***Changes to legislation:** Immigration Act 2016, PART 1 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 15

CIVIL REGISTRATION FEES

PART 1

POWERS TO MAKE REGULATIONS FOR THE CHARGING OF FEES

Marriage Act 1949 (c. 76)

1 Before section 72 of the Marriage Act 1949 (but after the heading of Part 6 of that Act) insert—

Fees

"71A(1) The Secretary of State may by regulations provide for fees to be payable to such persons as may be prescribed in respect of—

(a) the giving of notice of a marriage to a superintendent registrar;

(b) an application for the reduction of the waiting period in relation to a notice of marriage (see section 31(5A));

(c) the registration for the solemnization of marriages of a building certified as required by law as a place of religious worship, or the cancellation of such a registration;

(d) the authorisation of a person to be present at the solemnization of marriages in such a building;

(e) the presence of a superintendent registrar or registrar at a marriage (except in a case falling within section 51(1A));

(f) the delivery under section 57(1) of a certified copy of entries in a marriage register book;

(g) the carrying out of a search of—

(i) any marriage register book,

(ii) any index kept in relation to such a book, or

(iii) certified copies of entries in such a book;

(h) the provision of a certified copy, or other record of information, relating to an entry in a marriage register book;

(i) the issue of the Registrar General's licence under section 7 of the Marriage (Registrar General's Licence) Act 1970;

(j) such other marriage services as may be prescribed.

(2) Regulations under this section may—

(a) specify the amount of any fee payable under the regulations, or

(b) set out how such a fee is to be determined.

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(3) Subsection (4) applies where the regulations provide for a fee to be payable to a superintendent registrar or registrar.

(4) The regulations may provide for such part of the fee as may be specified by or determined in accordance with the regulations to be payable by the superintendent registrar or registrar to the Registrar General in prescribed circumstances.

(5) The regulations may provide for the reimbursement, reduction, waiver or refund of part or all of a fee whether by conferring a discretion or otherwise.

(6) Regulations under this section must be made by statutory instrument.

(7) Regulations under this section may—

(a) provide for exemptions from any of the provisions of the regulations;

(b) contain such consequential, incidental, supplemental and transitional provision as the Secretary of State considers appropriate.

(8) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.

(9) In this section—

"marriage services" means services in connection with marriages which are provided by or on behalf of the Registrar General, a superintendent registrar or registrar;

"prescribed" means prescribed in regulations made under this section."

Commencement Information

I1 Sch. 15 para. 1 in force at 12.7.2016 by S.I. 2016/603, **reg. 3(w)**

Births and Deaths Registration Act 1953 (c. 20)

2 Before section 39 of the Births and Deaths Registration Act 1953 (but after the cross-heading above that section) insert—

Fees

"38A(1) The Minister may by regulations provide for fees to be payable to such persons as may be prescribed in respect of—

(a) the issue of a certificate under section 13(2);

(b) the carrying out of a search of—

(i) any register of births or register of deaths,

(ii) any index kept in relation to such a register, or

(iii) certified copies of entries in such a register;

(c) the provision of a certified copy, or other record of information, relating to an entry in a register of births or a register of deaths;

(d) the provision of a short certificate of birth or a short certificate of death (see sections 33 and 33A);

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(e) such other birth or death registration services as may be prescribed.

(2) Regulations under this section may—

(a) specify the amount of any fee payable under the regulations, or

(b) set out how such a fee is to be determined.

(3) Subsection (4) applies where the regulations provide for a fee to be payable to a superintendent registrar or registrar.

(4) The regulations may provide for such part of the fee as may be specified by or determined in accordance with the regulations to be payable by the superintendent registrar or registrar to the Registrar General in prescribed circumstances.

(5) The regulations may provide for the reduction, waiver or refund of part or all of a fee whether by conferring a discretion or otherwise.

(6) In this section—

"birth or death registration services" means services in connection with the registration of births or deaths which are provided—

(a) by or on behalf of the Registrar General, a superintendent registrar or registrar, or

(b) by any other person;

"prescribed" means prescribed in regulations made under this section."

Commencement Information

I2 Sch. 15 para. 2 in force at 12.7.2016 by S.I. 2016/603, **reg. 3(w)**

Registration Service Act 1953 (c. 37)

3 After section 19A of the Registration Service Act 1953 insert—

"**19B Fees in respect of provision of copies of records etc**

(1) The Minister may by regulations provide for fees to be payable to the Registrar General in respect of the provision by the Registrar General to any persons of copies or other records of any information held by the Registrar General.

(2) The regulations may—

(a) specify the amount of any fee payable under the regulations, or

(b) set out how such a fee is to be determined.

(3) The regulations may provide for the reduction, waiver or refund of part or all of a fee whether by conferring a discretion or otherwise.

(4) Regulations under this section must be made by statutory instrument.

(5) Regulations under this section may—

(a) make different provision for different cases;

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(b) provide for exemptions from any of the provisions of the regulations;

(c) contain such consequential, incidental, supplemental and transitional provision as the Minister considers appropriate.

(6) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament."

Commencement Information

I3 Sch. 15 para. 3 in force at 12.7.2016 by S.I. 2016/603, **reg. 3(w)**

Civil Partnership Act 2004 (c. 33)

4 (1) Section 34 of the Civil Partnership Act 2004 (fees) is amended as follows.

(2) In subsection (1), omit ", of such amounts as may be specified in the order,".

(3) After subsection (1) insert—

"(1A) An order under this section may—

(a) specify the amount of any fee payable under the order, or

(b) set out how such a fee is to be determined.

(1B) Subsection (1C) applies where the order provides for a fee to be payable to a registration authority.

(1C) The order may provide for such part of the fee as may be specified by or determined in accordance with the order to be payable by the registration authority to the Registrar General in such circumstances as may be prescribed by the order."

(4) For subsection (2) substitute—

"(2) The order may provide for the reduction, waiver or refund of part or all of a fee whether by conferring a discretion or otherwise."

Commencement Information

I4 Sch. 15 para. 4 in force at 12.7.2016 by S.I. 2016/603, **reg. 3(w)**

Marriage (Same Sex Couples) Act 2013 (c. 30)

5 In section 9 of the Marriage (Same Sex Couples) Act 2013 (conversion of civil partnership into marriage) after subsection (5) insert—

"(5A) Subsection (5B) applies where regulations under this section provide for a fee to be payable to a superintendent registrar or registrar.

(5B) The regulations may provide for such part of the fee as may be specified in or determined in accordance with the regulations to be payable by the superintendent registrar or registrar to the Registrar General in such circumstances as may be set out in the regulations.

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(5C) The regulations may provide for the reduction, waiver or refund of part or all of a fee whether by conferring a discretion or otherwise."

Commencement Information

I5 Sch. 15 para. 5 in force at 12.7.2016 by S.I. 2016/603, **reg. 3(w)**

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Changes and effects yet to be applied to :

– specified provision(s) amendment to earlier commencing S.I. 2017/1241, Sch. by S.I. 2018/31 reg. 2

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 69(9)(d) and word inserted by 2023 c. 37 s. 21(2)(b)
– Sch. 10 para. 3(2)(eza) inserted by 2023 c. 37 s. 13(3)(a)
– Sch. 10 para. 3(3A)-(3C) inserted by 2023 c. 37 s. 13(3)(b)
– Sch. 10 para. 3A and cross-heading inserted by 2023 c. 37 s. 13(4)