STATUTORY INSTRUMENTS

1964 No. 2045

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, ETC.

ABROAD

The Registration (High Commissioners Entries) Order 1964

Made - - - - *22nd December* 1964
Coming into Operation *1st January* 1965

At the Court at Buckingham Palace, the 22nd day of December 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 29(2) of the British Nationality Act 1948(**a**), section 4(2) of the British Nationality Act 1958(**b**) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Registration (High Commissioners Entries) Order 1964 and shall come into operation on 1st January 1965.

(2) The Interpretation Act 1889(**c**) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. The provisions of the Births and Deaths Registration Act 1953(**d**) specified in Column 1 of Schedule 1 hereto shall, subject to the modifications specified in Column 2 of that Schedule, apply to registers of births and deaths kept in accordance with the Registration of Births and Deaths (High Commissioners) Regulations 1964(**e**) or in accordance with instructions of the Secretary of State and to certified copies of entries in such registers transmitted to the Registrar General in London.

3. Where a certified copy of any of the certified copies referred to in article 2 of this Order is transmitted by the Registrar General in London to the Registrar General in Edinburgh or Belfast for the purpose of its being recorded there—

(*a*) the Registrar General for Scotland shall, where any such certified copy is transmitted to him, cause it to be filed and preserved in a book to be kept by him for the purpose, and the Registration of Births, Deaths and Marriages (Scotland) Acts 1854 to 1938 shall apply to the said book as if it were a duplicate register transmitted to him in accordance with the provisions of those enactments;

(a) 11 & 12 Geo. 6. c. 56. (b) 6 & 7 Eliz. 2. c. 10. (c) 52 & 53 Vict. c. 63.
(d) 1 & 2 Eliz. 2. c. 20. (e) S.I. 1964/1967 (1964 III, p. 4432).

(*b*) the provisions of the Registration of Births and Deaths (Ireland) Act 1863(**a**) specified in Column 1 of Schedule 2 hereto shall apply to any such certified copy transmitted to the Registrar General for Northern Ireland, subject to the adaptations and modifications specified in Column 2 of that Schedule.

4. Section 34 (as modified in Schedule 3 hereto) of the Births and Deaths Registration Act 1953 shall apply to certified copies issued by a High Commissioner or a member of his official staff of entries in registers of births and deaths made in accordance with the instructions of the Secretary of State.

5. The Registration of Births, Deaths and Marriages (Scotland) Acts 1854 to 1938 and the Registration of Births and Deaths (Ireland) Act 1863 shall apply in relation to certified copies issued by a High Commissioner or a member of his official staff of entries in registers of births and deaths made in accordance with instructions of the Secretary of State as they apply to extracts issued by the Registrar General in Edinburgh or certified copies issued by the Registrar General in Belfast of copy entries in such registers transmitted to such Registrar General.

W. G. Agnew.

Article 2

SCHEDULE 1

APPLICATION OF PROVISIONS OF THE BIRTHS AND DEATHS REGISTRATION ACT 1953

Column 1 Provisions of Act applied	Column 2 Modifications
Section 25	Section 25 shall apply and have effect as follows:— "25. The Registrar General shall provide such registers and such forms for making certified copies of entries in registers as are prescribed in the Registration of Births and Deaths (High Commissioners) Regulations 1964".
Section 30	Sub-section (1) shall apply and have effect as follows:— "(1) The Registrar General shall cause indexes of all certified copies of entries sent to him in accordance with the Registration of Births and Deaths (High Commissioners) Regulations 1964 or in accordance with instructions of the Secretary of State to be made and kept in the General Register Office". Sub-section (3) shall be omitted.
Section 33	In sub-sections (1) and (2) any reference to a superintendent registrar or a registrar shall be omitted.
Section 34	Sub-sections (2), (3) and (4) shall be omitted.

(a) 26 & 27 Vict. c. 11.

SCHEDULE 2 Article 3

APPLICATION OF PROVISIONS OF THE REGISTRATION OF BIRTHS AND DEATHS (IRELAND) ACT 1863

Column 1 Provisions of Act applied	Column 2 Modifications
Sections 5, 41 and 50 ...	In section 5 the reference to the causing of a seal to be made shall be omitted. Section 41 shall apply and have effect as follows:— "41. Where a certified copy mentioned in article 3 of the Registration (High Commissioners Entries) Order 1964 is transmitted to the Registrar General by the Registrar General in London it shall be filed in the General Register Office and the copies thus filed shall constitute a register to be called the 'Commonwealth Register'."

SCHEDULE 3 Article 4

APPLICATION OF SECTION 34 OF THE BIRTHS AND DEATHS REGISTRATION ACT 1953

Sub-sections (1), (2), (3) and (4) shall be omitted.

Sub-section (6) shall apply and have effect as follows:—

"(6) Any certified copy issued by a High Commissioner or a member of his staff of entries in registers of births or deaths made in accordance with the instructions of the Secretary of State shall be received as evidence of the birth or death to which it relates without any further or other proof of the entry".

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order applies provisions of enactments relating to the registration of births and deaths in the United Kingdom as to searches, certificates and evidence, to entries sent for deposit with Registrars General in the United Kingdom by British High Commissioners in Commonwealth countries, and to certificates issued by such High Commissioners.