

**2007 No. 52**

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

**The Registration Services (Miscellaneous Provisions) (Scotland)  
Regulations 2007**

*Made* - - - - *6th February 2007*

*Coming into force* - - *1st March 2007*

The Registrar General, in exercise of the powers conferred by sections 20(1), 28A(3), 39E(4), 44(4), 54(1)(b) and 54A(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965(a) and of all other powers enabling him in that behalf, and with the approval of the Scottish Ministers(b) in accordance with section 54(1) of that Act, makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Registration Services (Miscellaneous Provisions) (Scotland) Regulations 2007 and shall come into force on 1st March 2007.

**Amendment of the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Scotland) Regulations 1965**

2.—(1) The Registration of Births, Deaths, Marriages (Miscellaneous Provisions) (Scotland) Regulations 1965(c) are amended in accordance with this regulation.

(2) At the end of regulation 2(1), add “; and

“written authority” includes authority sent as an electronic document which has been recorded and is consequently capable of being reproduced.”.

(3) In regulation 3 (re-registration of births)—

(a) in paragraph (1), after “except”, insert “under the Registration of Births, Deaths and Marriages (Re-registration (Scotland) Regulations 2007(d) or”;

(b) in paragraph (2), omit “so authorised”.

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(a) 1965 c.49 (“the 1965 Act”). Section 20 was amended by the Law Reform (Parent and Child) (Scotland) Act 1986 (c.9), section 10(1) and the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14; “the 2006 Act”), section 41(2); section 28A(3) was inserted by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73), section 10(1). Section 39E(4) was inserted by the 2006 Act, section 44(5). Section 54(1) was amended by the Children Act 1975 (c.72), Schedule 4, Part III and by the Marriage (Scotland) Act 1977 (c.15) (“the 1977 Act”), Schedule 3; section 54A was inserted by the 2006 Act, section 47(3). Section 1 contains a definition of “Registrar General” and section 56 contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.

(b) The functions of the Secretary of State under the 1965 and 1977 Acts were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(c) S.I. 1965/1838, amended by 1984/267.

(d) S.S.I. 2007/54.

- (4) For regulation 6(2) substitute–
- “(2) The registrar shall enter in the register–
- (a) the particulars included in the written authority of the Registrar General; or
  - (b) the particulars required as a consequence of re-registration under the Registration of Births, Deaths and Marriages (Re-registration (Scotland) Regulations 2007.
- (3) The registrar shall append to the signature of the informant the qualification of the informant and the date of re-registration and the registrar shall sign the entry.”.
- (5) In regulations 9, 10, 11 and 12, for “abbreviated certificate” each time it occurs, substitute “abbreviated extract”.
- (6) In regulation 12, omit “certificate or”.

**Register of Divorces – extracts received in electronic form**

3. In the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Regulations 1997(a)–

- (a) regulation 27 (form of the Register of Divorces) becomes paragraph (1), and
  - (b) after that paragraph, insert–
- “(2) Such extracts may be copies of extracts received in electronic form from the Court of Session or the sheriff court.”.

**Particulars contained in abbreviated extracts of birth**

4. In regulation 4 (form etc. of abbreviated extracts of birth) of the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms and Errors) (Scotland) Regulations 2006(b)–

- (a) after “register of births” insert “or in the Adopted Children Register(c)”; and
  - (b) for paragraph (g), substitute–
- “(g) where the person was born or (for an extract based on information contained in the Adopted Children Register) country of birth.”.

*PAUL MPARR*  
Deputy Registrar General for Scotland

New Register House,  
Edinburgh  
6th February 2007

Approved by the Scottish Ministers

*GEORGE LYON*  
Authorised to sign by the Scottish Ministers

St Andrew’s House,  
Edinburgh  
6th February 2007

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(a) S.I. 1997/2348, to which there are amendments not relevant to these Regulations.  
(b) S.I. 2006/598.  
(c) See section 45 of the Adoption (Scotland) Act 1978 (c.28), prospectively repealed and replaced by section 53 of the Adoption and Children (Scotland) Act 2007 (asp 4).

## **EXPLANATORY NOTE**

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

These Regulations amend the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Scotland) Regulations 1965 (“the 1965 Regulations”) to make amendments which are consequential on the Registration of Births, Deaths and Marriages (Re-registration (Scotland) Regulations 2007 which allow district registrars to re-register births in certain circumstances (regulation 2(3)).

The Regulations make further minor amendments to the 1965 Regulations as set out in regulation 2(2) and (4) to (6), including enabling electronic authorisation by the Registrar General.

Regulation 3 provides that entries in the Register of Divorces which are held in the form of numbered extract Court of Session or sheriff court decrees under the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Regulations 1997 may comprise copies of such extracts received in electronic form.

Regulation 4 corrects the prescribed particulars to be contained in abbreviated extracts of birth.

A Regulatory Impact Assessment has not been produced for this instrument as it has no impact on costs to business.

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