
STATUTORY INSTRUMENTS

1995 No. 3105

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government (Changes for the Registration Service in Avon, Cleveland, Humberside and North Yorkshire) Order 1995

<i>Made</i>	- - - -	<i>30th November 1995</i>
<i>Laid before Parliament</i>		<i>1st December 1995</i>
		<i>22nd December</i>
<i>Coming into force</i>	- -	<i>1995</i>

The Secretary of State for Health, in exercise of the powers conferred by sections 17(1) and (4) and 26(5)(b) of the Local Government Act 1992(1) and of all other powers enabling him in that behalf, hereby makes the following Order—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Local Government (Changes for the Registration Service in Avon, Cleveland, Humberside and North Yorkshire) Order 1995 and shall come into force on 22nd December 1995.

(2) In this Order, unless the context otherwise requires—

“the 1949 Act” means the Marriage Act 1949(2);

“the 1953 Act” means the Registration Service Act 1953(3);

“the 1992 Act” means the Local Government Act 1992;

“approved registration scheme” means a scheme submitted to the Secretary of State in accordance with article 2 of this Order and approved by the Secretary of State(4) under section 14 of the 1953 Act(5);

“district” means a registration district for the purposes of section 5 of the 1953 Act(6);

“new authority” means the authorities to which the functions of an old authority are transferred by an order made under section 17 of the 1992 Act, being: North West Somerset

(1) 1992 c. 19.

(2) 1949 c. 76.

(3) 1953 c. 37.

(4) Section 14 requires the approval of “the Minister” which, by virtue of section 21(1) of the 1953 Act means the Minister of Health. The functions of the Minister of Health were transferred to the Secretary of State by virtue of the Secretary of State for Social Services Order 1968 (S.I. 1968/1699).

(5) Section 14 was amended by section 251 of and paragraph 41(2) of Schedule 29 to the Local Government Act 1972 (1972 c. 70).

(6) Section 5 was amended by section 251 of and paragraph 41(1) of Schedule 29 to the Local Government Act 1972.

District Council, Bath and North East Somerset District Council, South Gloucestershire District Council and the City of Bristol District Council(7); Hartlepool Borough Council, Middlesbrough Borough Council, Stockton Borough Council and Redcar and Cleveland Borough Council(8); East Riding of Yorkshire District Council, the City of Kingston upon Hull District Council, North Lincolnshire District Council and North East Lincolnshire District Council(9); and York District Council(10).

“old authority” means Avon County Council, Cleveland County Council, Humberside County Council and North Yorkshire County Council, being local authorities from which functions are transferred to a new authority by an order made under section 17 of the 1992 Act(11);

“registration officer” means any superintendent registrar or registrar of births and deaths appointed under section 6(1) of the 1953 Act and any deputy superintendent registrar or deputy registrar of births and deaths appointed under section 8(1) of that Act and “office” shall be construed accordingly; and

“sub-district” means a registration sub-district for the purposes of section 5 of the 1953 Act.

Local Registration Service

2.—(1) Each new authority shall not later than 15th January 1996 submit to the Secretary of State a scheme for the purposes of section 13 of the 1953 Act, and section 13(2) and (3) (provision to be made by local scheme) and section 14(4) (approval of schemes by the Secretary of State) of the 1953 Act shall apply to any scheme so submitted.

(2) If a new authority fails to submit a scheme in accordance with paragraph (1) of this article, the Registrar General may, after consultation with that authority, submit to the Secretary of State a scheme for the purposes of section 13 of the 1953 Act and any scheme so prepared by him, if approved by the Secretary of State, shall have effect as if it were a scheme submitted by the new authority and approved by the Secretary of State.

(3) Subject to any further scheme made by a new authority and approved by the Secretary of State under section 14 of the 1953 Act, the approved registration scheme shall have effect for the organisation of the registration service in the area of the authority to which it relates from 1st April 1996.

Transfer of Registration Officers

3.—(1) This article applies to any registration officer—

- (a) who immediately before 1st April 1996 holds office in or for a district or sub-district in the area of an old authority under an appointment made by that authority;
- (b) who would have continued to hold that office after 1st April 1996 but for the abolition of that authority or the transfer of local government functions from that authority to a new authority; and
- (c) whose name is mentioned in column (1) of the Schedule to this Order.

(7) By article 11 of The Avon (Structural Change) Order 1995 (S.I. 1995/493) the functions of Avon County Council in relations to each Avon district (as defined in that Order) are transferred to these authorities.

(8) By article 3(1) of The Cleveland (Structural Change) Order 1995 (S.I. 1995/187) the functions of Cleveland County Council in relation to each Cleveland borough (as defined in that Order) are transferred to these authorities. By virtue of section 245 of the Local Government Act 1972, district councils are able to petition Her Majesty for the grant of borough status. All the district councils in Cleveland have been granted that status.

(9) By article 9 of The Humberside (Structural Change) Order 1995 (S.I. 1995/600) the functions of Humberside County Council in relation to each Humberside district (as defined in that Order) are transferred to these authorities.

(10) By article 10 of The North Yorkshire (District of York) (Structural and Boundary Changes) Order 1995 (S.I. 1995/610) the functions of North Yorkshire County Council in relation to the new district of York (as defined in that Order) are transferred to this authority.

(11) See S.I. 1995/493, S.I. 1995/187, S.I. 1995/600 and S.I. 1995/610.

- (2) Every registration officer to whom this article applies shall, on 1st April 1996—
- (a) be transferred from the old authority mentioned in column (2) of the Schedule to this Order opposite his name to the new authority mentioned in column (3) of that Schedule opposite his name; and
 - (b) if an office is allocated to him in accordance with article 4 of this Order, become the holder of that office as if he had been appointed to it by the new authority.
- (3) Any provision in this Order for the transfer of a person not engaged whole-time as a registration officer shall apply only to his office as a registration officer.

Allocation of Staff

4.—(1) Each new authority shall not later than 15th February 1996 submit to the Registrar General proposals for allocating to the posts described in the approved registration scheme for the area of the authority the registration officers who may, pursuant to paragraph (2) of article 3 of this Order, be transferred to the new authority on 1st April 1996.

(2) Not later than the day on which proposals under paragraph (1) of this article are submitted to the Registrar General, the new authority shall send a copy of the proposals to every registration officer affected by them and the Registrar General, after considering any representations with respect to the proposals made by any such officer within a period of fourteen days after the submission of the proposals, may approve the proposals with or without modifications.

(3) The new authority shall allocate the officers who are transferred to the new authority pursuant to paragraph (2) of article 3 of this Order to the posts described in the approved registration scheme for the area of the authority in accordance with the proposals approved by the Registrar General under paragraph (2) of this article.

(4) If any new authority fails to submit proposals in accordance with paragraph (1) of this article, the Registrar General may determine the allocation of officers to the posts described in the approved registration scheme for the area of the authority and any allocation so determined shall have effect as if it had been proposed by the new authority and approved by the Registrar General.

Registration Officers to be Treated as Employees for Certain Purposes

5. For the purposes of any order made under section 23 of the 1992 Act (staff commissions)(12) and regulations 3 (continuity of employment), 4 (transfers of staff) and 5 (redundancy payments) of the Local Government Changes for England (Staff) Regulations 1995(13) any registration officer shall, as respects his office, be treated as employed by the old authority by which he was appointed and, on and after 1st April 1996, as an officer in the employment of the new authority to which he is transferred in accordance with article 3(2) of this Order, and any reference in such order or in those regulations—

- (a) to “employed”, “employment”, “employee”(14) or “employer” shall be construed accordingly; and
- (b) to a “contract of employment” shall be construed as a reference to the terms and conditions of the registration officer’s appointment.

(12) See S.I. 1993/1098.

(13) S.I. 1995/520.

(14) “Staff” in section 23 includes “employee” by virtue of section 28(1).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Health

30th November 1995

R. R. Horam
Parliamentary Under Secretary of State
Department of Health

SCHEDULE

Article 3

(1) Name of Officer	(2) Old Authority	(3) New Authority
Mrs Shirley Jones	Avon	Bath and North East Somerset
John McSweeney		
Mrs Margaret A Parkes		
Miss Hilary E Jenkins		
Robert Saunders		
Mrs Sheila M Morris		
Mrs Betty M Jones		
Mrs Rita A Colborne		
Miss Michelle Crouch		
Mrs Jacqueline Naish		
Mrs Doreen C Rosinski		
Mrs Francine E Lawrence		
Michael Brierley	Avon	City of Bristol
Mrs Helen C Lee		
Mrs Muriel A Chambers		
Mrs Siobhan H Nash		
Mrs Breeda A Morton		
Mrs Monica Nicholls		
Mrs Betty B Hazell		
Mrs Carolyn M Murnan		
Mrs Elizabeth A Matthews		
Mrs Anne H R Bragg		
Miss Lorraine A Thomas		
Mrs Judith A Vickers		
Mahboob Sattar		
Mrs Maureen Dewhurst		
Mrs Lesley P Durston		
Robert O'Neill		
Mrs Christine M Bowring		
Mrs Angela J Butt		
Mrs L Judith Harris		
Russell A J Underwood		

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(1) Name of Officer	(2) Old Authority	(3) New Authority
Mrs Jennifer M Palmer		
Mrs Janet P Thorne		
Mrs Mary Glanvill		
Mrs Glynis F Hartland	Avon	North West Somerset
Miss Diane Britton		
Edward P Barry		
Mrs Louise A Pople		
Mrs Jacqueline M Griffiths		
Mrs Sandra J Lamb		
Mrs Susan G Sargent		
Mrs Marilyn Heffer	Avon	South Gloucestershire
Mrs Maureen Thompson		
Mrs Catherine M Batchelor		
Mrs Rosalyn A Tasker		
Peter Spires	Cleveland	Hartlepool
Mrs Valerie Dear		
Mrs Margaret E Cosgrave		
Mrs Dianne V Scott		
Mrs Margery Maughan		
Mrs Lesley Morrell		
Robert P Wills	Cleveland	Middlesbrough
Miss June L Thomas		
Mrs Barbara P Schweitzer		
Miss Annette Meek		
Mrs Dawn L Galloway		
Mrs Sarah J Buckton		
Mrs Susan Day		
Mrs Jean Merigold	Cleveland	Redcar and Cleveland
Mrs Margaret Cheall		
Mrs Moira Stockdale		
Mrs Judith McDonald		
Mrs Elva Pearson		
Miss Susan M Coulthard	Cleveland	Stockton
Miss Antoinette Harris		

(1) Name of Officer	(2) Old Authority	(3) New Authority
Mrs Lesley M Elliott		
Mrs Valerie J Fowler		
Brian D Burr		
Mrs Anne Woodward		
Mrs Marcia Sidgwick		
Bernard Bright	Humberside	City of Kingston upon Hull
Mrs Leni M Eves		
Ronald Wynn		
Peter Ingamells		
Mrs Susan J K Musgrave		
Mrs Beryl H Stocks		
Mrs Sheila Shillito		
Mrs Susan E Plows		
Miss Wendy Saverton		
Mrs Primrose A Welford		
Alan Robinson	Humberside	North East Lincolnshire
Mrs Allison L Fisher		
Mrs Beverley A Hinson		
Mrs Sally L Bacon		
Mrs Diana J Green		
Mrs Denise Bryan		
Mrs Anne Butler		
Mrs Sara Lawrance		
Mrs Jill F Robinson	Humberside	North Lincolnshire
Mrs Kay Lazenby		
Mrs Julia M Ross		
Mrs Alison E Croft		
Mrs Lynn Taylor		
Mrs Christine Bradbury		
Mrs Pamela J Gollings		
James C F Chorlton	Humberside	The East Riding of Yorkshire
Miss Susan E Thompson		
Mrs Margaret Oxtoby		
Mrs Judith A Dixon		

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(1) Name of Officer	(2) Old Authority	(3) New Authority
Mrs Barbara Grinnell		
Mrs Elizabeth E Sharp		
Mrs Vera McCafferty		
Mrs Sybil N Wilson		
Mrs Susan E Dodsworth		
Miss Margaret Clark		
Mrs Brenda Glover		
Mrs Audrey E Harper		
Mrs Audrey Fisher		
Mrs Marie Biglin		
Mrs June M Hancock		
Mrs Eileen Underwood		
Mrs Margaret M Dove		
Mrs Dorothy Parker		
Mrs Anne Leetham		
Mrs Amanda J Sykes		
Mrs Jennifer Huxtable		
Mrs Ann Walker		
Mrs Mary Sleight		
Robert T Livesey	North Yorkshire	York
Mrs Dorothy H Masterson		
Mrs Margaret J Jenkins		
Brian G Miles		
Mrs Silvana Livesey		
John M Ramsden		
Mrs P Anne Spencer		
Miss Hazel Morrill		

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order provides for changes to the local registration service in Avon, Cleveland, Humberside and North Yorkshire, in consequence of structural and boundary changes in those areas made by Orders under section 17 of the Local Government Act 1992.

Article 2 provides for schemes to be made by the councils of the new districts establishing registration districts and sub-districts, determining the location of registration offices and the number of superintendent registrars, registrars of births and deaths and other officers required for the purpose of the Registration Acts. Registration officers holding office immediately before 1st April 1996 will be transferred by the Order on that date to one of the new authorities under Article 3 and Article 4 provides for the allocation of the posts described in the registration scheme to individual officers transferred.

Transitional provisions with regard to notices given and certificates issued under the Marriage Act 1949; marriages to be solemnised before registration officers, and the registration of births and deaths are to be found in the Local Government Changes for England Regulations 1994 (S.I.1994/867).