

2006 No. 575

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

MARRIAGE

CIVIL PARTNERSHIP

**The Registration Services (Fees, etc.) (Scotland)
Regulations 2006**

Made - - - - 29th November 2006

Laid before the Scottish Parliament 30th November 2006

Coming into force - - 1st January 2007

The Registrar General, in exercise of the powers conferred by sections 28A(4), 37(1), 38(2) and (3), 39D(1) and 39E(3), 43(8), 47 and 54(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965(a), sections 38 and 39C of that Act as applied by sections 98 and 122(7) of the Civil Partnership Act 2004(b), sections 3(1) and 19(2) of the Marriage (Scotland) Act 1977(c), sections 88(1), 95(4), 122(4) and 134(2) of the Civil Partnership Act 2004, sections 58(5) and (8) and 61(2)(a) of the Local Electoral Administration and Registration Services (Scotland) Act 2006(d) and of all other powers enabling him in that behalf, with the approval of the Scottish Ministers(e) in accordance with sections 54(1) of the 1965 Act, 25(1) of the 1977 Act, 126(3) of the 2004 Act and 60(1) of the 2006 Act, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Registration Services (Fees, etc.) (Scotland) Regulations 2006 and shall come into force on 1st January 2007.

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- (a) 1965 c.49 (“the 1965 Act”); section 28A was inserted by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73), section 10(1); section 37 was amended by, and sections 39D and 39E were inserted by, the Local Electoral Administration and Registration Services (Scotland) Act 2006 (“the 2006 Act”), section 44; section 54(1) was amended by the Children Act 1975 (c.72), Schedule 4, part III, the Marriage (Scotland) Act 1977 (c.15), Schedule 3, and the 2006 Act, section 41(3). Section 1 contains a definition of “Registrar General” and section 56 contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.
- (b) 2004 c.33; section 98 was substituted by the 2006 Act, section 52(6); section 122(7) was inserted by the 2006 Act; section 52(7); section 39D of the 1965 Act applies to any information shared with district registrars under section 39C; section 126(1) and 135 contain definitions of “prescribed” and “Registrar General” respectively relevant to the exercise of the statutory powers under which these Regulations are made.
- (c) 1977 c.15 (“the 1977 Act”); section 3(1) was amended by the Marriage (Prohibited Degrees of Relationship) Act 1986 (c.16), Schedule 2, paragraph 3; section 26 contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.
- (d) 2006 asp 14; section 60 contains and applies definitions of “prescribed” and “Registrar General” relevant to the exercise of statutory powers under which these Regulations are made.
- (e) The functions of the Secretary of State under the 1965 and 1977 Acts were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

Interpretation

2.—(1) In these Regulations—

“the 1965 Act” means the Registration of Births, Deaths and Marriages (Scotland) Act 1965;

“the 1977 Act” means the Marriage (Scotland) Act 1977;

“the 2004 Act” means the Civil Partnership Act 2004;

“the 2006 Act” means the Local Electoral Administration and Registration Services (Scotland) Act 2006;

“bulk particular search” means a search for multiple specified entries, by comparison of electronic records, caused to be made by the Registrar General;

“general search” means a search (other than an Internet search) over any period of years for any number of entries, made by any person with the permission of the Registrar General or the district registrar;

“Internet search” means a search, in the indexes to the statutory registers, to the Register of Dissolutions of Civil Partnership or to the parochial registers made available on the Internet, made by any person by means of the Internet with the permission of the Registrar General;

“Internet search session” means the period of time beginning with the time at which a person has—

- (a) access to the indexes made available on the Internet; and
- (b) agreed to pay the prescribed fee for an Internet search session,

and ending—

- (a) 90 days after that time; or if sooner,
- (b) with the time at which that person has retrieved 30 computer screens or part screens of index data;

“particular search” means a search for a specified entry caused to be made by the Registrar General or made by a district registrar;

“search” means a bulk particular search, a general search, an Internet search or, as the case may be, a particular search;

“the statutory registers” means—

- (a) any register of births, still-births, deaths and marriages kept by a district registrar;
- (b) any register of births, deaths and marriages transmitted to the Registrar General under the 1965 Act or any enactment repealed by that Act;
- (c) the Register of Divorces; and
- (d) the civil partnership register; and

“working day” means a day on which the General Register Office is open for the purpose specified in section 38(2) of the 1965 Act.

(2) Any reference in these Regulations—

- (a) to an application made by post includes an application made by facsimile; and
- (b) to anything done in writing includes by electronic means.

Fees payable to Registrar General

3. Subject to regulation 7, the fees payable under the provisions of the Acts specified in—

- (a) column 1 of Part I of Schedule 1 for the services described in column 2 of that Schedule (searches in the indexes) shall be the amounts specified in column 3 thereof;
- (b) column 1 of Part II of Schedule 1 for the services described in column 2 of that Schedule (issue of copy or extract entries and abbreviated extracts of births or deaths) shall be the amounts specified in column 3 thereof;

- (c) column 1 of Part III of Schedule 1 for the services described in column 2 of that Schedule (recording of names or changes of names) shall be the amount specified in column 3 thereof.

Priority handling fee

4. Subject to regulation 7, where—

- (a) a person applies for a service which is described in the entry numbered 1 in column 2 of Part II of Schedule 1;
- (b) the application is made—
 - (i) in person before 1300 hours and the person requests that the extract be issued after 1600 hours on the same day, or
 - (ii) in person after 1300 hours and the person requests that the extract be issued after 1000 hours on the next working day following the application, or
 - (iii) by post and the person requests that the extract be issued by post on the next working day following receipt of the application; and
- (c) the Registrar General considers that the request can reasonably be complied with,

then, in addition to the amount specified in column 3 of Part II of that Schedule as the fee payable for that service, a further fee of £10 per extract issued shall be payable, but, if the extract is not issued within the time requested, the further fee shall be refunded.

Fee payable to district registrars

5. Subject to regulation 7, the fees payable under provisions of the Acts specified in—

- (a) column 1 of Part I of Schedule 2 for the services described in column 2 of that Schedule (searches in statutory and other registers or indexes) shall be the amounts specified in column 3 thereof;
- (b) column 1 of Part II of Schedule 2 for the services described in column 2 of that Schedule (the issue of copy or extract entries and abbreviated extracts of births or deaths) shall be the amount specified in column 3 thereof.

Fees payable under the Marriage (Scotland) Act 1977 and the Civil Partnership Act 2004

6.—(1) The fees payable under the provisions of the 1977 Act specified in column 1 of Part I of Schedule 3 for the services described in column 2 of that Schedule (submission of marriage notice and civil marriage ceremony) shall be the amounts specified in column 3 thereof.

(2) The fees payable under the provisions of the 2004 Act specified in column 1 of Part II of Schedule 3 for the services described in column 2 of that Schedule (submission of notice of intended civil partnership and civil partnership registration) shall be the amounts specified in column 3 thereof.

Remission of fees

7. The Registrar General may remit any fee or part of a fee payable under the provisions of the Acts specified in column 1 of Schedules 1 and 2 where—

- (a) the payment of the fee is likely to cause hardship to the person by whom it is payable;
- (b) the service in respect of which the fee is payable is performed for research purposes;
- (c) an extract has been requested by the father or mother of a still-born child within one month of the date of registration of the still-birth, and the Registrar General consents in

terms of section 37(2) of the 1965 Act^(a) to the extract being issued from the register of still-births; or

- (d) the person named as the informant on an entry in the register of deaths (“the relevant entry”) has requested an extract of the relevant entry in the following circumstances:—
- (i) the informant has previously been issued with an extract of the relevant entry on payment of the prescribed fee,
 - (ii) the informant has subsequently been notified by the Registrar General that an entry has been made in the Register of Corrections Etc. relating to the relevant entry following a notice received by the Registrar General from a procurator fiscal under section 28(1)(b) of the 1965 Act, and
 - (iii) the request has been made in writing within one month of the date of receipt of the notification by the Registrar General.

Accessible material provided to district registrars

8. The accessible material within the meaning of section 58(1) of the 2006 Act is prescribed for the purposes of section 58(6) of that Act (material a copy of which arrangements are to be made for access to be provided to district registrars).

Revocations

9. The Regulations specified in the first column of Schedule 4 are revoked.

D MACNIVEN
Registrar General for Scotland

New Register House,
Edinburgh
29th November 2006

Approved by the Scottish Ministers

GEORGE LYON
Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
29th November 2006

^(a) Section 37(2) was substituted by the Local Electoral Administration and Registration Services (Scotland) Act 2006, section 44(3).

SCHEDULE 1

Regulation 3

Fees payable to Registrar General

PART I

SEARCHES IN STATUTORY REGISTERS AND PAROCHIAL REGISTERS

<i>1</i>	<i>2</i>	<i>3</i>
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee payable under these Regulations £</i>
Sections 28A(4)(a), 38(2) and (3) and 47, and in relation to the civil partnership register, section 38(2)(a) as applied by section 98 of the 2004 Act(b)	1. Particular search for each period of 5 years or part thereof in the indexes to the statutory registers, whether the specified entry is traced or not and application is made–	
	(a) in person	3.00
	(b) by post	5.00
	2. Particular search for each period of 5 years or part thereof in the parochial registers, whether the specified entry is traced or not, and application is made–	
	(a) in person	5.00
	(b) by post	5.00
	3. Internet search - per Internet search session	6.00
	4. General search in both the parochial registers and in the indexes to the statutory registers–	
	(a) in a case where payment is made not less than 14 days in advance and a place is occupied in the limited amount of general search accommodation made available for reservation at this fee– per day or part thereof	13.00
	(b) in any other case– per afternoon or part thereof (being any time after 1300 hours) per day	10.00 17.00

(a) Section 28A was inserted by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73), section 10(1).

(b) Section 98 was substituted by the Local Electoral Administration and Registration Services (Scotland) Act 2006, section 52(6).

<i>1</i>	<i>2</i>	<i>3</i>
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee payable under these Regulations £</i>
	per week	65.00
	per four weeks	220.00
	per quarter	500.00
	per year	1,500.00
	5. Bulk particular search in the indexes to the statutory registers, whether the specified entry is traced or not–	
	(a) per application;	100.00
	(b) for each of the first 20,000 records searched; and	0.01
	(c) for each group of 10 records (or part thereof) searched additional to the first 20,000 records	0.01
<i>Civil Partnership Act 2004</i>		
Section 122(4)(a)	6. Particular search for each period of 5 years or part thereof in the index to the Register of Dissolutions of Civil Partnership, whether the specified entry is traced or not and application is made–	
	(a) in person	3.00
	(b) by post	5.00
	7. Internet search – per Internet search session	6.00
	8. General search in the index to the Register of Dissolutions of Civil Partnership–	
	(a) in a case where payment is made not less than 14 days in advance and a place is occupied in the limited amount of general search accommodation made available for reservation at this fee – per day or part thereof	13.00
	(b) in any other case–	
	per afternoon or part thereof (being any time after 1300 hours)	10.00
	per day	17.00
	per week	65.00

<i>1</i>	<i>2</i>	<i>3</i>
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee payable under these Regulations £</i>
	per four weeks	220.00
	per quarter	500.00
	per year	1,500.00
	9. Bulk particular search in the index to the Register of Dissolutions of Civil Partnership, whether the specified entry is traced or not–	
	(a) per application;	100.00
	(b) for each of the first 20,000 records searched; and	0.01
	(c) for each group of 10 records (or part thereof) searched additional to the first 20,000 records	0.01
<i>Local Electoral Administration and Registration Services (Scotland) Act 2006</i>		
Section 58(5)(a)	10. Particular search for each period of 5 years or part thereof in the index of accessible material under section 58(1) of the 2006 Act, whether the specified entry is traced or not and application is made–	
	(a) in person	3.00
	(b) by post	5.00
	11. Internet search – per Internet search session	6.00
	12. General search in the index of accessible material under section 58(1) of the 2006 Act–	
	(a) in a case where payment is made not less than 14 days in advance and a place is occupied in the limited amount of general search accommodation made available for reservation at this fee – per day or part thereof	13.00
	(b) in any other case–	
	per afternoon or part thereof (being any time after 1300 hours)	10.00
	per day	17.00
	per week	65.00

<i>1</i>	<i>2</i>	<i>3</i>
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee payable under these Regulations £</i>
	per four weeks	220.00
	per quarter	500.00
	per year	1,500.00
	13. Bulk particular search in the index of accessible material under section 58(1) of the 2006 Act, whether the specified entry is traced or not—	
	(a) per application;	100.00
	(b) for each of the first 20,000 records searched; and	0.01
	(c) for each group of 10 records (or part thereof) searched additional to the first 20,000 records	0.01

PART II

ISSUE OF EXTRACTS OF ENTRIES IN STATUTORY AND PAROCHIAL REGISTERS AND OF ABBREVIATED EXTRACTS

<i>1</i>	<i>2</i>	<i>3</i>
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee payable under these Regulations £</i>
Sections 28A(4), 38(2) and (3), 39E(a) and 47, and, in relation to the civil partnership register, section 38(2)(b) as it is applied by section 98 of the 2004 Act	1. Issue of an extract of an entry in a statutory register or an abbreviated extract of birth or death or an extract of an entry in a parochial register	8.00
	2. Issue of an extract of an entry identified by an Internet search where application is made by electronic mail in the course of that search	10.00

(a) Section 39E was inserted by the Local Electoral Administration and Registration Services (Scotland) Act 2006, section 44(5).

*Civil Partnership Act
2004*

Section 122(4)(b)	3. Issue of an extract of an entry in the Register of Dissolutions of Civil Partnership	8.00
	4. Issue of such an extract of an entry identified by an Internet search where application is made by electronic mail in the course of that search	10.00

*Local Electoral
Administration and
Registration Services
(Scotland) Act 2006*

Section 58(5)(b)	5. Issue of a copy or extract of accessible material under section 58(1) of the 2006 Act	8.00
	6. Issue of such a copy or extract of an entry identified by an Internet search where application is made by electronic mail in the course of that search	10.00

**PART III
CHANGES OF NAME**

<i>1</i>	<i>2</i>	<i>3</i>
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee payable under these Regulations £</i>
Section 43(8)	1. Recording of name, or change of name or surname or alternative name	36.00
	2. Recording of name, or change of name or surname or alternative name for second or any subsequent members of the family intimated at the same time	10.00

Fees payable to District Registrars

PART I

SEARCHES IN STATUTORY REGISTERS AND PAROCHIAL REGISTERS

<i>1</i>	<i>2</i>	<i>3</i>
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee payable under these Regulations £</i>
Sections 37(1)(a), 39D(1)(b) and in relation to the civil partnership register and the Register of Dissolutions of Civil Partnership, section 39C(c) as it is applied by sections 98 and 122(7)(d) of the 2004 Act respectively	1. Particular search for each period of 5 years or part thereof in the indexes to the statutory registers and the Register of Dissolutions of Civil Partnership, whether the specified entry is traced or not, unless the specified entry has been entered in the Registers of births, still-births, deaths, marriages or civil partnerships within the preceding month, in which case no fee is payable	5.00
	2. Particular search for each period of 5 years or part thereof in the parochial registers, whether the specified entry is traced or not	5.00
	3. General search in the indexes to the statutory registers, the Register of Dissolutions of Civil Partnership and the parochial registers—	10.00
	(a) for the first hour or part thereof	
	(b) for the second and each subsequent hour or part thereof	10.00

(a) Sections 37(1) was substituted by the Local Electoral Administration and Registration Services (Scotland) Act 2006, section 44(3).

(b) Section 39D was inserted by the Local Electoral Administration and Registration Services (Scotland) Act 2006, section 44(5).

(c) Sections 39C was inserted by the Local Electoral Administration and Registration Services (Scotland) Act 2006, section 44(5).

(d) Section 122(7) of the Civil Partnership Act 2004 was inserted by the Local Electoral Administration and Registration Services (Scotland) Act 2006, section 52(7).

<i>1</i>	<i>2</i>	<i>3</i>
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee payable under these Regulations £</i>
<i>Local Electoral Administration and Registration Services (Scotland) Act 2006</i>		
Section 58(8)(a)	4. Particular search for each period of 5 years or part thereof in the index of accessible material under section 58(6) of the 2006 Act, whether the specified entry is traced or not	5.00
	5. General search in the index of accessible material under section 58(6) of the 2006 Act to which the district registrar has access—	10.00
	(a) for the first hour or part thereof	
	(b) for the second and each subsequent hour or part thereof	10.00

PART II

ISSUE OF EXTRACTS OF ENTRIES IN STATUTORY REGISTERS AND PAROCHIAL REGISTERS AND OF ABBREVIATED EXTRACTS

<i>1</i>	<i>2</i>	<i>3</i>
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee payable under these Regulations £</i>
Sections 37(1), 39D(1), 39E(3) and in relation to the civil partnership register and the Register of Dissolutions of Civil Partnership, section 39C as it is applied by sections 98 and 122(7) of the 2004 Act respectively	1. Issue of an extract of an entry in a statutory register or an abbreviated extract of birth or death, not being an abbreviated extract of birth or death issued under section 39E(1) of the 1965 Act, an entry in the Register of Dissolutions of Civil Partnership, or an entry in a parochial register	8.50
<i>Local Electoral Administration and Registration Services (Scotland) Act 2006</i>		

Section 58(8)(b)

2. Issue of a copy or extract of any of
the accessible material under section
58(6) of the 2006 Act

8.50

SCHEDULE 3

Regulation 6

Fees payable under the Marriage (Scotland) Act 1977 and the Civil Partnership Act 2004 – Marriage and Registration

PART I

FEES PAYABLE UNDER THE MARRIAGE (SCOTLAND) ACT 1977

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Marriage (Scotland) Act 1977</i>	<i>Service</i>	<i>Fee payable under these Regulations</i> £	<i>Fee formerly payable</i> £
Section 3(1)(a)	Submission of marriage notice	26.00	25.00
Section 19(2)	Civil marriage ceremony	46.50	45.00

PART II

FEES PAYABLE UNDER THE CIVIL PARTNERSHIP ACT 2004 -
REGISTRATION

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Civil Partnership Act 2004</i>	<i>Service</i>	<i>Fee payable under these Regulations</i> £	<i>Fee formerly payable</i> £
Section 88(1)	Submission of notice of proposed civil partnership	26.00	25.00
Section 95(4)	Civil partnership registration	46.50	45.00

(a) Section 3(1) was amended by the Marriage (Prohibited Degrees of Relationship) Act 1986 (c.16), Schedule 2, paragraph 3.

SCHEDULE 4

Regulation 9

Revocations

<i>Column 1 – enactment</i>	<i>Column 2 - references</i>
The Births, Deaths, Marriages and Divorces (Fees) (Scotland) Regulations 1998	S.I. 1998/643
The Births, Deaths, Marriages and Divorces (Fees) (Scotland) Amendment Regulations 1998	S.I. 1998/3191
The Births, Deaths, Marriages and Divorces (Fees) (Scotland) Amendment Regulations 2000	S.S.I. 2000/447
The Births, Deaths, Marriages and Divorces (Fees) (Scotland) Amendment Regulations 2002	S.S.I. 2002/390
The Births, Deaths, Marriages and Divorces (Fees) (Scotland) Amendment Regulations 2003	S.S.I. 2003/89
The Births, Deaths, Marriages and Divorces (Fees) (Scotland) Amendment Regulations 2005	S.S.I. 2005/100
The Marriages and Civil Partnerships (Fees) (Scotland) Regulations 2005	S.S.I. 2005/556

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe, with effect from 1st January 2007, the fees payable to the Registrar General for Scotland and district registrars for services provided under the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (“the 1965 Act”), the Marriage (Scotland) Act 1977 (“the 1977 Act”), the Civil Partnership Act 2004 (“the 2004 Act”) and the Local Electoral Administration and Registration Services (Scotland) Act 2006 (“the 2006 Act”).

Section 44 of the 2006 Act, which inserted section 39D into the 1965 Act, widened the scope of the information of which an extract can be provided for a fee by district registrars, and the fees for that wider sharing are prescribed here. The opportunity has been taken to consolidate the existing fees for births, deaths and marriages and incorporate the equivalent fees for the submission of a notice of proposed civil partnership and for a civil partnership registration and for searches and the issuing of extracts of entries in the registers of civil partnerships and dissolution of civil partnerships previously contained in S.S.I. 2005/556 with the equivalent and similar fees for births, deaths and marriages.

The fees payable for the existing services listed have been increased by these Regulations as noted in Schedule 3 to the Regulations. Otherwise they have not been increased.

The Regulations also prescribe fees for the provision of information under the new powers in section 58 of the Local Electoral Administration and Registration Services (Scotland) Act 2006 in relation to the issuing of other material kept or held by the Registrar General.

The Regulations listed in Schedule 4 which previously prescribed the fees payable under the 1965 Act, the 1977 Act and the 2004 Act are revoked.

2006 No. 575

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

MARRIAGE

CIVIL PARTNERSHIP

The Registration Services (Fees, etc.) (Scotland)
Regulations 2006

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