



# Local Government Act 1929

## 1929 CHAPTER 17

### PART II

#### REGISTRATION OR BIRTHS, DEATHS AND MARRIAGES.

#### **21 Transfer of functions under Registration Acts.**

- (1) On the appointed day the functions of boards of guardians under the Registration Acts in relation to a registration district and to any sub-districts comprised therein shall—
- (a) if the registration district is wholly comprised within one county or county borough, be transferred to the council of that county or county borough;
  - (b) if the registration district is not wholly comprised within one county or county borough, be transferred to the council of the county or county borough which is estimated by the Registrar-General to contain on the first day of January preceding the appointed day the larger or largest part of the population of the registration district;

and the functions so transferred are in this Part of this Act referred to as "transferred functions."

- (2) Until such schemes as are hereinafter in this Part of this Act mentioned are made, nothing in this Act shall affect the area of any existing registration district or sub-district, without prejudice, however, to the exercise of the powers contained in the Registration Acts as to the alteration thereof:

Provided that, where as respects the part of a registration district comprised in a county or county borough the transferred functions in relation thereto are exercised by a council other than the council of that county or county borough, and in pursuance of such powers of alteration as aforesaid an order is made whereby that part is constituted a separate registration district, or is added to a registration district comprised in that county or county borough, the order shall provide for transferring to the council of that county or county borough the transferred functions in relation to that part of the registration district and to any sub-districts comprised in that part.

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*Status: This is the original version (as it was originally enacted).*

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## **22 Conversion of registration officers into salaried officers.**

- (1) On a vacancy occurring on or after the appointed day in the office of a registration officer, the office shall become a salaried office.
- (2) On application for the purpose being made after the appointed day to the responsible council by a registration officer appointed before that day, the office which he holds shall, as from such date (not later than the beginning of the next financial year) as may be fixed by the council become a salaried office.
- (3) Where the office of a registration officer becomes a salaried office—
  - (a) the officer holding the office shall be entitled to receive from the responsible council such salary or remuneration and office and other allowances as may be fixed, and shall hold office on such conditions as may be determined, under this section;
  - (b) every such officer shall, at such times and in such manner as may be prescribed, account to the Registrar-General for all fees and allowances received by or payable to him in respect of the execution of his duties under the Registration Acts, and upon the direction of the Registrar-General shall pay to the responsible council such sum as the Registrar-General may certify to be due to the council in respect of such fees and allowances;
  - (c) the fees payable under sections twenty-nine and thirty-four of the Births and Deaths Registration Act, 1836, as amended by any subsequent enactment shall cease to be payable in respect of the office.
- (4) Subject to the approval of the Registrar-General, the council of any county or county borough may, as respects the salaried officers for whom the council are the responsible council, determine and from time to time vary—
  - (a) the salary or remuneration to be attached to any salaried office, and the allowances (if any) to be paid for travelling, the provision of office accommodation, and other expenses;
  - (b) the conditions on which any salaried office is to be held, including a requirement that an officer shall give such security as may be considered necessary to guard against any malfeasance or misappropriation of fees.
- (5) In this and the next following section " the responsible council " means, as respects any registration officer, the council of the county or county borough by whom the transferred functions in relation to the registration district or sub-district for which the officer acts are discharged.

## **23 Power to increase statutory fees.**

- (1) It shall be lawful for the Minister by order to increase any of the fees fixed by the Registration Acts to an extent not exceeding fifty per cent., and from time to time to vary the amount of the increase, subject to such limitation as aforesaid.
- (2) Where such an order has been made, it shall be the duty of every officer who is not a salaried officer, at such times and in such manner as may be prescribed, to account to the Registrar-General for, and pay to the responsible council, so much of the fees received by or payable to him as the Registrar-General may certify to represent the increase effected by the order, subject to such deduction as the Registrar-General may allow as remuneration to him for the trouble and expense of collecting and accounting for such increased amounts.

- (3) An order under this section shall be laid before Parliament as soon as may be after it is made.

## **24 Schemes for the administration of Registration Acts in counties and county boroughs.**

- (1) Before the first day of April, nineteen hundred and thirty-two, or such later date as the Minister may allow, it shall be the duty of the council of every county and county borough to prepare and submit to the Minister a scheme for—
- (a) the division into registration districts and sub-districts for the purposes of the Registration Acts of the whole of the county or county borough, including any portion of the county or county borough forming part of a registration district the transferred functions in relation to which are at the time of the making of the scheme discharged by the council of some other county or county borough;
  - (b) determining the number of superintendent registrars, registrars of births and deaths, and registrars of marriages, and other officers required for the purposes of the Registration Acts within the county or county borough;
  - (c) determining the location of offices and stations in the various registration districts and sub-districts;
  - (d) conferring and imposing on registrars of births and deaths all or any of the functions of registrars of marriages;
  - (e) providing, where two or more officers are appointed to act for a single registration district or sub-district, for the distribution between them of the registration functions to be discharged within the registration district or sub-district ; so, however, that such distribution shall not render any such officer disqualified from acting at any time or at any place in the registration district or sub-district as the case may be;
  - (f) fixing (subject to such power of revision as may be provided by the scheme) the salary and other remuneration (if any) to be attached to each office, and the allowances (if any) to be paid for travelling, the provision of office accommodation and other expenses;
  - (g) fixing (subject as aforesaid) the conditions on which an office is to be held, so, however, that nothing in the scheme shall affect the power of the Registrar-General to remove from office an officer in any case in which the Registrar-General is satisfied that the officer has been guilty of serious default in the performance of the duties imposed on him by the Registration Acts or any regulations made thereunder;
  - (h) applying with the necessary modifications and adaptations any of the provisions of this Act relating to the transfer, superannuation and compensation of officers.
- (2) Every scheme under this section shall provide for conferring on the clerk of the county council or the town clerk of the county borough such general powers of supervising the administration within the county or county borough of the provisions of the Registration Acts as may be specified in the scheme, and in particular powers with respect to—
- (a) the fixing of the hours of attendance of officers;
  - (b) the distribution of business between officers;
  - (c) the transfer of officers from one registration district or sub-district to another;

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and section five of the Births and Deaths Registration Act, 1836, shall have effect as if amongst the officers with respect to whose duties under the Registration Acts regulations may be made under that section there were included clerks of county councils, town clerks, and such other officers as may be appointed under the scheme.

- (3) Every scheme under this section shall fix the date or dates on which the scheme is to come into operation and may fix different dates for different provisions of the scheme or for different areas, and the dates so fixed may be made dependent on the happening of specified events.
- (4) No scheme submitted to the Minister under this section shall be of any effect unless and until it is approved by the Minister and the Minister, after considering any representations with respect to the scheme which may be submitted to him by any officer affected, may approve the scheme with or without modifications.
- (5) If a council fail to submit to the Minister a scheme under this section within the time mentioned in this section, the Registrar-General may, after consultation with the council, make a scheme for the purpose, and any scheme so made, if approved by the Minister, shall have effect as if it were a scheme submitted by the council and approved by the Minister.
- (6) Where a scheme has been made and approved under this section, the Registration Acts shall have effect subject thereto.

## **25 Salary of Registrar-General.**

The salary of the Registrar-General shall be such as may be determined by the Minister with the approval of the Treasury.

## **26 Amendment of law as to method of giving information of birth or death.**

- (1) Any person required by the Registration Acts to give information concerning a birth may, within three months from the date of the birth, give the information by making and signing in the presence of and delivering to such officer as may be prescribed a declaration in writing of the particulars required to be registered concerning the birth.
- (2) The officer in whose presence the declaration S3 so made shall send the declaration to the registration officer whose duty it is to make the entry in the register, who shall in the prescribed manner enter the birth in the register.
- (3) An entry so made shall be deemed for the purposes of the Registration Acts to have been signed by the person who signed the declaration, and a person making a declaration in pursuance of this section shall be deemed to comply with the provisions of the Registration Acts as to the giving of information concerning a birth, and with any requisition of the registration officer made under the Registration Acts to attend and give information concerning the birth.
- (4) Section six of the Births and Deaths Registration Act, 1874, shall cease to have effect:  
  
Provided that the fee fixed by that Act for the purposes of that section shall be deemed to be the fee fixed by the Registration Acts for the purposes of this section and shall be subject to be increased under this Act accordingly.

- (5) The Minister or the Registrar-General with the consent of the Minister may by regulations extend this section subject to the necessary modifications to the registration of deaths and still births.

**27 Application to London.**

This Part of this Act shall apply to the county of London subject to the following modifications—

- (a) the functions of boards of guardians under the Registration Acts shall be transferred to the common council of the City of London and to the councils of the several metropolitan boroughs and not to the London County Council;
- (b) references to counties and county boroughs and the councils thereof shall be construed as references to the City of London and metropolitan boroughs and to the common council and the councils of metropolitan boroughs;
- (c) references to clerks of county councils and town clerks shall be construed as references to the town clerks of the City of London and metropolitan boroughs.

**28 Construction and citation.**

- (1) The Births and Deaths Registration Act, 1926, shall be construed as one with the Births and Deaths Registration Acts, 1836 to 1901, and this Part of this Act, so far as it relates to the registration of births and deaths, shall be construed as one with the Births and Deaths Registration Acts, 1836 to 1926, and, so far as it relates to marriages shall be construed as one with the Marriage Acts, 1811 to 1898, and accordingly in this Part of this Act the expression " prescribed " shall mean prescribed by regulations made by the Minister, or by the Registrar-General with the approval of the Minister, under the Registration Acts.
- (2) The Births and Deaths Registration Acts, 1836 to 1926, and this Part of this Act may be cited together as the Births and Deaths Registration Acts, 1836 to 1929, and the Marriage Acts, 1811 to 1898, and this Part of this Act may be cited together as the Marriage Acts, 1811 to 1929.