

EXECUTIVE NOTE

The Registration Services (Consequential Provisions) (Scotland) Order 2006 (SSI 2006/596)

The above instrument is to be made in exercise of the powers conferred by section 62(1)(a) and (2) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (“the 2006 Act”). It is subject to affirmative resolution procedure.

Policy Objectives

The 2006 Act amended the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (“the 1965 Act”), replacing the term “abbreviated birth certificate” with the term “abbreviated birth extract” to describe the official document compiled from the Register of Births. This was done in the process of extending the types of abbreviated document that are provided to the public. Article 2 of this instrument mirrors that change for documents compiled from the Gender Recognition Register, and retains the existing safeguard that an abbreviated birth extract does not disclose that it is compiled from the Gender Recognition Register.

Article 2 also applies to the Gender Recognition Register the amendments contained in the 2006 Act in respect of the re-registration of births, and the authentication and admissibility of extracts compiled from the Register of Births. In fact it simply maintains the status quo, but reflects those 2006 Act changes.

Articles 3 to 6 make minor consequential amendments and repeals to other statutes, including an amendment to the Anatomy Act 1984 to reflect the fact that the 2006 Act will allow the electronic attestation of a certificate of cause of death rather than a signature. The repeals are minor and technical, removing provisions which are redundant because of repeals contained in the 2006 Act (see sections 41(2)(b) and 59(1)(a) of that Act).

Article 7 reflects the fact that the 2006 Act amends the 1965 Act to retain the power to issue extracts, and to provide for the manner of authentication of extracts to be prescribed in regulations. A duly authenticated extract of an entry in the death register provides a Medical Referee with confirmation that a death has been registered before he gives permission for the cremation of body parts.

Consultation

The Order makes minor and technical consequential amendments associated with the provisions contained in the 2006 Act which were the subject of 2 consultation exercises in 2000 and 2005.

Financial Effects

The instrument has no financial effects on the Scottish Executive, local government or on business.

General Register Office for Scotland
November 2006