STATUTORY INSTRUMENTS

1965 No. 1838 (S. 94)

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, ETC.

The Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Scotland) Regulations 1965

Made - - - -	21*st October* 1965
Coming into Operation	1*st January* 1966

In exercise of the powers conferred upon me by sections 20, 44(4) and 54(1)(*b*) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965(a), and with the approval of the Secretary of State for Scotland, I hereby make the following regulations:—

Citation and Commencement.

1.—(1) These regulations may be cited as the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Scotland) Regulations 1965.

(2) These regulations shall come into operation on 1st January 1966.

Interpretation.

2.—(1) In these regulations unless the context otherwise requires:—

" the Act " means the Registration of Births, Deaths and Marriages (Scotland) Act 1965;

" birth " does not include a still-birth;

" informant " means a person who is by the Act required or stated to be qualified to give information concerning a birth or a death;

" Register of Corrections Etc." means the register established under section 44 of the Act;

" registrar " has the meaning assigned to a " district registrar " in section 7(12) of the Act;

" Registrar General " means the Registrar General of Births, Deaths and Marriages for Scotland for the time being;

" registration district " has the meaning assigned to it in section 5 of the Act;

" name " means Christian name or forename;

" still-born child " means a child which has issued forth from its mother after the twenty-eighth week of pregnancy and which did not at any time after being completely expelled from its mother breathe or show any other signs of life, and the expression " still-birth " shall be construed accordingly.

(a) 1965 c. 49.

(2) The Interpretation Act 1889(a) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Re-registration of Births

3.—(1) A registrar shall not re-register a birth except on the written authority of the Registrar General given under section 20 of the Act.

(2) Any such re-registration shall be effected by the registrar so authorised in the current register of births.

4. Except as hereinafter provided, the informant shall be required to attend personally at the office of the registrar authorised in accordance with the preceding regulation, for the purpose of signing the register in his presence.

5.—(1) Notwithstanding the provisions of the last foregoing regulation, where in any case the informant is resident outwith the registration district in which re-registration is to be effected, he may be authorised by the Registrar General to make a declaration in writing of the particulars to be entered in the register.

(2) Where a declaration under the last foregoing paragraph is made by an informant who is resident in Scotland the declaration shall be made before the registrar for the registration district in which the informant resides, and where it is made by an informant who is resident outwith Scotland it shall be made before a person lawfully authorised to administer oaths in the country in which the informant so resides.

(3) The declaration, which, after completion, shall be sent to the Registrar General, shall be in such form and shall contain such particulars for entry in the register as may be required by the Registrar General.

6.—(1) In any case where re-registration is effected in the presence of the informant, the registrar shall enter in the register the particulars concerning the birth in the manner and form set out in this regulation and the informant shall be required to sign the entry in the presence of the registrar.

(2) The registrar shall enter in the register the particulars included in the written authority of the Registrar General, shall append to the signature of the informant the qualification of the informant and the date of re-registration and shall himself sign the entry.

7. In any case where the informant does not attend personally at the registration office but makes a valid declaration in accordance with the provisions of regulation 5 of these regulations the registrar shall, on receipt of the written authority and the said declaration from the Registrar General, enter the particulars of the birth in the manner hereinbefore provided, notwithstanding that no informant is present, and shall write in the entry the name of the informant as signed in the declaration, followed by the qualification of the informant, and append a note bearing that the particulars are taken from a signed declaration of a specified date.

8. The registrar having the custody of the register containing the original entry of the birth shall insert in the margin or other place provided for the purpose on such entry, a note in accordance with directions given by the Registrar General to the effect that the birth has been re-registered.

Annotations, etc., to abbreviated certificates of birth and extracts

Recording of baptismal name or change of name or surname.

9. In any case where the name of a child has been given or changed and the new name has been recorded in the Register of Corrections Etc. the

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

register shall, in accordance with the provisions of section 43(3) of the Act, when issuing any extract of the entry or an abbreviated certificate of such child's birth, ignore those particulars in the entry which have been altered, and in their place transcribe the amended particulars substituted by the insertion in the said Register.

10. In any case where any other change of name or surname of any person has been recorded in the Register of Corrections Etc. under the provisions of section 43(4), (5) and (6) of the Act, the registrar shall, when preparing any extract of the entry or abbreviated certificate of such person's birth or, in the case of a change recorded by virtue of section 43(6)(*b*) of the Act, when preparing any extract of the entry of such person's marriage, transcribe the particulars relating to name and surname as recorded in the original entry and shall, in addition, enter the new name or surname as set out in the relative insertion in the Register of Corrections Etc.

11. In any case where an alternative name has been recorded in respect of any person in the Register of Corrections Etc. under section 43(7) of the Act, the registrar shall, when preparing any extract of the entry or abbreviated certificate of such person's birth, enter the alternative name as set out in the relative insertion in the Register of Corrections Etc.

Recording of other items.

12. In any case where an insertion in the Register of Corrections Etc. relates to any of the following, namely:—

(*a*) Decree of paternity;

(*b*) Statutory declaration acknowledging paternity;

(*c*) Conviction for bigamy;

(*d*) Decree of divorce or dissolution of marriage;

(*e*) Decree of nullity of marriage;

(*f*) Void marriage;

(*g*) Decree of declarator of illegitimacy or any other matter affecting status; or

(*h*) Precognition obtained by a procurator fiscal;

the registrar shall, when preparing an abbreviated certificate of birth or any extract of the relevant entry in the register of births, deaths or marriages, as the case may be, enter on such certificate or extract the annotation set out in the relative insertion in the Register of Corrections Etc.

13. The regulations set out in the schedule to these regulations are hereby revoked.

New Register House,
Edinburgh.
20th October 1965.

Alex. B. Taylor,
Registrar General for Scotland.

I approve.
21st October 1965.

William Ross,
One of Her Majesty's
Principal Secretaries of State.

SCHEDULE

Regulations revoked.

Regulations for the duties of Registrars of Births, Deaths and Marriages, dated 21st July 1869, as amended 8th November 1870 and 19th December 1918 and for Assistant Registrars, dated 15th July 1869.	Reprinted in 1924 by Thomas Paul Ltd., Grahamston, Falkirk.
The Registration of Births, Deaths and Marriages Amendment Regulations (Scotland) 1928	S.R. & O. 1928/494 (1928, p. 1126).
The Registration of Births, Deaths and Marriages Regulations (Scotland) 1934	S.R. & O. 1934/983 (Rev. XIX, p. 952: 1934 II, p. 166).
The Registration of Still-Births Regulations (Scotland) 1938	S.R. & O. 1938/1353 (Rev. XIX, p. 955: 1938 II, p. 2948).
The Registration of Still-Births (Scotland) Amendment Regulations 1963	S.I. 1963/1119 (1963 II, p. 1909).

EXPLANATORY NOTE

(This Note is not part of the regulations.)

These regulations provide for the manner in which re-registration of births authorised under section 20 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 will be effected, and the extent to which and the manner in which certain insertions in the Register of Corrections Etc. shall be given effect in any extract or any abbreviated certificate of birth.