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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 566 (C.47)**

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

The Local Electoral Administration and Registration  
Services (Scotland) Act 2006 (Commencement  
No. 3 and Transitional Provision) Order 2007

Made - - - - 19th December 2007

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 61 and 63(2) of the Local Electoral Administration and Registration Services (Scotland) Act 2006<sup>(1)</sup> and all other powers enabling them to do so.

**Citation and interpretation**

1.—(1) This Order may be cited as the Local Electoral Administration and Registration Services (Scotland) Act 2006 (Commencement No. 3 and Transitional Provision) Order 2007.

(2) In this Order—

“the 1965 Act” means the Registration of Births, Deaths and Marriages (Scotland) Act 1965<sup>(2)</sup>; and

“the 2006 Act” means the Local Electoral Administration and Registration Services (Scotland) Act 2006.

**Provisions coming into force on 14th January 2008**

2. The following provisions of the 2006 Act come into force on 14th January 2008—

- (a) section 42(3)(b) for the purpose of the insertion of section 23(1A)(a) (registration by personal attendance at registration office) of the 1965 Act;
- (b) section 42(6) for the purpose of the insertion of section 25B (registration of deaths) of the 1965 Act,

and section 42(1) for the purposes of the commencement of those provisions of the 2006 Act.

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(1) 2006 asp 14.

(2) 1965 c. 49, relevantly amended by section 42 of the [Local Electoral Administration and Registration Services \(Scotland\) Act 2006](#) (asp 14)

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*Status: This is the original version (as it was originally made).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

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**Transitional provision — form and manner of attestation of death registration form**

**3.** Prior to the commencement of section 23(1A)(b) of the 1965 Act (registration without personal attendance at registration office)**(3)**—

- (a) manuscript signature is the manner of attestation prescribed; and
- (b) the form in Schedule 10 to the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Regulations 1997 **(4)** is the form prescribed as the death registration form,

for the purposes of section 23(1A)(a) of the 1965 Act .

St Andrew's House,  
Edinburgh  
19th December 2007

*JIM MATHER*  
Authorised to sign by the Scottish Ministers

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**(3)** Section 23(1A)(b) was inserted by section 42(3)(b) of the [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#).

**(4)** [S.I.1997/2348](#). The Form in Schedule 10 was substituted by [S.S.I. 2005/595](#), Schedule 2.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 14th January 2008 provisions of Part 2 of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (“the 2006 Act”).

It commences provisions concerning the registration of deaths for the purposes of the use of the powers under section 39B of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (as inserted by section 44(5) of the 2006 Act). It makes transitional provision for the attestation of death registration forms pending the commencement of the provision which allows for electronic registration of deaths.

Sections 61 to 63 of the Act came into force on Royal Assent. The Table below shows the provisions of Part 2 of the Act which have been brought into force by earlier commencement orders. Provisions of Part 1 of the Act (which are not relevant to this Order) were commenced by [S.S.I. 2007/26](#).

### NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Sections 39 and 40 (partially), section 41(1) (partially), section 41(2)(a) and (3), section 42 (partially), section 43, section 44(1) (partially), section 44(3) and (4), section 44(5) (partially), section 44(6) (partially), section 45, section 46 (partially), section 47(1) (partially), section 47(3), section 48(1) (partially), section 48(7) and (9)(a), (b)(ii) and (c), section 49 (partially), section 50(1) (partially), section 50(2) to (9) (partially), section 50(10), section 52(1) (partially) section 52(2)(a) to (c) (partially), section 52(2) (d) and (3), section 52(4) (partially), section 52(5), section 52(6) (partially), section 52(7), section 53, sections 54 and 55 (partially), sections 56 to 58, section 59(1) (b), section 60	1st October 2006	<a href="#">2006/469</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Sections 37 and 38, section 39(1) (partially), section 39(2), (3)(c), (4), (5), (7) and (8), section 40, section 41, section 42(1) (partially), section 42(2), (3) (a)(iii) and (iv) and (c), (4), (5), (7) and (8), section 44(1) (partially), section 44(2), (7) and (8), section 44(5) (partially), section 44(6), sections 46 to 51, section 52(1) (partially), section 52(2)(a) to (c) and (4), section 52(6) (partially), section 59	1st January 2007	2006/469