

1988 No. 638

**REGISTRATION OF BIRTHS, DEATHS,
MARRIAGES, ETC.
ENGLAND AND WALES**

**The Registration of Births and Deaths (Amendment)
Regulations 1988**

Made - - - - - 28th March 1988

Coming into force - - - - - 4th April 1988

The Registrar General, in exercise of the powers conferred on her by sections 14A, 29(2), 39 and 41 of the Births and Deaths Registration Act 1953(a) and of all other powers enabling her in that behalf, with the approval(b) of the Secretary of State for Social Services(c), hereby makes the following Regulations:-

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Registration of Births and Deaths (Amendment) Regulations 1988 and shall come into force on 4th April 1988.

(2) In these Regulations “the principal Regulations” means the Registration of Births and Deaths Regulations 1987(d).

Insertion of Part V A in the principal Regulations

2. After Part V of the principal Regulations (Re-registration of births of legitimated persons) there shall be inserted the following Part:-

“PART V A

Re-registration of births after declaration of parentage or legitimacy

Particulars on re-registration

26A. Where under section 14A of the Act the Registrar General authorises the relevant registrar to re-register a birth, the relevant registrar shall-

- (a) copy the particulars recorded in the spaces of the authority into spaces 1 to 10 of form 1;

(a) 1953 c.20; section 14A was inserted by section 26 of the Family Law Reform Act 1987 (c.42); see definitions of “prescribed” and “the Minister” in section 41.
(b) The approval of the Secretary of State is required to the exercise of the powers conferred by sections 14A and 29(2) of the Births and Deaths Registration Act 1953; see section 39.
(c) Article 2 of the Secretary of State for Social Services Order (S.I. 1968/1699) transferred all functions of the Minister of Health to the Secretary of State.
(d) S.I. 1987/2088.

- (b) enter across such of spaces 11 to 14 as are needed for the purpose:-
 - (i) if the re-registration follows a declaration under section 56(1)(a) of the Family Law Act 1986(a) the words "Pursuant to section 14A of the Births and Deaths Registration Act 1953 on the authority of the Registrar General"; or
 - (ii) if the re-registration follows a declaration under section 56(1)(b) of the Family Law Act 1986 the words "on the authority of the Registrar General";
- (c) draw a line through any unused space; and
- (d) enter in space 15 the date on which the entry is made and sign the entry in space 16, adding his official description.

Noting of previous entry

26B. Where a birth is re-registered in accordance with regulation 26A, the superintendent registrar or registrar having custody of the register in which the birth was previously registered shall, when so directed by the Registrar General, note the margin of the previous entry with the words "Re-registered under section 14A of the Births and Deaths Registration Act 1953, on", inserting the date of the re-registration.

Re-registration where person born at sea

26C. Where under section 14A of the Act the Registrar General authorises the re-registration of the birth of a person who was born at sea and whose birth was included in a return sent to the Registrar General, a person deputed for the purpose by the Registrar General shall on receiving the Registrar General's authority effect re-registration by-

- (a) making the entry in a register to be kept at the General Register Office in form 7, copying the particulars recorded in the spaces of the authority into the corresponding spaces of the form;
- (b) noting in the margin of any previous record of birth in the custody of the Registrar General the words "Re-registered under section 14A of the Births and Deaths Registration Act 1953, on", inserting the date of re-registration; and
- (c) sending a copy of the previous record, including a copy of the marginal note, certified under the seal of the General Register Office, to the authority from whom that record was received by the Registrar General."

Amendment of regulation 55 of the principal Regulations

3. In paragraph (4) of regulation 55 of the principal Regulations (correction of minor clerical errors after completion) for the words "and 23" there shall be substituted the words ", 23 and 26A".

Amendment of regulation 56 of the principal Regulations

4. After paragraph (4) of regulation 56 of the principal Regulations (correction of other minor clerical errors after completion) there shall be added the following paragraph:-

"(5) Where a clerical error to which this Regulation applies relates to an entry required to be made by any of regulations 20, 22, 23 and 26A the superintendent registrar or the registrar concerned shall-

- (a) send a report to the Registrar General enclosing a copy of the entry; and
- (b) correct the entry as directed by the Registrar General."

Amendment of regulation 57 of the principal Regulations

5. In paragraph (1) of regulation 57 of the principal Regulations (correction of other

(a) 1986 c.55; section 56 was substituted by section 22 of the Family Law Reform Act 1987 (c.42).

clerical errors after completion) for the number "54" there shall be substituted the number "55".

Amendment of regulation 61 of the principal Regulations

6. In paragraph (3) of regulation 61 of the principal Regulations (copy of corrected or annotated entry to be sent to Registrar General) for the words "or 14(1)" there shall be substituted the words ", 14(1) or 14A".

Given under my hand on 25th March 1988

G. T. Banks
Registrar General

I approve

Signed by authority of the Secretary of State for Social Services.

Skelmersdale
Parliamentary Under-Secretary of State,
Department of Health and Social Security

28th March 1988

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Registration of Births and Deaths Regulations 1987 (the principal Regulations).

Regulation 2 inserts into the principal Regulations Part VA which provides a procedure for the re-registration of a birth following a declaration of parentage or legitimacy under section 56 of the Family Law Act 1986. Regulations 3 and 6 make minor consequential amendments.

Regulation 4 amends regulation 56 of the principal Regulations to provide that where there is a minor clerical error which could otherwise be corrected under that regulation, the matter shall be reported to the Registrar General and corrected as she directs if the error occurs in an entry made under regulation 20, 22, 23 or 26A of the principal Regulations (which relate to the re-registration of certain births).

Regulation 5 corrects a mistake in regulation 57 of the principal Regulations.