



Population (Statistics) Act 1938

1938 CHAPTER 12

An Act to make further provision for obtaining statistical information with respect to the population of Great Britain; and for purposes connected therewith. [30th March 1938.]

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Power to direct information to be furnished

With a view to the compilation of statistical information with respect to the social and civil condition of the population of Great Britain, every person giving information in accordance with the Registration Acts, upon the registration, on or after the first day of July nineteen hundred and thirty-eight, of any birth, still-birth, or death, shall furnish to the registration officer such of the particulars specified in the Schedule to this Act as are appropriate to the registration and are within the knowledge of the person giving the information.

2 Duty of Registrar-General to collect information, and provision for expenses

- (1) It shall be the duty of the Registrar-General to make such arrangements and to do all such things as are necessary for the collection and collation of all particulars furnished to registration officers pursuant to this Act, and for that purpose to make arrangements for the preparation and issue of any necessary forms and instructions.
- (2) The Registrar-General in the performance of his functions under this Act shall be subject to the control of, and shall comply with any directions given by, the Minister of Health.
- (3) Any expenses incurred with the approval of the Treasury by the Minister of Health or by the Registrar-General in connection with the performance of his functions under this Act shall be defrayed out of moneys provided by Parliament.

3 Power to make regulations

- (1) The power of the Minister of Health, and of the Registrar-General with the approbation of the Minister of Health, under the Registration Acts to make regulations with respect to the performance by registration officers of their functions under those Acts shall include power to make regulations requiring registration officers to perform such functions in connection with the furnishing, collection and collation of particulars directed to be furnished by this Act as may be prescribed, and with respect to the performance by them of those functions.

Functions which registration officers are required to perform by virtue of any such regulations shall be deemed to be functions under the Registration Acts.

- (2) In section twenty-nine of the Births and Deaths Registration Act, 1836 (which section, as amended by section thirty-one of the Births and Deaths Registration Act, 1874, and by section seven of the Births and Deaths Registration Act, 1926, determines certain fees payable to registration officers in respect of the registration of births, still-births, and deaths) for the words " one shilling " there shall be substituted the words " one shilling and five pence. "

Subsection (1) of section eight of the Births and Deaths Registration Act, 1926, shall cease to have effect.

4 Penalties

- (1) If any person—
- (a) refuses or neglects to furnish in accordance with this Act any information which he is required by this Act to furnish; or
 - (b) in furnishing any such information makes any statement which, to his knowledge, is false in a material particular;
- he shall be liable on summary conviction to a fine not exceeding ten pounds.
- (2) No information obtained by virtue of this Act with respect to any particular person shall be disclosed except so far as may be necessary—
- (a) for the performance by any person of his functions under this Act in connection with the furnishing, collection or collation of such information; or
 - (b) for the performance by the Registrar-General of his functions under section five of the Census Act, 1920;

and if any person discloses any such information in contravention of this subsection, he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or to both such imprisonment and such fine, or, on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine not exceeding one hundred pounds or to both such imprisonment and such fine:

Provided that nothing in this subsection shall apply to any disclosure of information made for the purposes of any proceedings which may be taken in respect of an offence under this section, or for the purposes of any report of such proceedings.

5 Saving for Registration Acts

Nothing in this Act requiring particulars to be furnished for the purposes of this Act shall affect any provision of the Registration Acts requiring information to be given for the purposes of those Acts.

6 Application to Scotland

In the application of this Act to Scotland—

- (a) for any reference to the Minister of Health there shall be substituted a reference to the Department of Health for Scotland;
- (b) the expression "Registration Acts" means the Registration of Births, Deaths and Marriages (Scotland) Acts, 1854 to 1934, and the expression "Registrar-General" means the Registrar-General of Births, Deaths and Marriages in Scotland;
- (c) for any reference to a registration officer there shall be substituted a reference to a registrar as defined in the Registration of Births, Deaths and Marriages (Scotland) Act, 1854;
- (d) for subsection (2) of section three there shall be substituted the following subsection :—

“(2) Section eighteen of the Registration of Births, Deaths and Marriages (Scotland) Act, 1860 (which relates to the increase of remuneration of registrars), shall have effect as if after the words 'fiftieth section' there were inserted the words 'or of the fifty-first section'.”

7 Short title, interpretation and extent

- (1) This Act may be cited as the Population (Statistics) Act, 1938.
- (2) In this Act the expression "Registration Acts" means the Births and Deaths Registration Acts, 1836 to 1929, and the expression "registration officer" means any superintendent registrar and registrar of births and deaths.
- (3) This Act shall not extend to Northern Ireland.
- (4) This Act shall continue in force until the thirtieth day of June nineteen hundred and forty-eight and no longer, unless Parliament otherwise determines:

Provided that, in the event of the expiration of this Act, subsection (2) of section thirty-eight of the Interpretation Act, 1889, shall apply in relation thereto as if this Act had, at the time of its expiration, ceased to have effect by reason of the repeal thereof by another Act.

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

SCHEDULE

Section 1.

MATTERS WITH RESPECT TO WHICH PARTICULARS MAY BE REQUIRED

- 1 *On Registration of Birth or Still-birth:—*
 - (a) the age of the mother;
 - (b) the date of the marriage;
 - (c) the number of children of the mother by her present husband and how many of them are living;
 - (d) the number of children of the mother by any former husband and how many of them are living.

- 2 *On Registration of Death:—*
 - (a) if the deceased was a male, whether he had been married, and, if so, whether he was married at the date of death;
 - (b) if the deceased was a woman and had been married—
 - (i) the year in which she was married and the duration of the marriage;
 - (ii) whether she had children by her husband or any former husband;
 - (c) the age of the surviving spouse, if any, of the deceased.