



# Births and Deaths Registration Act 1874

## 1874 CHAPTER 88

### *Registration of Births*

#### **1 Information concerning birth to be given to registrar within forty-two days**

In the case of every child born alive after the commencement of this Act, it shall be the duty of the father and mother of the child, and in default of the father and mother, of the occupier of the house in which to his knowledge the child is born, and of each person present at the birth, and of the person having charge of the child, to give to the registrar, within forty-two days next after such birth, information of the particulars required to be registered concerning such birth, and in the presence of the registrar to sign the register.

#### **2 Requisition by registrar of information concerning birth from qualified, informant after forty-two days**

Where a birth has, from the default of the parents or other persons required to give information concerning it, not been duly registered, the registrar may, at any time after the end of forty-two days from such birth, by notice in writing, require any of the persons required by this Act to give information concerning such birth to attend personally at the registrar's office, or at any other place appointed by the registrar within his sub-district, within such time (not less than seven days after the receipt of such notice, and not more than three months from the date of the birth) as may be specified in such notice, and to give information, to the best of such person's knowledge and belief, of the particulars required to be registered concerning such birth, and to sign the register in the presence of the registrar; and it shall be the duty of such person, unless the birth is registered before the expiration of the time specified in such requisition, to comply with such requisition.

#### **3 Information respecting finding new-born child to be given to registrar**

In case any living new-born child is found exposed, it shall be the duty of any person finding such child, and of any person in whose charge such child may be placed, to give, to the best of his knowledge and belief, to the registrar, within seven days after

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the finding of such child, such information of the particulars required to be registered concerning the birth of such child as the informant possesses, and in the presence of the registrar to sign the register.

#### **4 Duty of registrar to, ascertain and register birth gratis**

It shall be the duty of the registrar to inform himself carefully of every birth which happens within his sub-district, and upon receiving personally from the informant at any time within three months from the date of the birth of any child or the finding of any living new-born child information of the particulars required to be registered concerning the birth of such child, forthwith in the prescribed form and manner to register the birth and the said particulars (if not previously registered), without fee "or reward from the informant, except that if, in pursuance of a written requisition, he registers the same at the residence of the person making such requisition or at the house in which the birth took place, he shall, unless the birth took place in a public institution, be entitled to the appointed fee.

#### **5 Registry after expiration of three months from birth**

After the expiration of three months next after the birth of any child, a registrar shall not register such birth, except as in this section provided ; that is to say, in case the birth of any child has not been registered in accordance with the Births and Deaths Registration Acts, 1836 to 1874, the registrar may, after three and not later than twelve months next after the birth, by notice in writing, require any of the persons required by this Act to give information concerning the birth to attend personally at the district register office, within such time (not less than seven days after the receipt of the notice, and not more than twelve months after the date of the birth) as may be specified in the notice, and make before the superintendent registrar a solemn declaration, according to the best of the declarant's knowledge and belief, of the particulars required to be registered concerning the birth, and sign the register in the presence of the registrar and superintendent registrar; and upon any of the said persons attending before a registrar and superintendent registrar, whether in pursuance of a requisition or not, and making such a declaration as aforesaid,; and giving information concerning the birth, the registrar shall then, and there, in the presence of such superintendent registrar, register the birth according to the information of the declarant, and the superintendent registrar before whom the declaration is made shall, as well as the registrar and declarant, sign the entry of the

After the expiration of twelve months next after the birth of any child, that birth shall not be registered except with the written authority of the Registrar General for registering the same, and except in accordance with the prescribed rules, and the fact of such authority having been given shall be entered in the

Every person who registers or causes to be registered the birth of any child in contravention of this section shall be liable to a penalty not exceeding ten pounds.

#### **6 Registry of birth out of the sub-district in case of removal**

Any person required by this Act to give information concerning a birth, who removes before such birth is registered out of the sub-district in which such birth has taken place, may, within three months after such birth, give the information by making and signing in the presence of the registrar of the sub-district in which he resides a declaration in writing of the particulars required to be registered concerning such

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birth; and such registrar on payment of the appointed fee shall receive and attest the declaration and send the same to the registrar of the sub-district in which the birth took place; and the last-mentioned registrar shall, in the prescribed manner, enter the birth in the register; and the entry so made shall be deemed, for the purposes of the Births and Deaths Registration Acts, 1836 to 1874 to have been signed by the person who signed the declaration.

A person making a declaration in pursuance of this section in the case of any birth shall be deemed to have complied with the provisions of this Act as to giving information concerning that birth, and with any requisition of the registrar made under this Act within the said three months to attend and give information concerning that birth.

## **7 Saving for father of illegitimate child**

In the case of an illegitimate child no person shall, as father of such child, be required to give information under this Act concerning the birth of such child, and the registrar shall not enter in the register the name of any person as father of such child, unless at the joint request of the mother and of the person acknowledging himself to be the father of such child, and such person shall in such case sign the register, together with the mother.

## **8 Registration of name of child or of alteration of name**

When the birth of any child has been registered and the name, if any, by which it was registered is altered, or if it was registered without a name, when a name is given to it, the parent or guardian of such child, or other person procuring such name to be altered or given, may, within twelve months next after the registration of the birth, deliver to the registrar or superintendent registrar such certificate as herein-after mentioned, and the registrar or superintendent registrar, upon the receipt of that certificate, and on payment of the appointed fee, shall, without any erasure of the original entry, forthwith enter in the register book the name mentioned in the certificate as having been given to the child, and having stated upon the certificate the fact of such entry having been made, shall forthwith send the certificate to the Registrar General, together with a certified copy of the entry of the birth with the name so added.

The certificate shall be in the form given in the first schedule to this Act, or as near thereto -as circumstances admit, and shall be signed by the minister or person who performed the rite of baptism upon which the name was given or altered, or, if the child is not baptized, shall be signed by the father, mother, or guardian of the child, or other person procuring the name of the child to be given or

Every minister or person who performs the rite of baptism shall deliver the certificate required by this section on demand, on payment of a fee not exceeding one shilling.

The provisions of this section shall apply with the prescribed modifications in the case of births at sea, of which a return is sent to the Registrar General of Births and Deaths in England.