



Registration of Births, Deaths and Marriages (Scotland) Act 1965

1965 CHAPTER 49

PART V

GENERAL

Registers

32 Provision of registers etc. by Registrar General.

- (1) Registers of births, still-births, deaths and marriages and the Register of Corrections Etc. shall be in such form as may be respectively prescribed and the Registrar General shall provide the district registrar of every registration district with a sufficient number of such registers and of such certificates, schedules, notices, forms and other documents as he may require for the performance of his functions under this Act [^{F1}and the ^{M1}Marriage (Scotland) Act 1977.]

[^{F2}(1A) A register of births, deaths, still-births or marriages or the Register of Corrections Etc. may, if the Registrar General so determines, be electronic rather than paper-based.]

- (2) All registers and documents provided by virtue of [^{F3}subsection (1) above] shall remain the property of the Registrar General.

Textual Amendments

- F1** Words added by [Marriage \(Scotland\) Act 1977 \(c. 15\), Sch. 2 para. 8](#)
- F2** [S. 32\(1A\)](#) inserted (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\), ss. 43\(2\)\(a\), 63\(2\); S.S.I. 2006/469, art. 2, Sch. 1 \(with art. 4\)](#)
- F3** Words in [s. 32\(2\)](#) substituted (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\), ss. 43\(2\)\(b\), 63\(2\); S.S.I. 2006/469, art. 2, Sch. 1 \(with art. 4\)](#)

Changes to legislation: There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V. (See end of Document for details)

Marginal Citations

M1 1977 c. 15.

33 Duplicate and copy registers.

- (1) The Registrar General may from time to time direct any district registrar to make in respect of his district a duplicate or copy of any register of births, deaths or marriages, and any entry in a duplicate or copy so made shall be of the same legal force and effect as the corresponding entry in the appropriate register.
- (2) Any duplicate or copy register so made shall be retained in the custody of the district registrar.

[^{F4} 34 Examination and transmission of registers

- (1) The district examiner, or such other officer as may be nominated for the purpose by the Registrar General, shall, at such time or times and in such manner as the Registrar General may direct, examine the unexamined part of a relevant register kept or held by a district registrar within the district examiner's district.
- (2) An examination under subsection (1) above shall include an examination of any entry in the Register of Corrections Etc. which relates to an entry in a part of a relevant register which is the subject of the examination.
- (3) On completion of an examination under subsection (1) above—
 - (a) the district registrar shall endorse the register so examined, and
 - (b) the district examiner shall—
 - (i) endorse that register, and
 - (ii) transmit to the Registrar General a report of any circumstances arising from the examination to which he considers that the attention of the Registrar General should be drawn.
- (4) The district registrar for a registration district shall, at such time or times as the Registrar General may direct, transmit a relevant register to the Registrar General.
- (5) In this section—

“the unexamined part” of a register is that part of the register which has not previously been examined under subsection (1) above, and

“the relevant registers” are—

 - (a) the registers of births, still-births, deaths and marriages, and
 - (b) any duplicate or copy registers kept in pursuance of directions given by the Registrar General under section 33 of this Act.]

Textual Amendments

F4 S. 34 substituted (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), ss. 43(3), 63(2); S.S.I. 2006/469, art. 2, Sch. 1 (with art. 4)

Changes to legislation: There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 34 applied by 2004 c. 33, s. 98(1) (as substituted (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 52(6)**, 63(2); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4))

^{F5}35 **Reproduction of registers.**

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Textual Amendments

- F5** S. 35 repealed (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 43(4)**, 63(2); S.S.I. 2006/469, art. 2, Sch. 1 (with art. 4)

36 **Replacement of lost registers etc.**

- (1) If any register in the custody of a district registrar, ^{F6}..., shall be lost, destroyed or mutilated or shall have become illegible, in whole or in part, such fact shall be forthwith communicated to the Registrar General, and the register in the custody of a district registrar which shall have been mutilated or become illegible shall be immediately transmitted to the Registrar General.
- (2) The Registrar General shall cause any such register to be corrected or completed or a new register to be made by any process which to him seems fit, and any such corrected, completed or new register which is duly authenticated by the signature of the Registrar General shall be of the same legal force and effect as the original register.

Textual Amendments

- F6** Words in s. 36(1) repealed (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 43(5)**, 63(2); S.S.I. 2006/469, art. 2, Sch. 1 (with art. 4)

Searches and Extracts, etc.

[^{F7}37 **Issuing of extracts of entries in current registers**

- (1) Subject to subsection (2) below, where a person pays such fee as may be prescribed, the district registrar for a registration district shall, if the part of the registration office concerned is open for the purpose, issue to the person an extract of an entry in the register of births, still-births, deaths or marriages kept by the registrar.
- (2) An extract from the register of still-births may be issued only with the consent of the Registrar General in the particular case.]

Textual Amendments

- F7** S. 37 substituted (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 44(3)**, 63(2); S.S.I. 2006/469, art. 2, Sch. 1 (with art. 4)

Changes to legislation: There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V. (See end of Document for details)

38 Search of indexes kept by Registrar General.

- (1) The Registrar General shall cause to be made and [^{F8}keep] alphabetical indexes of the entries in the registers of births, deaths and marriages sent to him under this Act or any enactment repealed by this Act.
- (2) On payment to him of such fee or fees as may be prescribed, the Registrar General shall, at any time when the General Register Office is open for that purpose—
 - (a) cause a search to be made of the said indexes on behalf of any person or permit that person to search the indexes himself, and
 - (b) issue to any person an extract of any entry in the said registers which that person may require.
- (3) The Registrar General may, if he sees fit in any particular case, and on payment to him of such fee or fees as may be prescribed, cause a search to be made for, and allow any person to have an extract of, any entry in a register of still-births which has been transmitted to him.

Subordinate Legislation Made

- P1** S. 3*: for previous exercises of this power see Index to Government Orders.
- P2** S. 38(2)(3): s. 54(1) (with ss. 28A(4), 37(2)(3), 38(2)(3), 40(1), 43(8), 47 and 56) power exercised [S.I.1991/2817](#).

Textual Amendments

- F8** Word in s. 38(1) substituted (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 44(4)**, 63(2); S.S.I. 2006/469, art. 2, Sch. 1 (with art. 4)

Modifications etc. (not altering text)

- C2** S. 38(1)(2) applied (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), **ss. 98**, 263(3); S.S.I. 2005/604, art. 2(b)
- C3** S. 38(1)(2) applied by 2004 c. 33, s. 98(1) (as substituted (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 52(6)**, 63(2); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4))
- C4** S. 38(1) modified (24.3.2016) by [The Gender Recognition \(Marriage and Civil Partnership Registration\) \(Modification\) \(Scotland\) Order 2016 \(S.S.I. 2016/67\)](#), arts. 1, **3(2)**

[^{F9} 39A Notice of registration events to third parties

- (1) Where—
 - (a) the Registrar General receives an application for notice to be given to a person specified in the application of—
 - (i) a birth (other than a still-birth),
 - (ii) a death,
 - (iii) a marriage,
 - (iv) a change of name or surname or an alternative name,
 - (b) the application is in the prescribed form,
 - (c) such fee as may be prescribed has been paid, and
 - (d) subsection (2) below applies,
 the Registrar General shall, if the Registrar General considers it appropriate to do so, give such notice to such person.

Changes to legislation: There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V. (See end of Document for details)

- (2) This subsection applies—
- (a) in the case of a birth, if—
 - (i) the birth has been registered in accordance with section 16B of this Act, and
 - (ii) the application is made by a qualified informant in relation to the birth,
 - (b) in the case of a death, if—
 - (i) the death has been registered in accordance with section 25B of this Act, and
 - (ii) the application is made by a qualified informant in relation to the death,
 - (c) in the case of a marriage, if—
 - (i) the marriage has been registered in accordance with section 15 or 19 of the Marriage (Scotland) Act 1977, and
 - (ii) the application is made by a party to the marriage, and
 - (d) in the case of a change of name or surname or an alternative name, if—
 - (i) the change or alternative has been recorded in pursuance of section 43 of this Act, and
 - (ii) the application is made by a relevant person.
- (3) In subsection (2)(d)(ii) above, “ relevant person ” means—
- (a) in the case of a change of name or surname recorded in pursuance of section 43(3) of this Act, the qualified applicant,
 - (b) in any other case, the person upon whose application the recording in pursuance of section 43 of this Act proceeded.
- (4) An application for the giving of notice under subsection (1) above may be made to—
- (a) the Registrar General, or
 - (b) the district registrar for any registration district.
- (5) If such an application is made to a district registrar, the district registrar shall as soon as practicable submit the application to the Registrar General.
- (6) For the purpose of subsection (1) above notice shall be given—
- (a) in such form as may be prescribed, and
 - (b) by such means as the Registrar General may determine.

Textual Amendments

- F9** Ss. 39A-39E substituted for ss. 39, 40 (1.10.2006 for specified purposes, 1.1.2007 for further specified purposes) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), [ss. 44\(5\), 63\(2\)](#); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4)

Modifications etc. (not altering text)

- C5** S. 39A applied (with modifications) by 2004 c. 33, s. 98(2)(3) (as substituted (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), [ss. 52\(6\), 63\(2\)](#); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4))

Changes to legislation: There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V. (See end of Document for details)

39B Application by third party for notification of death

(1) Where—

- (a) an application is made to the Registrar General for notice to be given of a death in Scotland to the applicant,
- (b) the application is in the prescribed form,
- (c) such fee as may be prescribed has been paid, and
- (d) the death has been registered in accordance with section 25B of this Act,

the Registrar General shall, if the Registrar General considers it appropriate to do so, give such notice to such person.

(2) For the purpose of subsection (1) above notice shall be given—

- (a) in such form as may be prescribed, and
- (b) by such means as the Registrar General may determine.

Textual Amendments

- F9** Ss. 39A-39E substituted for ss. 39, 40 (1.10.2006 for specified purposes, 1.1.2007 for further specified purposes) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), [ss. 44\(5\)](#), 63(2); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4)

39C Provision of information to district registrars

(1) The Registrar General shall make arrangements for the district registrar for each registration district to have access to—

- (a) a copy of such of the entries in—
 - (i) the registers of births, deaths and marriages transmitted to the Registrar General under [^{F10}section 34(4)] of this Act, or any enactment repealed by this Act, by any district registrar,
 - (ii) the Register of Divorces, and
 - (iii) the parochial registers in the custody of the Registrar General,
 as the Registrar General may determine,
- (b) an alphabetical index of those entries, and
- (c) a copy of any entry in the Register of Corrections Etc. which relates to an entry referred to in that index.

(2) For the purposes of subsection (1) above—

- (a) a copy may be made by such means as the Registrar General shall determine, and
- (b) different arrangements and determinations may be made in respect of different registration districts.

Textual Amendments

- F9** Ss. 39A-39E substituted for ss. 39, 40 (1.10.2006 for specified purposes, 1.1.2007 for further specified purposes) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), [ss. 44\(5\)](#), 63(2); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4)

- F10** Words in s. 39C(1)(a)(i) substituted (21.5.2014) by [Marriage and Civil Partnership \(Scotland\) Act 2014 \(asp 5\)](#), [ss. 32](#), 36; S.S.I. 2014/121, art. 2(g)

Changes to legislation: There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V. (See end of Document for details)

Modifications etc. (not altering text)

- C6** S. 39C applied by 2004 c. 33, s. 98(1) (as substituted (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), [ss. 52\(6\)](#), 63(2); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4))

39D Searching of indexes and issuing of extracts by district registrars

- (1) Where a person pays such fee as may be prescribed, the district registrar for a registration district shall, if the part of the registration office concerned is open for the purpose—
 - (a) search the index to which the registrar has access by virtue of section 39C(1) (b) of this Act (or permit the person to do so), and
 - (b) issue to the person an extract of a copy of an entry to which the registrar has access by virtue of section 39C(1)(a) of this Act.
- (2) Section 44(3) of this Act shall apply to the issue under this section of an extract of a copy of an entry as it applies to the issue of an extract of an entry.

Textual Amendments

- F9** Ss. 39A-39E substituted for ss. 39, 40 (1.10.2006 for specified purposes, 1.1.2007 for further specified purposes) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), [ss. 44\(5\)](#), 63(2); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4)

39E Abbreviated extracts

- (1) Where the district registrar for a registration district registers the particulars of a birth or death, that person shall without charge—
 - (a) immediately after so doing, give to the informant, or
 - (b) before the expiry of two working days beginning with the date of registration, send to the informant by post,
 an abbreviated extract of the entry in the register of births or, as the case may be, deaths.
- (2) Subsection (1) above shall not apply to—
 - (a) re-registration of a birth under section 20 of this Act, or
 - (b) registration of a still-birth under section 21 of this Act.
- (3) Subject to subsection (5) below, where a person pays such fee as may be prescribed—
 - (a) the district registrar for a registration district shall issue to the person an abbreviated extract of—
 - (i) an entry in a register of births or deaths kept by the registrar; or
 - (ii) a copy of an entry in a register of births or deaths to which the registrar has access by virtue of section 39C of this Act,
 - (b) the Registrar General shall issue to the person an abbreviated extract of an entry in a register of births or deaths kept by the Registrar General.
- (4) An abbreviated extract shall contain such particulars as may be prescribed.

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- (5) An abbreviated extract based on information contained in the Adopted Children Register maintained under [F11 section 53(1) of the Adoption and Children (Scotland) Act 2007 (asp 4)] —
- (a) shall not include any reference to adoption, and
 - (b) may be obtained only from the Registrar General.]

Textual Amendments

- F9** Ss. 39A-39E substituted for ss. 39, 40 (1.10.2006 for specified purposes, 1.1.2007 for further specified purposes) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), [ss. 44\(5\)](#), 63(2); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4)
- F11** Words in s. 39E(5) substituted (27.1.2010) by [Adoption and Children \(Scotland\) Act 2007 \(Modification of Enactments\) Order 2010 \(S.S.I. 2010/21\)](#), art. 1, [Sch. para. 1](#)

Modifications etc. (not altering text)

- C7** S. 39E(5) modified (6.4.2010) by [The Human Fertilisation and Embryology \(Parental Orders\) Regulations 2010 \(S.I. 2010/985\)](#), regs. 1(1), 5, [Sch. 4](#)
- C8** S. 39E(5) modified (21.12.2018) by [The Human Fertilisation and Embryology \(Parental Orders\) Regulations 2018 \(S.I. 2018/1412\)](#), reg. 1(2), [Sch. 4 para. 3](#)

[F12] 41 Form and authentication of registration information

- (1) The documents mentioned in subsection (2) below shall be—
 - (a) in such form as may be prescribed, and
 - (b) authenticated in such manner as may be prescribed.
- (2) Those documents are—
 - (a) extracts issued under this Act, and
 - (b) notices given under section 39A or 39B of this Act.

Textual Amendments

- F12** Ss. 41 41A substituted for s. 41 (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), [ss. 44\(6\)](#), 63(2); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4)

41A Admissibility of registration information as evidence

- (1) A document mentioned in subsection (2) below shall be sufficient evidence of the birth, still-birth, death, marriage, civil partnership, divorce, dissolution of civil partnership, change of name or surname, alternative name or declarator of nullity of marriage to which, as the case may be, it relates.
- (2) Those documents are—
 - (a) an extract issued under this Act,
 - (b) a notice given under section 39A or 39B of this Act.]

Changes to legislation: There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V. (See end of Document for details)

Textual Amendments

- F12** Ss. 41 41A substituted for s. 41 (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), ss. [44\(6\)](#), [63\(2\)](#); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4)

Modifications etc. (not altering text)

- C9** [S. 41A](#) modified (23.9.2022) by S.S.I. 2016/67, art. 5 (as inserted by [The Gender Recognition \(Marriage and Civil Partnership Registration\) \(Modification\) \(Scotland\) Amendment Order 2022 \(S.S.I. 2022/202\)](#), arts. 1, [2\(3\)](#))

Corrections and Changes of Name or Surname

42 Correction of errors in registers.

- (1) No alteration shall be made in any register of births, still-births, deaths or marriages except as authorised by or under this or any other Act.
- [^{F13}(2) Subject to subsection (3A) below, the district registrar for a registration district may correct a relevant error in an entry in a register of births, still-births, deaths or marriages kept or held by him.
- (3) In subsection (2) above, “relevant error” means—
 - (a) in respect of an entry relating to a birth or death—
 - (i) a clerical error arising from the faulty transcription of particulars provided by a qualified informant, or
 - (ii) an error of such other description as may be prescribed, and
 - (b) in respect of an entry relating to a marriage—
 - (i) a clerical error arising from the faulty transcription of particulars from a Marriage Schedule, or
 - (ii) an error of such other description as may be prescribed.
- (3A) Subsection (2) above does not apply if the entry is in a part which has been examined under section 34 of this Act.]
- (4) The Registrar General may authorise district examiners to correct any such type of error as he may specify which they may discover in entries [^{F14}in a register] during the course of their examination ^{F15}... under section 34 of this Act.
- (5) The Registrar General may authorise the correction of any errors not dealt with under the preceding provisions of this section, by causing an appropriate entry to be made in the Register of Corrections Etc., and where the Registrar General refuses so to authorise such a correction the person who claims that an error has been made may appeal to the sheriff, whose decision in the matter shall be final.

Subordinate Legislation Made

- P3** S. 42 for previous exercises of this power see Index to Government Orders

Changes to legislation: There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V. (See end of Document for details)

Textual Amendments

- F13** S. 42(2)-(3A) substituted for s. 42(2)(3) (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 45(2)**, 63(2); S.S.I. 2006/469, art. 2, Sch. 1 (with art. 4)
- F14** Words in s. 42(4) inserted (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 43(6)(a)**, 63(2); S.S.I. 2006/469, art. 2, Sch. 1 (with art. 4)
- F15** Words in s. 42(4) repealed (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 43(6)(b)**, 63(2); S.S.I. 2006/469, art. 2, Sch. 1 (with art. 4)

Modifications etc. (not altering text)

- C10** S. 42(1) applied (4.4.2005) by [Gender Recognition Act 2004 \(c. 7\)](#), s. 26, **Sch. 3 para. 18**; S.I. 2005/54, art. 2
- C11** S. 42(5) applied (4.4.2005) by [Gender Recognition Act 2004 \(c. 7\)](#), s. 26, **Sch. 3 para. 18**; S.I. 2005/54, art. 2

43 Recording of baptismal name or change of name or surname.

- (1) The following provisions of this section, except subsection 6(b), shall apply only to persons whose births are registered in Scotland, and, without prejudice to the provisions of section 24 of the ^{M2}Adoption Act 1958 relating to the giving or taking of a new name, to persons in respect of whom there is an entry in the Adopted Children Register maintained by the Registrar General under section 22 of that Act.
- (2) In this section “change” in relation to a name or surname includes any change by way of substitution, addition, omission, spelling or hyphenation.

- (3) Where, within twelve months from the date of the birth of any child, the name by which it was registered is changed or, if it was registered without a name, a name is given to the child, the Registrar General ^{F16}...

^{F16}(a)

^{F16}(b)

shall^{F17}, where, within two years from the date of the birth of the child, an application in the prescribed form is made to the Registrar General in respect of that matter by the qualified applicant,] cause an entry containing the name mentioned in the [^{F18}application] to be made in the Register of Corrections Etc., and only one such entry may be made under this subsection in respect of any one child.

^{F19} . . .

- (4) Where an application in the prescribed form is made to the Registrar General by the qualified applicant in respect of the change of name or surname of a child under sixteen years of age the Registrar General may record that change of name or surname by causing an appropriate entry to be made in the Register of Corrections Etc.—

^{F20}(a)

^{F21}(b)

Only one change of name and one change of surname in respect of any one child may be recorded under this subsection, but no change of name shall be recorded under this subsection in the case of a child in respect of whom a change of name has been recorded by virtue of the last foregoing subsection.

- (5) ^{F22}Where an application in the prescribed form is made to the Registrar General in respect of a change of name or surname, in the case of a person over sixteen years

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of age . . . , by that person, the Registrar General may record that change of name or surname by causing an appropriate entry to be made in the Register of Corrections Etc.—

^{F23}(a)

^{F24}(b)

Only one change of name and three changes of surname in respect of any one person may be recorded under this subsection, and a period of five years must elapse after one change of surname is recorded before another such change may be recorded.

(6) Notwithstanding the foregoing provisions of this section, where an application is made to the Registrar General in respect of a change of name or surname—

(a) in the case of a child under sixteen years of age, by [^{F25}the qualified applicant] of that child, in the case of a person over sixteen years of age ^{F22} . . . , by that person, and there is produced to the Registrar General—

(i) a decree or certificate of change of name or surname pronounced or, as the case may be, granted by or on behalf of the Lyon King of Arms, or

(ii) a certified copy of a will, settlement, or deed of trust containing a condition that the person concerned shall take a name or surname different from that in which his birth was registered, together with evidence to the satisfaction of the Registrar General that the name or surname has thereafter been so changed, or

(b) in the case of a male person who has married in Scotland and who has changed his name or surname following his marriage, by that person, and there is produced to the Registrar General a decree or certificate as described in the foregoing paragraph,

the Registrar General may record that change of name or surname by causing an appropriate entry to be made in the Register of Corrections Etc.

(7) Where an application is made to the Registrar General in respect of the recording of an alternative name, being the English equivalent of a non-English name, in the case of a child under sixteen years of age, by [^{F25}the qualified applicant] of that child, in the case of a person over sixteen years of age ^{F22} . . . , by that person, the Registrar General may record that name as an alternative name by causing an appropriate entry to be made in the Register of Corrections Etc.

(8) On making an application under any of the provisions of this section the applicant shall pay such fees as may be prescribed.

(9) Nothing in this section shall affect any rule of law as respects change of name or surname, and in particular, without prejudice to that generality, the validity as evidence of change of name or surname of a decree or certificate pronounced or, as the case may be, granted by or on behalf of the Lyon King of Arms.

[^{F26}(9A) In this section “ qualified applicant ” means—

(a) where only one parent has parental responsibilities in relation to the child, that parent;

(b) where both parents have such responsibilities in relation to the child, both parents; and

(c) where neither parent has such responsibilities, any other person who has such responsibilities.

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(9B) A person may be a qualified applicant for the purposes of this section whether or not he has attained the age of sixteen years]

F27(10)

Subordinate Legislation Made

P4 S. 43: for previous exercises of this power see Index to Government Orders.

P5 S. 43(8): s. 54(1) (with ss. 28A(4), 37(2)(3), 38(2)(3), 43(8), 47 and 56) power exercised by [S.I. 1991/2817](#).

Textual Amendments

F16 Words in s. 43(3) repealed (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 46(a)(i)**, 63(2); [S.S.I. 2006/469](#), arts. 2, 3, **Schs. 1, 2** (with art. 4)

F17 Words in s. 43(3) inserted (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 46(a)(ii)**, 63(2); [S.S.I. 2006/469](#), arts. 2, 3, **Schs. 1, 2** (with art. 4)

F18 Word in s. 43(3) substituted (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 46(a)(iii)**, 63(2); [S.S.I. 2006/469](#), arts. 2, 3, **Schs. 1, 2** (with art. 4)

F19 Words in s. 43(3) repealed (1.11.1995) by 1995 c. 36, s. 105(4)(5), **Sch. 4 para. 12(3)(a)**, **Sch. 5**; [S.I. 1995/2787](#), art. 3, **Sch. Table**

F20 S. 43(4)(a) and word repealed (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 46(b)(i)(ii)**, 63(2); [S.S.I. 2006/469](#), arts. 2, 3, **Schs. 1, 2** (with art. 4)

F21 S. 43(4)(b) repealed (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 46(b)(iii)**, 63(2); [S.S.I. 2006/469](#), arts. 2, 3, **Schs. 1, 2** (with art. 4)

F22 Words in s. 43(5)(6)(7) repealed (25.9.1991) by [Age of Legal Capacity \(Scotland\) Act 1991 \(c. 50, SIF 49:8\)](#), ss. 10(2), 11(2), **Sch. 2**

F23 S. 43(5)(a) and word repealed (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 46(b)(i)(ii)**, 63(2); [S.S.I. 2006/469](#), arts. 2, 3, **Schs. 1, 2** (with art. 4)

F24 S. 43(5)(b) repealed (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 46(b)(iii)**, 63(2); [S.S.I. 2006/469](#), arts. 2, 3, **Schs. 1, 2** (with art. 4)

F25 Words in s. 43(6)(a)(7) substituted (1.11.1995) by 1995 c. 36, s. 105(4), **Sch. 4 para. 12(3)(b)**; [S.I. 1995/2787](#), art. 3, **Sch.**

F26 S. 43(9A)(9B) inserted (1.11.1995) by 1995 c. 36, s. 105(4), **Sch. 4 para. 12(3)(c)**; [S.I. 1995/2787](#), art. 3, **Sch.**

F27 S. 43(10) repealed (1.11.1995) by 1995 c. 36, s. 105(4)(5), **Sch. 4 para. 12(3)(d)**, **Sch. 5**; [S.I. 1995/2787](#), art. 3, **Sch. Table**

Modifications etc. (not altering text)

C12 S. 43(1) applied (4.4.2005) by [Gender Recognition Act 2004 \(c. 7\)](#), s. 26, **Sch. 3 para. 18**; [S.I. 2005/54](#), art. 2

C13 S. 43(1) modified (6.4.2010) by [The Human Fertilisation and Embryology \(Parental Orders\) Regulations 2010 \(S.I. 2010/985\)](#), regs. 1(1), 5, **Sch. 4**

C14 S. 43(1) modified (21.12.2018) by [The Human Fertilisation and Embryology \(Parental Orders\) Regulations 2018 \(S.I. 2018/1412\)](#), reg. 1(2), **Sch. 4 para. 4**

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- C15** S. 43(2) applied (4.4.2005) by [Gender Recognition Act 2004 \(c. 7\)](#), s. 26, **Sch. 3 para. 18**; S.I. 2005/54, art. 2
- C16** S. 43(5)-(9) applied (4.4.2005) by [Gender Recognition Act 2004 \(c. 7\)](#), s. 26, **Sch. 3 para. 18**; S.I. 2005/54, art. 2

Marginal Citations

- M2** [1958 c. 5](#). (7 & 8 Eliz. 2).

44 Register of Corrections Etc.

- (1) There shall be established a Register of Corrections Etc., which shall be used to record in relation to any entries in the registers any matters for which provision is so made under this Act and such further corrections, amendments and particulars of events occurring subsequent to registration as the Registrar General may from time to time direct.
- (2) All existing registers of corrected entries shall have effect as if they were part of the Register of Corrections Etc.
- (3) In issuing an extract of any entry in respect of which an insertion relating to an error has been made in the Register of Corrections Etc., ^{F28}..., effect shall be given to the amended particulars contained in such an insertion.
- (4) The extent to which and the manner in which any other class of insertions in the Register of Corrections Etc., shall be given effect in any extract, ^{F29}..., shall be as prescribed.

Textual Amendments

- F28** Words in s. 44(3) repealed (1.1.2007) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 44(7)(a)**, 63(2); S.S.I. 2006/469, art. 3, Sch. 2 (with art. 4)
- F29** Words in s. 44(4) repealed (1.1.2007) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 44(7)(b)**, 63(2); S.S.I. 2006/469, art. 3, Sch. 2 (with art. 4)

Modifications etc. (not altering text)

- C17** S. 44 applied (4.4.2005) by [Gender Recognition Act 2004 \(c. 7\)](#), s. 26, **Sch. 3 para. 18**; S.I. 2005/54, art. 2
- C18** S. 44 applied (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), **ss. 98**, 263(3); S.S.I. 2005/604, art. 2(b)
- C19** S. 44 applied by 2004 c. 33, s. 98(1) (as substituted (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 52(6)**, 63(2); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4))

Parochial Registers

45 Correction of entries in parochial registers.

- [^{F30}(1)] If any error shall be discovered in an entry relating to a birth or baptism, death or burial, proclamation of banns or marriage in any parochial register kept and in use prior to 1st January 1855, the Registrar General may, on the application of any person having an interest and after inspection of any written evidence, authorise the correction

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of the entry, which shall be done by making an appropriate insertion in a Register of Corrections Etc., kept for the purpose by the Registrar General.

[^{F31}(2) The reference in subsection (1) above to written evidence includes evidence which is submitted by electronic means if it is received in a form which is legible and capable of being used for subsequent reference.]

Textual Amendments

- F30** S. 45 renumbered as s. 45(1) (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 45(3)(a)**, 63(2); S.S.I. 2006/469, art. 2, Sch. 1 (with art. 4)
- F31** S. 45(2) inserted (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 45(3)(b)**, 63(2); S.S.I. 2006/469, art. 2, Sch. 1 (with art. 4)

46 Parochial registers to be transmitted to Registrar General.

- (1) Subject to the following subsection, all such parochial registers as aforesaid shall, so far as they are not already in the custody of the Registrar General, be transmitted to him for custody in the General Register Office.
- (2) Where a parochial register forms part of any other record or document or where for any other reason it would be inappropriate so to transmit the register, the duty to do so shall be discharged if there is transmitted to the Registrar General a copy of the register reproduced by photography, xerography or any other process approved by the Registrar General, or if an opportunity so to reproduce the register is afforded to the Registrar General.
- (3) Notwithstanding the provisions of section 3(2) of this Act, it shall be lawful for the Registrar General to transmit to the Keeper of the Records of Scotland any parochial register or copy of such register, which is in the custody of the Registrar General by virtue of this or any other Act, if in his opinion the retention by him of that register or copy register is no longer necessary.

47 Search of parochial registers etc., and provision of extracts therefrom.

On payment to him of such fee or fees as may be prescribed, the Registrar General shall, at any time when the General Register Office is open for that purpose—

- (a) cause a search to be made of the aforesaid parochial registers or any copies or indexes thereof on behalf of any person or permit that person to search the registers, copies or indexes himself, and
- (b) issue to any person an extract of any entry in the said registers or copies which that person may require.

Subordinate Legislation Made

- P6** S. 47: s. 54(1) (with ss. 28A(4), 37(2)(3), 38(2)(3), 40(1), 43(8), 47 and 56) power exercised by [S.I.1991/2817](#).
- S. 47: for previous exercises of this power see Index to Government Orders.

Changes to legislation: There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V. (See end of Document for details)

Miscellaneous

48 Decrees of court altering status.

Where a decree altering the status of any person has been granted by any competent court the clerk of court shall, where no appeal has been made against such decree, on the expiration of the time within which such an appeal may be made, or where an appeal has been made against such a decree, on the conclusion of any appellate proceedings, notify the import of such decree in the prescribed form to the Registrar General who shall thereupon cause an appropriate entry to be made—

- [^{F32}(a) where the decree is of divorce or of declarator of nullity of marriage, in the Register of Divorces; and
(b) in any other case,]

in the Register of Corrections Etc.

Textual Amendments

- F32** Words inserted by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1985 \(c. 73, SIF 105\)](#), [s. 50\(2\)](#)

49 Signing by mark by persons unable to write.

If any person whose signature is necessary under this Act is unable to write, it shall be lawful for him to adhibit a cross or other mark in the presence of the district registrar or two witnesses who shall also adhibit their signatures and designations, and such cross or mark shall be in all respects as binding and effectual as the signature of such person would have been if he had been capable of writing.

50 Events occurring in institutions.

The chief officer, matron or other person in charge of a hospital, ^{F33} . . . or other such institution [^{F34}or of accommodation provided by a care home service (“care home service” having the meaning given by [^{F35}paragraph 2 of schedule 12 to the Public Services Reform (Scotland) Act 2010] (asp 8))] who has been so requested by the Registrar General, shall, at such times and in such manner as the Registrar General may require, transmit to the district registrar of the registration district in which the institution [^{F36}or accommodation] is situate, a list containing particulars of births and deaths occurring in such institution [^{F36}or accommodation].

Textual Amendments

- F33** Words in s. 50 repealed (1.4.2002) by [2001 asp 8](#), s. 79, [Sch. 3 para. 2\(a\)](#); S.S.I. 2002/162, [arts. 1, 2\(h\)](#) (subject to [arts. 3-13](#))
- F34** Words in s. 50 inserted (1.4.2002) by [2001 asp 8](#), s. 79, [Sch. 3 para. 2\(b\)](#); S.S.I. 2002/162, [arts. 1, 2\(h\)](#) (subject to [arts. 3-13](#))
- F35** Words in s. 50 substituted (1.4.2011) by [The Public Services Reform \(Scotland\) Act 2010 \(Consequential Modifications\) Order 2011 \(S.S.I. 2011/211\)](#), art. 1, [Sch. 1 para. 1](#)
- F36** Words in s. 50 inserted (1.4.2002) by [2001 asp 8](#), s. 79, [Sch. 3 para. 2\(c\)](#); S.S.I. 2002/162, [arts. 1, 2\(h\)](#) (subject to [arts. 3-13](#))

Changes to legislation: There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V. (See end of Document for details)

51 Returns to be made by registrar.

Every district registrar shall—

- (a) at such times and in such manner as the Registrar General may direct, furnish to the Registrar General returns relating to the entries of births, deaths and marriages and any other information obtained by the registrar in the execution of his duties which the Registrar General may require, and
- (b) supply to the [^{F37}Chief administrative medical officer of the Health Board] in whose area the registration office is situate such periodical returns of births and deaths as may be required by the Secretary of State.

Textual Amendments

F37 Words substituted by [National Health Service \(Scotland\) Act 1972 \(c. 58\)](#), [Sch. 6 para. 129](#)

52 Sending of documents by post.

Any notice, information, declaration, certificate, requisition, return or other document required to be served, sent or issued by a district registrar by or under this Act [^{F38}or the ^{M3}Marriage (Scotland) Act 1977] may, unless the context otherwise requires, be sent by post or in accordance with any directions which may be given by the Registrar General.

Textual Amendments

F38 Words inserted by [Marriage \(Scotland\) Act 1977 \(c. 15\)](#), [Sch. 2 para. 9](#)

Marginal Citations

M3 [1977 c. 15.](#)

53 Offences.

(1) If any person commits any of the following offences, that is to say—

- (a) if he knowingly gives to a district registrar [^{F39}or the Registrar General] information which is false in a material particular;
- (b) if he falsifies or forges any extract, certificate or declaration issued or made, or purporting to be issued or made, under this Act; or
- (c) if he knowingly uses, or gives or sends to any person, as genuine any false or forged extract, certificate or declaration issued or made, or purporting to be issued or made, under this Act,

he shall be liable

- (i) on conviction on indictment, to a fine or to imprisonment for a term not exceeding 2 years or to both;
- (ii) on summary conviction, to a fine not exceeding £100 or to imprisonment for a term not exceeding 3 months or to both.

(2) If any person commits any of the following offences, that is to say—

- (a) if he wilfully or negligently destroys, obliterates, erases or injures any entry in any register kept under this Act, or causes or permits the register or any part thereof to be destroyed, obliterated, erased or injured; or

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- (b) if he knowingly gives to a district registrar, for the purpose of registration in a register, particulars of a birth or of a death which have already been registered in that or any other register,

he shall be liable on summary conviction to a fine not exceeding [^{F40}level 3 on the standard scale].

(3) If any person commits any of the following offences, that is to say—

- (a) if being required by or under this Act to give information concerning any birth or death or any dead body, he wilfully refuses to answer any question put to him by a district registrar relating to the particulars required to be registered concerning the birth or death, or save as provided in this Act, fails to comply with any requirement of a district registrar made thereunder;
- (b) if he refuses or fails without reasonable cause to give, deliver or send any certificate which he is required by this Act to give, deliver or send;
- (c) if, being a parent, and save as provided in this Act, he fails [^{F41}without reasonable excuse]to give information concerning the birth of his child as required by this Act;
- (d) if, being a person upon whom duty to give information concerning a death is imposed by section 23(1) of this Act, he fails to give that information and that information is not given; or
- (e) if he passes as genuine any reproduction of an extract ^{F42}... if such reproduction has not been authenticated in accordance with section 41(1) of this Act,

he shall be liable on summary conviction to a fine not exceeding [^{F43}level 1 on the standard scale].

Textual Amendments

F39 Words in s. 53(1)(a) inserted (1.1.2007) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), ss. 47(2), 63(2); S.S.I. 2006/469, art. 3, Sch. 2 (with art. 4)

F40 Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), ss. 289F, 289G

F41 Words in s. 53(3)(c) inserted (1.11.1995) by 1995 c. 36, s. 105(4), [Sch. 4 para. 12\(4\)](#); S.I. 1995/2787, art. 3, [Sch.](#)

F42 Words in s. 53(3)(e) repealed (1.1.2007) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), ss. 44(8), 63(2); S.S.I. 2006/469, art. 3, Sch. 2 (with art. 4)

F43 Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#) ss. 289F, 289G

Modifications etc. (not altering text)

C20 S. 53(1)(a) amended by [Marriage \(Scotland\) Act 1977 \(c. 15\)](#), s. 24(3)

54 Regulations.

(1) The Registrar General may, with the approval of the Secretary of State, by statutory instrument make regulations—

- (a) prescribing the circumstances, of hardship or otherwise, in which fees prescribed under this Act may be remitted by the Registrar General;
- (b) prescribing anything which by this Act is required to be prescribed;
- (c) . . . ^{F44}
- (d) . . . ^{F45}

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[^{F46}(1A) Regulations [^{F47}under subsection (1)] may make different provision for different cases or circumstances.]

- (2) Any statutory instrument containing regulations . . . ^{F48}
- [^{F49}(a) prescribing fees for the purposes of this Act]
- [^{F50}(b) prescribing cases or classes of case for the purpose of section 20(1A)(b) of this Act,]
- shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) The ^{M4}Statutory Instruments Act 1946 shall apply to a statutory instrument containing regulations made under this section as if the regulations had been made by a Minister of the Crown.

Subordinate Legislation Made

- P7** S. 54: for previous exercises of power see Index to Government Orders
- P8** S. 54(1): s. 54(1) (with ss. 28A(4), 37(2)(3), 38(2)(3), 40(1), 43(8), 47 and 56) power exercised by [S.I.1991/2817](#).
- P9** S. 54(1)(b): s. 42(2)(with s. 54(1)(b)) power exercised by [S.I. 1991/1260](#)

Textual Amendments

- F44** S. 54(1)(c) repealed by [Marriage \(Scotland\) Act 1977 \(c. 15\)](#), **Sch. 3**
- F45** S. 54(1)(d) repealed by [Children Act 1975 \(c. 72\)](#), **Sch. 4 Pt III**
- F46** [S. 54\(1A\)](#) inserted (1.9.2014) by [Marriage and Civil Partnership \(Scotland\) Act 2014 \(asp 5\)](#), **ss. 33, 36**; [S.S.I. 2014/212](#), **art. 2**, **Sch.** (as amended (1.9.2014) by [S.S.I. 2014/218](#), **art. 2(3)**, **Sch.**)
- F47** Words in [s. 54\(1A\)](#) substituted (25.1.2023) by [Coronavirus \(Recovery and Reform\) \(Scotland\) Act 2022 \(asp 8\)](#), **ss. 28(2), 59(4)(5)**; [S.S.I. 2023/3](#), **reg. 2**
- F48** Words repealed by [Statute Law \(Repeals\) Act 1981 \(c. 19\)](#), **Sch. I Pt. XII**
- F49** Words in s. 54(2) renumbered as s. 54(2)(a) (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 41(3)(a), 63(2)**; [S.S.I. 2006/469](#), **art. 2**, **Sch. 1** (with **art. 4**)
- F50** S. 54(2)(b) inserted (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 41(3)(b), 63(2)**; [S.S.I. 2006/469](#), **art. 2**, **Sch. 1** (with **art. 4**)

Modifications etc. (not altering text)

- C21** S. 54 extended by [Social Security Act 1975 \(c. 14\)](#), **s. 160(1)**
- C22** S. 54 extended (1.7.1992) by [Social Security Administration Act 1992 \(c. 5\)](#), **ss.124, 186, 192(4)**, **Sch. 10 para. 3(1)**.

Marginal Citations

- M4** 1946. c. 36.

[^{F51}54A Form, and manner of attestation, of documents

- (1) Regulations prescribing the form of a document may, unless the document requires to be signed, make provision for the document to be electronic rather than paper-based.
- (2) Regulations prescribing the manner in which a document requires to be attested may make different provision for different cases or circumstances.]

Changes to legislation: There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V. (See end of Document for details)

Textual Amendments

F51 S. 54A inserted (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), ss. 47(3), 63(2); S.S.I. 2006/469, art. 2, Sch. 1 (with art. 4)

55 Expenses.

There shall be paid out of moneys provided by Parliament any increase attributable to this Act in the sums payable out of moneys so provided by way of Exchequer Equalisation Grant under the enactments relating to local government in Scotland.

56 Interpretation.

(1) In this Act, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them, that is to say—

[^{F52} “the 2011 Act” means the Certification of Death (Scotland) Act 2011 (asp 11);]

“birth”, except in relation to registers of births, includes a still-birth;

“district registrar” has the meaning assigned to it in section 7(12) of this Act;

“function” includes power and duty;

[^{F53} “local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;]

[^{F54} “medical reviewer” means a person appointed under paragraph 7A(1) of Schedule 5A to the National Health Service (Scotland) Act 1978 (c. 29);]

^{F55} . . .

^{F56}

“name” means Christian name or forename;

“occupier”, in relation to any institution, includes the governor, keeper, matron, superintendent, or other person in charge thereof, and, in relation to a house, includes any person residing therein;

[^{F57} “parentage” has the meaning assigned to it in section 8 of the Law Reform (Parent and Child) (Scotland) Act 1986, and “non-parentage” shall be construed accordingly;]

[^{F58} “parental responsibilities” has the meaning given in section 1(3) of the Children (Scotland) Act 1995;]

“prescribed” means prescribed by regulations made under section 54 of this Act;

“qualified informant”, in relation to any birth or death, means a person who is by this Act required or stated to be qualified to give information concerning that birth or death;

“relative” includes a relative by marriage, . . . ^{F59}[^{F60}, a civil partner and anyone related to the civil partner of the person as regards whom the expression is being construed];

[^{F61} “senior medical reviewer” means a person appointed under paragraph 7A(2) of Schedule 5A to the National Health Service (Scotland) Act 1978 (c. 29);]

“still-born child” means a child which has issued forth from its mother after the [F62twenty-fourth 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;

F55 . . .

(2) Except in so far as the context otherwise requires, any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended by or under any other enactment, including this Act.

[F63(3) Section 1(1) (legal equality of children) of the Law Reform (Parent and Child) (Scotland) Act 1986 shall apply to this Act; and any reference (however expressed) in this Act to a relative shall, unless the contrary intention appears, be construed accordingly.]

Subordinate Legislation Made

P10 S. 56: s. 54(1) (with ss. 28A(4), 37(2)(3), 38(2)(3), 40(1), 43(8), 47 and 56) power exercised by S.I. 1991/2817.

Textual Amendments

- F52 Words in s. 56(1) inserted (13.5.2015) by Certification of Death (Scotland) Act 2011 (asp 11), s. 32(3), Sch. 2 para. 6(a); S.S.I. 2015/115, art. 3
- F53 Definition of “local authority” in s. 56(1) inserted (1.4.1996) by 1994 c. 39, s. 51(5) (with s. 7(2)); S.I. 1996/323, art. 4(1)(a), Sch. 1
- F54 Words in s. 56(1) inserted (13.5.2015) by Certification of Death (Scotland) Act 2011 (asp 11), s. 32(3), Sch. 2 para. 6(b); S.S.I. 2015/115, art. 3
- F55 Definitions in s. 56(1) repealed (25.9.1991) by Age of Legal Capacity (Scotland) Act 1991 (c. 50, SIF 49:8), ss. 10(2), 11(2), Sch. 2
- F56 Definition repealed by Local Government (Scotland) Act 1973 (c. 65), Sch. 29
- F57 Definitions inserted by Law Reform (Parent and Child) (Scotland) Act 1986 (c. 9, SIF 49:8), s. 10(1), Sch. 1 para. 8(9)
- F58 Definition in s. 56(1) inserted (1.11.1995) by 1995 c. 36, s. 105(4), Sch. 4 para. 12(5); S.I. 1995/2787, art. 3, Sch.
- F59 Words repealed by Children Act 1975 (c. 72), Sch. 4 Pt. I
- F60 Words in s. 56(1) inserted (14.9.2005) by Civil Partnership Act 2004 (c. 33), ss. 136, 263(3); S.S.I. 2005/428, art. 2, Sch.
- F61 Words in s. 56(1) inserted (13.5.2015) by Certification of Death (Scotland) Act 2011 (asp 11), s. 32(3), Sch. 2 para. 6(c); S.S.I. 2015/115, art. 3
- F62 Words in s. 56(1) substituted (1.10.1992) by Still-Birth (Definition) Act 1992 (c. 29), ss. 1(2), 4(2).
- F63 S. 56(3) added by Law Reform (Parent and Child) (Scotland) Act 1986 (c. 9, SIF 49:8), s. 10(1), Sch. 1 para. 8(10)

57 Savings etc.

(1) Any registration effected, extract or certificate issued, notice or information given, order, regulations or return made or other thing done under any enactment repealed by this Act shall, if in force at the commencement of this Act, continue in force and have effect as if effected, issued, given, made or done under the corresponding provision of this Act.

F64(2)

- ^{F64}(3)
- (4) Any document referring to an enactment repealed by this Act shall, unless the contrary intention appears, be construed as referring to the corresponding provision of this Act.
- (5) Nothing in this Act shall affect any provision of the ^{M5}Population Statistics Act 1938 requiring particulars to be furnished for the purposes of that Act.
- (6) Nothing in the foregoing provisions of this section or in the provisions of the next following section shall be taken as prejudicing the operation of [^{F65}sections 16(1) and 17(2)(a) of the ^{M6}Interpretation Act 1978] which [^{F65}relate] to the effect of repeals.

Textual Amendments	
F64	S. 57(2)(3) repealed (5.11.1993) by 1993 c. 50, s.1(1), Sch. 1 Pt. VIII.
F65	Words substituted by virtue of Interpretation Act 1978 (c. 30), s. 25(2)
Marginal Citations	
M5	1938 c. 12.
M6	1978 c. 30.

58 Consequential amendments and repeals.

- (1) The enactments mentioned in Schedule 1 to this Act shall have effect subject to the amendments respectively specified in that Schedule, being amendments consequential on the provisions of this Act.
- (2) ^{F66}

Textual Amendments	
F66	S. 58(2) repealed by Statute Law (Repeals) Act 1974 (c. 22), Sch. Pt XI
Modifications etc. (not altering text)	
C23	The text of s. 58(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

59 Short title, extent and commence-ment.

- (1) This Act may be cited as the Registration of Births, Deaths and Marriages (Scotland) Act 1965.
- (2) This Act shall extend to Scotland only.
- (3) This Act shall come into force on 1st January 1966.

Changes to legislation:

There are currently no known outstanding effects for the Registration of Births, Deaths and Marriages (Scotland) Act 1965, Part V.