

## **EXECUTIVE NOTE**

### **The Registration Services (Fees, etc.) (Scotland) Amendment Regulations 2007 SSI/2007/531**

The above instrument is made in exercise of the powers conferred by sections 28A(4), 38(2) and (3), 39B(1)(c), 39E(3), 47 and 54(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (“the 1965 Act”), section 38 of that Act as applied by section 98 of the Civil Partnership Act 2004 (“the 2004 Act”), sections 122(4) and 134(2) of the 2004 Act and sections 58(5) and 61(2)(a) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (“the 2006 Act”). It is subject to negative resolution procedure.

#### **Policy Objectives**

Registration services fees are set by the Registrar General for Scotland with the approval of the Scottish Ministers by regulations made under the 1965 Act, the 2004 Act and the 2006 Act.

The level of fees is reviewed annually to ensure that the cost of providing chargeable services is recovered and to take account when fixing charges of any likely future increases in costs. The purpose of this instrument is to prescribe the fees payable to the Registrar General for Scotland for services provided under those 3 Acts. The fees will come into force on 1 January 2008, except for the fees prescribed under regulation 2(5) and the Schedule which will come into force on 28 April 2008.

The existing statutory fees for genealogy services at New Register House have remained largely unchanged for a number of years<sup>1</sup>. The purpose of this instrument is to reduce the existing level of fee for a day search from £17 to £10, with commensurate reductions in quarterly and annual season tickets, as set out in the Tables in the Schedules. This is achievable largely because of an increase in the number of search places available to the public – from around 90 to over 160 - once the new ScotlandsPeople Centre opens, plus the use of new technology.

In addition, in order to promote public knowledge of the registers, the Regulations allow the Registrar General to offer a limited number of free search places for up to 2 hours on any given day, and a wider power to remit internet search fees for genealogy associations, schools, local authority public libraries and by using a discount voucher issued by the Registrar General.

The Regulations also introduce an annual fee, under section 39B of the 1965 Act, for the weekly notification of all deaths which occur in Scotland. A limited amount of death registration information, sufficient to identify an individual, will be supplied under strictly controlled conditions as part of the Disclosure of Death Registration Information Scheme to combat fraud and other offences related to the impersonation of the deceased. Details of the consultation on this UK-wide scheme can be found here:

<http://www.gro-scotland.gov.uk/regscot/disclosure-of-death-registration-information.html>

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<sup>1</sup> The Registration Services (Fees etc.) (Scotland) Regulations 2006 (SSI 2006/575) which this instrument amends introduced fees for new services and increased marriage and civil partnership registration fees. The search fees dealt with by this instrument were consolidated by those Regulations at unchanged rates.

The power in section 39B also allows the Registrar General, on request, to notify third parties about the death in Scotland of a particular person (or persons), making the existing “particular search” process open to any member of the public on payment of a prescribed fee more automatic. It is planned to introduce this service at a future date, once a customer base has been established, at which time the Registrar General would seek to set a fee for the service.

### **Consultation**

GROS consulted the genealogical community in Scotland, including the Scottish Association of Family History Societies, on the level of fees for genealogy services.

### **Financial Effects**

The costs associated will be borne by those who wish to use the genealogy services, and those who wish to hold death registration data for the purpose of combating fraud arising from impersonation of the deceased.

General Register Office for Scotland  
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