

EXECUTIVE NOTE

The Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Amendment Regulations 2009 (SSI 2009/315)

The above instrument is made in exercise of the powers conferred by sections 13(1), 18(1)(b)(i)(aa) and (c)(i), 21(4), 21(5), 22(1), 32(1), 39B(1)(b), 43(3) to (5) and 54(1)(b) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (the 1965 Act), and sections 3(1) and 6(1) of the Marriage (Scotland) Act 1977 (the 1977 Act).

Policy Objectives

Where the numbered spaces in each of the existing prescribed register pages has a designation description relating to “father” or “mother”, “/parent” has been added where appropriate in the replacement pages set out in Schedules 1, 2, 5 and 7, of these Regulations. The effect of this is that the parents’ designation description will be the same in every register page for every individual, no matter how they were conceived. So, for example, every child’s birth certificate will be in the same format whether they have same-sex or opposite-sex parents. The same policy has been applied to all the other prescribed administrative forms in the remaining Schedules avoiding the need to prescribe 2 versions of every form.

Consolidation

The General Register Office for Scotland (GROS) is aware of the desirability of consolidating regulations when an instrument has been amended on a number of occasions. However, as most of the amendments to the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Regulations 1997 have not substantively amended those Regulations it has been decided not to consolidate these particular regulations at this time. In practice the forms are accessible to users as they are made available through the registration service. GROS will however consider consolidation when these Regulations next require amendment.

Consultation

Consultation with the Association of Registrars in Scotland was undertaken in 2009 in considering how best to incorporate these consequential changes into the registration forms and advice material produced by GROS and used by them.

Financial Effects

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

General Register Office for Scotland
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