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STATUTORY INSTRUMENTS

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**2005 No. 3177**

**REGISTRATION OF BIRTHS, DEATHS,  
MARRIAGES, ETC., ENGLAND AND WALES**

The Registration of Births, Deaths and  
Marriages (Amendment) Regulations 2005

*Made* - - - - *15th November 2005*

*Coming into force* - - *5th December 2005*

The Registrar General, in exercise of the powers conferred upon her by sections 27(1), 27B(2) (b), 31(2), 74 and 78 of the Marriage Act 1949(1), sections 20(a) and 21(1) of the Registration Service Act 1953(2), sections 15, 39(a) and 41 of the Births and Deaths Registration Act 1953(3), sections 2(1), 7 and 18 of the Marriage (Registrar General's Licence) Act 1970(4), as extended by section 26(3) of the Welsh Language Act 1993(5) and section 24(3) and (4)(a) of the Immigration and Asylum Act 1999(6), with the approval of the Chancellor of the Exchequer, makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Registration of Births, Deaths and Marriages (Amendment) Regulations 2005 and shall come into force on 5th December 2005.

**Interpretation**

2. In these Regulations, unless the context otherwise requires:—

- (a) any reference to a numbered regulation or Schedule is a reference to the regulation or Schedule bearing that number in these Regulations;
- (b) any reference in a regulation to a numbered paragraph or sub-paragraph is a reference to the paragraph or sub-paragraph in that regulation bearing that number; and

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(1) 1949 c. 76. Section 27 was amended by the Marriage Act 1983 (c. 32), section 1(7) and Schedule 1 paragraph 5, by the Marriage Act 1994 (c. 34), section 1(3) and the Schedule paragraph 2, by the Immigration and Asylum Act 1999 (c. 33), sections 160(2), 161(1) and (2), 169(1) and (3), Schedule 14 paragraph 8 and Schedule 16 and by S.I. 1997/2939, S.I. 1999/3311 and S.I. 2002/3076.

(2) 1953 c. 37.

(3) 1953 c. 20.

(4) 1970 c. 34.

(5) 1993 c. 38.

(6) 1999 c. 33.

- (c) any reference to a numbered form is to the form bearing that number in the Schedule to these regulations and any reference to a numbered column on a form is to the column bearing that number on that form.

### **Amendment of the Registration of Marriages Regulations 1986**

- 3.—(1) The Registration of Marriages Regulations 1986(7) are amended as follows.
- (2) In regulation 11(2) (manner of registration)—
- (a) in sub-paragraph (a), for the words “, he shall enter” to the end substitute “or formed a civil partnership, he shall enter the word “Single”,”;
- (b) after sub-paragraph (b) insert—
- “(ba) if a party’s previous civil partnership was terminated by death, he shall enter the words “Surviving civil partner”,”;
- (c) after sub-paragraph (c) insert—
- “(ca) if a party’s civil partnership was annulled on the grounds that the civil partnership was voidable, he shall enter the words “Previous civil partnership annulled”,”;
- (d) after sub-paragraph (d) insert—
- “(da) if a party’s previous civil partnership was terminated by dissolution, he shall enter the words “Previous civil partnership dissolved”,”;
- (e) after sub-paragraph (e) insert—
- “(ea) if the marriage is between two parties who have previously been through a form of civil partnership with each other (not being a civil partnership which is known to be void) and neither of them has since formed a civil partnership with, or married, a third party, then notwithstanding sub-paragraphs (ca) and (da), if the parties specifically request and—
- (i) if the previous civil partnership has been terminated by final order of dissolution, he shall enter the words, “Previously formed a civil partnership at ... on ... Civil partnership dissolved on ...”, inserting particulars of the place and date of previous civil partnership and the date of dissolution, or
- (ii) if the previous civil partnership was annulled, he shall enter the words, “Previously formed a civil partnership at ... on ... Civil partnership annulled on ...”, inserting the particulars of the place and date of the previous civil partnership and the date of its annulment.”.
- (3) In Schedule 1 (prescribed forms)—
- (a) in forms 1, 1A, 1B, 1C, 3, 9 and 11 for “ Marital status” substitute “Condition”;
- (b) for form 8, substitute form 8 in Schedule 1 to these Regulations.

### **Amendment of the Registration of Marriages (Welsh Language) Regulations 1999**

- 4.—(1) The Registration of Marriages (Welsh Language) Regulations 1999(8) are amended as follows.
- (2) After regulation 2 (forms of notice of marriage and of endorsement on notice) insert—

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(7) S.I. 1986/1442 as amended by S.I. 1995/744, S.I. 1997/2204, S.I. 2000/3164 and S.I. 2005/155.

(8) S.I. 1999/1621 as amended by S.I. 2000/3164 and S.I. 2005/155.

## “2A Statement for intended marriage of house-bound and detained persons

In relation to a statement for intended marriage concerning a person house-bound in Wales or a person detained in Wales, regulation 5 of the principal Regulations (statements and particulars for intended marriage of house-bound or detained person) shall have effect as if it referred respectively not to forms 5 and 6 in Schedule 1 to those Regulations but to forms 3A and 3B respectively in Schedule 2 to these Regulations.”.

- (3) In Schedule 1 (prescribed forms)—
- for the list headed “Contents”, substitute the list headed “Contents” in Schedule 3 to these Regulations;
  - in forms 1, 1A, 1B, 1C and 6, for “Marital status Statws priodasol” substitute “Condition Cyflwr”;
  - after form 3, insert forms 3A and 3B as set out in Schedule 2 to these Regulations.
  - for form 5, substitute form 5 in Schedule 4 to these Regulations.

- (4) In Schedule 2—

in columns 1 and 2, at the beginning, for

|   |   |
|---|---|
| “Bachelor   | Dyn di-briod  |
| Spinster  | Dynes ddi-briod”;   |
| substitute—   |   |
| “Single   | Sengl   |
| Previous civil partnership dissolved  | Partneriaeth sifil flaenorol wedi'i therfynu  |
| Previous civil partnership annulled   | Partneriaeth sifil flaenorol wedi'i dirymu  |
| Surviving civil partner   | Partner sifil goroesol  |
| Previously formed a civil partnership at ... on ...; Civil partnership dissolved on ... | Ffurfiwyd partneriaeth sifil o'r blaen yn ... ar y ...; terfynwyd y bartneriaeth sifil ar y ...       |
| Previously formed a civil partnership at ... on ...; Civil partnership annulled on ...  | Ffurfiwyd partneriaeth sifil o'r blaen yn ... ar y ...; y bartneriaeth sifil wedi'i dirymu ar y ...”; |

## Amendment of the Marriage (Authorised Persons) Regulations 1952

5.—(1) The Marriage (Authorised Persons) Regulations 1952<sup>(9)</sup> are amended as follows.

- (2) In regulation 17 (condition)—
- in paragraph (a), for the words “, he shall enter the word “Bachelor” or “Spinster”, as the case may be” substitute “or formed a civil partnership, he shall enter the word “Single,””
  - after paragraph (a) insert—
    - “(ab) in the case of a party whose previous civil partnership was terminated by the death of the civil partner, he shall enter the words “Surviving civil partner”;;”;
  - after paragraph (b) insert—

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(9) S.I. 1952/1869 as amended by S.I. 1965/528, S.I. 1971/1216, S.I. 1974/573, S.I. 1986/1444 and S.I. 2000/3164.

- “(ba) in the case of a party whose previous civil partnership was annulled on the ground that the civil partnership was voidable, he shall enter the words “Previous civil partnership annulled”.”;
- (d) after paragraph (c) insert—
- “(ca) in the case of a party whose previous civil partnership was terminated by dissolution, he shall enter the words “Previous civil partnership dissolved”.”;
- (e) after paragraph (d) insert—
- “(da) in the case of a marriage between two parties who have previously been through a form of civil partnership with each other, not being a civil partnership which is known to have been void, and of whom neither has since formed a civil partnership with, or married, a third person, then notwithstanding sub-paragraphs (ba) and (ca), if the parties specifically request and—
- (i) if the previous civil partnership has been terminated by final order of dissolution, he shall enter the words, “Previously formed a civil partnership at ... on ... Civil partnership dissolved on ...” together with particulars of the place and date of previous civil partnership and the date of dissolution, or
- (ii) if the previous civil partnership was annulled, he shall enter the words, “Previously formed a civil partnership at ... on ... Civil partnership annulled on ...”, together with the particulars of the place and date of the previous civil partnership and the date of its annulment.”.

### **Amendment of the Registration of Births and Deaths Regulations 1987**

- 6.—(1) The Registration of Births and Deaths Regulations 1987(10) are amended as follows.
- (2) In regulation 42(3) (registration within 12 months of the date of death where no report to the coroner), after sub-paragraph (b), insert—
- “(ba) where the deceased was a married man or widower, the registrar shall, after his occupation enter the words “Husband [or Widower] of ...”, inserting the name, surname and occupation of his wife or deceased wife;
- (bb) where the deceased was a civil partner or surviving civil partner, the registrar shall, after his occupation enter the words “Civil partner [or Surviving civil partner] of ...”, inserting the name, surname and occupation of his civil partner or deceased civil partner.”.
- (3) In regulation 56(3) (correction of other minor clerical errors after completion), in sub-paragraph (b)(v), after “deceased’s husband”, insert “or wife or civil partner”.

### **Amendment of the Registration of Births and Deaths (Welsh Language) Regulations 1987**

- 7.—(1) The Registration of Births and Deaths (Welsh Language) Regulations 1987(11) is amended as follows.
- (2) In Schedule 3 in columns 1, 2 and 3, after “Reg. 42(3)(b)”, insert the columns below—

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|                |                      |                   |
|----------------|----------------------|-------------------|
| “Reg 42(3)(ba) | Husband of...        | Gŵr...            |
|                | Widower of ...       | Gŵr gweddw ...    |
| Reg 42(3)(bb)  | Civil partner of ... | Partner sifil ... |

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(10) S.I. 1987/2088 as amended by S.I. 1989/497, S.I. 1991/2275, S.I. 1992/2753, S.I. 1994/1948, S.I. 2003/3048 and various other Statutory Instruments.

(11) S.I. 1987/2089 as amended by S.I. 1988/687, S.I. 1989/511, S.I. 1992/1504, S.I. 1995/818, S.I. 1997/844 and 2003/3048.

Surviving civil partner of ... Partner sifil goroosol ...”

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**Amendment of the Reporting of Suspicious Marriages and Registration of Marriages (Miscellaneous Amendments) Regulations 2000**

8.—(1) The Reporting of Suspicious Marriages and Registration of Marriages (Miscellaneous Amendments) Regulations 2000(12) is amended as follows.

(2) In Schedule 1 (information to be provided when reporting a suspicious marriage) for both occurrences of “Marital status” substitute “Condition”.

Given under my hand on

15th November 2005

*Karen Dunnell*  
Registrar General

I approve  
Signed by authority of the Chancellor of the Exchequer

15th November 2005

*John Healey*  
Financial Secretary to the Treasury

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SCHEDULE 1

Regulation 3(3)(b)

Form 8

Regulation 6

Marriage Act 1949, s. 27B(2)(b)

**Declaration for marriages of certain persons related by affinity**

To the Superintendent Registrar of the district of .....

**MARRIAGE  
OF  
AND**

.....  
(Name and surname of man)

.....  
(Name and surname of woman)

Date of birth .....

Date of birth .....

Address .....

Address .....

.....

.....

I, ..... declare that I and the other person  
(Name and surname)

named above are related in that he/she is the \* .....

I further declare that the younger of us has not at any time before attaining the age of eighteen years been a child of the family in relation to the other.

Signed .....

In the presence of .....  
(Signature)

Date .....

Official Designation .....

Registration district of .....

\* Insert whichever of the following applies:

- child of my former civil partner
- child of my former spouse
- former civil partner of my grandparent
- former civil partner of my parent
- former spouse of my grandparent
- former spouse of my parent
- grandchild of my former civil partner
- grandchild of my former spouse

SCHEDULE 2

Regulation 4(4)(c)

Regulation 2A

Form 3A Marriage Act 1949, s 27(a)(2)and (7)

**STATEMENT BY REGISTERED MEDICAL PRACTITIONER  
DATGANIAD GAN FEDDYG COFRESTREDIG**

**PROPOSED MARRIAGE OF  
PRIODAS ARFAETHEDIG**

\_\_\_\_\_ AND \_\_\_\_\_  
(name and surname of man/enw a chyfenw'r gŵr) A (name and surname of woman/enw a chyfenw'r wraig)

I, \_\_\_\_\_ being a registered  
Yr wyf fi \_\_\_\_\_ sef meddyg

medical practitioner, state that in my opinion \_\_\_\_\_  
cofrestredig yn datgan, yn fy marn i, na ddylai (name and surname of patient/enw a chyfenw'r claf)

residing at \_\_\_\_\_  
sy'n preswyllo yn \_\_\_\_\_

ought not, by reason of illness or disability, to move or be moved from the place stated, and it is likely that this will be the case for at least the next three months.

oherwydd gwaelledd neu anabledd, symud neu gael ei symud o'r fan a fynegir a'i bod yn debygol mai dyma fydd yr achos am o leiaf y tri mis nesaf.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Dyddiad \_\_\_\_\_ Llofnodwyd \_\_\_\_\_

Address \_\_\_\_\_  
Cyfeiriad \_\_\_\_\_

**NOTE/NODIAD**

Notice of marriage must be given within 14 days of the signing of this statement.  
Rhaid rhoi hysbysiad priodas sifil o fewn 14 diwrnod o lofnodi'r datganiad hwn.

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Regulation 2A

Form 3B

Marriage Act s27A(3)

**STATEMENT BY RESPONSIBLE AUTHORITY/DATGANIAD GAN AWDURDOD CYFRIFOL**

**PROPOSED MARRIAGE OF  
PRIODAS ARFAETHEDIG**

\_\_\_\_\_ AND \_\_\_\_\_  
(name and surname of man/enw a chyfenw'r gŵr) A (name and surname of woman/enw a chyfenw'r wraig)

I, \_\_\_\_\_  
Yr wyf fi,

being the responsible authority for the place of detention known as  
yr awdurdod cyfrifol am y ddalfa a enwir

\_\_\_\_\_  
(Address/Cyfeiriad)

at which \_\_\_\_\_  
lle mae (name and surname of person/enw a chyfenw'r person)

is being detained state that I have no objection to that establishment being specified in the notice of marriage as the place where the marriage of the above named persons is to be solemnized.

yn cael ei gadw/chadw yn datgan nad oes gennyf wrthwynebiad i'r sefydliad yna gael ei nodi yn yr hysbysiad priodas fel y fan lle mae priodas y personau uchod i gael ei gweinyddu.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Dyddiad Llofnodwyd  
Designation \_\_\_\_\_  
Dynodiad

Notes/Nodiadau

1. Responsible authority means/Awdurdod cyfrifol yw
  - (a) if the person is detained in a hospital (within the meaning of Part II of the Mental Health Act 1983) the managers of that hospital (within the meaning of section 145(1) of that Act); or  
os yw'r person yn cael ei gadw/chadw mewn ysbyty (oddi mewn i derfynau Rhan II o Ddeddf Iechyd Meddwl 1983), rheolwyr yr ysbyty yna (oddi mewn i derfynau adran 145(1) o'r Ddeddf yna); neu
  - (b) if the person is detained in a prison or other place to which the Prison Act 1952 (c. 52) applies, the governor or other officer for the time being in charge of that prison or other place.  
os yw'r person yn cael ei gadw/chadw mewn carchar neu fan arall i ble mae Deddf Carcharau 1952 (p. 52) yn berthnasol, y llywodraethwr neu swyddog arall mewn gofial dros dro o'r carchar yna neu fan arall.
2. Notice of marriage must be given within 21 days of the signing of this statement.  
Rhaid rhoi hysbysiad priodas o fewn 21 diwrnod o lofnodi'r datganiad hwn

SCHEDULE 3

Regulation 2A

“Prescribed forms  
CONTENTS

| <i>Form</i> | <i>Relevant Regulation</i> | <i>Description</i>   | <i>Statutory Purpose</i>         |
|-------------|----------------------------|--|----------------------------------|
| 1           | 2                          | Notice of Marriage given by a party who is not subject to immigration control and where both parties are aged 18 or over | Marriage Act 1949, section 27(1) |
| 1A          | 2                          | Notice of Marriage given by a party who is not subject to immigration control  | Marriage Act 1949, section 27(1) |



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| <i>Form</i> | <i>Relevant Regulation</i> | <i>Description</i>  | <i>Statutory Purpose</i>                    |
|-------------|----------------------------|---|---|
|             |                            | and where either party is, or both parties are, aged under 18   |   |
| 1B          | 2                          | Notice of Marriage given by a party who is subject to immigration control and where both parties are aged 18 or over                    | Marriage Act 1949, section 27(1)            |
| 1C          | 2                          | Notice of Marriage given by a party who is subject to immigration control and where either party is, or both parties are, aged under 18 | Marriage Act 1949, section 27(1)            |
| 3           | 2                          | Endorsement on notice of marriage   | Marriage Act 1949, section 35(1)            |
| 3A          | 2A                         | Statement by registered medical practitioner  | Marriage Act 1949, section 27A(2) and (7)   |
| 3B          | 2A                         | Statement by responsible authority  | Marriage Act 1949, section 27A(3)           |
| 4           | 3                          | Particulars of person by or before whom marriage intended to be solemnized  | Marriage Act 1949, section 27A(4)           |
| 5           | 4                          | Declaration of marriage of certain persons related by affinity  | Marriage Act 1949, section 27B(2)(b)        |
| 6           | 5                          | Certificate for marriage  | Marriage Act 1949, section 31(2)            |
| 8           | 5                          | Form of instructions  | Marriage Act 1949, sections 31(5) and 32(4) |
| 8A          | 4A                         | Application to reduce the 15 day waiting period   | Marriage Act 1949, section 31(5D)           |
| 9           | 6                          | Form of marriage entry  | Marriage Act 1949, section 55(1)”           |

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SCHEDULE 4

Regulation 4

Form 5

Marriage Act 1949, s. 27B(2)(b)

**Declaration for marriages of certain persons related by affinity  
Datganiad ar gyfer priodasau personau penodol sy'n perthyn trwy gyfeillach**

To the Superintendent Registrar of the district of .....  
I Gofrestrydd Arolygol dosbarth

**MARRIAGE OF  
PRIODAS**

**AND  
A**

.....  
(Name and surname of man)  
(Enw a chyfenw'r dyn)

.....  
(Name and surname of woman)  
(Enw a chyfenw'r ferch)

Date of birth .....  
Dyddiad geni  
Address .....  
Cyfeiriad

Date of birth .....  
Dyddiad geni  
Address .....  
Cyfeiriad

I, ..... declare that I and the other person  
named above are related in that he/she is the \* .....  
Yr wyf fi ..... yn datgan fy mod i a'r person a  
enwir uchod yn berthnasau sef ei fod ef/ei bod hi \* .....

I further declare that the younger of us has not at any time before attaining the age of eighteen years been  
a child of the family in relation to the other.

Yr wyf yn datgan ymhellach nad oedd yr ieuangaf ohonom unrhyw bryd cyn bod yn ddeunaw oed yn  
blentyn y teulu mewn perthynas â'r llall.

|              |  |
|--------------|--|
| Signed ..... | In the presence of .....   |
| Llofnodwyd   | Ym mhresenoldeb (Signature) Llofnod  |
| Date .....   | Official Designation .....   |
| Dyddiad      | Dynodiad Swyddogol<br>Registration district of .....<br>Dosbarth cofrestru |

\* Insert whichever of the following applies

child of my former civil partner  
child of my former spouse  
former civil partner of my grandparent  
former civil partner of my parent

former spouse of my grandparent  
former spouse of my parent  
grandchild of my former civil partner  
grandchild of my former spouse

\* Cynhwysar pa un bynnag sy'n gymwys

yn blentyn fy nghyn-bartner sifil  
yn blentyn fy nghyn-briod  
yn gyn bartner sifil fy \*\*nain/nhaid  
yn gyn bartner sifil fy rhiant

yn gyn briod fy \*\*nain/nhaid  
yn gyn briod fy rhiant  
yn \*\*wyr/wyres fy nghyn-bartner sifil  
yn \*\*wyr/wyres fy nghyn-briod

\*\* Dilewch yr un amberthnasol

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## EXPLANATORY NOTE

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

These Regulations amend the Registration of Marriages Regulations 1986, the Registration of Marriages (Welsh Language) Regulations 1999, the Marriage (Authorised Persons) Regulations 1952, the Registration of Births and Deaths Regulations 1987, the Registration of Births and Deaths (Welsh Language) Regulations 1987 and the Reporting of Suspicious Marriages and Registration of Marriages (Miscellaneous Amendments) Regulations 2000. In particular the Regulations make amendments to registration forms relating to marriage and make other consequential amendments to registration provisions as a result of the Civil Partnership Act 2004.