



Registration of Births, Deaths and Marriages (Scotland) Act 1965

1965 CHAPTER 49

PART I

GENERAL ORGANISATION OF REGISTRATION SERVICE

Local Organisation

7 Senior and district registrars and other staff

- (1) Subject to the following provisions of this section a local registration authority shall appoint for each registration district in their area a registrar of births, deaths and marriages (in this Act referred to as a "district registrar"), and may appoint—
- (a) such additional district registrars for any registration district in their area as they think necessary;
 - (b) one or more senior registrars of births, deaths and marriages (in this Act referred to as "senior registrars");
 - (c) such assistant registrars of births, deaths and marriages (in this Act referred to as "assistant registrars") for any registration district in their area or for the purposes of section 9(1) of this Act as they think necessary.

A senior registrar appointed under paragraph (b) of this subsection may be a person who already holds the appointment of district registrar.

- (2) A local registration authority shall not exercise the power conferred on them by paragraph (a) or (b) of the foregoing subsection except after consultation with the Registrar General, and on making an appointment under this section shall forthwith inform the Registrar General of the name and surname of the person appointed and the date when his appointment is to take effect.
- (3) No person shall be appointed to any office mentioned in subsection (1) or (8) of this section unless he possesses the appropriate qualifications.

Status: This is the original version (as it was originally enacted).

- (4) Any person who at the commencement of this Act holds the appointment of a registrar, interim registrar or an assistant registrar under any council which is a local registration authority shall be deemed to hold his appointment, as a district registrar, an additional district registrar, interim district registrar or an assistant registrar, as the case may be, under that local registration authority by virtue of this section, whether or not he possesses the appropriate qualifications.
- (5) Any person holding, or deemed to be holding, an appointment under this section shall have the functions set out in this Act and such functions as may be prescribed in relation to that appointment, and in exercising his functions under this or any other Act shall be subject to such instructions or directions as the Registrar General may give.
- (6) Without prejudice to the last foregoing subsection or to section 5 of the Local Government Superannuation (Scotland) Act 1937 any person holding, or deemed to be holding, an appointment under this section shall be deemed to be an employee of the local registration authority by whom he was appointed to that appointment.
- (7) Any person holding, or deemed to be holding, an appointment under this section may be removed from office by the local registration authority under which he holds the appointment:

Provided that, if he has not reached the age of compulsory retirement having effect under section 7 of the Local Government Superannuation (Scotland) Act 1937, he shall not be removed from office under this subsection except after consultation between the local registration authority and the Registrar General.

- (8) If a vacancy occurs in the office of district registrar for any registration district the local registration authority shall, if for any reason they are unable to fill the vacancy immediately,—
- (a) forthwith appoint an interim district registrar, and
 - (b) proceed to fill the vacancy as soon as is reasonably practicable;

and if the local registration authority fail to fill the vacancy within a reasonable time, the Registrar General may require the authority to do so within such period, being not less than twenty-eight days from the date of the giving of the requirement, as may be specified in the requirement, and, if the authority fail to fill the vacancy within that period, the vacancy shall be filled by the Secretary of State on the application of the Registrar General.

Any person appointed by the Secretary of State under this subsection to fill a vacancy shall be deemed to have been appointed by the local registration authority concerned.

- (9) A local registration authority shall provide such officers and servants as are, in their opinion, required to enable any person holding, or deemed to be holding, an appointment under this section to exercise his functions.
- (10) Any person holding, or deemed to be holding, an appointment under this section and any person employed by virtue of the last foregoing subsection shall receive from the local registration authority such remuneration and allowances as that authority after consultation with the Registrar General may determine.
- (11) (a) The Secretary of State may by regulations provide for the payment by a local registration authority, subject to such exceptions or conditions as may be specified in the regulations, of compensation to or in respect of any person holding or deemed to be holding an appointment under this section or any officer or servant provided under subsection (9) of this section, or any person

Status: This is the original version (as it was originally enacted).

who, but for such service of his as may be so specified, would be such a person, officer or servant as aforesaid, who suffers loss of employment or loss or diminution of emoluments which is attributable to any provision contained in this Act or in a scheme under the last foregoing section or anything done in pursuance of this Act or of any such scheme.

- (b) Different regulations may be made under this subsection in relation to different classes of persons.
 - (c) Regulations made under this subsection may include provision as to the manner in which and the persons to whom any claim for compensation by virtue of this subsection is to be made, and for the determination of all questions arising under the regulations.
 - (d) Regulations made under this subsection shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (12) Any reference in this Act or any other Act to the district registrar for a registration district includes, unless the context otherwise requires, a reference to any additional district registrar or interim district registrar for that district; and anything required by this Act or any other Act to be done by or before the district registrar for a registration district may be done by or before any assistant registrar for that district.
- (13) In this section " appropriate qualifications ", in relation to any appointment, means such qualifications as the Registrar General may from time to time determine, and " appointment under this section " means an appointment under subsection (1) or (8) of this section.