STATUTORY INSTRUMENTS

2007 No. 3391

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

The Registration of Births, Deaths and Marriages (Amendment) No.2 Regulations 2007

Made - - - -	*29th November 2007*
Coming into force - -	*1st December 2007*

The Registrar General, in exercise of the powers conferred by sections 6, 20 and 21 of the Registration Service Act 1953(**a**), with the approval of the Chancellor of the Exchequer(**b**), makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Registration of Births, Deaths and Marriages (Amendment) No.2 Regulations 2007 and shall come into force on 1st December 2007.

(2) In these Regulations "the Principal Regulations" means the Registration of Births, Deaths and Marriages Regulations 1968(**c**).

(3) Reference to a regulation means a regulation in the Principal Regulations, unless the context otherwise implies.

Amendment of regulation 2

2. In regulation 2 (Interpretation) omit "non-salaried officer".

Amendment of regulation 5

3. In regulation 5 (Disqualifications for appointment) omit sub-paragraph (a)(ii).

Amendment of regulation 6

4. For regulation 6 (Powers and duties of deputy) substitute the following—

> "**6.** Subject to regulation 9 (Duality of function) and the provisions of the local scheme, a council which employs a superintendent registrar or a registrar of births and deaths may appoint one or more fit persons to act as his deputy."

(**a**) 1953 c.37: section 6 was amended by the Local Government Act 1972 , section 251, schedule 29 and the Statistics and Registration Service Act 2007, sections 70(1), (2)(a), 73, Schedule 4, Part 2 and section (2)(i).(d). Section 20 was amended by the Local Government Act 1972, section 251, Schedule 29.

(**b**) The approval of "the Minister" is required by section 20 of the Registration Service Act 1953. The function of approving regulations was transferred to the Chancellor of Exchequer by article 3(1) of and paragraph 9 of Schedule 1 to the Transfer of Functions (Registration and Statistics) Order 1996 (S.I. 1996/273).

(**c**) S.I. 1968 No. 2049: relevant amending instruments are S.I. 1974/571, S.I. 1992/2753, S.I. 2006/1722. and S.I 2007/1422.

Revocation of regulation 7

5. Regulation 7 (Vacation of office) is revoked.

Amendment of regulation 85

6. For regulation 85 (Duties which may be performed without pre-payment of fee) substitute the following—

> "**85.** An officer, if authorised by the proper officer in a particular case, may comply with an application made to him for any purpose for which a fee is payable under any enactment notwithstanding that the fee has not been paid to him, and if so directed by the proper officer in the particular case, he shall not refuse to comply with such an application on the ground that the fee has not been paid to him."

Amendment of regulation 86

7. For regulation 86 (Recovery of fees, etc) substitute —

> "**86.** Save as provided in regulation 85, an officer shall refuse to comply with an application voluntarily made to him until there shall have been paid to him the fee chargeable."

Revocation of regulation 87

8. Regulation 87 (Rendering of accounts) is revoked.

Given under my hand on

Karen Dunnell
29th November 2007 Registrar General

I approve

Angela Eagle
Exchequer Secretary to the Treasury
29th November 2007 By authority of the Chancellor of the Exchequer

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations make further amendments to the Registration of Births, Deaths and Marriages Regulations 1968. The purpose of the amendments is to bring the regulations in line with the changes made to the Registration Service Act 1953 by the Statistics and Registration Service Act 2007, notably the change of status of superintendent registrars and registrars from independent statutory office holder to employee of a Local Authority performing statutory functions, as provided for by section 69 of the Statistics and Registration Service Act 2007.

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£3.00

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E1650 12/2007 171650T 19585