



## 2011 CHAPTER 20

### *Other amendments of the 1976 Order*

#### **Discharge of functions of the Registrar General**

**12.** In Article 4 of the 1976 Order (General Register Office and officers), after paragraph (2) there shall be added the following paragraph—

“(3) Any function of the Registrar General may be performed by an officer appointed under paragraph (2) and authorised for the purpose of that function by the Registrar General.”.

#### **Reproduction of registers and replacement of lost registers, etc.**

**13.** In Article 33 of the 1976 Order (reproduction of registers and replacement of lost registers, etc.), in paragraph (2) (authentication by signature of Registrar General) the words “the signature of” shall cease to have effect.

#### **Access to information relating to births and deaths**

**14.** After Article 34 of the 1976 Order (searches of indexes and certified copies of entries) there shall be inserted the following Article—

##### **“Access to information relating to births and deaths**

**34A.—**(1) Regulations may make provision for any person to have access on payment of the prescribed fee to any information contained in the registers.

(2) Regulations under paragraph (1) may provide that the relevant period must have expired in relation to the information.

(3) In paragraph (2) “the relevant period” means—

- (a) in relation to information relating to a birth, the period of 100 years from the date of the birth or such other period as may be prescribed;
  - (b) in relation to information relating to a death, the period of 50 years from the date of the death or such other period as may be prescribed.
- (4) Regulations under paragraph (1) may provide for the Registrar General—
- (a) to make arrangements with any person for the purpose of providing access to information as mentioned in that paragraph; and
  - (b) for that purpose to transfer information to that person subject to conditions (including conditions as to the making of payments by that person to the Registrar General).
- (5) Paragraph (1) shall not apply to any register of still-births.
- (6) This Article is without prejudice to Article 38.”.

### **Correction of errors in registers**

**15.—**(1) In Article 35 of the 1976 Order (correction of errors in registers), in paragraph (2)(a) (clerical errors), for the words “clerical error” there shall be substituted the words “error (other than an error of fact or substance)”.

(2) In Article 36 of the 1976 Order (correction or cancellation of entries in registers on motion of certain officers)—

- (a) in paragraph (1), the words “in his custody” shall cease to have effect;
- (b) in paragraph (2), for the words “the registrar having custody of the register” there shall be substituted the words “any registrar”;
- (c) in paragraph (3)—
  - (i) for the words “the registrar having custody of the register when” there shall be substituted the words “any registrar”;
  - (ii) in sub-paragraph (a) for the words from “attend” to “of the notice” there shall be substituted the words “take such steps as may be specified in the notice for the purposes of this paragraph within such time”;
- (d) in paragraph (4), for the words “the registrar having custody of the register” there shall be substituted the words “any registrar”;
- (e) in paragraph (5), for the words from “to the person” to the end there shall be substituted the words “requiring any person to cancel such of the entries as the Registrar General may specify”.

**Registration or alteration of child's name**

**16.**—(1) Article 37 of the 1976 Order (registration or alteration of child's name) shall be amended as follows.

(2) Paragraph (2) (special procedure for children under the age of two) shall cease to have effect.

(3) In paragraph (3) (procedure for children under the age of 18)—

(a) sub-paragraphs (a) and (b) (evidence produced to Registrar General) shall cease to have effect;

(b) for the words from “recorded under this paragraph” to the end there shall be substituted the words “so recorded”.

(4) In paragraph (4) (procedure for persons over the age of 18), sub-paragraphs (a) and (b) (evidence produced to Registrar General) shall cease to have effect.

(5) After paragraph (4) there shall be inserted the following paragraphs—

“(4A) The Registrar General may notify such persons as the Registrar General considers appropriate of a change of name or surname recorded under this Article.

(4B) A person may make an application in the prescribed form to the Registrar General as to persons to be notified under paragraph (4A) of a change of name or surname recorded under this Article in consequence of an application made by that person under paragraph (3) or (4).

(4C) The prescribed fee shall be paid to the Registrar General by any person making an application under paragraph (4B).

(4D) Any notification under paragraph (4A) shall be subject to such conditions as the Registrar General considers appropriate.

(4E) The power conferred by paragraph (4A) may be exercised whether or not an application has been made under paragraph (4B).”.

(6) In paragraph (7), for the words “paragraphs (2) and (3)” there shall be substituted the words “paragraph (3)”.

**Certified copies**

**17.** For Article 39 of the 1976 Order (photographic copies, etc.) there shall be substituted the following Article—

**“Certified copies**

**39.** A certified copy issued under this Order may be—

(a) made by any method of reproducing a document; or

- (b) a document containing such information as may be prescribed derived from an entry in the registers.”.

#### **Issue of short birth certificate**

**18.** In Article 40 of the 1976 Order (short birth certificate), in paragraph (a) (issue by Registrar General or person having custody of the register) for the words “person having the custody of the register” there shall be substituted the words “any registrar”.

#### **Notification of births and deaths**

**19.** After Article 40A of the 1976 Order (inserted by section 11) there shall be inserted the following Article—

##### **“Notification of births and deaths**

**40B.—(1)** The Registrar General may notify such persons as the Registrar General considers appropriate of the registration of a birth or a death under this Order.

(2) An application may be made in the prescribed form to the Registrar General as to persons to be notified by the Registrar General under paragraph (1) by any person who gave information leading to the registration of the birth or the death.

(3) The prescribed fee shall be payable to the Registrar General by any person making an application under paragraph (2).

(4) Any notification under paragraph (1) shall be subject to such conditions as the Registrar General considers appropriate.

(5) The power conferred by paragraph (1) may be exercised whether or not an application has been made under paragraph (2).

(6) This Article shall not apply to the registration of a still-birth.”.

#### **Entries in registers as evidence**

**20.** In Article 41 of the 1976 Order (entries in registers as evidence), in paragraph (1)(a) (entry of a birth or death in a register not to be evidence unless signed by a person professing to be a valid informant), for the words “is signed by” there shall be substituted the words “includes the name of”.

#### **Refusal to give information**

**21.** In Article 44 of the 1976 Order (refusal to give information), sub-paragraph (b) of paragraph (1) (which makes it an offence to fail to sign a register in the presence of the registrar when required to do so by the 1976 Order) shall cease to have effect.

**Fees payable for searches, certified copies, etc.**

**22.—**(1) Article 47 of the 1976 Order (fees payable for searches, certified copies, etc.) shall be amended as follows.

(2) In paragraph (1) (matters for or in respect of which fees payable)—

- (a) in sub-paragraph (c), for the word “officer” there shall be substituted the word “person”;
- (b) after sub-paragraph (c) there shall be inserted the following sub-paragraph—
  - “(cc) applications under Article 40B;”;
- (c) after sub-paragraph (d) there shall be inserted the following sub-paragraphs—
  - “(da) documents supplied under section 30 of the Civil Registration Act (Northern Ireland) 2011;
  - (db) entries made in the Record of Northern Ireland Connections under section 31 of that Act;”.

(3) In paragraph (4) (registrar may refuse to comply until fee paid)—

- (a) after the words “Except as may be prescribed” there shall be inserted the words “the Registrar General or”;
- (b) after the words “this Order” there shall be inserted the words “or the Civil Registration Act (Northern Ireland) 2011”;
- (c) for the word “officer” there shall be substituted the word “person”.