



CHAPTER 40.

An Act to provide for the early Notification of Births.

A.D. 1907.

[28th August 1907.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1.—The provisions of this section shall have effect in the area of any local authority in which this Act is adopted by that authority in accordance with the provisions of this Act—

Provisions for the earlier notification of births.

- (1) In the case of every child born in an area in which this Act is adopted it shall be the duty of the father of the child, if he is actually residing in the house where the birth takes place at the time of its occurrence, and of any person in attendance upon the mother at the time of, or within six hours after, the birth, to give notice in writing of the birth to the medical officer of health of the district in which the child is born, in manner provided by this section.
- (2) Notice under this section shall be given by posting a prepaid letter or postcard addressed to the medical officer of health at his office or residence, giving the necessary information of the birth within thirty-six hours after the birth, or by delivering a written notice of the birth at the office or residence of the medical officer within the same time; and the local authority shall supply without charge addressed and stamped postcards containing the form of notice to any medical practitioner or midwife residing or practising in their area, who applies for the same.
- (3) Any person who fails to give notice of a birth in accordance with this section shall be liable on summary conviction to a penalty not exceeding twenty shillings: Provided that a person shall not be liable to a penalty under this provision if he satisfies the court that he had reasonable grounds to believe that notice had been duly given by some other person.

A.D. 1907.

- (4) The notification required to be made under this Act shall be in addition to and not in substitution for the requirements of any Act relating to the registration of births; and any registrar of births and deaths whose sub-district or any part thereof is situate within any area in which this Act is adopted shall at all reasonable times have access to notices of births received by the medical officer of health under this Act, or to any book in which those notices may be recorded, for the purpose of obtaining information concerning births which may have occurred in his sub-district.
- (5) This section shall apply to any child which has issued forth from its mother after the expiration of the twenty-eighth week of pregnancy, whether alive or dead.
- (6) Any expenses incurred by a local authority in the execution of this Act shall be paid as part of the expenses of that authority in the execution of the Acts relating to public health, and in the case of a rural district council shall be paid as general expenses.

Adoption of Act, and definition of local authority.

2.—(1) A local authority may by resolution adopt this Act in their area, and the provisions set out in the schedule to this Act shall have effect with respect to the resolution of adoption.

(2) A resolution of adoption shall not take effect until the consent of the Local Government Board has been obtained thereto.

(3) It shall be the duty of any local authority by whom this Act is adopted, as soon as the consent of the Local Government Board is given to the resolution of adoption, to bring the provisions of this Act to the attention of all medical practitioners and midwives practising in their area.

(4) In this Act, the expression "local authority" means the council of a borough (including the council of a metropolitan borough and the mayor, aldermen, and commons of the city of London in common council assembled), and the council of an urban or a rural district, and the council of a county (other than the county of London) who may adopt the Act either for their whole county or for any county district therein:

Provided that—

- (a) where the Act is adopted by the council of a county the county medical officer of health shall be substituted for the medical officer of health of the district, and the expenses of the execution of the Act shall be paid as general county expenses or special county expenses, as the case requires; and
- (b) if, where the Act has been adopted by the council of a county for any county district, the council of the district, or, where the Act has been adopted by the council of a county district for their district, the

council of the county, subsequently apply to the Local Government Board to be made the authority for the purposes of this Act, the Board may, if they think fit, make an order declaring that the Act shall take effect as if it had been adopted by the council of the county district instead of the council of the county, or by the council of the county instead of the council of the county district, as the case may be, and on any such order being made the Act shall take effect in accordance with the order.

A.D. 1907.

(5) In London, the medical officer of health of every metropolitan borough (including the city of London) in which this Act is in force for the time being shall send weekly to the London County Council, in a form prescribed by the Local Government Board, a list of all notices of birth received by him under this Act during the past week.

3. The Local Government Board may by order declare that this Act shall be in force in the area of any local authority who have power to adopt the Act, although it has not been so adopted, if they think it expedient, having regard to the circumstances of the area, and in that case the order of the Local Government Board shall have the same effect for the purpose as a resolution of adoption duly passed by the local authority of the area and assented to by the Local Government Board.

Power of Local Government Board to put Act in force in the area of any local authority.

4. In the application of this Act to Scotland—

Application to Scotland.

- (1) The expression "Local Government Board" means the Local Government Board for Scotland;
- (2) The expression "sub-district" means parish or district;
- (3) The expression "local authority" and the expression "council" mean the local authority under the Public Health (Scotland) Act, 1897, and subsection four of section two shall not apply;
- (4) An offence may be tried before the sheriff or before any magistrate of a royal, parliamentary, or police burgh officiating under the provisions of any local or general Police Act; and an offender failing to make payment of a penalty shall be liable to imprisonment in terms of the Summary Jurisdiction Acts.

60 & 61 Vict. c. 38.

5. In the application of this Act to Ireland, the Local Government Board for Ireland shall be substituted for the Local Government Board, and the expression "sub-district" means a registrar's district under the Acts relating to the registration of births.

Application to Ireland.

6. This Act may be cited as the Notification of Births Act, 1907.

Short title.

A.D. 1907.

SCHEDULE.

Section 2.

RESOLUTION OF ADOPTION.

1. A resolution of adoption must be passed at a meeting of the council.

2. One calendar month at least before the meeting of the council special notice of the meeting and of the intention to propose the resolution shall be given to every member of the council.

3. A resolution of adoption after being passed shall be published by advertisement in some one or more newspapers circulating within the area of the council by whom the resolution is passed, and otherwise in such manner as the council thinks sufficient for giving notice thereof to all persons interested.

4. A copy of the resolution of adoption shall be sent to the Local Government Board.

5. The resolution of adoption shall come into operation at such time, not less than one month after the first publication of the advertisement, as may be fixed by the Local Government Board.

Printed by EYRE and SPOTTISWOODE,

FOR

ROWLAND BAILEY, Esq., I.S.O., M.V.O., the King's Printer of Acts of Parliament.