as may be specified in the notice; and

(*b*) to give information to the best of the informant's knowledge and belief of the particulars required to be registered concerning the death; and

(*c*) to sign the register in the presence of the registrar:

Provided that any such requirement shall cease to have effect if, before the date specified in the notice and before the person to whom the notice is given complies with it, either—

(i) the death is duly registered; or

(ii) an inquest is held on the body or touching the death of the deceased person.

(2) In this section, the expression "the relevant period" means—

(*a*) where notice has been duly given to the registrar in accordance with the last foregoing section, fourteen days;

(*b*) in any other case, five days.

Registration of death free of charge.

20. Where the registrar receives personally from any qualified informant, at any time before the expiration of twelve months from the date of the death or finding of the dead body of any person, information of the particulars required to be registered concerning that person's death, then, so soon as he has received any particulars required to be registered concerning the cause of death which are required to be given by any person other

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than the informant, he shall forthwith register the death and the particulars, if not previously registered, in the prescribed form and manner without any fee or reward from the informant:

Provided that if in pursuance of a request in writing the registrar registers the death—

(*a*) at the residence of the person making the request; or

(*b*) at the house where the deceased died, that house not being a public institution,

the informant shall pay to the registrar a fee of one shilling and sixpence.

Registration of death after twelve months.

21.—(1) After the expiration of twelve months from the date of the death or finding of the dead body of any person, the death of that person shall not be registered except with the written authority of the Registrar General and in such manner and subject to such conditions as may be prescribed, and the fact that the authority of the Registrar General has been obtained shall be entered in the register.

(2) When any death is registered under this section upon the giving of information by a qualified informant, that informant shall pay a fee of seven shillings and sixpence to the superintendent registrar and, except where the delay was caused by the failure of the registrar to make a requirement under section nineteen of this Act or otherwise by the registrar's default, a like fee to the registrar.

(3) Any person who registers any death, or causes any death to be registered, in contravention of this section shall be liable on summary conviction to a fine not exceeding ten pounds.

Certificates of cause of death.

22.—(1) In the case of the death of any person who has been attended during his last illness by a registered medical practitioner, that practitioner shall sign a certificate in the prescribed form stating to the best of his knowledge and belief the cause of death and shall forthwith deliver that certificate to the registrar.

(2) On signing a certificate of the cause of death under the foregoing subsection the medical practitioner shall give in the prescribed form to some qualified informant of the death notice in writing of the signing of the certificate, and that person shall, except where an inquest is held on the body or touching the death of the deceased person, deliver the said notice to the registrar.

(3) Except where an inquest is held on the body or touching the death of the deceased person or a post-mortem examination of his body is made by virtue of section twenty-one of the Coroners (Amendment) Act, 1926, a registrar to whom a certificate of cause of death is delivered under subsection (1) of this section shall enter in the register the cause of death as stated in the certificate, together with the name of the certifying medical practitioner.

(4) The Registrar General shall from time to time furnish to every registrar printed forms of the certificates required to be signed by registered medical practitioners under subsection (1) of this section, and every registrar shall furnish such forms free of charge to any registered medical practitioner residing or practising in that registrar's sub-district.

Furnishing of information by coroner.

23.—(1) Where an inquest is held on any dead body or touching any death the coroner shall send to the registrar, within five days after the finding of the inquest is given, a certificate under his hand giving information concerning the death and specifying the finding with respect to the particulars required to be registered concerning the death and with respect to the cause of death, and specifying the time and place at which the inquest was held.

(2) On receiving a certificate under the foregoing subsection the registrar shall in the prescribed form and manner register the death and the particulars as found at the inquest, and, if the death has been previously registered, the said particulars shall be entered in the prescribed manner without any alteration of the original entry.

(3) When a post-mortem examination is made of any dead body by virtue of section twenty-one of the Coroners (Amendment) Act, 1926, and as a result thereof the coroner is satisfied that an inquest is unnecessary, the coroner shall send to the registrar a certificate under his hand stating the cause of death as disclosed by the report of the person making the examination, and the registrar shall in the prescribed form and manner make an entry thereof in the register accordingly.

Certificates as to registration of death.

24.—(1) The registrar, upon registering any death, shall forthwith give to the person giving information concerning the death a certificate under his hand that he has registered the death; but may, before registering the death and subject to such conditions as may be prescribed, upon receiving written notice of the occurrence of a death in respect of which he has received a certificate under section twenty-two of this Act, give to the person sending the notice, if required to do so, a certificate under his hand that he has received notice of the death; and any certificate given under this subsection shall be given without fee:

Provided that the registrar shall not issue any such certificate in any case in which he is satisfied that a coroner's order has been issued authorising the disposal of the body.

(2) Where the body of a deceased person has been removed into England or Wales from some place outside both those countries for disposal, and no order has been given by a coroner in respect thereof, the registrar of the sub-district in which it is intended to dispose of the body, if it appears that the death is

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not required by law to be registered in England or Wales, shall, upon application by the person procuring the disposal and upon payment of the prescribed fee, give a certificate to that effect in the prescribed form.

(3) A person to whom any certificate issued by the registrar under this section is delivered shall transmit it to the person effecting the disposal of the body of the deceased person.

(4) A registrar by whom a certificate has been given under this section may, upon receiving a satisfactory explanation of any circumstances by reason of which the certificate is not available for the purposes of the enactments relating to the disposal of the bodies of dead persons, issue on payment of the prescribed fee a duplicate thereof either to the person to whom the original certificate was given or to the person effecting the disposal of the body; and any such duplicate certificate shall be in a distinctive form.

(5) Where, on the expiration of the prescribed period after the issue in respect of any deceased person of a certificate under this section or of a coroner's order authorising the disposal of the body, no notification as to the date, place and means of disposal of the body has been received by the registrar from the person effecting its disposal, the registrar shall make enquiry of the person to whom the certificate or order was issued and it shall be the duty of that person to give information to the best of his knowledge and belief as to the person having the custody of the certificate or order, the place in which the body is lying, or, if the body has been disposed of, the person effecting the disposal.

(6) In this section, the expression "person effecting the disposal" means the person by whom or whose officer the register in which the disposal is to be recorded is kept, except that, in the case of a burial under the Burial Laws Amendment Act, 1880, or section four of the Welsh Church (Burial Grounds) Act, 1945, in the churchyard or graveyard of a parish or ecclesiastical district, it shall be construed as referring to the relative, friend or legal personal representative having charge of or being responsible for the burial of the deceased person.

PART III

GENERAL

Registers, certified copies, etc.

Provision of registers, etc., by Registrar General.

25. Registers of live-births, still-births and deaths shall be in such form as may be respectively prescribed, and the Registrar General shall provide any such registers, and any of the forms hereafter mentioned for making certified copies of entries in registers, which may be required for the purposes of this Act.

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Quarterly returns to be made by registrar to superintendent registrar.

26.—(1) Every registrar shall in the months of January, April, July and October on such days as may be appointed by the Registrar General—

(*a*) make and deliver to the superintendent registrar in the prescribed form a true copy, certified by him in the prescribed manner, of all the entries of live-births, still-births and deaths made in the registers kept by him during the period of three months ending with the last day of the month immediately preceding that in which the copy is required by this subsection to be made;

(*b*) if no live-birth, still-birth or death has been registered in his sub-district during that period, deliver to the superintendent registrar in the prescribed form a certificate to that effect under his hand.

(2) Where a certified copy is delivered to the superintendent registrar under the foregoing subsection, the superintendent registrar shall verify the copy and, if the copy is found to be correct, shall certify it under his hand to be a true copy; and where a certificate that there have been no registrations is so delivered, the superintendent registrar shall countersign the certificate.

Quarterly returns by superintendent registrar to Registrar General.

27. Every superintendent registrar shall four times in every year, on such days as may be appointed by the Registrar General, send to the Registrar General all certified copies of entries in registers of live-births, still-births or deaths which he has received during the three months immediately preceding the days so appointed respectively, and if the copy of any part of any register has not been duly delivered to him the superintendent registrar shall procure, as far as is possible consistently with the provisions of this Act, that the deficiency is remedied.

Custody of registers, etc.

28.—(1) Every registrar shall keep safely all registers of live-births, still-births and deaths which are in his custody and, when not in use, the registers shall be kept in the register box provided for the purpose by the Registrar General.

(2) When a register of live-births or a register of deaths is filled, the registrar shall deliver it to the superintendent registrar to be kept by him with the records of his office.

(3) When a register of still-births is filled, the registrar shall deliver it to the superintendent registrar, who shall forward it to the Registrar General.

(4) The certified copies sent to the Registrar General under the last foregoing section and the registers forwarded to him

PART III —*cont.*

under the last foregoing subsection shall be kept in the General Register Office in such order and manner as the Registrar General, subject to any directions of the Minister, may think fit:

Provided that where a filled register of still-births has been forwarded to the Registrar General he may destroy any certified copies of entries therein previously sent to him.

Correction of errors in registers.

29.—(1) No alteration shall be made in any register of live-births, still-births or deaths except as authorised by this or any other Act.

(2) Any clerical error which may from time to time be discovered in any such register may, in the prescribed manner and subject to the prescribed conditions, be corrected by any person authorised in that behalf by the Registrar General.

(3) An error of fact or substance in any such register may be corrected by entry in the margin (without any alteration of the original entry) by the officer having the custody of the register, upon payment to him by the person requiring the error to be corrected of a fee of three shillings and ninepence and upon production to him by that person of a statutory declaration setting forth the nature of the error and the true facts of the case made by two qualified informants of the birth or death with reference to which the error has been made, or in default of two qualified informants then by two credible persons having knowledge of the truth of the case.

(4) Where an error of fact or substance (other than an error relating to the cause of death) occurs in the information given by a coroner's certificate concerning a dead body upon which or a death touching which he has held an inquest, the coroner, if satisfied by evidence on oath or statutory declaration that such an error exists, may certify under his hand to the officer having the custody of the register in which the information is entered the nature of the error and the true facts of the case as ascertained by him on that evidence, and the error may thereupon be corrected by that officer in the register by entering in the margin (without any alteration of the original entry) the facts as so certified by the coroner.

Searches and Certificates

Searches of indexes kept by Registrar General.

30.—(1) The Registrar General shall cause indexes of all certified copies of entries in registers sent to him under this Act or under any enactment repealed by this Act to be made and kept in the General Register Office.

(2) Any person shall be entitled to search the said indexes at any time when the General Register Office is open for that purpose, and to have a certified copy of any entry in the said

PART III —*cont.*

certified copies, on payment to the Registrar General or to such other person as may be appointed to act on his behalf of the following fees respectively, that is to say—

(*a*) for every general search, the sum of thirty shillings;

(*b*) for every particular search, the sum of one shilling and sixpence; and

(*c*) for every certified copy, the sum of three shillings and ninepence.

(3) The foregoing provisions of this section shall not apply to certified copies of entries in registers of still-births, but the Registrar General may, if he sees fit in any particular case and on payment as aforesaid of the appropriate fee aforesaid, cause a search to be made for, and allow any person to have a certified copy of, any entry in any such certified copies or in any filled register of still-births which has been forwarded to him.

Searches of indexes kept by superintendent registrars.

31.—(1) Every superintendent registrar shall cause indexes of the registers of live-births and registers of deaths in his register office to be made and to be kept with the other records of that office, and the Registrar General shall supply to every superintendent registrar suitable forms for the making of such indexes.

(2) Any person shall be entitled at any time when the register office is required to be open for the transaction of public business to search the said indexes, and to have a certified copy of any entry in the said registers under the hand of the superintendent registrar, on payment by that person to the superintendent registrar of the following fees respectively, that is to say—

(*a*) for every general search, the sum of seven shillings and sixpence;

(*b*) for every particular search, the sum of one shilling and sixpence; and

(*c*) for every certified copy, the sum of three shillings and ninepence.

Searches in registers kept by registrars.

32. Every registrar shall at any time when his office is required to be open for the transaction of public business allow searches to be made in any register of births or register of deaths in his keeping, and shall give a copy certified under his hand of any entry therein, on payment of the following fees respectively, that is to say—

(*a*) for every search covering a period of not more than one year, the sum of one shilling and sixpence;

(*b*) for every search covering a period of more than one year,

PART III —*cont.*

the sum of one shilling and sixpence for the first year together with an additional ninepence for every additional year; and

(*c*) for every certified copy the sum of three shillings and ninepence:

Provided that this section shall not apply in relation to a register of still-births except as the registrar may, with the consent of the Registrar General, in any particular case allow.

Short certificate of birth.

33.—(1) Any person shall, on payment of a fee of ninepence and on furnishing the prescribed particulars, be entitled to obtain from the Registrar General, a superintendent registrar or a registrar a short certificate of the birth of any person.

(2) Any such certificate shall be in the prescribed form and shall be compiled in the prescribed manner from the records and registers in the custody of the Registrar General, or from the registers in the custody of the superintendent registrar or registrar, as the case may be, and shall contain such particulars as may be prescribed:

Provided that any particulars prescribed in addition to name, surname, sex and date of birth shall not include any particulars relating to parentage or adoption contained in any such records or registers.

Entry in register as evidence of birth or death.

34.—(1) The following provisions of this section shall have effect in relation to entries in registers under this Act or any enactment repealed by this Act.

(2) An entry or a certified copy of an entry of a birth or death in a register, or in a certified copy of a register, shall not be evidence of the birth or death unless the entry purports to be signed by some person professing to be the informant and to be such a person as might be required by law at the date of the entry to give to the registrar information concerning that birth or death:

Provided that this subsection shall not apply—

(*a*) in relation to an entry of a birth which, not being an entry signed by a person professing to be a superintendent registrar, purports to have been made with the authority of the Registrar General; or

(*b*) in relation to an entry of a death which purports to have been made upon a certificate from a coroner; or

(*c*) in relation to an entry of a birth or death which purports to have been made in pursuance of the enactments with respect to the registration of births and deaths at sea.

PART III —*cont.*

(3) Where more than three months have intervened between the date of the birth of any child or the date when any living new-born child was found exposed and the date of the registration of the birth of that child, the entry or a certified copy of the entry of the birth of the child in the register, or in a certified copy of the register, shall not be evidence of the birth unless—

(*a*) if it appears that not more than twelve months have so intervened, the entry purports either to be signed by the superintendent registrar as well as by the registrar or to have been made with the authority of the Registrar General;

(*b*) if more than twelve months have so intervened, the entry purports to have been made with the authority of the Registrar General:

Provided that this subsection shall not apply in any case where the original entry in the register was made before the first day of January, eighteen hundred and seventy-five.

(4) Where more than twelve months have intervened between the date of the death or of the finding of the dead body of any person and the date of the registration of that person's death, the entry or a certified copy of the entry of the death in the register, or in a certified copy of the register, shall not be evidence of the death unless the entry purports to have been made with the authority of the Registrar General:

Provided that this subsection shall not apply in any case where the original entry in the register was made before the first day of January, eighteen hundred and seventy-five.

(5) A certified copy of an entry in a register or in a certified copy of a register shall be deemed to be a true copy notwithstanding that it is made on a form different from that on which the original entry was made if any differences in the column headings under which the particulars appear in the original entry and the copy respectively are differences of form only and not of substance.

(6) The Registrar General shall cause any certified copy of an entry given in the General Register Office to be sealed or stamped with the seal of that Office; and, subject to the foregoing provisions of this section, any certified copy of an entry purporting to be sealed or stamped with the said seal shall be received as evidence of the birth or death to which it relates without any further or other proof of the entry, and no certified copy purporting to have been given in the said Office shall be of any force or effect unless it is sealed or stamped as aforesaid.

PART III —*cont.*

Offences

Offences relating to registers.

35. If any person commits any of the following offences, that is to say—

(*a*) if, being a registrar, he refuses or without reasonable cause omits to register any birth or death or particulars concerning which information has been tendered to him by a qualified informant and which he is required by or under this Act to register; or

(*b*) if, being a person having the custody of any register of births or register of deaths, he carelessly loses or injures the register or allows the register to be injured,

he shall be liable on summary conviction to a fine not exceeding fifty pounds.

Penalties for failure to give information, etc.

36. If any person commits any of the following offences, that is to say—

(*a*) if, being required by or under this Act to give information concerning any birth or death or any living newborn child or any dead body, he wilfully refuses to answer any question put to him by the registrar relating to the particulars required to be registered concerning the birth or death, or save as provided in this Act, fails to comply with any requirement of the registrar made thereunder;

(*b*) if he refuses or fails without reasonable excuse to give, deliver or send any certificate which he is required by this Act to give, deliver or send;

(*c*) if, being a parent and save as provided in this Act, he fails to give information concerning the birth of his child as required by this Act; or

(*d*) if, being a parent of a legitimated person within the meaning of the Legitimacy Act, 1926, he fails to comply with any requirement of the Registrar General made under or by virtue of section fourteen of this Act; or

(*e*) if, being a person upon whom a duty to give information concerning a death is imposed by paragraph (*a*) of subsection (3) of section sixteen or seventeen of this Act, he fails to give that information and that information is not given,

he shall be liable on summary conviction to a fine not exceeding forty shillings for each offence.

Penalty for forging certificate, etc.

37. If any person forges or falsifies any certificate, declaration or order under this Act, or knowingly uses, or gives or sends to any person, as genuine any false or forged certificate, declaration or order for the purposes of this Act, he shall be liable on summary conviction to a fine not exceeding ten pounds.

PART III —*cont.*

Prosecution of offences and application of fines.

38.—(1) Subject as may be prescribed, a superintendent registrar may prosecute any person for an offence under this Act committed within his district, and any costs incurred by him in any such prosecution, being costs which are not otherwise provided for, shall be defrayed out of moneys provided by Parliament.

(2) Any sum paid to the Secretary of State in pursuance of section twenty-seven of the Justices of the Peace Act, 1949, in respect of a fine recovered under this Act shall be deemed to be Exchequer moneys within the meaning of that section and shall be paid by the Secretary of State into the Exchequer.

Miscellaneous

Regulations.

39. The Registrar General may, with the approval of the Minister, by statutory instrument make regulations—

(*a*) prescribing anything which by this Act is required to be prescribed;

(*b*) providing that any provision of this Act specified in the regulations, being a provision relating to the registration or entry of births, shall cease to apply in relation to still-births or, in the case of a provision expressed by this Act not to apply in relation to still-births, shall apply in relation to still-births with such modifications, if any, as may be prescribed:

Provided that paragraph (*b*) of this section shall not apply in relation to section nine or eleven of this Act.

Sending documents by post.

40. Any notice, information, declaration, certificate, requisition, return or other document required by or under this Act may be sent by post.

Interpretation.

41. In this Act, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"birth" includes a live-birth and a still-birth;

"disposal", in relation to a dead body, means disposal by burial, cremation or any other means, and cognate expressions shall be construed accordingly;

"general search" means a search conducted during any number of successive hours not exceeding six, without the object of the search being specified;

"house" includes a public institution;

"live-birth" means the birth of a child born alive;

"the Minister" means the Minister of Health;

PART III —*cont.*

"occupier" in relation to a public institution, includes the governor, keeper, master, matron, superintendent, or other chief resident officer, and, in relation to a house let in separate apartments or lodgings, includes any person residing in the house who is the person under whom the lodgings or separate apartments are immediately held, or his agent;

"particular search" means a search of the indexes covering a period not exceeding five years for a specified entry;

"public institution" means a prison, lock-up or hospital, and such other public or charitable institution as may be prescribed;

"prescribed" means prescribed by regulations made under section thirty-nine of this Act;

"qualified informant", in relation to any birth or death, means a person who is by this Act or, in the case of a birth or death occurring before the commencement of this Act, by any enactment repealed by this Act required, or stated to be qualified, to give information concerning that birth or death;

"registrar" in relation to any birth or death, means the registrar of births and deaths for the sub-district in which the birth or death takes place, or where any living new-born child is found exposed or any dead body is found and no information as to the place of birth or death is available, for the sub-district in which the child or the dead body is found;

"relative" includes a relative by marriage and, in relation to a person in respect of whom an adoption order has been made under the Adoption of Children Act, 1926, the Adoption of Children (Scotland) Act, 1930, or the Adoption Act, 1950, or under the Adoption of Children Act (Northern Ireland), 1929, or any other Act of the Parliament of Northern Ireland for the time being in force, also includes any person who would be a relative if the adopted person were the child of the adopter born in lawful wedlock;

"still-born child" means a child which has issued forth from its mother after the twenty-eighth week of pregnancy and which did not at any time after being completely expelled from its mother breathe or show any other signs of life, and the expression "still-birth" shall be construed accordingly;

"superintendent registrar" in relation to any registrar, means the superintendent registrar of births, deaths and marriages for the district in which that registrar's sub-district is situate.

PART III —*cont.*

Savings, etc

42.—(1) Any registration effected, certificate issued, notice or information given, order, regulations or return made or other thing done under any enactment repealed by this Act shall, if in force at the commencement of this Act, continue in force, and have effect as if effected, issued, given, made or done under the corresponding provision of this Act.

(2) Any form used, and any requirement as to the particulars to be entered in any form used, for the purposes of any enactment repealed by this Act in force immediately before the commencement of this Act shall continue in force as though prescribed under this Act until other forms or particulars are so prescribed.

(3) Where a period of time specified in any enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision thereof had been in force when that period began to run.

(4) Any document referring to an enactment repealed by this Act shall unless the contrary intention appears be construed as referring to the corresponding provision of this Act.

(5) Nothing in this Act shall affect any provision of the Population (Statistics) Act, 1938, requiring particulars to be furnished for the purposes of that Act.

(6) Nothing in this Act shall affect the registration of baptisms or burials, or the right of any officiating minister to receive any fees now usually paid for the performance or registration of any baptism or burial.

(7) Nothing in the foregoing provisions of this section shall be taken as prejudicing the operation of section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals).

Repeals and consequential amendments.

43.—(1) The enactments specified in the First Schedule to this Act shall have effect subject to the amendments respectively specified in that Schedule.

(2) The enactments set out in the Second Schedule to this Act are hereby repealed to the extent specified in relation thereto in the third column of that Schedule.

(3) The Registration (Births, Still-births, Marriages and Deaths) (Fees) Order, 1952, shall cease to have effect so far as it relates to any fee fixed by any enactment repealed by this Act:

Provided that—

(*a*) the power of the Minister under section twenty-three of the Local Government Act, 1929, by order to increase, and to vary any increase in, the fees fixed by the Registration Acts shall, in relation to this Act, be construed

PART III —*cont.*

as a power to make such variations, and such variations only, in the fees fixed by this Act as might have been made if—

(i) for the fees fixed by this Act there were substituted the corresponding fees in force immediately before the making of the said order of 1952 under the enactments repealed by this Act; and

(ii) the said order of 1952 had not ceased to have effect as provided by this subsection;

(*b*) on the coming into operation of this Act, the reference in subsection (2) of the said section twenty-three to the increase effected by an order under that section shall be construed as including a reference to any amount by which the fees fixed by this Act, or those fees as varied by any such order, exceed the corresponding fees aforesaid.

Short title, extent and commencement.

44.—(1) This Act may be cited as the Births and Deaths Registration Act, 1953.

(2) This Act shall not extend to Scotland or to Northern Ireland.

(3) This Act shall come into force on the thirtieth day of September, nineteen hundred and fifty-three.

SCHEDULES

Section 43.

FIRST SCHEDULE

CONSEQUENTIAL AMENDMENTS OF OTHER ENACTMENTS

A. *The Births and Deaths Registration Act*, 1874 (37 & 38 *Vict. c.* 88)

1. At the end of paragraph (6) of section thirty-seven there shall be inserted the following proviso:—

"Provided that no return of still-births shall be required to be made under this paragraph to the Registrar General of Births and Deaths in England".

B. *The Births and Deaths Registration Act*, 1926 (16 & 17 *Geo.* 5. *c.* 48)

2. In subsection (1) of section one, for the reference to a certificate of the registrar given in pursuance of that Act there shall be substituted a reference to a certificate of the registrar given under subsection (2) or (3) of section eleven or under section twenty-four of this Act.

3. In section five, for the reference to a certificate given by the registrar under the provisions of that Act relating to still-births, there shall be substituted a reference to a certificate given by the registrar under subsection (2) or (3) of section eleven of this Act.

C. *The Legitimacy Act*, 1926 (16 & 17 *Geo.* 5. *c.* 60) 1ST SCH. —*cont.*

4. For paragraph 6 of the Schedule there shall be substituted the following paragraph—

"6. Any parent who fails to give information as required by this Schedule shall be liable on summary conviction to a fine not exceeding forty shillings and any sum paid to the Secretary of State in pursuance of section twenty-seven of the Justices of the Peace Act, 1949, in respect of a fine recovered under this paragraph shall be deemed to be Exchequer moneys within the meaning of that section and shall be paid by the Secretary of State into the Exchequer."

SECOND SCHEDULE

Section 43.

REPEALS

Session and Chapter	Short Title	Extent of Repeal
6 & 7 Will. 4. c. 86.	The Births and Deaths Registration Act, 1836.	In section fourteen the words from "and the register" to "box" where next occurring; sections seventeen, eighteen, and thirty-two; section thirty-four from the beginning to "supplied" and from "and the certified" onwards; in section thirty-five the words from "and every" to "marriages"; sections thirty-seven, thirty-eight, forty-six, forty-seven and forty-nine; and schedules A, B and D.
7 Will. 4. & 1 Vict. c. 22.	The Births and Deaths Registration Act, 1837.	Sections eight, twenty-six, twenty-eight and thirty.
37 & 38 Vict. c. 88.	The Births and Deaths Registration Act, 1874.	Sections one to five, seven to sixteen, twenty, twenty-three and thirty; in section thirty-two, the first and third paragraphs; sections thirty-five and thirty-six; in section thirty-seven, the words from the beginning to "effect," paragraph (1) from "and shall" onwards, paragraphs (2), (3), (4) and (5), and in paragraph (6) the words "under the provisions of this section"; sections thirty-eight to forty-four; in section forty-five the words from the beginning to "Act and" and the words from "where" onwards; sections forty-seven to forty-nine; section fifty-two; and the First, Second and Third Schedules.

2ND SCH. —*cont.*

Session and Chapter	Short Title	Extent of Repeal
16 & 17 Geo. 5. c. 48.	The Births and Deaths Registration Act, 1926.	Section two; subsection (2) of section three; sections six and seven; subsection (3) of section thirteen from the words "and the" onwards; and the First Schedule.
16 & 17 Geo. 5. c. 59.	The Coroners (Amendment) Act, 1926.	Subsection (2) of section twenty-one.
16 & 17 Geo. 5. c. 60.	The Legitimacy Act, 1926	Paragraphs 1, 3 and 5 of the Schedule.
19 & 20 Geo. 5. c. 17.	The Local Government Act, 1929.	Section twenty-six.
10 & 11 Geo. 6. c. 12.	The Births and Deaths Registration Act, 1947.	The whole Act.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Births and Deaths Registration Act, 1874 ...	37 & 38 Vict. c. 88.
Burial Laws Amendment Act, 1880	43 & 44 Vict. c. 41.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Adoption of Children Act, 1926	16 & 17 Geo. 5. c. 29.
Births and Deaths Registration Act, 1926 ...	16 & 17 Geo. 5. c. 48.
Coroners (Amendment) Act, 1926	16 & 17 Geo. 5. c. 59.
Legitimacy Act, 1926	16 & 17 Geo. 5. c. 60.
Local Government Act, 1929	19 & 20 Geo. 5. c. 17.
Adoption of Children (Scotland) Act, 1930 ...	20 & 21 Geo. 5. c. 37.
Population (Statistics) Act, 1938	1 & 2 Geo. 6. c. 12.
Welsh Church (Burial Grounds) Act, 1945 ...	8 & 9 Geo. 6. c. 27.
Consolidation of Enactments (Procedure) Act, 1949	12, 13 & 14 Geo. 6. c. 33.
Justices of the Peace Act, 1949	12, 13 & 14 Geo. 6. c. 101.
Matrimonial Causes Act, 1950	14 Geo. 6. c. 25.
Adoption Act, 1950	14 Geo. 6. c. 26.