



Registration Service Act 1953

1953 CHAPTER 37

Registrar General, etc.

1 Registrar General

Her Majesty may from time to time under the Great Seal of the United Kingdom appoint a Registrar General for England and Wales, and any person so appointed shall exercise the powers and perform the duties conferred or imposed by or under any enactment on the Registrar General, whether described by that title alone or with any additional description, and shall hold office during Her Majesty's pleasure.

2 General Register Office

The offices of the Registrar General shall be known as the General Register Office and any place in which any registers or records in the custody of the Registrar General by virtue of this or any other Act are deposited by direction of the Registrar General with the approval of the Treasury shall, so long as those registers or records are there deposited, be deemed to be part of the General Register Office.

3 Registrar General's staff, etc.

- (1) Subject to the consent of the Treasury as to number, the Registrar General may appoint such officers and servants for the purposes of his functions as he may determine.
- (2) Any act or thing required by or under any enactment to be done by, to or before the Registrar General may be done by, to or before any officer or servant of the Registrar General authorised generally or specially in that behalf in writing by the Registrar General.

4 Salaries, receipts and expenses

- (1) There shall be paid to the Registrar General and to the officers and servants appointed by the Registrar General such salaries or remuneration as the Treasury may from time to time determine.

- (2) Every sum received under the Registration Acts by or on behalf of the Registrar General otherwise than under the foregoing subsection shall be accounted for by the Registrar General and paid by him, at such times as the Treasury may from time to time direct, into the Exchequer.
- (3) The salary of the Registrar General and his expenses under the Registration Acts and in respect of the General Register Office shall be paid out of moneys provided by Parliament.

General organisation of registration service

5 Districts and sub-districts

- (1) For the purposes of the Registration Acts, in every county and county borough there shall be one or more districts and in every district there shall be one or more sub-districts.
- (2) Without prejudice to any provision of the local scheme as to additional officers, for each district there shall be a superintendent registrar of births, deaths and marriages, and for each sub-district there shall be a registrar of births and deaths, and any registrar of births and deaths upon whom the functions of a registrar of marriages are conferred by the local scheme shall also be deemed to be a registrar of marriages within the district for the purposes of the Marriage Act, 1949.

6 Superintendent registrars and registrars of births and deaths

- (1) Every superintendent registrar and every registrar of births and deaths shall be appointed by the council of the county or county borough in which his district or sub-district is situated:

Provided that if, on the occurrence of a vacancy in any office of superintendent registrar or registrar of births and deaths, the council refuses to fill the vacancy or, having been required by the Registrar General to fill the vacancy within a period of not less than twenty-eight days specified in the requirement, fails to do so, the appointment shall be made by the Registrar General.
- (2) No person shall be appointed as superintendent registrar or as registrar of births and deaths unless he is qualified in accordance with the prescribed conditions.
- (3) Every superintendent registrar and every registrar of births and deaths shall be a salaried officer paid by the council of the county or county borough in which his district or sub-district is situated and shall—
 - (a) at such times and in such manner as may be prescribed account to the Registrar General for all fees received by or payable to him in respect of the execution of his duties under the Registration Acts; and
 - (b) upon the direction of the Registrar General pay to the council aforesaid such sum as the Registrar General may certify to be due to the council in respect of those fees.
- (4) Every superintendent registrar and every registrar of births and deaths shall hold office during the pleasure of the Registrar General.

7 Additional registrars of marriages

- (1) The Registrar General may from time to time, and a superintendent registrar may with the approval of the Registrar General, by writing under his hand appoint any person qualified in accordance with the prescribed conditions to be registrar of marriages within the district of any or, as the case may be, of that superintendent registrar in addition to any registrar of births and deaths upon whom the functions of a registrar of marriages have been conferred by the local scheme.
- (2) Any person appointed under this section—
 - (a) if appointed by the Registrar General, shall hold office during the pleasure of the Registrar General;
 - (b) if appointed by a superintendent registrar, shall hold office during the pleasure of that superintendent registrar but be removable by the Registrar General.
- (3) A registrar of marriages appointed under this section shall be entitled to retain any fees received by or payable to him in respect of the execution of his duties under the Marriage Act, 1949:

Provided that he shall at such times and in such manner as may be prescribed account to the Registrar General for and pay to the council of the county or county borough within whose area the registration district for which he acts is situated so much of the aggregate sum received by or payable to him by way of those fees as the Registrar General may certify to represent an amount equal to one third part of that sum less such deduction as the Registrar General may allow as remuneration to him for the trouble and expense of collecting and accounting for that third part.

8 Deputy superintendent registrars and registrars

- (1) Subject to the provisions of the local scheme, every superintendent registrar and every registrar of births and deaths shall, and any registrar of marriages may, from time to time by writing under his hand appoint, subject to the approval of the Registrar General, one or more fit persons to act as his deputy in the case of his illness or unavoidable absence or in any prescribed case, and any person so appointed shall while so acting have all the powers and duties of a superintendent registrar or, as the case may be, a registrar of births and deaths or a registrar of marriages.
- (2) Subject as aforesaid, a superintendent registrar or registrar shall be civilly responsible for any act or omission of his deputy, who shall hold office during the pleasure of the officer by whom he was appointed but be removable by the Registrar General.

9 Interim superintendent registrars and registrars

- (1) If any superintendent registrar or any registrar of births and deaths ceases to hold his office, his deputy or, if he has more than one deputy, such one of his deputies as shall from time to time be determined by the clerk of the county council or the town clerk of the county borough for the county or county borough in which his district or sub-district is situated shall become interim superintendent registrar or, as the case may be, interim registrar of births and deaths.
- (2) If a superintendent registrar or registrar of births and deaths ceases to hold his office and he has no deputy, the clerk of the county council or town clerk of the county borough aforesaid shall appoint an interim superintendent registrar or, as the case may be, an interim registrar of births and deaths.

- (3) An interim superintendent registrar and an interim registrar of births and deaths shall, until a new superintendent registrar or, as the case may be, registrar of births and deaths enters into office, have all the powers and duties of that office.

10 District register offices

- (1) The council of every county and county borough shall provide and maintain for the superintendent registrar of each district within the county or county borough a register office according to a plan approved by the Registrar General, and shall provide therein to the satisfaction of the Registrar General a suitable fireproof repository or strong fire-resisting boxes for the safe custody of the records in the charge of the superintendent registrar.
- (2) For any period during which a register office is not so provided, the superintendent registrar shall appropriate some fit room to be approved by the Registrar General as a temporary register office and the council shall pay to the superintendent registrar a reasonable rent for that room.
- (3) Without prejudice to the last foregoing subsection, if in the case of any district, by reason of the refusal or neglect of the council of the county or county borough, a register office for that district is not provided or is not maintained and kept in repair, the Registrar General may, if so authorised by the Treasury, expend a sum not exceeding three hundred pounds in providing an office, or any sum from time to time necessary for repairing or maintaining any office provided by him, and any sum so expended shall be repaid to the Registrar General by the council.
- (4) The register office for any district shall be deemed for the purposes of the Registration Acts to be situated within that district even though it is not locally situated therein.

11 Sub-district offices, etc.

- (1) Subject to the provisions of the local scheme, every registrar of births and deaths and every deputy registrar of births and deaths shall either dwell in or have a known office within the sub-district of which he is registrar or deputy registrar.
- (2) Subject as aforesaid, every registrar of births and deaths shall appoint within or contiguous to his sub-district such stations, if any, as may be directed by the Registrar General, and for the purposes of the provisions of the Registration Acts with respect to the attendance of persons and the registration of births and deaths any station for a registrar's sub-district, as well as the office therefor, shall be deemed to be his office.
- (3) Subject as aforesaid, every registrar and every deputy registrar shall attend at his dwelling-house or office and at any such station as aforesaid on such days and at such hours as may be approved by the Registrar General for the purpose of registering births and deaths.

12 Provision of register boxes

The Registrar General shall provide such number of strong fire-resisting boxes as may be required to hold the registers kept by each registrar of births and deaths and registrar of marriages.

Local organisation of registration service

13 Local schemes of organisation

- (1) There shall be in force for each county and county borough a scheme or schemes (in this Act referred to as " the local scheme ") prepared and made in accordance with the next following section.
- (2) Provision shall be made by the local scheme for—
 - (a) determining the number and boundaries of the registration districts and sub-districts in the county or county borough;
 - (b) determining the location of offices and stations for those districts and sub-districts;
 - (c) determining the number of superintendent registrars, registrars of births and deaths and other officers required for the purposes of the Registration Acts within the county or county borough;
 - (d) subject to such exceptions, if any, as may be specified in the scheme, conferring and imposing on registrars of births and deaths the functions of registrars of marriages;
 - (e) fixing, subject to such power of revision as may be provided by the scheme, the salary and other remuneration, if any, to be attached to each office, and the allowances, if any, to be paid for travelling, for the provision of office accommodation and for other expenses;
 - (f) fixing, subject to such power of revision as may be provided by the scheme, the conditions on which an office is to be held, so, however, that nothing in the scheme shall affect the power of the Registrar General to remove from office an officer in any case in which the Registrar General is satisfied that the officer has been guilty of serious default in the performance of the duties imposed on him by the Registration Acts or any regulations made thereunder;
 - (g) applying with any necessary modifications, adaptations and exceptions the provisions of the Local Government Act, 1929, relating to the transfer, superannuation and compensation of officers;
 - (h) conferring on the clerk of the county council or the town clerk of the county borough powers with respect to—
 - (i) the fixing of the hours of attendance of officers;
 - (ii) the distribution of business between officers;
 - (iii) the transfer of superintendent registrars and registrars of births and deaths within or between districts.
- (3) The local scheme may in addition—
 - (a) make provision, where two or more officers are appointed to act for a single district or sub-district, for the distribution between them of the registration functions to be discharged within that district or sub-district, so, however, that any such distribution shall not render any such officer disqualified from acting at any time or at any place in that district or, as the case may be, sub-district; and
 - (b) confer on the clerk of the county council or the town clerk of the county borough such general powers of supervising the administration within the county or county borough of the provisions of the Registration Acts as may be specified in the scheme.

14 Preparation, submission and approval of local schemes

- (1) The council of a county or county borough may from time to time prepare and submit to the Minister schemes for all or any of the purposes mentioned in the last foregoing section.
- (2) In the case of any county or county borough created after the commencement of this Act, the council of that county or county borough shall prepare and submit to the Minister a local scheme within such period as the Minister may allow.
- (3) Any scheme under this section shall fix the date or dates on which the scheme is to come into operation and may fix different dates for different provisions of the scheme or for different areas and the dates so fixed may be made dependent on the happening of specified events.
- (4) No such scheme shall be of any effect unless and until it is approved by the Minister, and the Minister, after considering any representations with respect to the scheme which may be submitted to him by any officer affected, may approve the scheme with or without modifications.
- (5) If—
 - (a) it appears to the Registrar General at any time that by reason of special circumstances an immediate adjustment is necessary in the division of any county or county borough into districts and sub-districts; or
 - (b) a council required by subsection (2) of this section to submit a local scheme to the Minister fails to do so within the period allowed by the Minister,the Registrar General may, after consultation with the council of the county or county borough concerned, prepare a scheme for the purpose, and any scheme so prepared by him, if approved by the Minister, shall have effect as if it were a scheme submitted by that council and approved by the Minister in accordance with this section.
- (6) Any scheme under this section may contain such incidental, consequential or supplemental provisions as may appear necessary or proper for the purposes of the scheme and may be varied or revoked by a subsequent scheme made in like manner as the original scheme:

Provided that a scheme prepared by the Registrar General and approved by the Minister under the last foregoing subsection may be varied or revoked either by a subsequent scheme so prepared and approved or by a subsequent scheme submitted by the council concerned and approved by the Minister in accordance with this section.

General provisions as to officers

15 Delivery up of books, etc., on ceasing to hold office

- (1) When any person ceases to hold the office of superintendent registrar, registrar of births and deaths or registrar of marriages for any district or sub-district, all register boxes, keys, books and documents in his possession as holder of that office for that district or sub-district shall be delivered up to his successor in office or, if there is no successor, to such person as the Registrar General may designate.
- (2) If any person who has in his custody or power any such article as aforementioned wilfully fails to deliver it up to, or account for it to the satisfaction of, the person in whose custody it should be, he shall be liable on summary conviction to a fine of

twenty pounds; and if the failure continues after he is convicted thereof he shall be guilty of a further offence and be liable on summary conviction to a fine of five pounds for every day on which the failure has so continued.

- (3) If a justice of the peace is satisfied by information on oath that there is reasonable cause to believe that any article withheld in contravention of this section is in any specified house or place, he may grant a search warrant authorising any constable named therein to enter and search that house or place at any time and seize any such article so found, and any article so seized shall be delivered to the person in whose custody it should be.

16 General provision as to fees

Subject as may be prescribed, a superintendent registrar, registrar of births and deaths or registrar of marriages may refuse to comply with any application voluntarily made to him under the Registration Acts until the appropriate fee, if any, provided for by those Acts is paid to him; and any such fee shall be recoverable by the officer to whom it is payable as a debt due to him.

17 Privileges of registrars

Every registrar of births and deaths and every registrar of marriages shall be exempt from serving in any parochial or corporate office whatsoever.

18 Temporary provisions as to non-salaried officers

- (1) This section shall apply to any superintendent registrar or registrar of births and deaths who holds that office at the commencement of this Act and is not then a salaried officer in respect of that office, unless and until he becomes a salaried officer in respect of that office.

- (2) Subsection (3) of section six of this Act shall not apply in relation to any officer to whom this section applies but he shall be entitled to retain any fees received by or payable to him in respect of the execution of his duties under the Registration Acts:

Provided that he shall at such times and in such manner as may be prescribed account to the Registrar General for and pay to the council of the county or county borough in which his district or sub-district is situated so much of the aggregate sum received by or payable to him by way of those fees as the Registrar General may certify to represent an amount equal to—

- (a) one third part of any fees under the Marriage Act, 1949; plus
- (b) one third part of any fees under the Births and Deaths Registration Act, 1953, other than under subsection (3) of section eleven, section twelve, section fourteen or section twenty-four thereof; plus
- (c) one fourth part of any fees under the said section twelve,

less such deduction as the Registrar General may allow as remuneration to him for the trouble and expense of collecting and accounting for those parts of those fees.

- (3) Any superintendent registrar to whom this section applies shall four times in every year make up an account of the number of entries in the certified copies of entries in registers of live-births, still-births, deaths and marriages sent by him to the Registrar General during the preceding three months under section fifty-eight of the Marriage Act, 1949, or section twenty-seven of the Births and Deaths Registration Act, 1953,

and shall be entitled to receive from the Registrar General the sum of twopence for each entry in those certified copies.

- (4) Any registrar of births and deaths to whom this section applies shall four times in every year make out an account of the number of births and deaths which he has registered since the last quarterly account and the superintendent registrar for the district in which the registrar's sub-district is situated shall verify and sign the account; and the council of the county or county borough in which the registrar's sub-district is situated shall pay to the registrar—
- (a) for each of the first twenty entries in the account, whether of live-births, still-births or deaths, the sum of two shillings and sixpence; and
 - (b) for each such entry after the first twenty, the sum of one shilling:

Provided that during the continuance in force of the Population (Statistics) Act, 1938, paragraph (b) of this subsection shall have effect as if for the sum of one shilling there were substituted the sum of one shilling and fivepence.

- (5) Upon an application for the purpose being made, whether before or after the commencement of this Act, by any officer to whom this section applies, he shall, as from such date (not being later than the beginning of the next financial year) as may be fixed by the council of the county or county borough in which his district or sub-district is situated, become a salaried officer.

Miscellaneous and general

19 Annual abstract

The Registrar General shall send to the Minister annually, in such form as the Minister may from time to time require, a general abstract of the number of live-births, still-births, deaths and marriages registered in the year last preceding and the Minister shall within one month after receipt thereof or of the meeting of Parliament lay that abstract before each House of Parliament.

20 Regulations

The Registrar General with the approval of the Minister may by statutory instrument make regulations—

- (a) prescribing the duties of superintendent registrars, registrars of births and deaths and registrars of marriages in the execution of any enactment relating to their functions;
- (b) prescribing the duties under the Registration Acts of clerks of county councils, town clerks of county boroughs, and such other officers as may be appointed in pursuance of any local scheme;
- (c) making provision as to the place and manner in which, the days on which and the hours during which any documents kept in the General Register Office and required to be available for search by the public are to be so available;
- (d) prescribing anything which by this Act is required to be prescribed.

21 Interpretation

- (1) In this Act, the following expressions have the following meanings respectively—

" local scheme " means the scheme or schemes made under section fourteen of this Act for the time being in force for the county or county borough in question;

" the Minister " means the Minister of Health;

" prescribed " means prescribed by regulations made under the last foregoing section;

" the Registration Acts " means this Act, the Marriage Act, 1949, and the Births and Deaths Registration Act, 1953.

- (2) In the application of this Act to London—
 - (a) any reference to a county or the council of a county shall not include a reference to the County of London or the council thereof;
 - (b) any reference to a county borough or the council of a county borough shall include a reference to the City of London or the Common Council thereof and to a metropolitan borough or the council thereof.
- (3) Except in so far as the context otherwise requires, any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended by or under any other enactment, including this Act.

22 Savings

- (1) Any appointment made under any enactment repealed by this Act and having effect immediately before the commencement of this Act shall continue to have effect as if duly made under the corresponding provision of this Act.
- (2) Any instrument made under any enactment repealed by this Act prescribing anything which may be prescribed under this Act shall, if in force at the commencement of this Act, continue in force and have effect as if made under the corresponding provision of this Act.
- (3) Any scheme made under section twenty-four of the Local Government Act, 1929, or made in like manner by virtue of subsection (2) of section one hundred and thirty-one of that Act, being in either case a scheme in force immediately before the commencement of this Act, shall be deemed to have been prepared, submitted and approved in accordance with section fourteen of this Act.
- (4) Any document referring to an enactment repealed by this Act shall, unless the contrary intention appears, be construed as referring to the corresponding provision of this Act.
- (5) Nothing in the foregoing provisions of this section shall be taken as prejudicing the operation of section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals).

23 Repeals and consequential amendments

- (1) The enactments specified in the First Schedule to this Act shall have effect subject to the amendments respectively specified in that Schedule.
- (2) The enactments set out in the Second Schedule to this Act are hereby repealed to the extent respectively specified in relation thereto in the third column of that Schedule.

Status: This is the original version (as it was originally enacted).

24 Short title, extent and commencement

- (1) This Act may be cited as the Registration Service Act, 1953.
- (2) This Act shall not extend to Scotland or to Northern Ireland.
- (3) This Act shall come into force on the first day of October, nineteen hundred and fifty-three.