
STATUTORY INSTRUMENTS

1997 No. 512 (S.35)

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

The Registration of Births, Still-births,
Deaths and Marriages (Prescription of Forms)
(Scotland) Amendment Regulations 1997

Made - - - - *20th February 1997*

Coming into force - - *1st April 1997*

The Registrar General, in exercise of the powers conferred upon him by sections 43(3) and (4), section 54(1)(b) and 56 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965(1) and of all other powers enabling him in that behalf and with the approval of the Secretary of State, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Amendment Regulations 1997 and shall come into force on 1st April 1997.

(2) In these Regulations, “the principal Regulations” means the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Regulations 1965(2).

Amendment of the principal Regulations

2. For regulation 20 of the principal Regulations there shall be substituted the following regulation—

“20. The certificate prescribed for the purposes of section 43(3) of the Act (recording of name or change of name of child under twelve months of age) shall be in the form set out in Schedule 21 to these Regulations”.

3. For the form set out in Schedule 21 to the principal Regulations there shall be substituted the form set out in Schedule 1 to these Regulations.

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- (1) 1965 c. 49; section 43 was repealed in part by the Age of Legal Capacity (Scotland) Act 1991 (c. 50), Schedule 2 and amended and repealed in part by the Children (Scotland) Act 1995 (c. 36), Schedule 4, paragraph 12 and Schedule 5; section 56 contains a definition of “prescribed” relevant to the exercise of statutory powers under which these Regulations are made.
- (2) S.I.1965/1839; the relevant amending instrument is S.I. 1994/3 151.

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4. For the form set out in Schedule 23 to the principal Regulations there shall be substituted the form set out in Schedule 2 to these Regulations⁽³⁾.

Revocations

5.—(1) Regulation 21 of and Schedule 22 to the principal Regulations are hereby revoked.

(2) Regulation 5 of and Schedule 2 to the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Amendment Regulations 1994⁽⁴⁾ are hereby revoked.

New Register House,
Edinburgh
18th February 1997

James Meldrum
Registrar General for Scotland

Approved by the Secretary of State

St Andrew's House,
Edinburgh
20th February 1997

James Douglas Hamilton
Minister of State, Scottish Office

⁽³⁾ The form set out in Schedule 23 was substituted by regulation 5 of and Schedule 2 to S.I. [1994/3151](#).

⁽⁴⁾ S.I. [1994/3151](#).

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SCHEDULE 1

Regulation 3

Form 21

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CERTIFICATE FOR RECORDING OF FORENAME(S) OR CHANGE OF FORENAME(S) OF CHILD UNDER TWELVE MONTHS OF AGE

(Registration of Births, Deaths and Marriages (Scotland) Act 1965, Section 43(3)(a) and 43(3)(b))

This certificate can be used where within 12 months from the date of the birth of the child the forename by which it was registered is changed or, if it was registered without a forename, a forename is given to it and the certificate is delivered to the Registrar General within two years from the date of the birth of the child.

The following information should be provided on the certificate

- 1. Full forename(s) and surname of child as registered at birth (if applicable)

.....

- 2. Date of Birth..... 3. Sex.....

- 4. Place of Birth

The child's birth must have been registered in Scotland or there must be an entry in respect of the child in the Adopted Children Register or the Parental Order Register

- 5. Mother's forename(s) and maiden surname

.....

- 6. Mother's address

.....

- 7. Father's forename(s) and surname

.....

- 8. Father's address (if different from that at 6 above)

.....

- 9. Date and place of parents' marriage (if applicable)

.....

- 10. Forename(s) by which child is now known

.....

- 11. Date on which new forename(s) was given or changed

.....

Signature—please sign in the space which is applicable for you (see note)

I certify that the forename of the child referred to was changed or given in baptism on and that I performed the ceremony of baptism/I am the successor in office of the person who performed the ceremony of baptism (delete as applicable)

Signature

Minister/Priest of

.....

Date

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I/We certify that the forename of the child referred to was changed or given otherwise than in baptism and that I am/We are the qualified applicant (delete as applicable).

Signature	Relationship to Child	Date
.....
.....

After the certificate has been signed, please send it to the General Register Office, Change of Name Unit, New Register House, Edinburgh EH1 3YT together with the appropriate fee. You will be advised when the change of forename(s) has been recorded and where a full extract or abbreviated certificate of birth showing a new forename(s) can be obtained.

NOTE

If the forename of the child was changed or given in baptism then the certificate should be signed by the person who performed the ceremony of baptism or his successor in office.

If the forename of the child was changed or given otherwise than in baptism, the certificate should be signed by the qualified applicant.

The qualified applicant means -

- (a) where only one parent has parental responsibilities in relation to the child, that parent;
- (b) where both parents have such, both parents; and
- (c) where neither parent has such responsibilities, any other person who has such responsibilities.

A person may be a qualified applicant whether or not he has attained the age of sixteen years.

For Official Use Only	
For Registrar's Use RD Number Entry Number Year	Issued By

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Application for recording of change of forename(s) or surname(s)
(Child under 16 years)

The applicant should supply the following information concerning the child:-

For official use only

1. Full forename(s) and surname(s) as registered at birth*

.....

2. Full forename(s) and surname(s) as changed

.....

3. Date of Birth 4. Sex

5. Place of Birth

The child's birth must have been registered in Scotland or there must be an entry in respect of the child in the Adopted Children Register or the Parental Order Register

.....

6. Mother's forename(s) and maiden surname

.....

7. Father's forename(s) and surname(s)

.....

8. Date of parents' marriage

.....

9. Length of time present forename(s) or surname(s) have been used

You must produce evidence to the satisfaction of the Registrar General that the forename(s) or surname(s) which you wish to have recorded has been in use by or in respect of the child for a period of not less than 2 years prior to the date of the application. (See also note 1)

.....

10. Date of any previous application for a change of forename(s) or surname(s) (see note 2)

.....

11. Evidence produced in support of the period stated at 9 above

.....

.....

I/We certify that the above particulars are correct

This form must be signed by the qualified applicant.

The qualified applicant means -

(a) where only one parent has parental responsibilities in relation to the child, that parent;

(b) where both parents have such responsibilities, both parents; and

(c) where neither parent has such responsibilities, any other person who has such responsibilities.

A person may be a qualified applicant whether or not he has attained the age of sixteen years.

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Signature:	Signature:
Relationship: to Child: Date	Relationship: to Child: Date
Full postal address:	Full postal address:
.....
..... Postcode Postcode

*or in the case of a child who is the subject of either an Adoption Order or a Parental Order the forename(s) and surname(s) as shown in the Adopted Children Register or the Parental Order Register.

NOTES

Note 1

If the Registrar General is not satisfied with the evidence that the applicant produces, the change of forename(s) or surname(s) of the child can be recorded only if the applicant produces a copy of a notice inserted in a newspaper circulating in the area where the child usually resides stating the applicant's intention to apply to the Registrar General for the recording of the forename(s) or surname(s) proposed and that such forename(s) or surname(s) have been in use by the child for a period of not less than the two years prior to the date of insertion of the notice in the newspaper.

Note 2

An application for a change of forename(s) will be refused if a change of forename(s) has already been recorded against the child's entry in the Birth, Adopted Children or Parental Order Register. Similarly an application for a change of surname(s) will be refused if a change of surname(s) has already been recorded against the child's entry in the Birth, Adopted Children or Parental Order Register.

If you wish an extract or abbreviated certificate showing the recorded change please indicate the number required below.

Full Extract

Abbreviated Certificate
(No details of parents included)

Note: Both the extract and the abbreviated certificate show the forename(s) and surname(s) as originally registered and those subsequently recorded.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Regulations 1965 ("the principal Regulations").

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Regulations 2 and 3 and Schedule 1 to these Regulations substitute a new form of the certificate which requires to be signed for the purposes of section 43(3) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (“the Act”), (recording of name or change of name of child under twelve months of age).

The new form replaces the existing forms which were prescribed by virtue of regulations 20 and 21 and Schedules 21 and 22 to the principal Regulations. As a consequence of this regulation 21 of and Schedule 22 to the principal Regulations are revoked.

Regulation 4 of and Schedule 2 to these Regulations substitute a new form for the application which is made under section 43(4) of the Act by a qualified applicant for recording a change of name or surname of a child under 16 years of age. As a consequence of this regulation 5 of and Schedule 2 to the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Amendment Regulations 1994 are revoked.

The changes made to the forms of the certificate and for the application are mainly consequential on the provisions of the Children (Scotland) Act 1995 which amended the definition of “qualified applicant” in section 43(3) of the Act. The other changes which have been made are minor alterations to their style and layout.