
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 531

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

**The Registration Services (Fees, etc.)
(Scotland) Amendment Regulations 2007**

Made - - - - 28th November 2007
Laid before the Scottish
Parliament - - - - 29th November 2007
Coming into force in accordance with regulation 1(2)
and (3)

The Registrar General makes the following Regulations in exercise of the powers conferred by sections 28A(4), 38(2) and (3), 39B(1)(c), 39E(3), 47 and 54(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965(1), section 38 of that Act as applied by section 98 of the Civil Partnership Act 2004(2), sections 122(4) and 134(2) of the 2004 Act, sections 58(5) and 61(2)(a) of the Local Electoral Administration and Registration Services (Scotland) Act 2006(3) and all other powers enabling him to do so.

The Scottish Ministers(4) have approved the making of these Regulations in accordance with sections 54(1) of the 1965 Act, 126(3) of the 2004 Act and 60(1) of the 2006 Act.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Registration Services (Fees, etc.) (Scotland) Amendment Regulations 2007.

(2) Except for regulation 2(5) and the Schedule, they come into force on 1st January 2008.

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- (1) 1965 c. 49 (“the 1965 Act”); section 28A was inserted by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73), section 10(1); sections 39B and 39E were inserted by the Local Electoral Administration and Registration Services (Scotland) Act 2006 (“the 2006 Act”), section 44; section 54(1) was amended by the Children Act 1975 (c. 72), Schedule 4, Part III, the Marriage (Scotland) Act 1977 (c. 15), Schedule 3, and the 2006 Act, section 41(3). Section 1 of the 1965 Act 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.
- (2) 2004 c. 33; section 98 was substituted by the 2006 Act, section 52(6); section 122(7) was inserted by the 2006 Act, section 52(7); section 39D of the 1965 Act applies to any information shared with district registrars under section 39C; section 126(1) and 135 contain definitions of “prescribed” and “Registrar General” respectively relevant to the exercise of the statutory powers under which these Regulations are made.
- (3) 2006 asp 14; section 60 contains and applies definitions of “prescribed” and “Registrar General” relevant to the exercise of statutory powers under which these Regulations are made.
- (4) The functions of the Secretary of State under the 1965 Act were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(3) Regulation 2(5) and the Schedule come into force on 28th April 2008.

(4) In these Regulations, “the principal Regulations” means the Registration Services (Fees, etc.) (Scotland) Regulations 2006(5).

Amendments to registration fees for Scotland

2.—(1) The principal Regulations are amended in accordance with paragraphs (2) to (6).

(2) In regulation 2(1), in the definition of “Internet search” after “Register of Dissolutions of Civil Partnership” insert “, to the accessible material under section 58(1) of the 2006 Act”.

(3) At the end of regulation 3(c) (fees payable to Registrar General), add—

“;

(d) column 1 of Part IV of Schedule 1 for the services described in column 2 of that Schedule (notification of death) shall be the amount specified in column 3 thereof”.

(4) After regulation 7(b) (remission of fees), insert—

“(ba) remission is likely to promote public knowledge of the registers in respect of which fees are payable under these Regulations and the fee remitted is for an Internet search made—

(i) by or on behalf of an association whose objects include genealogy;

(ii) at a school within the meaning of section 135 of the Education (Scotland) Act 1980(6) or a public library managed by a library authority (within the meaning of the Public Libraries Consolidation (Scotland) Act 1887(7)); or

(iii) using a discount voucher which has previously been issued by the Registrar General;”.

(5) In Part I of Schedule 1 (fees payable to the Registrar General)—

(a) in entry 4 (general search – parochial and statutory registers), for columns 2 and 3 substitute columns 1 and 2 of Part 1 of the Schedule to these Regulations;

(b) in entry 8 (general search – Register of Dissolutions of Civil Partnership), for columns 2 and 3 substitute columns 1 and 2 of Part 2 of the Schedule to these Regulations;

(c) in entry 12 (general search – index of “accessible material”), for columns 2 and 3 substitute columns 1 and 2 of Part 3 of the Schedule to these Regulations.

At the end of Schedule 1, add—

(5) S.S.I. 2006/575.

(6) 1980 c. 44; section 135 was amended by the Self-Governing Schools etc. (Scotland) Act 1989 (c. 39), Schedule 10, paragraph 8(22)(d) and the Registered Establishments (Scotland) Act 1987 (c. 40), section 2(2).

(7) 1887 c. 42 (50 and 51 Vict.); the section 2 definition of “library authority” was substituted by the Local Government etc. (Scotland) Act 1994 (c. 39), Schedule 13, paragraph 5.

“PART IV
NOTIFICATION OF DEATH

| <i>1</i> <i>Registration of Births, Deaths and Marriages (Scotland) Act 1965</i> | <i>2</i> <i>Service</i> | <i>3</i> <i>Fee payable under these Regulations</i> |
|---|---|--|
| Section 39B(8) | Weekly notice of all deaths registered in Scotland, as may be prescribed under section 39B(2) of the 1965 Act | £ 2,000.00 per annum.” |

New Register House,
Edinburgh
27th November 2007

D. MACNIVEN
Registrar General for Scotland

Approved by the Scottish Ministers

St Andrew's House,
Edinburgh
28th November 2007

JIM MATHER
Authorised to sign by the Scottish Ministers

(8) Section 39B was inserted by the Local Electoral Administration and Registration Services (Scotland) Act 2006, section 44(5).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulation 2(5)

Amendments to General Search Fees payable to Registrar General

PART 1

STATUTORY AND PAROCHIAL REGISTERS

| <i>1</i> | <i>2</i> | <i>3</i> | <i>4</i> |
|---|--|---|---|
| <i>Service</i> | <i>Fee payable under these Regulations</i> | <i>Former Service</i> | <i>Fee formerly payable under the principal Regulations</i> |
| | £ | | £ |
| <p>4. General search in both the parochial registers and in the indexes to the statutory registers—</p> <p>(a) (a) in a case where a block reservation of 10 places has been made in the limited amount of general search accommodation made available for reservation at this fee—</p> <p>per day or part thereof</p> <p>(b) (b) in any other case—</p> <p>per 2 hour session or part thereof (only one such session being available per person per day) in the limited amount of general search accommodation made available for this purpose</p> <p>per day</p> | <p>9.00 per place reserved</p> <p>Nil</p> <p>10.00</p> | <p>4. General search in both the parochial registers and in the indexes to the statutory registers—</p> <p>(a) (a) in a case where payment is made not less than 14 days in advance and a place is occupied in the limited amount of general search accommodation made available for reservation at this fee—</p> <p>per day or part thereof</p> <p>(b) (b) in any other case—</p> <p>per afternoon or part thereof (being any time after 1300 hours)</p> <p>per day</p> | <p>13.00</p> <p>10.00</p> <p>17.00</p> |

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| <i>1</i> <i>Service</i> | <i>2</i> <i>Fee payable under these Regulations</i> £ | <i>3</i> <i>Former Service</i> | <i>4</i> <i>Fee formerly payable under the principal Regulations</i> £ |
|----------------------------|---|-----------------------------------|--|
| | | per week | 65.00 |
| | | per 4 weeks | 220.00 |
| per quarter | 440.00 | per quarter | 500.00 |
| per year | 1,250.00 ⁷ | per year | 1,500.00 |

PART 2

REGISTER OF DISSOLUTIONS OF CIVIL PARTNERSHIP

| <i>1</i> <i>Service</i> | <i>2</i> <i>Fee payable under these Regulations</i> £ | <i>3</i> <i>Former Service</i> | <i>4</i> <i>Fee formerly payable under the principal Regulations</i> £ |
|--|---|--|--|
| 8. General search in the index to the Register of Dissolutions of Civil Partnership— | | 8. General search in the index to the Register of Dissolutions of Civil Partnership— | |
| (a) (a) in a case where a block reservation of 10 places has been made in the limited amount of general search accommodation made available for reservation at this fee— | | (a) (a) in a case where payment is made not less than 14 days in advance and a place is occupied in the limited amount of general search accommodation made available for reservation at this fee— | |
| per day or part thereof | 9.00 per place reserved | per day or part thereof | 13.00 |
| (b) (b) in any other case— | | (b) (b) in any other case— | |
| per 2 hour session or part thereof (only one such session being | Nil | per afternoon or part thereof (being any time after 1300 hours) | 10.00 |

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| <i>1</i> <i>Service</i> | <i>2</i> <i>Fee payable under these Regulations</i> | <i>3</i> <i>Former Service</i> | <i>4</i> <i>Fee formerly payable under the principal Regulations</i> |
|---|--|-----------------------------------|---|
| | £ | | £ |
| available per person per day) in the limited amount of general search accommodation made available for this purpose | | | |
| per day | 10.00 | per day | 17.00 |
| | | per week | 65.00 |
| | | per 4 weeks | 220.00 |
| per quarter | 440.00 | per quarter | 500.00 |
| per year | 1,250.00” | per year | 1,500.00 |

PART 3

ACCESSIBLE MATERIAL

| <i>1</i> <i>Service</i> | <i>2</i> <i>Fee payable under these Regulations</i> | <i>3</i> <i>Former Service</i> | <i>4</i> <i>Fee formerly payable under the principal Regulations</i> |
|--|--|---|---|
| | £ | | £ |
| 12. General search in the index of accessible material under section 58(1) of the 2006 Act– | | 12. General search in the index of accessible material under section 58(1) of the 2006 Act– | |
| (a) (a) in a case where a block reservation of 10 places has been made in the limited amount of general search accommodation made available for reservation at this fee– | | (a) (a) in a case where payment is made not less than 14 days in advance and a place is occupied in the limited amount of general search accommodation made available for | |

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| <i>1</i> <i>Service</i> | <i>2</i> <i>Fee payable under these Regulations</i> £ | <i>3</i> <i>Former Service</i> | <i>4</i> <i>Fee formerly payable under the principal Regulations</i> £ |
|---|---|---|--|
| | | | reservation at this fee– |
| per day or part thereof | 9.00 | per day or part thereof | 13.00 |
| (b) (b) in any other case– | | (b) (b) in any other case– | |
| per 2 hour session or part thereof (only one such session being available per person per day) in the limited amount of general search accommodation made available for this purpose | Nil | per afternoon or part thereof (being any time after 1300 hours) | 10.00 |
| per day | 10.00 | per day | 17.00 |
| | | per week | 65.00 |
| | | per 4 weeks | 220.00 |
| per quarter | 440.00 | per quarter | 500.00 |
| per year | 1,250.00” | per year | 1,500.00 |

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the fees payable to the Registrar General for Scotland for services provided under the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (“the 1965 Act”), the Civil Partnership Act 2004 and the Local Electoral Administration and Registration Services (Scotland) Act 2006 (“the 2006 Act”).

The Registration Services (Fees, etc.) (Scotland) Regulations 2006 are amended from 1st January 2008–

- (a) to prescribe an annual fee under section 39B of the 1965 Act, created by the 2006 Act, for weekly notification of all deaths in Scotland (regulation 2(3) and (6));
- (b) to allow the Registrar General a wider power to remit internet search fees to promote public knowledge of the registers for genealogy associations, schools and public libraries (regulation 2(4)); and
- (c) to amend a minor error in the definition of an “Internet search” (regulation 2(2)).

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The Regulations also amend the fee structure for general searching fees paid to the Registrar General from 28th April 2008 (regulation 2(5) and the Schedule). The changes to the current fees are set out in the Schedule.