



# Births and Deaths Registration Act 1874

## 1874 CHAPTER 88

### *Superintendent Registrars and Registrars*

#### **21 Alteration of registrars districts**

The Registrar General, with the sanction of the Local Government Board, may from time to time, if it seem to them fit, alter the districts of registrars by the alteration of the boundaries of districts, by the formation of new districts, or by the union of districts, and may take, or cause to be taken all measures which seem to them to be necessary for carrying such alteration into effect, and such alteration shall be made and measures taken accordingly.

Where any superintendent registrar or registrar is deprived of his office or part of his emolument by such alteration, formation, or union, or by the operation of any Act now in force, compensation may be awarded to him by the like authorities and in the like manner as compensation may be awarded under the Acts relating to the relief of the poor to any officer of a union who is deprived of his office by reason of a union being dissolved or altered, and the persons by whom and funds from which such compensation is to be paid shall be determined in like manner.

Every change in the district of a registrar shall be published by advertisement or otherwise as the Local Government Board direct as being in their opinion best calculated for giving information to all persons in the

Every district of a registrar, whether formed before or after the commencement of this Act, shall be termed a sub-district.

#### **22 Extension of 7 Will. 4. & 1 Vict. c. 22. ss. 10 and 11, to all unions**

Sections ten and eleven of " The Births and Deaths Registration Act, 1837," which relate to uniting any two or more unions, parishes, or places, or any two or more superintendent registrars' districts into one superintendent registrar's district, and to dividing a union, parish, or place, or a superintendent registrar's district into two or more superintendent registrars' districts, shall apply to a union with guardians acting under a Local Act, and to a temporary superintendent registrar's district in like manner

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as it applies to a union with guardians acting under " The Poor Law Amendment Act, 1834," and to a superintendent registrar's district which is not temporary.

### **23 Prosecution by superintendent registrar**

It shall be lawful for any superintendent registrar, subject to the prescribed rules, to prosecute any person guilty of any offence under the Births and Deaths Registration Acts, 1836 to 1874, committed within the district of such superintendent registrar ; and the costs incurred by the superintendent registrar in such prosecution, which are not otherwise by law provided for, shall be defrayed out of moneys to be provided by Parliament.

### **24 Appointment of deputy by superintendent registrar and registrar**

Every superintendent registrar shall from time to time, by writing under his hand, appoint, with the approval of the Registrar General, a fit person to act as his deputy in case of his illness or unavoidable absence, or in any prescribed case; and every such deputy while so acting shall have all the powers and fulfil all the duties and be subject to all the obligations by the Births and Deaths Registration Acts, 1836 to 1874, or any of them, given to or imposed on the superintendent registrar whose deputy he is.

Such deputy shall hold his office during the pleasure of the superintendent registrar by whom he is appointed, but shall be removable from his office by the Registrar

Every superintendent registrar shall be civilly responsible for the acts or omissions of his deputy.

The provisions of this section shall apply to registrars in like manner as if it were enacted with the word registrar substituted for superintendent registrar.

### **25 Interim registrars**

If any superintendent registrar dies, resigns, or otherwise ceases to hold his office, his deputy shall be interim superintendent registrar.

Every interim superintendent registrar shall act as superintendent registrar and have all the powers and perform all the duties and be subject to all the obligations of a superintendent registrar until another is duly appointed.

The provisions of this section shall apply to a registrar in like manner as if it were enacted with the substitution of the word registrar for superintendent registrar.

If a registrar for any sub-district dies, resigns, or otherwise ceases to hold his office, and there is no interim registrar, then the superintendent registrar shall, when so required by the Registrar General, appoint an interim registrar for such sub-district.

### **26 Residence, office, and station of registrar and deputy registrar in sub-district**

Every registrar and deputy registrar shall either dwell in or have a known office within the sub-district of which he is registrar or deputy registrar.

Every registrar shall, if so directed by the Registrar General, appoint within or contiguous to his sub-district a station or stations as may be directed by the Registrar General. Every such station shall, for the purposes of the provisions of this Act with

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respect to the attendance of persons and registration of births and deaths at the office of the registrar, be deemed to be his office.

Every registrar and deputy registrar shall attend at his dwelling-house or office and at each such station, on the days and at the hours approved by the Registrar General, for the purpose of registering births and

Every registrar shall cause to be placed in some conspicuous place on or near the outer door of the dwelling-house or office which he has within his sub-district his name, with the addition of registrar for the sub-district for which he is registrar, and the hours of his attendance as approved by the Registrar General; and a list of such registrars in any union, with their residences, shall be kept at the workhouse of such union, and at each police station within such union.

## **27 Fees of superintendent registrars and registrars**

Every superintendent registrar and registrar respectively shall be entitled to the fees specified in the second schedule to this Act, and every such fee shall be paid to him by the persons and on the occasions pointed out in such schedule, and may be recovered as a debt due to him, and subject to the prescribed rules he may refuse to comply with any application voluntarily made to him until the fee is paid.

## **28 Returns of registrars to sanitary authorities**

Every registrar, when and as required by a sanitary authority, as defined by the Public Health Act, 1872, shall transmit by post or otherwise a return, certified under the hand of such registrar to be a true return, of such of the particulars registered by him concerning any death as may be specified in the requisition of the sanitary authority.

The sanitary authority may supply a form of the prescribed character, for the purpose of the return, and in that case the return shall be made in the form so supplied.

The registrar making such return shall be entitled to a fee of twopence, and to a further fee of twopence for every death entered in such return, which fee shall be paid by the authority requiring the return.

## **29 Certificates of birth for - purposes of school boards and of public elementary schools**

Where the age of any child is required to be ascertained or proved for any purpose connected with the elementary education or employment in labour of such child, any school board or any managers appointed by a school board, or any persons managing a public elementary school, or any of Her Majesty's inspectors of schools, may issue a written requisition in the prescribed form, and stating the prescribed particulars as to the

The person to whom such requisition is given shall, on delivery thereof and payment of a fee of one shilling, be entitled to obtain a certified copy under the hand of the registrar or superintendent registrar of the entry in the register of the birth of the child named in the requisition.

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### **30 Certificate of birth having been registered**

A registrar shall, upon demand made at the time of registering any birth by the person giving the information concerning the birth, and upon payment of a fee not exceeding threepence, give to such person a certificate under his hand, in the prescribed form, of having registered that birth.

### **31 Remuneration of registrars**

The payment to the registrar under section twenty-nine of the principal Act of two shillings and sixpence for each of the first twenty entries of births and deaths in every year which he has registered shall be paid to him for each of the first twenty entries of births and deaths in each quarterly account made out and verified in manner directed by that Act.

### **32 Supply of forms and making of indexes**

The Registrar General shall supply to every superintendent registrar suitable forms wherein to make indexes of the register books in his office, and such superintendent registrar shall cause such indexes to be made and to be kept with the other records of his office.

All such indexes, whether made before or after the commencement of this Act, shall be kept by the superintendent registrar with the records of his office, and shall be delivered with the same to his successor in office, as directed by the principal Act.

Every person shall be entitled at all reasonable hours to search the said indexes, and to have a certified copy of any entry or entries in the said register books under the hand of the superintendent registrar on payment in each case of the appointed fee.

### **33 Providing of register offices and fireproof repositories**

The guardians of any union acting under a Local Act shall be subject to the same obligation of providing and upholding register offices as guardians of a union acting under the Poor Law Amendment Act, 1834, are subject to under section nine of the principal Act.

Every register office of a district formed before or after the commencement of this Act shall be provided by the guardians, at the expense of their common fund, with a suitable fireproof repository or iron boxes for the safe custody of the registers, made according to the plan and placed in the office approved by the Registrar

Until a register office, as approved by the Registrar General, is provided by the guardians in any superintendent registrar's district, the superintendent registrar shall appropriate some fit room, to be approved by the Registrar General, as a temporary register office. Such guardians shall pay a reasonable rent for the said room out of their common fund to the superintendent registrar.

### **34 Each of united unions to contribute to expense of registration office**

Where any union, parish, or place is united to any other union, parish, or place under section ten of the Births and Deaths Registration Act, 1837, as amended by this Act, the guardians acting for each union, parish, or place so united as aforesaid shall contribute to the expense of providing and upholding a register office in proportion to

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the population of each such union, parish, or place, as ascertained by the last published census for the time being.

**35 Penalty for omission to register or loss of registers**

Every registrar who refuses or without reasonable cause omits to register any birth or death or particulars concerning which information has been tendered to him by an informant, and which he ought to register, and every person having the custody of any register book of births and deaths who carelessly loses or injures or allows the injury of the same, shall be liable to a penalty not exceeding fifty pounds.