Draft Regulations laid before Parliament under section 39A(6) of the Births and Death Registration Act 1953 (c. 20), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No.

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

The Registration of Births and Deaths (England and Wales) (Specified Requirements) Regulations 2026

Made - - - - ***

Coming into force in accordance with Regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred by section 38B of the Births and Deaths Registration Act 1953(**a**).

In accordance with section 39A(6)(**b**) of the Births and Deaths Registration Act 1953, a draft of these Regulations was laid before Parliament and was approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Registration of Births and Deaths (England and Wales) (Specified Requirements) Regulations 2026 and come into force on the Monday after the day on which they are made.

Duty to comply with specified requirements

2.—(1) The requirements set out in paragraphs (2) and (3) of this regulation are specified requirements for the purposes of section 38B of the Births and Deaths Registration Act 1953 ("the Act"), and apply where a person is under a duty to sign the register under any of the provisions of the Act that are specified in regulations 3 and 4.

(2) In relation to any of the duties specified in regulations 3 and 4, the person must make a declaration that the particulars provided are true to the best of the person's knowledge and belief.

(3) In relation to any of the duties specified in regulation 4, the person must also provide evidence of their identity by—

(a) using a digital identity verification service; or

(b) providing to the registrar either an original or electronic copy of—

(**a**) 1953 c. 20 (1 & 2 Eliz 2). Section 38B was inserted by section 63 of the Data (Use and Access) Act 2025 (c. 18).
(**b**) Section 39A was inserted by paragraph 17 of Schedule 6 to the Welfare Reform Act 2009 (c. 24), and amended by the Data (Use and Access) Act 2025 (c. 18).

(i) one of the documents listed in paragraph 1; or

(ii) two of the documents listed in paragraph 2,

of the Schedule.

(4) In this regulation, "digital identity verification service" has the meaning given in regulation 1(3) of the Digital Government (Disclosure of Information) (Identity Verification Services) Regulations 2024(**a**).

Relevant duties: deaths

3. The duties referred to in regulation 2(1) are—

(a) section 16(3) (information concerning death in a house);

(b) section 17(3) (information concerning other deaths);

(c) section 19(1)(c) (registrar's power to require information concerning a death).

Relevant duties: births

4. The duties referred to in regulation 2(1) are—

(a) section 2(1) (information concerning birth to be given to the registrar within forty-two days);

(b) section 3 (information concerning finding of a new-born child to be given to the registrar within forty-two days);

(c) section 4(c) (registrar's power to require information concerning birth);

(d) section 10(1)(a) and (1B)(a) (registration of father or of second female parent where parents not married or civil partners);

(e) section 10A(2)(b), (bb), (c) and (cc) (re-registration where parents neither married nor civil partners).

Parliamentary Under-Secretary of State
Home Office

(**a**) S.I. 2024/64.

SCHEDULE

Regulation 2(3)(b)

Evidence of Identity

1. The documents referred to in regulation 2(3)(b)(i) are the person's—

(a) passport, whether current or expired;

(b) valid biometric immigration document within the meaning of section 5(1)(a) of the UK Borders Act 2007(**a**);

(c) valid travel document issued in the United Kingdom at the discretion of the Secretary of State where the person has been formally and, in the view of the Secretary of State, unreasonably, been refused a passport by the authorities in their own country and who has—

(i) been granted limited leave to enter or remain or humanitarian protection on rejection of a claim for asylum or for recognition as a stateless person; or

(ii) been granted indefinite leave to enter or remain;

(d) valid travel document issued to them pursuant to Article 28 of the Convention relating to the Status of Refugees done at Geneva on 28th of July 1951(**b**);

(e) valid travel document issued to them pursuant to Article 28 of the Convention relating to the Status of Stateless Persons done at New York on 28th September 1954(**c**);

(f) current UK photocard driving licence (full or provisional);

(g) UK birth certificate;

(h) UK adoption certificate;

(i) current full EU photocard driving licence;

(j) EU Member State ID Card;

(k) PASS Card (National Proof of Age Standards Scheme).

2. The documents referred to in regulation 2(3)(b)(ii) are—

(a) a utility bill (except mobile phone bills);

(b) a Council Tax statement;

(c) a bank or building society statement;

(d) a mortgage statement;

(e) a credit card statement;

(f) evidence of the person's entitlement to state benefit, pension or tax credit issued by the Department for Work and Pensions or His Majesty's Revenue and Customs (or any successor bodies);

(g) a P45 or P60 statement;

(h) the person's marriage or civil partnership certificate;

(i) a letter from a government agency;

(**a**) 2007 c. 30.
(**b**) Treaty Series No. 39 (1954); Cmd 9171.
(**c**) Treaty Series No. 41 (1960); Cmnd 1098.

(j) a letter from the National Health Service or the person's general practitioner;

(k) a notification from His Majesty's Revenue and Customs (or any successor body);

(l) an armed forces or police ID card;

(m) a signed firearms certificate;

(n) proof of mail redirection, which must be on Royal Mail letterhead;

(o) a document issued by the person's local authority, as defined in section 1 of the Local Government Act 2000(**a**);

(p) evidence of the person receiving state pension;

(q) a letter from a head teacher or college principal, in the case of 16-19 year olds in full time education,

issued to the person and showing their name.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under the Births and Deaths Registration Act 1953, certain people are required to attend the register office to give information about a birth, death or still-birth, and physically sign the register. Section 38B of that Act allows the Minister to specify requirements and to provide that the duty to sign the register has effect as a duty to comply with those specified requirements. If the requirements are complied with, the person will be taken to have signed the register and, where relevant, do have done so in the presence of the registrar.

Under Regulation 4(1), a person will be taken to have signed the register if they formally declare that the information provided is true to the best of their knowledge and belief.

Regulation 4(2) imposes an additional requirement in relation to births and re-registrations of birth, requiring the person to verify their identity by using a digital identity verification service, or by providing the registrar with one or more of the documents listed in the Schedule.

Regulations 5 and 6 set out the relevant provisions of the Act which impose a duty to sign the register, and to which the specified requirements apply.

An impact assessment has not been prepared for this instrument as a full impact assessment was published in relation to the provisions in the Data (Use and Access) Bill. Copies can be obtained from the UK Government website at https://www.gov.uk/government/publications/data-use-and-access-bill-supporting-documents or from the Department for Science, Innovation and Technology at 22-26 Whitehall, London, SW1A 2EG, United Kingdom.

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(**a**) 2000 c. 22.

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