## FOURTEENTH SCHEDULE

CERTIFICATE OF NO-REGISTRY FOR USE BY REGISTRAR OF BIRTHS AND DEATHS

[Births and Deaths Registration Act, 1953, section 26 (1)]

Registration District..... Sub-District.....

I hereby certify that no birth [still-birth, death] has been registered in the birth [still-birth, death] register now kept by me in the above-named sub-district during the quarter ended.....19.....

The number of the last entry recorded in the register before that date is.....

Witness my hand this.....day of.....19.....

..... Registrar.

Given under my hand this fourth day of September, nineteen hundred and fifty-three.

*George North,*
Registrar General.

I approve.

*Iain Macleod,*
Minister of Health.

4th September, 1953.

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# 1953 No. 1364

# The Registration (Births, Stillbirths, Deaths and Marriages) Amendment Regulations, 1953

*Made* - - - - *9th September,* 1953
*Coming into Operation* *30th September,* 1953

The Registrar General, in exercise of the powers conferred on him by sections 7, 9 and 39 of the Births and Deaths Registration Act, 1953(**a**), and of all other powers enabling him in that behalf, with the approval of the Minister of Health, hereby makes the following regulations:—

*Citation and commencement*

**1.**—(1) These regulations may be cited as the Registration (Births, Stillbirths, Deaths and Marriages) Amendment Regulations, 1953, and shall be read as one with the Registration (Births, Stillbirths, Deaths and Marriages) Consolidated Regulations, 1927(**b**), as amended by subsequent regulations; and the Registration (Births, Stillbirths, Deaths and Marriages) Regulations, 1927 to 1951, and these regulations may be cited together as the Registration (Births, Stillbirths, Deaths and Marriages) Regulations, 1927 to 1953.

(2) These regulations shall come into operation on the thirtieth day of September, 1953.

(a) 1 & 2 Eliz. 2. c. 20. (b) S.R. & O. 1927/485; Rev. XIX, p. 861; 1927, p. 1528.

*Interpretation*

**2.**—(1) The Interpretation Act, 1889(**a**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(2) In these regulations, unless the context otherwise requires—

" the Act " means the Births and Deaths Registration Act, 1953 ;

" the principal regulations " means the Registration (Births, Stillbirths, Deaths and Marriages) Regulations, 1927, as amended by subsequent regulations ;

" the regulations of 1938 " means the Registration of Births, Stillbirths and Deaths Regulations, 1938(**b**).

(3) Where a new-born child is found exposed or a dead body is found and the date of the birth of the child or of the death of the deceased person is unknown, references in these regulations and in the principal regulations to the date or occurrence of a birth or a death shall be construed as references to the finding of the child or of the dead body, as the case may be.

*Requisitioning of information as to birth or death*

**3.**—(1) A notice under section 4, 6 or 19 of the Act shall be given on a form provided for the purpose by the Registrar General, and if sent by post shall be sent under sealed cover.

(2) Any such notice shall offer alternative dates and hours for the attendance of the informant within the period specified in the notice.

*Registration of birth after three months but within twelve months*

**4.**—(1) Upon the attendance of an informant before a superintendent registrar for the purpose of the registration of a birth which occurred more than three months but less than twelve months previously, the superintendent registrar shall ascertain from the informant the particulars required to be registered concerning the birth and prepare a draft of the particulars in the manner provided in paragraph (1) of regulation 2 of the regulations of 1938.

(2) The superintendent registrar shall in the manner provided in paragraphs (1) and (2) of regulation 3 of the regulations of 1938 ascertain from the informant and record the particulars to be furnished under section 1 of the Population (Statistics) Act, 1938(**c**).

(3) The superintendent registrar shall show or read to the informant the particulars recorded in the draft entry, correct any error or omission therein and advise the informant that the particulars to be entered in the several columns of the declaration to be made by him in pursuance of paragraph (*b*) of subsection (1) of section 6 of the Act should be stated in the same manner as they appear in the form of draft entry.

(4) A declaration by an informant before a superintendent registrar under the said paragraph (*b*) shall be made on a form supplied for the purpose by the Registrar General and attested by the superintendent registrar.

(5) On a declaration being made as aforesaid the superintendent registrar shall deliver the declaration and the form containing the draft entry to the registrar for the sub-district in which the place where the birth occurred is situated.

(6) Where it appears to the registrar that the particulars contained in the declaration are in any material respect not proper to be registered he shall return the declaration to the superintendent registrar by whom it was

(**a**) 52 & 53 Vict. c. 63.

(**b**) S.R. & O. 1938/569; Rev. XIX, p. 923; 1938 II, p. 2940.

(**c**) 1 & 2 Geo. 6. c. 12.

attested together with a note of the matters in which it appears to need amendment, and the superintendent registrar shall amend any error in the presence of the declarant by striking out any incorrect particulars and inserting the correct particulars.

(7) Any amendment so made shall be initialled by the declarant, and the declaration when amended shall be returned to the registrar of the sub-district in which the place where the birth occurred is situated.

(8) Where the sub-district in which the place where the birth occurred is situated in the district of the superintendent registrar before whom the declaration is made, the registrar shall in the presence of the informant and of the superintendent registrar forthwith register the birth in the manner provided in regulations 23 to 33 of the principal regulations:

Provided that the superintendent registrar shall sign the entry in column 9 thereof next below the entry of the registrar's official description and add to his signature his official description.

(9) Where the place where the birth occurred is situated in some other sub-district, it shall be registered in the manner provided in regulation 7 of these regulations.

*Registration of birth after twelve months*

**5.**—(1) Where a registrar or a superintendent registrar is informed that a birth which occurred more than twelve months previously has not been registered, he shall make a report to the Registrar General stating to the best of his knowledge and belief the particulars required to be registered concerning the birth, the source of his information and the name and address of any qualified informant available to give information for the registration.

(2) On being satisfied that the Registrar General has issued his written authority for the registration of the birth, and on the attendance before him of a qualified informant, the superintendent registrar shall require the informant to make and sign in his presence a declaration of the particulars to be registered concerning the birth, and the provisions of the last preceding regulation, except paragraph (2) thereof, shall apply to the case as if a reference to this regulation were substituted for any reference to paragraph (*b*) of subsection (1) of section 6 of the Act, and the words "more than twelve months" were substituted for the words "more than three months but less than twelve months":

Provided that—

(*a*) the registrar shall not register the birth unless he has received the written authority of the Registrar General to do so;

(*b*) on registering the birth the registrar shall enter in column 8 of the entry immediately after the date of registration the words "On the authority of the Registrar General".

*Declaration of particulars under section 9 of the Act*

**6.**—(1) The officer before whom a declaration for the purposes of section 9 of the Act may be made shall be—

(*a*) in a case where not more than three months have elapsed since the date of the birth of the child, any registrar of births and deaths;

(*b*) in any other case, any superintendent registrar;

not being the superintendent registrar or the registrar of births and deaths for the district or sub-district in which the place where the birth occurred is situated.

(2) A registrar or a superintendent registrar before whom a declaration is to be made shall—

(*a*) ascertain from the informant the particulars to be registered concerning the birth and prepare a draft of the particulars in the manner provided in paragraph (1) of regulation 2 of the regulations of 1938;

(*b*) ascertain and record in the manner provided in paragraphs (1) and (2) of regulation 3 of the regulations of 1938 the particulars, if any, to be furnished under section 1 of the Population (Statistics) Act, 1938;

(*c*) read or show to the informant the particulars recorded in pursuance of sub-paragraphs (*a*) and (*b*) of this paragraph and correct any error or omission therein; and

(*d*) advise the informant that the particulars to be entered in the several columns of the declaration should be stated in the same manner as they appear in the draft entry.

(3) Any such declaration shall be made by the informant and attested by the officer in whose presence it is made on a form supplied for the purpose by the Registrar General.

(4) Any such declaration when attested, and the form containing the draft entry, shall be sent forthwith by the officer by whom the declaration was attested to the registrar of the sub-district in which the place where the birth occurred is situated.

(5) A declaration sent by post shall be under sealed cover.

(6) The registrar to whom a declaration is sent shall on receipt send an acknowledgment to the officer by whom it was sent; and if no such acknowledgment is obtained the officer shall report the fact to the Registrar General.

(7) The provisions of paragraphs (6) and (7) of regulation 4 of these regulations shall apply to the declaration as if references therein to a superintendent registrar included references to a registrar.

*Manner of registration upon declaration under section 9 of the Act*

**7.**—(1) Subject as provided in paragraphs (6) and (7) of regulation 4 as applied by the last preceding regulation, the registrar of the sub-district in which the place where the birth occurred is situated, on receiving a declaration which serves the purposes of section 9 of the Act (whether a declaration made solely for the purposes of that section or a declaration made in a case to which section 6 of the Act or regulation 5 of these regulations applies) shall, if the birth has not to his knowledge been previously registered, forthwith enter the particulars of the birth in his register in the manner following:—

(*a*) in columns 1 to 6 he shall enter the particulars stated in the declaration as the particulars to be entered in those columns, and where any particular has been corrected in pursuance of paragraph (6) of regulation 4 of these regulations he shall enter in the register only the particular as corrected, omitting any incorrect particular which has been struck out and the initials of the declarant;

(*b*) in column 7 he shall write the name of the declarant in the form in which it is signed in the declaration, the description of the qualification of the declarant and the postal address of his residence, and shall append the words "as per declaration dated....." inserting the date on which the declaration was made and signed;

(*c*) in column 8 he shall enter the date on which the entry is made, expressing the day of the month and the month in words and the year in figures:

Provided that—

(*a*) where the declaration is made jointly in respect of an illegitimate child by the mother and a person acknowledging himself to be the father, the registrar shall enter the address of each declarant next below the entry of the description of the declarant or, if the address is the same in each case, below the entry of the description of the second declarant;

(*b*) if more than three months have elapsed since the date of the birth of the child the registrar shall make the entry in the presence of the superintendent registrar in whose district the place of birth is situated;

(*c*) if more than twelve months have elapsed since the date of the birth of the child the registrar shall not make the entry unless and until he has received the written authority of the Registrar General to register the birth.

(2) Where the entry is made within three months after the date of birth the registrar shall sign the entry and add his official description in column 9.

(3) Where the entry is made after the expiration of three months but before the expiration of twelve months from the date of birth, the registrar shall sign the entry in column 9 of the entry and add his official description; and the superintendent registrar shall then sign the entry in column 9 and add his official description below the entry of the registrar's official description.

(4) Where the entry is made after the expiration of twelve months from the date of birth, the registrar shall enter below the date of registration in column 8 the words "On the authority of the Registrar General" and the registrar and the superintendent registrar shall complete column 9 in the manner provided in paragraph (3) of this regulation.

*Alteration or giving of name after registration*

**8.**—(1) An entry in pursuance of section 13 of the Act shall be made in column 10 of an entry of birth by the registrar or superintendent registrar having the custody of the register in which the birth is registered.

(2) Where an entry is made in column 10 in pursuance of the said section 13, the registrar or the superintendent registrar, as the case may be, shall on entering the name shown in the certificate given in pursuance of the said section—

(*a*) if the entry is made upon a certificate of the giving of a name in baptism, add the words "by baptism on....." inserting the date on which the child was baptised;

(*b*) if the entry is made upon a certificate of the giving of a name otherwise than in baptism, add the words "on certificate of naming dated.....", inserting the date on which the certificate was signed.

*Application to stillbirths of certain provisions relating to births*

**9.** Section 3 of the Act (which requires information of birth particulars to be given when a living new-born child is found exposed) shall apply to a still-born child as it applies to a live-born child, with the modification that the words "and of any person in whose charge the child may be placed"

shall be omitted; and section 5 of the Act (which requires a registrar to register free of charge any birth of which he duly receives particulars before the expiration of three months from the date of the birth or from the date when a living new-born child is found exposed) shall apply to a still-born child which is found exposed as it applies to a live-born child which is found exposed.

*Revocation*

**10.** Regulations 21, 22, 34 to 41, 57, 58, 61 and 62 and paragraph (4) of regulation 78 of the principal regulations and regulation 4 of the regulations of 1938 are hereby revoked, without prejudice to anything duly done or suffered or to any right, privilege, obligation or liability acquired, accrued or incurred thereunder.

Given under my hand this ninth day of September, nineteen hundred and fifty-three.

*George North,*
Registrar General.

I approve.
9th September, 1953.

*Iain Macleod,*
Minister of Health.

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## EXPLANATORY NOTE

*(This Note is not part of the Regulations, but is intended to indicate their general purport.)*

These regulations revoke and re-enact certain provisions of the existing regulations with drafting amendments and with modifications consequential on changes in the law introduced by the consolidating Births and Deaths Registration Act, 1953. The main changes are:—

(1) the regulations deal with the case where a new-born child is found exposed or a dead body is found (see sections 3, 5, 17 and 20 of the Act and regulation 2 (3));

(2) the regulations deal with the registration of a birth upon a declaration made outside the sub-district in which the birth occurred, whatever period has elapsed since the birth (regulation 6);

(3) regulation 8 gives effect to the changes made by section 13 of the Act in the law regarding the registration of a child's name after the registration of the birth, and the alteration of the name in which a child is registered.