
STATUTORY INSTRUMENTS

1996 No. 3118

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government (Changes for the Registration Service in Bedfordshire, Buckinghamshire, Derbyshire, Dorset, Durham, East Sussex, Hampshire, Leicestershire, Staffordshire and Wiltshire) Order 1996

Made - - - - *5th December 1996*
Laid before Parliament *17th December 1996*
Coming into force - - *8th January 1997*

The Secretary of State, 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 Bedfordshire, Buckinghamshire, Derbyshire, Dorset, Durham, East Sussex, Hampshire, Leicestershire, Staffordshire and Wiltshire) Order 1996 and shall come into force on 8th January 1997.

(2) In this Order,

“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 Chancellor of the Exchequer in accordance with article 2 of this Order and approved by the Chancellor of the Exchequer(4) under section 14 of the 1953 Act(5);

(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, as amended by article 5(1) of and paragraph 13 of Schedule 2 to the Transfer of Functions (Registration and Statistics) Order 1996 (S.I. 1996/273), means the Chancellor of the Exchequer.

(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).

“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: Luton Borough Council(7); Milton Keynes Borough Council(8); Derby City Council(9); Bournemouth Borough Council and Poole Borough Council(10); Darlington Borough Council(11); Brighton and Hove District Council(12); Portsmouth City Council and Southampton City Council(13); Leicester City Council and Rutland District Council(14); Stoke-on-Trent City Council(15) and Thamesdown Borough Council(16);

“old authority” means Bedfordshire County Council, Buckinghamshire County Council, Derbyshire County Council, Dorset County Council, Durham County Council, East Sussex County Council, Hampshire County Council, Leicestershire County Council, Staffordshire County Council and Wiltshire 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(17);

“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 1997 submit to the Chancellor of the Exchequer 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 Chancellor of the Exchequer) 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 Chancellor of the Exchequer a scheme for the purposes of section 13 of the 1953 Act and any scheme so prepared

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- (6) Section 5 was amended by section 251 of and paragraph 41(1) of Schedule 29 to the Local Government Act 1972.
 - (7) The functions of Bedfordshire County Council in relation to the borough of Luton are transferred to this authority by article 3 of The Bedfordshire (Borough of Luton) (Structural Change) Order 1995 (S.I. 1995/1776).
 - (8) The functions of Buckinghamshire County Council in relation to the borough of Milton Keynes are transferred to this authority by article 3 of The Buckinghamshire (Borough of Milton Keynes) (Structural Change) Order 1995 (S.I. 1995/1769).
 - (9) The functions of Derbyshire County Council in relation to the city of Derby are transferred to this authority by article 3 of The Derbyshire (City of Derby) (Structural Change) Order 1995 (S.I. 1995/1773).
 - (10) The functions of Dorset County Council in relation to the boroughs of Bournemouth and Poole are transferred to these authorities respectively, by article 3 of The Dorset (Boroughs of Poole and Bournemouth) (Structural Change) Order 1995 (S.I. 1995/1771).
 - (11) The functions of Durham County Council in relation to the borough of Darlington are transferred to this authority by article 3 of the Durham (Borough of Darlington) (Structural Change) Order 1995 (S.I. 1995/1772).
 - (12) The functions of East Sussex County Council in relation to the boroughs of Brighton and Hove are transferred to this authority by article 4 of the East Sussex (Boroughs of Brighton and Hove) (Structural Change) Order 1995 (S.I. 1995/1770).
 - (13) The functions of Hampshire County Council in relation to the cities of Portsmouth and Southampton are transferred to these authorities respectively, by article 3 of the Hampshire (Cities of Portsmouth and Southampton) (Structural Change) Order 1995 (S.I. 1995/1775).
 - (14) The functions of Leicestershire County Council in relation to the city of Leicester and the district of Rutland are transferred to these authorities respectively, by article 3 of the Leicestershire (City of Leicester and District of Rutland) (Structural Change) Order 1996 (S.I. 1996/507).
 - (15) The functions of Staffordshire County Council in relation to the city of Stoke-on-Trent are transferred to this authority by article 5 of the Staffordshire (City of Stoke-on-Trent) (Structural and Boundary Changes) Order 1995 (S.I. 1995/1779). The non-metropolitan district of Stoke-on-Trent has been granted the status of a city.
 - (16) The functions of Wiltshire County Council in relation to the borough of Thamesdown are transferred to this authority by article 3 of the Wiltshire (Borough of Thamesdown) (Structural Change) Order 1995 (S.I. 1995/1774). The non-metropolitan district of Thamesdown has been granted the status of a borough.
 - (17) See S.I. 1995/1776, S.I. 1995/1769, S.I. 1995/1773, S.I. 1995/1771, S.I. 1995/1772, S.I. 1995/1770, S.I. 1995/1775, S.I. 1996/507, S.I. 1995/1779 and S.I. 1995/1774.

by him, if approved by the Chancellor of the Exchequer, shall have effect as if it were a scheme submitted by the new authority and approved by the Chancellor of the Exchequer.

(3) Subject to any further scheme made by a new authority and approved by the Chancellor of the Exchequer 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 1997.

Transfer of Registration Officers

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

- (a) who immediately before 1st April 1997 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 1997 but for 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.

(2) Every registration officer to whom this article applies shall, on 1st April 1997 —

- (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 1997 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 1997.

(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, after consultation with that authority, and with the registration officers affected, 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)(**18**) and regulations 3 (continuity of employment), 4 (transfers of staff) and 5 (redundancy payments) of the Local Government Changes for England (Staff) Regulations 1995(**19**) 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 1997, 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”(**20**) 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.

Signed by authority of the Secretary of State

5th December 1996

David Curry
Minister of State
Department of the Environment

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

(19) S.I. 1995/520, as amended by S.I. 1996/455.

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

SCHEDULE

ARTICLE 3

<i>(1)</i> <i>Name of Officer</i>	<i>(2)</i> <i>Old Authority</i>	<i>(3)</i> <i>New Authority</i>
Ms Angela R Sartin	BEDFORDSHIRE	LUTON
Mrs Jacqui M Tennyson		
Mrs Sylvia P Pidgeon		
Ms Jane E Swain		
Mrs Mary Biswell		
Peter M Lingham		
Mrs Kathi M Ormston		
Mrs Karen L Sims		
Mrs Carmel Osborne		
Mrs Melanie Waterton		
Mrs Sharon E Taylor	BUCKINGHAMSHIRE,	MILTON KEYNES
Mrs Sarah S L Gilston		
Mrs Joy C Arnold		
Mrs Margaret J Follows		
Mrs Lynda M Bawden		
Mrs Jennifer B Rutland		
Mrs Jean E Austin		
Keith W J Armstrong, Ralph Morton	DERBYSHIRE	CITY OF DERBY
James W Clark		
Mrs Linda J Taylor		
Mrs Susan A W Steel		
Nicholas G Douse Ms		
Lisa J Sinclair		
Mrs Christine P Southgate		

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<i>(1)</i> <i>Name of Officer</i>	<i>(2)</i> <i>Old Authority</i>	<i>(3)</i> <i>New Authority</i>
Mrs Yvonne M Phillips		
Mrs Sheila D Camwell, Mrs Margaret A Pritchard	DORSET	BOURNEMOUTH
Mrs June E Burcham		
Mrs Sandra Phillips		
Mrs Patricia A McCormack		
Mrs Rosamund M Saunders		
Barry J Beesley		
Mrs Frances Waring		
Robert M Wise		
Mrs Pamela C Harmer Graham Ree	DORSET	POOLE
Mrs Evelyn M Jones		
Mrs Elizabeth A Burne		
Mrs Sandra Cook		
Miss Christine Stainton		
Mrs Pauline E Kitchenham		
Mrs Anne R Chambers		
Stephen E Parnaby		
Mrs Deborah A Fiveash George W Winter	DURHAM	DARLINGTON
Mrs Pauline Bell		
Mrs Noreen Vitty		
Mrs Judith M Bowerbank		
Mrs Patricia A Brown Lawrence A S Trill	EAST SUSSEX	BRIGHTON AND HOVE
Mrs Sandra Hill		

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<i>(1)</i> <i>Name of Officer</i>	<i>(2)</i> <i>Old Authority</i>	<i>(3)</i> <i>New Authority</i>
Mrs Debra W Reynolds		
Geoffrey Hawman		
Mrs Sheila M Christopher		
Mrs Heather C Bower		
Mrs Suzanne C Trower		
Mrs Rosina J Ballagher		
Mrs Carol M Knowlenden		
Herbert C Farlow		
Mrs Gillian Sinclair		
Mrs Jane V McClymont		
Mrs Diana S K Doyle		
Mrs Diana Gould		
Mrs Barbara L Botley	HAMPSHIRE	PORTSMOUTH
Mrs Valerie K Watts		
Miss Margaret A Collis		
Mrs Diane S Watters		
Mrs Penny J Cooper		
Miss Beverley J Mason		
Mrs Mary E Blissett		
Miss Julie White		
Christopher S Lowndes		
Miss Emma L Glenister		
Peter J Butt	HAMPSHIRE	SOUTHAMPTON
Miss Susan J Tebbutt		
Miss Janette Emery		
Ms Susanna M Hall		

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<i>(1)</i> <i>Name of Officer</i>	<i>(2)</i> <i>Old Authority</i>	<i>(3)</i> <i>New Authority</i>
Mrs Maureen A Jordan		
Mrs Sharon J Harms		
Miss Julie Ward		
Mrs Marilyn J White		
Mrs Marie A Fielder		
Miss Katherine I A Johnson		
Christopher Watts		
Mrs Sharon D Spells		
Melvyn J Cooling	LEICESTERSHIRE	CITY OF LEICESTER
Michael D Elsom		
Kevin M Lewis		
Michael W Hodson		
Miss Lucille H Brewer		
Mrs Margaret A Smith		
Mrs Judith K Snow		
Mrs Jacqueline G Sellwood		
Mrs Sarah Hodgson		
Mrs Sarah E C Hartop		
Mrs Margaret J Vernon		
Mrs Lindsey L Manship		
Mrs Sheila A Folks		
Mrs Diane J Mustin		
Mrs Harsha Grewal		
Mrs Patricia J V Goodchild	LEICESTERSHIRE	RUTLAND
Mrs Rosemary V Vurley		
Mrs Elaine Robinson		

<i>(1)</i> <i>Name of Officer</i>	<i>(2)</i> <i>Old Authority</i>	<i>(3)</i> <i>New Authority</i>
Jeffrey Smethurst	STAFFORDSHIRE	STOKE-ON-TRENT
Mrs Hazel M Smith		
Mrs Betty A Kelsall		
Mrs Margaret R Turner		
Mrs Marta Cox		
Mrs Jeanette Evans		
Mrs Mary Howard		
Jeffrey A Hawkins		
Mrs Charlotte J Dodd		
Mrs Lynn C Haywood		
Mrs Susan Fox		
Ms Paula H Howell		
Mrs Karen Knapton	WILTSHIRE	THAMESDOWN
Mrs Valerie K Soffe		
Mrs Jacqueline N Critchley		
Mrs Janet Poole		
Mrs Esther M De la Haye		
Mrs Janice M Trethowan		
Mrs Jean Carter		
Gordon Irwin		
Mrs Susan C Hunt		
Mrs Jean S Shayler		

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for changes to the local registration service in Bedfordshire, Buckinghamshire, Derbyshire, Dorset, Durham, East Sussex, Hampshire, Leicestershire, Staffordshire and Wiltshire, in consequence of structural and boundary changes in those areas made by Orders under section 17 of the Local Government Act 1992.

Schemes will be made by the new local authorities, 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 purposes of the Registration Acts. All registration officers holding office immediately before 1st April 1997 will be transferred by the Order on that date to one of the new authorities.

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).