
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 390

**REGISTRATION OF BIRTHS,
DEATHS, MARRIAGES, ETC.**

MARRIAGE

**The Births, Deaths, Marriages and Divorces
(Fees) (Scotland) Amendment Regulations 2002**

<i>Made</i>	- - - -	<i>26th August 2002</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>28th August 2002</i>
<i>Coming into force</i>	- -	<i>1st October 2002</i>

The Registrar General, in exercise of the powers conferred upon him by sections 28A(4), 37(2) and (3), 38(2) and (3), 40(1), 43(8), 47, 54(1) and 56 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965(1) and sections 3(1), 25 and 26 of the Marriage (Scotland) Act 1977(2) and of all other powers enabling him in that behalf and with the approval of the Scottish Ministers, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Births, Deaths, Marriages and Divorces (Fees) (Scotland) Amendment Regulations 2002 and shall come into force on 1st October 2002.

Amendment of the Births, Deaths, Marriages and Divorces (Fees) (Scotland) Regulations 1998

2. The Births, Deaths, Marriages and Divorces (Fees) (Scotland) Regulations 1998(3) are amended in accordance with the following regulations.

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- (1) 1965 c. 49; section 28A was inserted by section 50(1) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73); section 54(1) was amended by the Children Act 1975 (c. 72), Schedule 4, Part III and by the Marriage (Scotland) Act 1977 (c. 15), Schedule 3; section 56 contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made. The Functions of the Secretary of State under section 54(1) were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
- (2) 1977 c. 15; section 26 contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made. The Functions of the Secretary of State under section 25 were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
- (3) S.I.1998/643, amended by S.I. 1998/3191 and S.S.I. 2000/447.

3. In regulation 2(1) (interpretation), after the definition of “the 1977 Act”, insert—
““bulk particular search” means a search for multiple specified entries, by comparison of electronic records, caused to be made by the Registrar General;”.
4. In Schedule 1, Part I (searches in statutory registers and parochial registers)—
 - (a) in the first entry in column 2, omit paragraph (c) (application made by electronic mail) and the corresponding entries in columns 3 and 4;
 - (b) in the second entry in column 2, omit paragraph (c) (application made by electronic mail) and the corresponding entries in columns 3 and 4; and
 - (c) after the last entry in column 2 insert—

“5. Bulk particular search in the indexes to the statutory registers, whether the specified entry is traced or not—

- (a) per 100.00 application;
- (b) for each of 0.01 the first 20,000 records searched; and
- (c) for each 0.01” group of 10 records (or part thereof) searched additional to the first 20,000 records

5. In paragraph (b) of the second entry in column 2 of Schedule 2, Part 1 (general search in the indexes to the statutory registers), for the amount “5.00” specified in column 4 substitute “10.00”.

6. In the first entry in Schedule 2, Part II (issue of an extract of an entry in a statutory register etc.), for the amount “8.00” specified in column 4, substitute “8.50”.

7. In the first entry in Schedule 3 (submission of marriage notice) for the amount “13.00”(4) specified in column 4, substitute “20.00”.

New Register House,
Edinburgh
26th August 2002

J N RANDALL
Registrar General

(4) The amount previously prescribed was inserted by [S.S.I. 2000/447](#).

Approved by the Scottish Ministers

St Andrew's House,
Edinburgh
26th August 2002

R J SIMPSON
Authorised to sign by the Scottish Ministers

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Registration of Births, Deaths, Marriages and Divorces (Fees) (Scotland) Regulations 1998 to introduce new fees in relation to bulk particular searches, and to remove or increase certain other fees, with effect from 1st October 2002.

The Regulations introduce a set fee of £100 payable in respect of each bulk particular search in the indexes to the statutory registers under the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (“the 1965 Act”). In addition there is a fee of £0.01 for each record searched, up to 20,000 records, and £0.01 for every group of ten records (or part thereof) over that number (regulation 4(c)).

A separate fee is no longer payable for a particular search in the indexes to the statutory or parochial registers where the application is made by electronic mail (regulation 4(a) and (b)).

The fee payable for the second and each subsequent hour of a general search in the indexes to the statutory registers under the 1965 Act is increased from £5.00 to £10.00 (regulation 5).

The fee payable for the issue of an extract of an entry in a statutory register, or of certain abbreviated birth certificates, under the 1965 Act is increased from £8 to £8.50 (regulation 6).

The fee payable under the Marriage (Scotland) Act 1977 for the submission of a marriage notice is increased from £13 to £20 (regulation 7).