



Children Act 1975

1975 CHAPTER 72

PART IV

FURTHER AMENDMENTS OF LAW OF ENGLAND AND WALES

Registration of births

[^{F1}93] **Registration of father of illegitimate child.**

- (1) At the end of paragraph (b) of section 10 of the ^{M1} Births and Deaths Registration Act of 1953 (which makes provision for the registration of fathers of illegitimate children) there is added
 - (c) at the request of the mother (which shall be made in writing) on production of—
 - (i) a certified copy of an order made under section 4 of the Affiliation Proceedings Act 1957 naming that person as the putative father of the child, and
 - (ii) if the child has attained the age of 16 years, the written consent of the child to the registration of that person as his father.”
- (2) After the said section 10 there is inserted the following section—

“ Re-registration of births of illegitimate children.

- (1) Where the birth of an illegitimate child has been registered under this Act but no person has been registered as the child’s father, the registrar shall re-register the birth so as to show a person as the father—
 - (a) at the joint request of the mother and of that person ; or
 - (b) at the request of the mother on production of—
 - (i) a declaration in the prescribed form made by the mother stating that that person is the father of the child ; and

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- (ii) a statutory declaration made by that person acknowledging himself to be the father of the child ; or
 - (c) at the request of the mother (which shall be made in writing) on production of—
 - (i) a certified copy of an order made under section 4 of the Affiliation Proceedings Act 1957 naming that person as the putative father of that child, and
 - (ii) if the child has attained the age of 16 years, the written consent of the child to the registration of that person as his father ;
- but no birth shall be re-registered under this section except in the prescribed manner and with the authority of the Registrar General.
- (2) On the re-registration of a birth under this section—
 - (a) the registrar and the mother shall sign the register ;
 - (b) in the case of a request under paragraph (a) of subsection (1) of this section, the other person making the request shall also sign the register; and
 - (c) if the re-registration takes place more than three months after the birth, the superintendent registrar shall also sign the register.”
 - (3) In section 9 of the said Act of 1953 (which enables information required to be given to the registrar to be given to other persons) after subsection (3) there are added the following subsections—
 - “(4) A request made under section 10 of this Act may be included in a declaration under subsection (1) of this section, and, if the request is made under paragraph (b) or (c) of that section, the documents required by that paragraph to be produced shall be produced to the officer in whose presence the declaration is made and sent by him with the declaration to the registrar.
 - (5) A request made under section 10A of this Act instead of being made to the registrar may be made by making and signing in the presence of and delivering to a prescribed officer a statement in the prescribed form and producing to the officer any documents required to be produced by that section, and—
 - (a) the officer shall send the request together with those documents, if any, to the registrar who shall with the authority of the Registrar General re-register the birth as if the request had been made to him; and
 - (b) the person or persons who sign the statement shall be deemed to have signed the register as required by subsection (2) of that section.”.]

Textual Amendments

F1 S. 93(1)(2) repealed (E.W.) by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), s. 33(4), **Sch. 4**

Modifications etc. (not altering text)

C1 The text of ss. 56–59, 72 and 93 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Changes to legislation: There are currently no known outstanding effects for the Children Act 1975, Section 93. (See end of Document for details)

Marginal Citations

M1 1953 c. 20.

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