

1989 No. 497

**REGISTRATION OF BIRTHS, DEATHS,
MARRIAGES, ETC.**

ENGLAND AND WALES

**The Registration of Births and Deaths (Amendment)
Regulations 1989**

Made - - - - *15th March 1989*

Coming into force - *1st April 1989*

The Registrar General, in exercise of the powers conferred by sections 1(1), 5, 9(5), 10(1), 10A(1), 29(2), 39 and 41 of the Births and Deaths Registration Act 1953(a), by section 20(a) and 21(1) of the Registration Service Act 1953(b) and of all other powers enabling her in that behalf, with the approval of the Secretary of State for Health(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 1989 and shall come into force on 1st April 1989.

(2) In these Regulations “the principal Regulations” means the Registration of Births and Deaths Regulations 1987(d), and unless the context otherwise requires any reference to a numbered regulation or Schedule is a reference to the regulation or Schedule bearing that number in the principal Regulations.

Substitution of regulation 8

2. For regulation 8 (declaration by mother for registration of birth) there shall be substituted the following regulation—

“Declaration by parent for registration of birth

8. Form 2 shall be the prescribed form of the declaration to be made by the mother pursuant to section 10(1)(b)(i) of the Act and by the person stating himself to be the father pursuant to section 10(1)(c)(i) of the Act (entry of father’s name in register at request of and on declaration by one parent and statutory declaration of other).”.

(a) 1953 c.20; sections 1(1) and 5 were amended by the Children Act 1975 (c.72), Schedule 3, paragraph 13(1); section 5 was also amended by the Registration of Births, Deaths and Marriages (Fees) Order 1968 (S.I. 1968/1242), Schedule 2; section 9(5) was added by the Children Act 1975, section 93(3); sections 10 and 10A were substituted by the Family Law Reform Act 1987 (c.42), sections 24 and 25 respectively; see the definitions of “the Minister” and “prescribed” in section 41.

(b) 1953 c.37; see the definitions of “the Minister” and “prescribed” in section 21(1).

(c) See the Secretary of State for Social Services Order 1968 (S.I. 1968/1699), article 2, which transferred all the functions of the Minister of Health to the Secretary of State; the approval of the Secretary of State is required by virtue of section 39 of the Births and Deaths Registration Act 1953 and by virtue of section 20 of the Registration Service Act 1953.

(d) S.I. 1987/2088; the relevant amending instrument is S.I. 1988/638.

Amendment of regulation 9

3.—(1) In regulation 9(4)(b) (entry of particulars on registration within three months from date of birth)—

- (a) for the words “by the mother under section 10(c) of the Act” there shall be substituted the words “under section 10(1)(d) of the Act”; and
- (b) for the words “order made under section 4 of the Affiliation Proceedings Act 1957 which was produced to him by the mother” there shall be substituted the words “relevant order which was produced to him”.

(2) In regulation 9(8)(b) for “section 10(a)” there shall be substituted “section 10(1)(a)”.

Amendment of regulation 10

4. In regulation 10(1) (completion of registration)—

- (a) in paragraph (b) for “section 10” there shall be substituted “section 10(1)”;
- (b) in paragraphs (b)(i) and (b)(ii) for the word “section” there shall be substituted the word “sub-section”;
- (c) for paragraph (b)(iii) there shall be substituted—

“(iii) if made pursuant to paragraph (c) of that sub-section, the person stating himself to be the father of the child, in which case the registrar shall add after his signature the words “Statutory declaration made by on”, inserting the name and surname of the mother and the date on which the statutory declaration was made by her,

(iv) if made pursuant to paragraph (d) of that sub-section, the person making the request, in which case the registrar shall add after his signature the words “Pursuant to section 10(1)(d) of the Births and Deaths Registration Act 1953”.

Amendment of regulation 13

5. In regulation 13(4)(b)(ii) (declaration and registration under section 9 of the Act)—

- (a) for the words “paragraph (b) or (c) of section 10” there shall be substituted the words “paragraph (b), (c) or (d) of section 10(1)”,
- (b) for “(ii) or (iii)” there shall be substituted “(ii), (iii) or (iv)”.

Substitution of regulation 16

6. For regulation 16 (declaration by mother for re-registration of birth) there shall be substituted the following regulation—

“Declaration by parent for re-registration of birth

16. Form 2 shall be the prescribed form of the declaration to be made by the mother pursuant to section 10A(1)(b)(i) of the Act and by the person stating himself to be the father pursuant to section 10A(1)(c)(i) of the Act (entry of father’s name in register at request of and on declaration of one parent and statutory declaration of other).”.

Amendment of regulation 17

7.—(1) For regulation 17(2)(b)(ii) (re-registration of birth) there shall be substituted the following—

“(ii) in a section 10A(1)(c) case, add the words “Statutory declaration made by on”, inserting the name and surname of the mother and the date on which the statutory declaration was made by her,

(iii) in a section 10A(1)(d) case, add the words “Pursuant to section 10A(1)(d) of the Births and Deaths Registration Act 1953”.

(2) In regulation 17(3)(a)—

- (a) in paragraph (ii) after “10A(1)(b)” there shall be inserted “or (c)”;
- (b) in paragraph (iii) for “10A(1)(c)” there shall be substituted “10A(1)(d)”.

(3) In regulation 17(3)(b)—

- (a) in paragraph (i)-
 - (i) after "10A(1)(b)" there shall be inserted "or (c)",
 - (ii) the words "made by the person acknowledging himself to be the father of the child" shall be omitted;
- (b) in paragraph (ii)-
 - (i) for "10A(1)(c)" there shall be substituted "10A(1)(d)",
 - (ii) for the words "order made under section 4 of the Affiliation Proceedings Act 1957" there shall be substituted the words "the relevant order".
- (4) In regulation 17(4)(b)(ii)-
 - (a) for "or (c)" there shall be substituted ", (c) or (d)";
 - (b) for "or (ii)" there shall be substituted ", (ii) or (iii)".
- (5) In regulation 17(5)-
 - (a) in paragraph (b) the words "or (c) case" shall be omitted;
 - (b) after paragraph (b) there shall be inserted-
 - "(c) in a section 10A(1)(c) case, the father,
 - (d) in a section 10A(1)(d) case, the mother or the father,".

Amendment of regulation 43

8. In regulation 43(2) (registration where inquest is not held) for the words "section 21 of the Coroners (Amendment) Act 1926" there shall be substituted the words "section 19 of the Coroners Act 1988"(a).

Amendment of regulation 55

- 9.—(1) In regulation 55(2)(c) (correction of minor clerical errors after completion)-
- (a) after "10(1)(b)(ii)" there shall be inserted "(iii) or (iv)";
 - (b) after "17(2)(b)(i)" there shall be added ", (ii) or (iii)".
- (2) For regulation 55(2)(e) there shall be substituted-
- "(e) the omission of-
- (i) any of the words (including the name, surname and qualification of the registered medical practitioner) "Certified by" required to be entered, in space 8 of a death entry, by Regulation 42(4),
 - (ii) any of the words (including the name, surname and description of the coroner) "Certified by after post-mortem without inquest" required to be entered, in space 8 of a death entry by Regulation 43(2),
 - (iii) any of the words (including the name, surname and description of the coroner and the date of inquest) "Certificate received from Inquest held on" required to be entered, in space 7 of a death entry, by Regulation 45(b)(i),
 - (iv) any of the words (including the name, surname and description of the coroner) "Certificate on inquest adjourned received from" required to be entered in space 7 of a death entry, by Regulation 45(b)(ii);".
- (3) In regulation 55(2)(g)-
- (a) after "10(1)(b)(ii)" there shall be inserted "or (iii)";
 - (b) after "17(2)(b)(i)" there shall be inserted "or (ii)".

Amendment of regulation 56

10. In regulation 56(3) (correction of other minor clerical errors after completion)-
- (a) after paragraph (a)(iii) there shall be inserted-
 - "(iiia) in space 7, in the mother's occupation (if entered),"
 - (b) in paragraph (b)(iv) for the word "latter" there shall be substituted the word "former".

(a) 1988 c.13.

Amendment of regulation 67

11.—(1) In regulation 67(1) (applications for certificate of birth or death for certain purposes)—

- (a) for the words “for the purposes of” there shall be substituted the word “where”;
- (b) after the words “in paragraph (2)” there shall be inserted the word “applies”(a).

(2) In regulation 67(2) sub-paragraphs (b) and (c) shall be omitted.

Substitution of forms 2 and 6 in Schedule 2

12. For forms 2 and 6 in Schedule 2 there shall be substituted respectively the forms 2 and 6 in the Schedule to these Regulations.

Transitional provisions

13. The provisions of the principal Regulations shall continue to apply as though these Regulations had not been made—

- (a) as regards any application made under the Affiliation Proceedings Act 1957(b) to which paragraph 1 of Schedule 3 to the Family Law Reform Act 1987 applies,
- (b) as regards any request to re-register a birth made under paragraph 12 of Schedule 3 to the Family Law Reform Act 1987, and
- (c) where before the coming into force of section 25 of the Family Law Reform Act 1987—
 - (i) a mother had made a request under section 10A(1)(b) or (c) of the Act to re-register a birth, and
 - (ii) the Registrar General had authorised that re-registration.

Given under my hand on 13th March 1989

G. T. Banks
Registrar General

Signed by authority of the Secretary of State for Health

R. N. Freeman
Parliamentary Under-Secretary of State,
Department of Health

15th March 1989

(a) Section 10 of the Savings Bank Act 1887 (c.40) is applied by regulation 21 of the Savings Contracts Regulations 1969 (S.I. 1969/1342), regulation 32 of the Savings Certificates Regulations 1972 (S.I. 1972/641), regulation 25 of the Premium Savings Bonds Regulations 1972 (S.I. 1972/765), regulation 52 of the National Savings Stock Register Regulations 1976 (S.I. 1976/2012) and regulation 26 of the Savings Certificates (Yearly Plan) Regulations 1984 (S.I. 1984/779).

(b) 1957 c.55.

SCHEDULE

Regulation 12

FORM 2

DECLARATION/STATEMENT FOR THE REGISTRATION/RE-REGISTRATION OF A BIRTH

Regulations 8, 16
17(3)(a)(ii)

Births and Deaths Registration Act 1953, ss.9(5), 10(1)(b)(i)
and (c)(i) and 10A(1)(b)(i) and (c)(i)

CHILD	
1. Date and place of birth	
2. Name and surname	3. Sex
FATHER	
4. Name and surname	
5. Place of birth	
6. Occupation	
MOTHER	
7. Name and surname	
8. Place of birth	
9. (a) Maiden surname	(b) Surname at marriage if different from maiden surname
10. Usual address (if different from place of child's birth)	
INFORMANT	
11. Name and surname (if not the mother or father)	12. Qualification
13. Usual address (if different from that in 10 above)	

For use where the child's parents are not married to each other and one parent produces a statutory declaration of parentage made by the other.

* I, DO SOLEMNLY DECLARE that I am the mother of the child the particulars of whose birth are specified above and that the person named in space 4 above is the father of the child; and I request that his name should be recorded as such in the register of births.

OR

* I, DO SOLEMNLY DECLARE that I am the father of the child the particulars of whose birth are specified above; and I request that my name should be recorded as such in the register of births.

Signature..... Date

Signed and declared by the above-named declarant in the presence

of.....
Registrar of Births and Deaths/Superintendent Registrar

..... Sub-district District

* Delete as appropriate.

FORM 6

STATEMENT BY PARENT FOR THE RE-REGISTRATION OF A BIRTH

Regulation 17(3)(a)(iii)

Births and Deaths Registration Act 1953, s.9(5)

CHILD	
1. Date and place of birth	
2. Name and surname	3. Sex
FATHER	
4. Name and surname	
5. Place of birth	
6. Occupation	
MOTHER	
7. Name and surname	
8. Place of birth	
9. (a) Maiden surname	(b) Surname at marriage if different from maiden surname
10. Usual address (if different from place of child's birth)	
INFORMANT	
11. Name and surname (if not the mother or father)	12. Qualification
13. Usual address (if different from that in 10 above)	

For use where the child's parents are not married to each other and one of them produces a certified copy of a relevant order.

I, DO SOLEMNLY DECLARE that I am the *mother/father of the child the particulars of whose birth are specified above and that *the person named in space 4 above is/ I am the father of the child and *is/am named as such in the certified copy of the relevant order relating to the child and produced by me; and I request that *his/my name should be recorded as such in the register of births.

Signature..... Date

Signed and declared by the above-named declarant in the presence

of.....
Registrar of Births and Deaths/Superintendent Registrar

..... Sub-district District

* Delete as appropriate.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make minor amendments to the Registration of Births and Deaths Regulations 1987. The amendments fall into three categories.

The first category of amendments are those consequential on the coming into force of sections 24 and 25 of the Family Law Reform Act 1987. The amendments relate to the registration or re-registration of the births of children whose parents are not married to each other.

The second category of amendments relate to the correction of clerical errors in registers and specifies three further errors a registrar may correct without further authority.

The third category is an amendment to the provision relating to certificates for certain purposes and an amendment to take account of the consolidation of the legislation relating to coroners.