

POLICE AND JUSTICE ACT 2006

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 2: Powers of police etc

Section 13: Supply of information to police etc by Registrar General

155. Prior to this legislation the Registrars General for England and Wales and for Northern Ireland did not have the legislative power to disclose death registration information, in a timely manner or on a bulk basis, to public and private sector organisations for the prevention, detection, investigation or prosecution of offences. This section changes that situation and confers a power that enables the Registrars General for England and Wales and for Northern Ireland to supply bulk information contained in any register of deaths to the police and other organisations in a timely manner for use in the prevention, detection, investigation or prosecution of offences. (It is envisaged that the power will be particularly useful in relation to offences involving identity fraud.) The power does not enable disclosure to be made for any other purpose. The section does not limit the other circumstances in which the Registrars General already supply death information. The supply of information may be subject to conditions imposed by the Registrars General and to the levy of a reasonable fee. (This section extends to Northern Ireland by virtue of section 54(3).)
156. *Subsection (1)* confers a power on the Registrar General for England and Wales and the Registrar General for Northern Ireland to supply death registration information for the purposes of the prevention, detection, investigation or prosecution of offences to:
- (a) a police force in the United Kingdom,
 - (b) a special police force (as defined in *subsection (6)(a) to (d)*),
 - (c) the Serious Organised Crime Agency, or
 - (d) a person or body specified, or of a description specified, by order.
157. There is no restriction on who may be specified in such an order, except that the maker of the order would of course have to be satisfied that the disclosure to the person or body in question was capable of being made for the purposes outlined above.
158. *Subsection (2)* provides that the Registrar General for England and Wales, with the approval of the Chancellor of the Exchequer, may make an order under section 13(1)(d) in respect of England and Wales; and the Secretary of State, after consulting the Registrar General for Northern Ireland, may make an order under section 13(1)(d) in respect of Northern Ireland. The difference reflects the legal and historical position of the two Registrars General. The Registrar General for England and Wales has similar order-making powers in other Acts whereas the Registrar General for Northern Ireland has no such powers.

*These notes refer to the Police and Justice Act 2006
(c.48) which received Royal Assent on 8 November 2006*

159. *Subsection (3)* provides that the Registrars General may charge a reasonable fee (which may vary depending on the amount of work involved) in respect of the cost of supplying the information.
160. *Subsection (4)* provides that the Registrars General may impose conditions in respect of the supply.
161. *Subsection (5)* preserves the existing legal arrangements for the supply of death registration information. Sometimes, the effect of legislation is to limit other legislation already in force. This subsection prevents that happening in this case.