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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 314**

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

**The Registration Services (Prescription  
of Forms) (Scotland) Regulations 2009**

*Made* - - - - *16th September 2009*  
*Laid before the Scottish*  
*Parliament* - - - - *18th September 2009*  
*Coming into force* - - *12th October 2009*

The Registrar General makes the following Regulations in exercise of the powers conferred by the Adoption and Children (Scotland) Act 2007(1), Schedule 1, paragraphs 1(1) and 6(4), the Adoption (Scotland) Act 1978(2), Schedule 1, paragraph 1(1), the Civil Partnership Act 2004(3) sections 88(1) and (5), 94 and 95(3), the Local Electoral Administration and Registration Services (Scotland) Act 2006(4), section 55(2) and all other powers enabling him to do so.

The Scottish Ministers(5) have approved the making of these Regulations in accordance with the Adoption (Scotland) Act 1978, section 60(6), the Adoption and Children (Scotland) Act 2007, Schedule 1, paragraph 1(1), the Civil Partnership Act 2004, section 126(3) and the Local Electoral Administration and Registration Services (Scotland) Act 2006, section 60(1).

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- (1) [2007 asp 4](#). Section 57 contains a definition of “Registrar General” and schedule 1, paragraph 6(5) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which this instrument is made.
- (2) [1978 c.28](#) (“the 1978 Act”). The 1978 Act was repealed by the [Adoption and Children \(Scotland\) Act 2007 \(asp 4\)](#) but under the Adoption and Children (Scotland) Act 2007 (Consequential Provisions) (No. 1) Order 2009 ([S.I. 2009/2233](#)) that repeal does not affect the operation of paragraph 1(1) of Schedule 1 of the 1978 Act for the purpose of section 30(9) of the Human Embryology and Fertilisation Act 1990 ([c. 37](#)) (“the 1990 Act”). The Parental Orders (Human Fertilisation and Embryology) (Scotland) Regulations 1994 ([S.I. 1994/2804](#)) were made under section 30(9) of the 1990 Act. Regulation 2 of and paragraph 1(1) of Schedule 1 to those Regulations applied paragraph 1(1) of Schedule 1 to the 1978 Act (entries in the Register of Adoptions) to parental orders as if they were adoption orders. Section 65 of the 1978 Act contains a definition of “Registrar General” relevant to the exercise of the statutory powers under which this instrument is made.
- (3) [2004 c. 33](#), section 88(1) and (5) were amended by the [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), section 52(2)(a) and 52(2)(c) respectively. Section 126(1) of that Act contains a definition of “prescribed” and section 135 contains a definition of “Registrar General” relevant to the exercise of the statutory powers under which these Regulations are made.
- (4) [2006 asp 14](#). Section 60 of that Act contains a definition of “prescribed” and applies a definition of “Registrar General” in section 1 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 ([c. 49](#)) relevant to the exercise of the statutory powers under which these Regulations are made.
- (5) The functions of the Secretary of State under the 1978 Act were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 ([c.46](#)).

### **Citation and commencement**

1. These Regulations may be cited as the Registration Services (Prescription of Forms) (Scotland) Regulations 2009 and come into force on 12th October 2009.

### **Amendment of the Adopted Children Register and Parental Order Register (Form of Entry) (Scotland) Regulations 1995**

2.—(1) The Adopted Children Register and Parental Order Register (Form of Entry) (Scotland) Regulations 1995<sup>(6)</sup> are amended in accordance with this regulation.

(2) For the form set out in Schedule 1 (adopted children register entry) substitute the form set out in Schedule 1 to these Regulations.

(3) For the form set out in Schedule 2 (parental order register entry) substitute the form set out in Schedule 2 to these Regulations.

### **Amendment of the Registration of Foreign Adoptions (Scotland) Regulations 2003**

3.—(1) The Registration of Foreign Adoptions (Scotland) Regulations 2003<sup>(7)</sup> are amended in accordance with this regulation.

(2) After regulation 2 insert—

#### **“Registrable foreign adoption**

**2A.** For the purposes of paragraph 6(5) of schedule 1 to the Adoption and Children (Scotland) Act 2007 (meaning of “registrable foreign adoption”), the requirement is that at the time the Convention or overseas adoption is effected the adoptive parent, or in the case of a couple, both adoptive parents, are habitually resident in Scotland.”.

(3) For the form set out in the Schedule (form of entry in the adopted children register) substitute the form set out in Schedule 1 to these Regulations.

### **Amendment of the Registration of Civil Partnerships (Prescription of Forms, Publicisation and Errors) (Scotland) Regulations 2005**

4.—(1) The Registration of Civil Partnerships (Prescription of Forms, Publicisation and Errors) (Scotland) Regulations 2005<sup>(8)</sup> are amended in accordance with this regulation.

(2) For the form set out in Schedule 1 (civil partnership notice) substitute the form set out in Schedule 3 to these Regulations.

(3) For the form set out in Schedule 2 (civil partnership schedule) substitute the form set out in Schedule 4 to these Regulations.

(4) For the form set out in Schedule 3 (civil partnership register page) substitute the form set out in Schedule 5 to these Regulations.

### **Amendment of the Book of Scottish Connections Regulations 2008**

5.—(1) The Book of Scottish Connections Regulations 2008<sup>(9)</sup> are amended in accordance with this regulation.

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(6) S.I. 1995/3158.

(7) S.S.I. 2003/67.

(8) S.S.I. 2005/458; amended by S.S.I. 2007/53.

(9) S.S.I. 2008/386.

(2) For the form set out in Schedule 5 (birth entry) substitute the form set out in Schedule 6 to these Regulations.

(3) For the form set out in Schedule 6 (death entry) substitute the form set out in Schedule 7 to these Regulations.

(4) For the form set out in Schedule 7 (marriage entry) substitute the form set out in Schedule 8 to these Regulations.

(5) For the form set out in Schedule 8 (civil partnership entry) substitute the form set out in Schedule 9 to these Regulations.

New Register House,  
Edinburgh  
16th September 2009

*DUNCAN MACNIVEN*  
Registrar General for Scotland

Approved by the Scottish Ministers

St Andrew's House,  
Edinburgh  
16th September 2009

*JIM MATHER*  
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.

SCHEDULE 1

Regulations 2(2) and 3(3)

**ADOPTED CHILDREN REGISTER**

**The Adoption and Children (Scotland) Act 2007, Schedule 1, paragraph 1  
The Registration of Foreign Adoptions (Scotland) Regulations 2003**

<b>Vol</b>		<b>Entry No</b>	<b>Year</b>
<b>1. Forename(s)</b>		<b>2. Sex</b>	
Surname(s)			
<b>3. When born</b>		<b>4. Country of birth</b>	
<b>5. Mother's/Parent's forename(s) and surname(s)</b>		<b>6. Maiden surname</b>	
<b>7. Mother's/Parent's occupation</b>			
<b>8. Father's/Parent's forename(s) and surname(s)</b>			
<b>9. Father's/Parent's occupation</b>			
<b>10. Usual residence of parents</b>			
<b>Postcode</b>			
<b>11.  Details of Order</b>	<b>Date</b>		<b>12. Date of registration</b>
	<b>Made by</b>		
			..... <b>for the Registrar General</b>

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SCHEDULE 2

Regulation 2(3)

**PARENTAL ORDER REGISTER**

**The Adoption (Scotland) Act 1978 (applied by the Parental Orders (Human Fertilisation and Embryology) (Scotland) Regulations 1994)**

<b>Vol</b>		<b>Entry No</b>	<b>Year</b>
<b>1. Forename(s)</b>		<b>2. Sex</b>	
<b>Surname(s)</b>			
<b>3. When born</b>		<b>4. Country of birth</b>	
<b>5. Mother's/Parent's forename(s) and surname(s)</b>		<b>6. Maiden surname</b>	
<b>7. Mother's/Parent's occupation</b>			
<b>8. Father's/Parent's forename(s) and surname(s)</b>			
<b>9. Father's/Parent's occupation</b>			
<b>10. Usual residence of parents</b>			
<b>Postcode</b>			
<b>11.  Details of Order</b>	<b>Date</b>		<b>12. Date of registration</b>
	<b>Made by</b>		
			..... <i>for the Registrar General</i>

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SCHEDULE 3

Regulation 4(2)

Form CP10



**CIVIL PARTNERSHIP NOTICE - SCOTLAND**

(Section 88 of the Civil Partnership Act 2004)

Use a pen to fill in the form, all in **BLOCK CAPITALS** except for your signature at the end

**A About the proposed Civil Partnership registration**

1. Date of Civil Partnership registration	Year	Month	Day
2. Place			

This space for registrars' use only	
Entry number in Civil Partnership Notice Book	
Date documents returned	

**B About yourself**

3. Forename(s)			
Surname(s)			
4. Present or last occupation			
5. Retired (tick box)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	6. Sex (tick box)
			<input type="checkbox"/> Male <input type="checkbox"/> Female
7. Marital or Civil Partnership Status (tick box)		Single <input type="checkbox"/>	Divorced <input type="checkbox"/>
		Previous marriage annulled <input type="checkbox"/>	Widowed <input type="checkbox"/>
Previous Civil Partnership dissolved <input type="checkbox"/>		Previous Civil Partnership annulled <input type="checkbox"/>	Surviving Civil Partner <input type="checkbox"/>
8. Date of Birth	Year	Month	Day
9. Country of birth	10. Country of residence	11. Nationality	
12. Usual residence			
Postcode <input type="text"/>			

**C About your father/parent**

13. (a) Forename(s)			
(b) Surname(s) at time of your birth			
(c) Surname(s) now (or at date of his/her death) if different from (b)			
14. Present or last occupation			
15. Retired (tick box)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	16. Is he/she still living ? (tick box)
			Yes <input type="checkbox"/> No <input type="checkbox"/>

**D About your mother/parent**

17. (a) Forename(s)			
(b) Surname(s) at time of your birth			
(c) Surname(s) now (or at date of her/his death) if different from (b)			
18. Maiden Surname			
19. Present or last occupation			
20. Retired (tick box)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	21. Is she/he still living ? (tick box)
			Yes <input type="checkbox"/> No <input type="checkbox"/>

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Form CP10

**E About your parents**

<b>22. Were your parents</b>	
(a) married to each other at the time of your birth or later?	Yes <input type="checkbox"/> No <input type="checkbox"/>
(b) registered as civil partners at the time of your birth or later?	Yes <input type="checkbox"/> No <input type="checkbox"/>

**F About the other party to the Civil Partnership**

<b>23. Forename(s) in full</b>	
Surname(s)	
<b>24. Usual residence</b>	
Postcode	<input type="text"/>

**G Documents to be submitted by you with this Notice**

<b>25. FOR ALL PERSONS</b>		<i>If you are unable to produce your birth certificate, state the reason here.</i>
Is your birth certificate enclosed? <i>(tick box)</i>	YES <input type="checkbox"/> NO <input type="checkbox"/>	

<b>26. IF YOU ARE DIVORCED, YOUR PREVIOUS MARRIAGE WAS ANNULLED OR YOUR PREVIOUS CIVIL PARTNERSHIP HAS BEEN DISSOLVED OR ANNULLED</b>		<i>If you are unable to produce the official decree of divorce or annulment or decree of dissolution or annulment of Civil Partnership, state the reason for not doing so. The registrar will require proof of the termination of the earlier marriage or Civil Partnership.</i>
Is your decree of divorce, annulment or dissolution enclosed? <i>(tick box)</i>	YES <input type="checkbox"/> NO <input type="checkbox"/>	

<b>27. IF YOUR FORMER SPOUSE OR CIVIL PARTNER IS DECEASED</b>		<i>If you are unable to produce a death certificate of your previous spouse or Civil Partner, state the reason for not doing so. The registrar will require proof of the death.</i>
Is the death certificate of your former spouse or Civil Partner enclosed? <i>(tick box)</i>	YES <input type="checkbox"/> NO <input type="checkbox"/>	

**28. DECLARATION**

**I solemnly declare**

- (1) that I am the person named at B3;
- (2) that I and the person named at Part F intend to register a Civil Partnership on the date and at the place entered in Part A;
- (3) that there is no impediment caused by a relationship of consanguinity, affinity or adoption and that I know of no other legal impediment to the registration of our Civil Partnership;
- (4) that all the particulars and other information given by me on this notice are correct to the best of my knowledge and belief; and
- (5) that each document submitted by me in accordance with Part G of this notice is genuine.

Signed ..... Date .....

**Note:** Any person who supplies false information to a registrar or uses, gives or sends any certificate, document or declaration required for the purposes of this Civil Partnership notice which is false or has been forged in any way is liable to prosecution.

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SCHEDULE 4

Regulation 4(3)



**CIVIL PARTNERSHIP SCHEDULE**

(Section 94 of the Civil Partnership Act 2004)

This is not a Civil Partnership Certificate

1. Date of Civil Partnership registration							CIVIL PARTNERSHIP NOTICE NO.
2. Place of Civil Partnership registration							
3. Forename(s)	(Signature)			(Signature)			
Surname(s)							
4. Occupation							
5. Marital or Civil Partnership Status							
6. Date of birth	Year	Month	Day	Year	Month	Day	
7. Country of birth							
8. Usual residence							
9. Father's/Parent's forename(s) surname(s) and occupation							
10. Mother's/Parent's forename(s) surname(s) and occupation							DISTRICT NO.
11. Person registering the Civil Partnership							
(Signature)							YEAR
Full name in block capitals							
Designation							
12. Witnesses with addresses							ENTRY NO.
(Signature)							
Full name in block capitals							
Address							
(Signature)							
Full name in block capitals							
Address							
13. Date entered in register	Year	Month	Day	14. _____			
Registrar							
15.							



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SCHEDULE 5

Regulation 4(4)

CIVIL PARTNERSHIP REGISTER PAGE

(Section 95 of the Civil Partnership Act 2004)

CIVIL PARTNERSHIP Registered in the district of				District No.		Year		Entry No.					
1. Date of Civil Partnership registration													
2. Place of Civil Partnership registration													
3. Forename(s)		(Signed)				(Signed)							
Surname(s)													
4. Occupation													
5. Marital or civil partnership status													
6. Date of birth		Year		Month		Day		Year		Month		Day	
7. Country of birth													
8. Usual residence													
9. Father's/Parent's forename(s) surname(s) and occupation													
10. Mother's/Parent's forename(s) surname(s) and occupation													
11. Person registering with designation		(Signed)											
12. Witnesses with addresses		(Signed)											
13. Date entered in register		Year		Month		Day		14. _____					
								Registrar					
15.													
16.													

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SCHEDULE 6

Regulation 5(2)

BOOK OF SCOTTISH CONNECTIONS – BIRTH ENTRY

*(Section 54 of the Local Electoral Administration and Registration Services (Scotland) Act 2006)*

<b>BIRTH</b> Recorded in the Book of Scottish Connections				Volume No.	Year	Entry No.
1. Forename(s)					2. Sex	
Surname(s)						
3. Date of Birth			4. Place of Birth			
5. Mother's forename(s) and surname(s)				6. Mother's maiden surname		
7. Father's/Parent's forename(s) and surname(s)						
8. When Recorded	Year	Month	Day	9. ..... for the Registrar General		
10. Scottish Connection						
11.						

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SCHEDULE 7

Regulation 5(3)

BOOK OF SCOTTISH CONNECTIONS – DEATH ENTRY

*(Section 54 of the Local Electoral Administration and Registration Services (Scotland) Act 2006)*

<b>DEATH</b> Recorded in the Book of Scottish Connections		Volume No.	Year	Entry No.
1. Forename(s)			2. Sex	
Surname(s)				
3. Date of birth		4. Age	5. Marital or Civil Partnership Status	
6. Date of Death		7. Place of Death		
8. Forename(s), surname(s) of spouse(s) or civil partner(s)				
9. Mother's/Parent's forename(s) and surname(s)			10. Mother's/Parent's maiden surname	
11. Father's/Parents forename(s) and surname(s)				
12. When Recorded	Year	Month	Day	13.  ..... <i>for the Registrar General</i>
14. Scottish Connection				
15.				

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SCHEDULE 8

Regulation 5(4)

BOOK OF SCOTTISH CONNECTIONS – MARRIAGE ENTRY

*(Section 54 of the Local Electoral Administration and Registration Services (Scotland) Act 2006)*

<b>MARRIAGE</b> Recorded in the Book of Scottish Connections				Volume No.	Year	Entry No.	
1. Date of marriage							
2. Place of marriage							
3.		Bridegroom			Bride		
Forename(s)							
Surname(s)							
4. Marital or Civil Partnership Status							
5. Date of birth		Year	Month	Day	Year	Month	Day
6. Country of birth							
7. Father's/Parent's forename(s) surname(s)							
8. Mother's/Parent's forename(s) maiden surname surname(s)							
9. When Recorded		Year	Month	Day	10. _____ <i>for the Registrar General</i>		
11. Scottish Connection							
12.							

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SCHEDULE 9

Regulation 5(5)

BOOK OF SCOTTISH CONNECTIONS – CIVIL PARTNERSHIP ENTRY

*(Section 54 of the Local Electoral Administration and Registration Services (Scotland) Act 2006)*

<b>CIVIL PARTNERSHIP</b>				Volume No.	Year	Entry No.
<b>Recorded in the Book of Scottish Connections</b>						
1. Date of Civil Partnership registration						
2. Place of Civil Partnership registration						
3. Forename(s)						
Surname(s)						
4. Marital or Civil Partnership Status						
5. Date of birth	Year	Month	Day	Year	Month	Day
6. Country of birth						
7. Father's/Parent's forename(s), surname(s)						
8. Mother's/Parent's forename(s) maiden surname surname(s)						
9. When Recorded	Year	Month	Day	10.  ..... <i>for the Registrar General</i>		
11. Scottish Connection						
12.						

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

The Human Fertilisation and Embryology Act 2008 (c. 22) made provision for the parenthood of children born as a result of assisted reproduction. These Regulations amend forms relating to births to reflect those changes.

The Adoption and Children (Scotland) Act 2007 provides for adoptions by same-sex couples and these Regulations also amend forms relating to registration of adoptions to reflect this.

Regulations 2 to 5 amend forms in the Adopted Children Register and Parental Order Register (Form of Entry) (Scotland) Regulations 1995, the Registration of Foreign Adoptions (Scotland) Regulations 2003, the Registration of Civil Partnerships (Prescription of Forms, Publicisation and Errors) (Scotland) Regulations 2005 and the Book of Scottish Connections Regulations 2008.

Regulation 3 also amends the Registration of Foreign Adoptions (Scotland) Regulations 2003 so that foreign adoptions can only be registered if the parent or parents are habitually resident in Scotland.