CHAPTER 58

An Act to provide for the registration of births, deaths and marriages occurring out of the United Kingdom among members of the armed forces and certain other persons, or occurring on board certain ships or aircraft; and for purposes connected with the matters aforesaid.

[31st July, 1957]

BE it enacted by the Queen'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:—

Records of deaths, births and marriages among armed forces and service civilians and their families overseas.

1.—(1) Her Majesty may by Order in Council provide for the keeping of records of deaths and births occurring, and marriages solemnised, outside the United Kingdom among, or among the families of—

(*a*) members of Her Majesty's naval, military or air forces, or

(*b*) persons serving Her Majesty in, or otherwise employed in any capacity connected with, Her Majesty's naval, military or air forces, or persons belonging to or employed by any organisation concerned with the welfare of members of those forces.

(2) An Order in Council under this section may provide—

(*a*) for the transmission of certified copies of any such records to the Registrar General for England and Wales, and

(*b*) for the transmission by the said Registrar General in such cases as may be specified in the Order of extracts from such certified copies to the Registrar General of Births, Deaths and Marriages in Scotland or the Registrar General for Northern Ireland.

(3) An entry in a record kept under an Order in Council under this section which relates to, or to the family of, a person of any description specified in paragraph (*b*) of subsection (1) of this section shall not be questioned on the ground that that person did not fall within any more particular description contained in the Order.

42 & 43 Vict. c. 8.
7 & 8 Geo. 5. c. 51.

(4) After the commencement of this Act no further entry shall be made under the Registration of Births, Deaths and Marriages (Army) Act, 1879 (which, as amended under the Air Force (Constitution) Act, 1917, provides for the recording of deaths, births and marriages of members of Her Majesty's military or air forces or their families overseas), in any register kept under that Act and an Order in Council under this section may provide for the transmission of any such registers to the Registrar General for England and Wales and for the transmission by him of certified copies of entries in such registers to the Registrar General of Births, Deaths and Marriages in Scotland or the Registrar General for Northern Ireland.

(5) In this section references to a person's family shall include references to any relative, dependant or servant ordinarily living with him.

Records of deaths and births on board Her Majesty's ships and service aircraft.

2.—(1) Her Majesty may by Order in Council provide for the keeping of records—

(*a*) of deaths and births occurring in any part of the world on board ships belonging to Her Majesty, and

(*b*) of deaths and births occurring in any part of the world on aircraft belonging to Her Majesty, or any other aircraft not registered in the United Kingdom but for the time being employed for the purposes of Her Majesty's forces, and

(*c*) of the death outside the United Kingdom of any person who, being a traveller on such an aircraft, is killed on the journey in consequence of an accident.

(2) An Order in Council under this section may provide—

(*a*) for the transmission of certified copies of any such records to the Registrar General for England and Wales, and

(*b*) for the transmission by the said Registrar General in such cases as may be specified in the Order of extracts from such certified copies to the Registrar General of Births, Deaths and Marriages in Scotland or the Registrar General for Northern Ireland.

37 & 38 Vict. c. 88.

(3) After the commencement of this Act no further entry shall be made under subsection (1) of section thirty-seven of the Births and Deaths Registration Act, 1874 (which provides

for the registration of deaths and births on board Her Majesty's ships), and an Order in Council under this section may provide for the transmission of certified copies of entries made under that subsection to any of the said Registrars General.

General provisions as to service departments records.

3.—(1) All such registers and copies of entries in registers or records as have been duly transmitted to the Registrar General for England and Wales, the Registrar General of Births, Deaths and Marriages in Scotland or the Registrar General for Northern Ireland in pursuance of this Act, or of section two of the Registration of Births, Deaths and Marriages (Army) Act, 1879, or of section thirty-seven of the Births and Deaths Registration Act, 1874, shall be known as " the Service Departments Registers ".

(2) The enactments relating to the registration of births and deaths and marriages in England and Wales, Scotland and Northern Ireland (which contain provisions authorising the admission in evidence of, and of extracts from, certified copies of registers and duplicate registers) shall have effect as if the Service Departments Registers were certified copies or duplicate registers transmitted to the Registrar General in accordance with those enactments.

(3) An error of fact or substance in any register or other record kept in pursuance of this Act or of section two of the Registration of Births, Deaths and Marriages (Army) Act, 1879, or of section thirty-seven of the Births and Deaths Registration Act, 1874, may be corrected by an entry in the margin (without any alteration of the original entry) by such officer as may be specified in an Order in Council under this Act upon production to him of a statutory declaration setting forth the nature of the error and the true facts of the case made by two credible persons having knowledge of the truth of the case, and Her Majesty may by Order in Council provide for the correction of clerical errors in any such register or other record.

Validation of certain entries in marine register books and in registers kept by Army and Royal Air Force.

4.—(1) Where in any marine register book kept under subsection (7) of section thirty-seven of the Births and Deaths Registration Act, 1874, a death or birth which occurred outside the United Kingdom, but not on board one of Her Majesty's ships, among, or among the families of, persons serving in Her Majesty's naval forces, the Royal Marines or any Marine reserve, or persons of any description specified in paragraph (*b*) of subsection (1) of section one of this Act, was entered before the commencement of this Act, the said subsection (7) shall be deemed always to have applied as if it authorised the making of such entries.

(2) Where in any register kept under section two of the Registration of Births, Deaths and Marriages (Army) Act, 1879, by any of Her Majesty's military or air forces a death, birth or marriage which occurred or was solemnised outside the United Kingdom among, or among the families of, any such persons as are mentioned in subsection (1) of this section was entered before the commencement of this Act, the said section two shall be deemed always to have applied as if regulations under that section authorised the making of such entries.

Registration of births of legitimated persons in the service departments registers.

5.—(1) Where in the case of—

(*a*) a person whose birth is recorded in the Service Departments Registers, or

(*b*) a person born outside the United Kingdom whose father at the time of the birth was a member of Her Majesty's naval, military or air forces or a person of a description falling within paragraph (*b*) of subsection (1) of section one of this Act,

evidence is produced to the appropriate Registrar General which appears to him to be satisfactory that that person was, whether before or after the commencement of this Act, legitimated by the subsequent marriage of his parents, the said Registrar General may authorise at any time the re-registration or, as the case may be, the registration of that person's birth, and the re-registration or registration shall be effected in such manner and at such place as may be provided by an Order in Council under this Act:

Provided that, except where—

(i) the paternity of the legitimated person has been established by an affiliation order or otherwise by a decree of a court of competent jurisdiction, or

(ii) a declaration of the legitimacy of the legitimated person has been made by a court of competent jurisdiction in the United Kingdom,

the said Registrar General shall not authorise re-registration or registration unless information with a view to obtaining it is furnished by both parents.

(2) In this section "the appropriate Registrar General" means, in relation to a person whose father was at the time of the marriage domiciled in Scotland, the Registrar General of Births, Deaths and Marriages in Scotland, in relation to a person whose father was at the time of the marriage domiciled in Northern Ireland, the Registrar General for Northern Ireland, and in any other case the Registrar General for England and Wales.

Provisions as to Orders in Council.

6.—(1) Any power of making an Order in Council under this Act shall include a power of varying or revoking such an Order.

(2) An Order in Council under section one or section two of this Act may include provisions with respect to deaths or births occurring, and marriages solemnised, before the commencement of this Act.

(3) Any power conferred by this Act to make provision by Order in Council shall include power to make that provision for specified classes of cases and to make different provision for different classes of cases.

Short title, etc.

7.—(1) This Act may be cited as the Registration of Births, Deaths and Marriages (Special Provisions) Act, 1957.

(2) Section two of the Registration of Births, Deaths and Marriages (Army) Act, 1879, and section thirty-seven of the Births and Deaths Registration Act, 1874, are hereby repealed.

(3) It is hereby declared that the provisions of this Act affecting the Acts relating to the registration of births, deaths and marriages extend to Northern Ireland.

(4) This Act shall come into force on such date as Her Majesty may by Order in Council appoint.

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Coal-Mining (Subsidence) Act, 1957

5 & 6 ELIZ. 2 CH. 59

ARRANGEMENT OF SECTIONS

Section

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