
STATUTORY INSTRUMENTS

1995 No. 3106

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Government (Registration
Service in Wales) Order 1995**

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

The Secretary of State for Health, in exercise of the powers conferred by section 54(1)(a) and (2) (a), (b), (c), (e) and (i)(ii) of the Local Government (Wales) Act 1994⁽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 (Registration Service in Wales) 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 1994 Act” means the Local Government (Wales) Act 1994;

“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⁾;

(1) 1994 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). References to a non-metropolitan county in that section include a reference to a county borough by virtue of section 22(2)(b) of the 1953 Act, as amended by section 66(6) of and paragraph 12 of Schedule 16 to the 1994 Act.

(6) Section 5 was amended by section 251 of and paragraph 41(1) of Schedule 29 to the Local Government Act 1972. References to a non-metropolitan county in that section include a reference to a county borough by virtue of section 22(2)(b) of the 1953 Act, as amended by section 66(6) of and paragraph 12 of Schedule 16 to the 1994 Act.

“new authority” means a county council or county borough council which is established in Wales under the Local Government Act 1972(7);

“old authority” means a district council or county council in Wales which ceases to exist on 1st April 1996 under the Local Government Act 1972(8);

“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 constructed accordingly;

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

“successor superintendent registrar” means the superintendent registrar designated by the Registrar General in respect of a registration district in accordance with article 7(1) of this Order.

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) (approved 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 county or county borough 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; and
- (c) whose name is mentioned in column (1) of the Schedule to this Order.

(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.

(7) 1972 c. 70. See section 20, as substituted by section 1(1) of the 1994 Act, section 21, as substituted by section 2 of that Act and section 270(1), as amended by section 1(5) of that Act. By virtue of paragraph 1 of Schedule 17 to the 1994 Act, the provisions of section 20 of the 1972 Act in force immediately before the passing of the 1994 Act continue to have effect in relation to the administration of local government in Wales before 1st April 1996.

(8) See section 20(7), as substituted by section 1(1) of the 1994 Act.

(3) All the rights, powers, duties and liabilities of the old authority under or in connection with the terms and conditions on which the registration office held office shall be transferred on 1st April 1996 to the new authority.

(4) Anything done before 1st April 1996 by or in relation to the old authority in respect of those terms and conditions or the registration officer shall be deemed from that date to have been done by or in relation to the new authority.

(5) Where a registration officer is allocated an office and becomes its holder any period of appointment in an office which counted at the time of the abolition of the old authority for the purposes of a pension or redundancy payment for him shall count for those purposes as a period of appointment in the allocated office and continuity of appointment shall not be broken by the change of office.

(6) Nothing in this article affects any right of a registration officer to give notice that he will cease to hold office if a substantial change is made in his working conditions to his detriment, but no such right shall arise by reason only of the change in the appointing authority effected by this article.

(7) 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 county or county borough 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 county or county borough in accordance with the proposals approved by the Register 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 county or county borough, and any allocation so determined shall have effect as if it has 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 sections 40 (Staff Commission for Wales), 41 (continuity of employment in certain cases of voluntary transfer) and 43 (compensation for loss of office or diminution of emoluments) of the 1994 Act, 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 those sections—

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

Validity of Certain Matters

6. Nothing in this Order or in any approved registration scheme shall affect the validity of any certificated issued under section 31 of the 1949 Act; any certificate and licence issued under section 32 or 35 of that Act, or any notice of marriage given under section 27 of that Act before 1st April 1996.

Transitional Provisions as to Notices, etc., under the 1949 Act

7.—(1) The Registrar General shall designate a superintendent registrar to be the successor to the superintendent registrar for a district which is to be abolished on 1st April 1996.

(2) The superintendent registrar of any district which will be abolished on 1st April 1996 shall for one month before that date display the name and address of the successor superintendent registrar in a conspicuous position in his office, and shall give that information to every person giving notice of marriage.

(3) Where a notice of marriage is given before 1st April 1996 to any superintendent registrar whose district will be altered or abolished on that date and the marriage has not been solemnized before that date, the following provisions shall apply—

- (a) where the district is altered, the provisions of the 1949 Act with regard to the issue of a certificate or a certificate and licence shall apply as if the alteration had not taken place;
- (b) where the district is abolished, the notice of marriage shall have effect as if it has been given to the successor superintendent registrar, and
 - (i) the successor superintendent registrar shall cause any notice of marriage or exact copy of particulars entered in the marriage notice book and required to be displayed under subsection (1) of section 31 of the 1949 Act to be affixed in some conspicuous place in his office from 1st April 1996 for any unexpired portion of the period mentioned in that subsection;
 - (ii) the successor superintendent registrar, and any other superintendent registrar so empowered by the 1949 Act may in accordance with the provisions of that Act issue a certificate or a certificate and licence for the solemnization of the marriage notwithstanding that the building in which the marriage is to be solemnized is not within his district or within the district where one of the persons to be married resides; and
 - (iii) the successor superintendent registrar may arrange for the solemnization of the marriage in his office where the persons to be married had stated in the notice of marriage that they wished to be married in the office of the superintendent registrar to whom the notice was given.

(4) Where notice of a marriage is given before 1st April 1996 and that marriage is to be solemnized in the office of a superintendent registrar for a district which is to be altered or abolished on that date and the marriage has not been solemnized before that date, the following provisions shall apply—

- (a) where the district is altered the notice of marriage shall be treated as though it specified the office of the superintendent registrar for the altered district; and
- (b) where the district is abolished the notice of marriage shall be treated as though it specified the office of the successor superintendent registrar.

(5) For the purpose of any notice of marriage to be given on or after 1st April 1996, the alteration or establishment of any registration district by an approved registration scheme shall be deemed to have taken effect 32 days before 1st April 1996.

Registration of Births and Deaths

8. Where any birth (including a still-birth) or death occurring in any sub-district which is altered or abolished on 1st April 1996 has not been registered before that date, it shall be registered by the registrar on births and deaths for the sub-district in which the place of birth or death, as the case may be, is located on that date.

Signed by authority of the Secretary of State for Health

30th November 1995

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

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

SCHEDULE

Article 3

(1) Name of Officer	(2) Old Authority	(3) New Authority
Mrs Mair E Hughes	Clwyd	Aberconwy and Colwyn
Mrs Wendi Wyn-Roberts		
Mrs Karen Williams		
Mr Edwin Williams		
Mrs Marian Owen		
Mrs Carey Williams		
Mrs Beryl C Lightfoot	Clwyd	Denbighshire
Mrs Mary E Williams		
Mrs Freda Connah		
Mrs Gwenan K Williams		
Mrs Wendy A Hubbard		
Mrs Nan W Evans		
Mrs Gwenda Byles		
Mrs Jean E Bickley		
Mrs Jean Raffles	Clwyd	Flintshire
Mrs Marjorie D West		
Mrs Lesley J Lee		
Mrs Susan E Turner		
Mrs Bessie Hughes		
Mrs Mair Bibby		
Mrs Katherine A Frost		
Mrs Pamela J Edwards		
Mrs Evelyn M Barnes		
Barry E Evans	Clwyd	Wrexham
Mrs Veronica Jones		
Mrs Ruth Cooke		
Mrs Collette Garbutt		
Mrs Enid D Roderick	Dyfed	Cardiganshire
Mrs Helen Jones		
Mrs Elizabeth M Grantham		
Mrs Mary Fitter		
Mrs Beti W Emanuel		

(1) Name of Officer	(2) Old Authority	(3) New Authority
Hughie W Hughes		
John M Watts		
Miss Elizabeth H Lloyd Parry		
Mrs Mair E Bowen		
Mrs Shan Elizabeth Williams		
Miss Edith L Morris		
Colin M Smith	Dyfed	Carmarthenshire
Mrs Myra A Lendon		
Mrs Nora E Thomas		
Mrs Rachel M Jones		
Mrs Marylyn Haines-Evans		
Mrs Valmai M Jackson		
Mrs Daphne D Evans		
Mrs Nanette Rees		
Mrs Lynette Brown		
Mrs Patricia Ann Bevan		
Mrs Gaynor Davies		
Mrs Averil L Watson	Dyfed	Pembrokeshire
Mrs Barbara A Eynon		
Mrs Diana M Hawgood		
Mrs Virginia Gale		
Mrs Janice A Coomber		
Mrs Glenys P James		
Miss Jane Hayward		
Mrs Theresa Phillips		
Mrs Margaret Rowlands		
Mrs Sian Batt		
Mrs H E Joy Walker		
Mrs Julie M Bird		
Miss Gail Brandrick	Gwent	Blaenau Gwent
Mrs Rosemary J Kemp		
Mrs Lorna Palfrey		
Dennis Wright		
Mrs Beverley A Suter		

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(1) Name of Officer	(2) Old Authority	(3) New Authority
Mrs Susan K Mitchell		
Mrs Margaret M Sillman		
Mrs Rosemary Kingsford	Gwent	Monmouthshire
Mrs Jane E Sullivan		
Mrs Marjorie R Samuel		
Mrs Vivien Minor		
Mrs Julie A Hole		
Mrs Dawn P Richards		
Mrs Jane Morgan		
Mrs Pearl Hughes		
Alan R Protheroe	Gwent	Newport
Mrs Monica G Scott		
Delwyn Tibbott		
Mrs Carolyn J Evans		
Mrs Shan Jenkins		
Mrs Judith MacLachlan		
Mrs Dorothy G Biddiscombe		
Mrs Eileen J Lovis		
Mrs Carol L Hopkins		
Mrs Cynthia Green		
Mrs Jacqueline I Kibblewhite		
Mrs Susan E Goodman		
Mrs Janise Hopkins	Gwent	Torfaen
Mrs Margaret A Hearn		
Mrs Teresa Lawler		
Mrs Edna M Turberville		
John E West		
Mrs Gillian Jones		
Mrs Gwenda W Eells	Gwynedd	Aberconwy and Colwyn
J Arfon Jones		
Mrs Olwen Hughes		
Tudur Hughes		
Mrs Elizabeth W Jones		
Mrs Margaret Hughes	Gwynedd	Anglesey

(1) Name of Officer	(2) Old Authority	(3) New Authority
Mrs Helen M Williams		
Mrs Annetta Jones		
Mrs Janet E Edwards		
Mrs Eunice Jones		
Mrs Sian Owen		
Mrs Olwen Jones	Gwynedd	Caernarfonshire and Merionethshire
Mrs Deilwen M Evans		
Mrs Luned M Williams		
Mrs Angharad Jones		
Miss Gwendoline Thomas		
Mrs Nia Jones		
Mrs Ann Lloyd Evans Meirion P Huws		
Mrs Cynthia A Williams		
Mrs Menna Williams		
Mrs Margaret O Bardsley		
Mrs Shan L Burston		
Mrs Eleri Williams		
Mrs Sandra Jane Davies		
Mrs Amanda L Edwards		
Mrs Alwen McCaffrey		
Mrs Marian L Jones		
Donald R Jones		
David E Parry		
Mrs Sheila Jones		
David G Owen		
Cyril Jones-Evans		
Mrs Carys Jones-Evans		
Miss Bethan Jones-Evans		
Iwan Jones-Evans		
Mrs Sian W Francis		
Mrs Linda Williams		
Mrs Margaret W Williams		

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(1) Name of Officer	(2) Old Authority	(3) New Authority
Mrs Ann Stephens-Jones		
Mrs Joyce Dare	Mid Glamorgan	Bridgend
Mrs Christine Jenkins		
Mrs Joyce M Jeremy		
Mrs Elizabeth M Lewis		
Mrs Vivien P James		
Mrs Shirley A Medland		
Mrs June Ellis		
Mrs Mair K Richards		
Mrs Mary Thomas		
Mrs Marie E Evans		
Mrs Nina Gulliver-Jones	Mid Glamorgan	Caerphilly
Mrs Laurena M Williams		
Mrs Della L Masters		
Mrs Jayne A Lock		
Mrs Blodwen Birch	Mid Glamorgan	Merthyr
Mrs Dianne M Green		
Mrs Jean Davies		
Mrs Patricia A Thomas		
Mrs Allison M Jones		
Mrs Annette Evans		
Mrs Elizabeth M Edwards	Mid Glamorgan	Rhondda, Cynon, Taff
Mrs Edith M Stogden		
Mrs Alison T Paxford		
Mrs Audrey M M Morgan		
Mrs Barbara Morgan		
Mrs Christine Evans		
Mrs Edith B Richards		
Mrs Lynda M Parry		
Mrs Julie Jenkins		
Richard J Williams		
Mrs Janice Collings		
Mrs Gillian I Long		
Mrs Anne Lees	Powys	Powys

(1) Name of Officer	(2) Old Authority	(3) New Authority
Mrs Sylvia B Hargest		
Mrs Rita M Hall		
Mrs Margaret S James		
Bryn Roberts		
Miss Blodwen J Jones		
Miss Margaret M Jarman		
Mrs Jennifer M Jones		
Steven Vipond		
Thomas E Turner		
Mrs Beryl E Davies		
Brian G Maund		
Mrs Jacqueline Cole		
Mrs Hazel F Bolton		
Mrs Jane M Jones		
Mrs Jean D M Morgan		
Mrs Jane A Nutting		
Edmund M Kelcher		
Mrs Diana F Waters		
Mrs Christine M Morris		
Thomas M Humphreys		
Mrs Sheila Pickstock		
Mrs Patricia M Jones		
David G Lloyd		
David Evans		
Mrs Edith Williams		
Mrs Lynne Lee-Williams		
Mrs Evelyn Alexander		
Alan P Richards	South Glamorgan	Cardiff
Mrs Janet R Ogwen		
Mrs Gillian M Cornish		
Miss Diane Dearnley		
Mrs Lorraine Corsi		
Mrs Kathleen Lane		
Mrs Juliana Thomas		

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(1) Name of Officer	(2) Old Authority	(3) New Authority
Mrs Samantha N Edmunds		
Miss Jasmin Nasrat		
Mrs Doreen J Jarratt	South Glamorgan	The Vale of Glamorgan
Mrs Carol A Frieze		
Mrs Beverly L Hicks		
Mrs Jane V King		
Mrs Gennie A Smith		
Ms Dawn H Whitear	West Glamorgan	Neath and Port Talbot
Mrs Ann Tregonning		
Miss Patricia A Balderson		
Mrs Cynthia R Jenkins		
Mrs Elizabeth M Hughes		
Terence Veale		
Anthony E J Hobbs	West Glamorgan	Swansea
Mrs Lynne Bladen		
Alan P Amos		
Mrs Sandra Lewis		
Gareth Bray		
Mrs Sharon McKnight		
Mrs Edith E Morgan		
Mrs K Joy Jones		
Mrs Meriel Board		

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for changes to the local registration service in Wales in consequence of the reorganisation of local government from 1st April 1996, under the Local Government (Wales) Act 1994.

Article 2 provides for schemes to be made by the councils of the new counties and county boroughs establishing registration districts and sub-districts, determining the location of registration offices and the number of superintendent registrars of birth and deaths and other offices required for the

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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.

The Order also contains transitional provisions with regard to notices given and certificates issued under the Marriage Act 1949; marriage to be solemnised before registration officers, and the registration of births and deaths.