

CHAPTER 91.

An Act to make provision for the establishment of a National Register, for the issue of identity cards, and for purposes connected with the matters aforesaid. [5th September 1939.]

BE it enacted by the King'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 :—

Establishment of National Register.

1.—(1) Subject to the provisions of this Act, there shall be a register of all persons in the United Kingdom at the appointed time, and of all persons entering or born in the United Kingdom after that time, and there shall be recorded in the register in relation to those persons such particulars with respect to the matters specified in the Schedule to this Act as may be prescribed by regulations made by the Ministers.

(2) The said register shall be called the National Register and is hereafter in this Act referred to as " the Register."

Duties of Registrar-General.

2.—(1) It shall be the duty of the Registrar-General to make such arrangements and do such things as are necessary for the initiation and maintenance of the Register in accordance with the provisions of this Act and of any regulations made thereunder, and for that purpose to make arrangements for the preparation and issue of the necessary forms and instructions and for the collection or reception of the forms when filled in.

(2) The Registrar-General in the exercise of his powers under this Act or under regulations made thereunder shall be subject to the control of, and comply with any directions given by, the appropriate Minister.

Initiation of Register.

3. For the purpose of initiating the Register, the Ministers may make regulations providing for such matters as may be necessary or expedient, and in particular, but without prejudice to the generality of the foregoing words of this section—

(*a*) providing, in connection with the collection, reception and recording of the information required in relation to persons in the United Kingdom at the appointed time, for the division of the country into districts and, in the case of such of those districts as may be prescribed, for the grouping of districts in areas, and for the employment of persons to act in the several districts and areas;

(*b*) requiring persons employed under the regulations to make a statutory declaration with respect to the performance of their duties, and authorising any superintendent-registrar or registrar to take such a declaration;

(*c*) requiring persons who have undertaken to perform duties in connection with the taking of a census under the Census Act, 1920, to perform in lieu thereof similar duties, subject as nearly as may be to the terms and conditions of their undertaking, in connection with the initiation of the Register;

10 & 11 Geo. 5. c. 41.

(*d*) prescribing the persons or classes of persons by whom returns are to be made (whether as respects themselves or as respects other persons), the persons to whom returns are to be made and the form of the returns, and providing for the collection or delivery of the returns;

(*e*) requiring the information necessary for the making of a return with respect to any person to be given either by that person, or by such other person as may be prescribed, to the person by whom the return is to be made.

Maintenance of Register.

4. For the purpose of maintaining the Register, the Ministers may make regulations providing for such matters as may be necessary or expedient, and in particular, but without prejudice to the generality of the foregoing words of this section, providing—

(*a*) for the making of returns, in respect of any registered person, containing particulars of any change of circumstances affecting the accuracy of such of the particulars recorded in the Register in relation to that person as may be prescribed;

(*b*) for the making of returns, in respect of persons entering or born in the United Kingdom after the appointed time, containing such particulars with respect to such of the matters specified in the Schedule to this Act as may be prescribed;

(*c*) for the collection of such particulars with respect to registered persons dying or leaving the United Kingdom as may be prescribed;

(*d*) for the recording of particulars obtained under this Act in such manner, at such places and by such persons as may be prescribed.

Vouching of information.

5. The appropriate Minister, or any person authorised by him for the purpose of this section, may require a person who has given any information in pursuance of this Act or regulations made thereunder to furnish such documentary or other evidence of the truth of that information as it is within the power of that person to furnish.

Identity cards.

6.—(1) It shall be the duty of the Registrar-General to cause a card containing the prescribed particulars (hereafter in this Act referred to as an "identity card") to be issued with respect to every registered person in accordance with regulations made under this section.

(2) The Ministers shall by regulations—

(*a*) prescribe the form of identity cards and require to be entered therein such particulars with respect to such of the matters specified in the Schedule to this Act as may be prescribed;

(*b*) provide for the issue of an identity card, either directly or otherwise, to the person to whom

it relates, or to such other person as is deemed under the regulations to be in charge of the person to whom it relates;

(*c*) provide for the transfer of an identity card from time to time to the person who for the time being is responsible under the regulations for the custody of the card;

(*d*) provide for the issue, subject to the payment of such fee and compliance with such conditions as may be prescribed by the regulations, of fresh identity cards in place of cards which have been lost, destroyed or defaced;

(*e*) provide for the surrender of an identity card relating to a person who dies and, in such cases as may be prescribed, for the surrender of an identity card relating to a person who leaves the United Kingdom;

and the regulations may provide for the payment of rewards to persons finding and delivering to the prescribed person an identity card which has been lost.

(3) All fees received under the regulations shall be paid into the Exchequer.

(4) A constable in uniform, or any person authorised for the purpose under the said regulations, may require a person who under the regulations is for the time being responsible for the custody of an identity card, to produce the card to him or, if the person so required fails to produce it when the requirement is made, to produce it within such time, to such person and at such place as may be prescribed.

Application of Act to armed forces and mercantile marine.

7. The Ministers may by regulations provide—

(*a*) that the foregoing provisions of this Act and any regulation made thereunder shall not apply, or shall apply subject to such exceptions and modifications as may be prescribed, to the following persons or any class or classes thereof, namely—

(i) officers or men of any of His Majesty's naval, military and air forces; and

(ii) persons employed or engaged or ordinarily employed or engaged on ships; and

(*b*) for the registration or removal from the Register of any person on his ceasing to be or becoming a person who by virtue of the regulations made under this section is not required to be registered under this Act; and

(*c*) for the surrender of an identity card relating to any person on his becoming a person who is not required to be registered as aforesaid.

Offences and penalties.

8.—(1) If any person—

(*a*) in giving any information for the purposes of this Act, knowingly or recklessly makes any statement which is false in a material particular; or

(*b*) with intent to deceive—

(i) makes a false representation that he or any other person is the person to whom an identity card relates; or

(ii) allows any other person to have possession of an identity card for the custody of which he is responsible under regulations made under this Act; or

(iii) forges an identity card, or makes or has in his possession any document so closely resembling an identity card as to be calculated to deceive;

he shall be guilty of an offence under this Act.

(2) If any person—

(*a*) being a person employed for the purposes of this Act, publishes or communicates to any person, otherwise than in the ordinary course of such employment, any information acquired by him in the course of the employment; or

(*b*) having possession of any information which to his knowledge has been disclosed in contravention of this Act, publishes or communicates that information to any other person;

he shall be guilty of an offence under this Act:

Provided that nothing in this subsection shall apply to any publication or communication of information made—

(i) for the purpose of any criminal proceedings; or

(ii) to any person authorised by the appropriate Minister or the Registrar-General.

(3) If any person fails to comply with any requirement duly made under this Act or contravenes or fails to comply with any regulations made under this Act, he shall be guilty of an offence under this Act.

(4) Every person who is guilty of an offence under this Act shall be liable—

(i) in the case of an offence under subsection (3) of this section, on summary conviction, to imprisonment for a term not exceeding one month or to a fine not exceeding five pounds, or to both such imprisonment and such fine; and

(ii) in the case of any other offence—

(*a*) on summary conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or to both such imprisonment and such fine; or

(*b*) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine not exceeding one hundred pounds, or to both such imprisonment and such fine.

Expenses.

9. Any expenses incurred for the purposes of this Act by the appropriate Minister or the Registrar-General shall be defrayed out of moneys provided by Parliament.

Provision as to regulations.

10. Regulations made by the Ministers under any provision of this Act may contain different provisions as respects different parts of the United Kingdom.

Interpretation.

11. In this Act the following expressions have the meanings hereby respectively assigned to them,—

" appointed time " means such time as the Ministers may by order appoint;

" appropriate Minister " means—

(*a*) in the application of this Act to England, the Minister of Health;

(*b*) in the application of this Act to Scotland, a Secretary of State;

(*c*) in the application of this Act to Northern Ireland, a Secretary of State;

"the Ministers" means two Secretaries of State and the Minister of Health acting jointly;

"prescribed," in relation to any regulations, means prescribed by those regulations;

"registered person" means a person for the time being registered in the Register;

"Registrar-General" means—

(i) in the application of this Act to England and Northern Ireland, the Registrar-General of Births, Deaths and Marriages in England;

(ii) in the application of this Act to Scotland, the Registrar-General of Births, Deaths and Marriages in Scotland.

Short title, extent and duration.

12.—(1) This Act may be cited as the National Registration Act, 1939.

(2) It is hereby declared that this Act extends to Northern Ireland.

(3) His Majesty may by Order in Council direct that this Act shall extend to the Isle of Man as if it were part of the United Kingdom, subject to any exceptions, modifications and adaptations specified in the Order.

(4) This Act shall continue in force until such date as His Majesty may by Order in Council declare to be the date on which the emergency that was the occasion of the passing of this Act came to an end, and shall then expire except as respects things previously done or omitted to be done.