
STATUTORY INSTRUMENTS

1997 No. 716 (S.59)

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

The Registration of Births, Deaths, Marriages
and Divorces (Fees) (Scotland) Regulations 1997

<i>Made</i>	- - - -	<i>6th March 1997</i>
<i>Laid before Parliament</i>		<i>11th March 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1997</i>

The Registrar General, in exercise of the powers conferred upon him by sections 28A(4), 37(2) and (3), 38(2) and (3), 40(1), 43(8), 47, 54(1) 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 and commencement

1. These Regulations may be cited as the Registration of Births, Deaths, Marriages and Divorces (Fees) (Scotland) Regulations 1997 and shall come into force on 1st April 1997.

Interpretation

2. In these Regulations—

“the Act” means the Registration of Births, Deaths and Marriages (Scotland) Act 1965;

“general search” means a search, over any period of years for any number of entries, made by any person with the permission of the Registrar General or the district registrar;

“particular search” means a search for a specified entry caused to be made by the Registrar General or made by a district registrar;

“working day” means a day on which the General Register Office is open for the purpose specified in section 38(2) of the Act.

(1) 1965 c. 49; section 28A was inserted by section 50(1) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73); section 54(1) was amended by the Children Act 1975 (c. 72), Schedule 4, Part III and by the Marriage (Scotland) Act 1977 (c. 15), Schedule 3; section 56 contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.

Fees payable to Registrar General

3. Subject to regulation 6, the fees payable under the provisions of the Act specified in column 1 of Schedule 1 to these Regulations for the services described in column 2 of that Schedule shall be the amounts specified in column 4 thereof (the amounts previously prescribed⁽²⁾ are specified in column 3 of that Schedule).

Priority handling fee

4. Subject to regulation 6 where—

- (a) a person applies for a service which is described in the entry numbered 1 or 3 in column 2 of Schedule 1 to these Regulations;
- (b) the application is made
 - (i) in person before 1300 hours and the person requests that the extract be issued after 1600 hours on the same day; or
 - (ii) in person after 1300 hours and the person requests that the extract be issued after 1000 hours on the next working day following the application; or
 - (iii) by post and the person requests that the extract be issued by post on the next working day following receipt of the application; and
- (c) the Registrar General considers that the request can reasonably be complied with,

then, in addition to the amount specified in column 4 of that Schedule as the fee payable for that service, a further fee of £10 per extract issued shall be payable, but, if the extract is not issued within the time requested, the further fee shall be refunded.

Fee payable to district registrars

5. Subject to regulation 6, the fees payable under the provisions of the Act specified in column 1 of Schedule 2 to these Regulations for the services described in column 2 of that Schedule shall be the amounts specified in column 4 thereof (the amounts previously prescribed⁽³⁾ are specified in column 3 of that Schedule).

Remission of fees

6. The Registrar General may remit any fee or part of a fee where—

- (a) the payment of the fee is likely to cause hardship to the person by whom it is payable; or
- (b) the service in respect of which the fee is payable is performed for research purposes; or
- (c) an extract has been requested by the father or mother of a still-born child within one month of the date of registration of the still-birth, and the Registrar General consents in terms of section 37(3) of the Act to the extract being issued from the register of still-births; or
- (d) the person named as the informant on an entry in the register of deaths (“the relevant entry”) has requested an extract of the relevant entry in the following circumstances:—
 - (i) the informant has previously been issued with an extract of the relevant entry on payment of the prescribed fee;
 - (ii) the informant has subsequently been notified by the Registrar General that an entry has been made in the Register of Corrections Etc. relating to the relevant entry following a notice received by the Registrar General from a procurator fiscal under section 28(1)(b) of the Act;

(2) S.I.1993/3153 as amended by S.I. 1995/646 and S.I. 1996/574.

(3) S.I. 1993/3153.

(iii) the request has been made in writing within one month of the date of receipt of the notification by the Registrar General.

Revocation

7. The Registration of Births, Deaths, Marriages and Divorces (Fees) (Scotland) Regulations 1993⁽⁴⁾, the Registration of Births, Deaths, Marriages and Divorces (Fees) (Scotland) Amendment Regulations 1995⁽⁵⁾ and the Registration of Births, Deaths, Marriages and Divorces (Fees) (Scotland) Amendment Regulations 1996⁽⁶⁾ are hereby revoked.

New Register House,
Edinburgh
5th March 1997

James Meldrum
Registrar General

Approved by the Secretary of State for Scotland

St Andrew's House,
Edinburgh
6th March 1997

James Douglas-Hamilton
Minister of State, Scottish Office

(4) S.I. 1993/3153.
(5) S.I. 1995/646.
(6) S.I. 1996/574.

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SCHEDULE 1

Regulation 3

FEES PAYABLE TO REGISTRAR GENERAL

1	2	3	4
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee formerly payable £</i>	<i>Fee payable under these Regulations £</i>
		£	£
Sections 28A(4), 38(2) and (3) and 47	1. Issue of first only extract of entry following particular search of the statutory registers where application made— (a) in person (b) (b) by post	10.00 12.00	11.00 13.00
	2. Issue of first or only extract of entry following particular search of the parochial registers where application made— (a) in person (b) (b) by post	12.00 12.00	13.00 13.00
	3. Issue of second or any subsequent extract of the same entry applied for at the same time	7.00	8.00
	4. Issue of extract of entry following general search	7.00	8.00
Section 40(1)	5. Issue of first or only abbreviated certificate of birth following particular search where application made— (a) in person (b) (b) by post	10.00 12.00	11.00 13.00

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1	2	3	4
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee formerly payable £</i>	<i>Fee payable under these Regulations £</i>
		£	£
	6. Issue of second or any subsequent abbreviated certificate of birth of the same entry applied for at the same time	7.00	8.00
	7. Issue of abbreviated certificate of birth applied for at the same time as an extract of the same entry following particular search	7.00	8.00
	8. Issue of abbreviated certificate of birth following general search	7.00	8.00
Sections 28A(4), 38(2) and 47	9. Particular search for each period of 5 years or part thereof in the indexes to the statutory registers where specified entry untraced, and application made—	3.00	3.00
	(a) in person		
	(b) (b) by post	5.00	5.00
	10. Particular search for each period of 5 years or part thereof in the parochial registers where specified entry untraced, and application made—	5.00	5.00
	(a) in person		
	(b) (b) by post	5.00	5.00
	11. General search in both the parochial registers and in the	13.00	13.00

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1	2	3	4
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee formerly payable</i> £	<i>Fee payable under these Regulations</i> £
	indexes to the statutory registers—		
	(a) in a case where payment is made not less than 14 days in advance and a place is occupied in the limited amount of general search accommodation made available for reservation at this fee—		
	per day or part thereof		
	(b) (b) in any other case—	10.00	10.00
	per afternoon or part thereof (being any time after 1300 hours)		
	per day	17.00	17.00
	per week	65.00	65.00
	per four weeks	220.00	220.00
	per quarter	500.00	500.00
	per year	1,350.00	1,500.00
Section 43(8)	12. Recording of name, or change of name or surname or alternative name	34.00	34.00

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1	2	3	4
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee formerly payable £</i>	<i>Fee payable under these Regulations £</i>
	13. Recording of name, or change of name or surname or alternative name for second or any subsequent members of the family intimated at the same time.	10.00	10.00

SCHEDULE 2

Regulation 5

FEES PAYABLE TO DISTRICT REGISTRARS

1	2	3	4
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee formerly payable £</i>	<i>Fee payable under these Regulations £</i>
Section 37(2) and (3)	1. Issue of any extract of entry of birth, death or marriage applied for <i>within</i> one month from the date of registration	7.00	8.00
	2. Issue of first or only extract of entry of birth, death or marriage applied for on any one occasion <i>after</i> one month from the date of registration	10.00	11.00
	3. Issue of second or any subsequent extract of the same entry applied for on any one occasion <i>after</i> one month from the date of registration	7.00	8.00
	4. Issue of extract following general search	7.00	8.00

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1	2	3	4
<i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i>	<i>Service</i>	<i>Fee formerly payable £</i>	<i>Fee payable under these Regulations £</i>
Section 40(1)	<p>5. Issue of any abbreviated certificate of birth applied for <i>within</i> one month from the date of registration not being an abbreviated certificate of birth given or transmitted under section 19 of the Act</p>	7.00	8.00
	<p>6. Issue of first or only abbreviated certificate of birth applied for on any one occasion <i>after</i> one month from the date of registration</p>	10.00	11.00
	<p>7. Issue of second or any subsequent abbreviated certificate of birth of the same entry applied for on any one occasion <i>after</i> one month from the date of registration</p>	7.00	8.00
	<p>8. Issue of abbreviated certificate of birth applied for <i>after</i> one month from the date of registration at the same time as an extract of the same entry following a particular search</p>	7.00	8.00
	<p>9. Issue of abbreviated certificate of birth following general search</p>	7.00	8.00
Section 37(2)	<p>10. Particular search in the indexes to the statutory registers where specified entry untraced, for each period of 5 years or part thereof</p>	3.00	3.00

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1 Registration of Births, Deaths and Marriages (Scotland) Act 1965	2 Service	3 Fee formerly payable £	4 Fee payable under these Regulations £
	11. General search in the indexes to the statutory registers, per 2 hours or part thereof	10.00	10.00

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe, with effect from 1st April 1997, the fees payable to the Registrar General and district registrars for services provided under the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (“the Act”).

The provision regarding remission of fees where an entry has been made in the Register of Corrections Etc. under section 28(1)(b) of the Act and an extract has been requested by the informant has been amended so as to restrict its application to cases in which the informant has already bought an extract of the relevant entry in the register of deaths (regulation 6(d)).

The fees for the services listed in Schedule 1 are increased by £1 except –

- (a) the entries numbered 9, 10, 11(a), 12 and 13 in column 2 of that Schedule which remain the same; and
- (b) the entry numbered 11(b) in column 2 of that Schedule which remains the same (excluding the fee per year for a general search in both the parochial registers and in the indexes to the statutory registers which is increased from £1350 to £1500).

The fees for the services listed in Schedule 2 are increased by £1 except the entries numbered 10 and 11 in column 2 of that Schedule which remain the same.

The Registration of Births, Deaths, Marriages and Divorces (Fees) (Scotland) Regulations 1993, the Registration of Births, Deaths, Marriages and Divorces (Fees) (Scotland) Amendment Regulations 1995 and the Registration of Births, Deaths, Marriages and Divorces (Fees) (Scotland) Amendment Regulations 1996 are revoked.