
 STATUTORY INSTRUMENTS

1976 No. 2081

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

ENGLAND AND WALES

**The Registration of Births, Deaths and Marriages
(Amendment) Regulations 1976**

Made - - - - 6th December 1976
Coming into Operation 1st January 1977

The Registrar General, in exercise of the powers conferred on him by section 3A (as inserted by section 92 of the Children Act 1975(a)), section 9 (as amended by section 93 of the Children Act 1975), section 10 (as amended by section 27 of the Family Law Reform Act 1969(b) and section 93 of the Children Act 1975), section 10A (as inserted by section 93 of the Children Act 1975) and section 39 of the Births and Deaths Registration Act 1953(c), sections 16 and 20 of the Registration Service Act 1953(d), paragraph 5 of schedule 5 to the Friendly Societies Act 1974(e) and of all other powers enabling him in that behalf, with the approval of the Secretary of State for Social Services, hereby makes the following regulations:—

Citation, interpretation and commencement

1.—(1) These regulations which may be cited as the Registration of Births, Deaths and Marriages (Amendment) Regulations 1976, shall be read as one with the Registration of Births, Deaths and Marriages Regulations 1968 (hereinafter referred to as the “principal regulations”)(f) as amended (g) and shall come into operation on 1st January 1977.

(2) These regulations and the Registration of Births, Deaths and Marriages Regulations 1968 to 1974 shall be cited together as the Registration of Births, Deaths and Marriages Regulations 1968 to 1976.

Substitution for regulation 2(3) of the principal regulations

2. There shall be substituted for regulation 2(3) of the principal regulations (interpretation) the following regulation—

“(3) Any reference in these regulations to any provision made by or contained in any enactment or instrument shall, except in so far as the context otherwise requires, be construed as a reference to that provision as amended or extended by any enactment or instrument and as including a reference to any provision which it re-enacts or replaces, or which may re-enact or replace it, with or without modification.”.

(a) 1975 c. 72.

(b) 1969 c. 46.

(c) 1953 c. 20.

(d) 1953 c. 37.

(e) 1974 c. 46.

(f) S.I. 1968/2049 (1968 III, p. 5522).

(g) S.I. 1969/1811, 1970/1780, 1971/1218, 1974/571 (1969 III, p. 5623; 1970 III, p. 5781; 1971 II, p. 3551; 1974 I, p. 2319).

Substitution for regulation 3 of the principal regulations

3. There shall be substituted for regulation 3 of the principal regulations the following regulation—

“Provision where date or place of a still-birth or a death is unknown

3. Where a still-born child is found exposed or a dead body is found—

- (a) if the date of the still-birth or of the death of the deceased person is unknown, references in these regulations to the doing of anything within a specified period after the still-birth or death shall be construed as references to the doing thereof within the same period after the still-born child or the dead body was found;
- (b) if the place of the still-birth or the place of death of the deceased person is unknown, references in these regulations to the place where a still-birth or death occurred shall be construed as references to the place where the still-born child or the dead body was found.”.

Amendment of regulation 18 of the principal regulations

4. In regulation 18 of the principal regulations (manner of registration)—

- (a) in sub-paragraph (4)(a) before the word “if”, where that word first occurs, there shall be inserted the words “except in the case of a request made under section 10(c) of the Act (which makes provision as to the father of an illegitimate child),”; and after the words “the registrar shall enter” there shall be inserted the words “in space 4”;
- (b) after sub-paragraph (4)(a) the following sub-paragraph shall be inserted—
 - “(b) in the case of a request made under section 10(c) of the Act the registrar shall enter in space 4 the name and surname of the putative father as recorded in the certified copy of the order made under section 4 of the Affiliation Proceedings Act 1957(a) as produced to him by the mother;”;
- (c) sub-paragraphs (4)(b) to (d) shall be re-lettered (4)(c) to (e) and in sub-paragraph (4)(c) (as re-lettered) the words “a person acknowledging himself to be” and the words “(which makes provision as to the father of an illegitimate child)” shall be omitted;
- (d) in sub-paragraph (6)(b) the words “the person acknowledging himself to be” shall be omitted.

Substitution for regulation 20 of the principal regulations

5. There shall be substituted for regulation 20 of the principal regulations (signatures) the following regulation—

“Signatures

20. The registrar shall call upon the following persons to sign the entry in space 14—

- (a) where an entry has been made other than in accordance with paragraph (b) below, the informant;

(b) where an entry has been made in space 4 of the name and surname of the father pursuant to section 10 of the Act then—

(i) if made pursuant to paragraph (a) of that section, the person acknowledging himself to be the father, and then the mother; or

(ii) if made pursuant to paragraph (b) of that section, the mother; and the registrar shall add after her signature the words “Statutory declaration made by on” inserting the full name of the person acknowledging himself to be the father and the date on which the statutory declaration was made and signed by him; or

(iii) if made pursuant to paragraph (c) of that section, the mother; and the registrar shall add after her signature the words “Pursuant to section 10(c) of the Births and Deaths Registration Act 1953”.”.

Substitution for regulation 24(6)(b)(iv) of the principal regulations

6. In regulation 24(6)(b) of the principal regulations (making of declaration under section 9 of the Act) there shall be substituted for sub-paragraph (iv) the following sub-paragraphs—

“(iv) if the declaration was made by the mother of an illegitimate child having produced a statutory declaration made by a person acknowledging himself to be the father of the child in pursuance of section 10(b) of the Act, the registrar shall add after the words required by sub-paragraph (ii) the words “Statutory declaration made by..... on.....” inserting the full name of the person acknowledging himself to be the father and the date on which the statutory declaration was made and signed by him;”

(v) if the declaration was made by the mother of an illegitimate child having produced a certified copy of an order made under section 4 of the Affiliation Proceedings Act 1957 in pursuance of section 10(c) of the Act, the registrar shall add after the words required by sub-paragraph (ii) the words “Pursuant to section 10(c) of the Births and Deaths Registration Act 1953”.”.

Insertion of regulation 24A in the principal regulations

7. After regulation 24 of the principal regulations there shall be inserted the following regulation—

“Declaration by mother under section 10(b)(i) of the Act

24A. The declaration to be made by the mother of an illegitimate child pursuant to section 10(b)(i) of the Act shall be in form 31.”.

Insertion of Part IVA in the principal regulations

8. After Part IV of the principal regulations the following Part shall be inserted—

“PART IVA

RE-REGISTRATION OF BIRTHS OF ILLEGITIMATE CHILDREN

Officers before whom statements may be made

25A. The officer before whom a statement for the purposes of section 9(5) of the Act may be made shall be—

- (a) in the case where not more than 3 months have elapsed since the date of the birth of the child, any registrar other than the registrar for the sub-district in which the birth occurred; or
- (b) in any other case, any superintendent registrar.

Re-registration on joint information of parents

25B. Where under section 10A(1)(a) of the Act the Registrar General authorises the re-registration of the birth of an illegitimate child at the joint request of the mother and the person acknowledging himself to be the father of the child—

- (a) if the parents attend, pursuant to the authority of the Registrar General, before the registrar for the sub-district in which the birth occurred, within 3 months after the date of the birth, to give information for the re-registration of the birth, the registrar shall—
 - (i) ascertain from the parents the particulars to be registered concerning the birth and enter them in spaces 1 to 13 in the register in the presence of the parents in accordance with the authority of the Registrar General;
 - (ii) call upon the parents to verify the particulars entered and to sign the entry in space 14;
 - (iii) enter the date on which the entry was made and add the words “On the authority of the Registrar General”;
 - (iv) sign the entry in space 16 and add his official description.
- (b) if the parents attend, pursuant to the authority of the Registrar General, within 3 months after the date of the birth before any other registrar, or after 3 months have elapsed since the date of the birth, before any superintendent registrar, that officer shall—
 - (i) call upon the parents to make and sign a declaration in form 30;
 - (ii) attest the declaration and deliver it to the registrar of the sub-district in which the birth occurred together with the authority of the Registrar General.
- (c) upon receiving the authority of the Registrar General to re-register a birth under paragraph (b) of this regulation and the declaration made in pursuance thereof, the registrar for the sub-district in which the birth occurred shall—
 - (i) copy the particulars recorded in the spaces of the declaration into the corresponding spaces of the entry and shall call upon the parents to sign the entry in space 14 of the register or, if they are not present, shall enter in space 14 the names of the parents in the form in which they are signed in the declaration and shall add the words “by declaration dated” inserting the date on which the declaration was made and signed;

- (ii) enter the date on which the entry was made and add the words "On the authority of the Registrar General";
- (iii) if not more than 3 months have elapsed since the date of birth of the child, sign the entry in space 16 of the register and add his official description;
- (iv) if more than 3 months have elapsed since the date of birth of the child, make the entry in the presence of the superintendent registrar of the district in which the birth occurred and the superintendent registrar and the registrar shall sign the entry and add their official descriptions.

Re-registration on mother's information and father's statutory declaration

25C.—(1) Where under section 10A(1)(b) of the Act the Registrar General authorises the re-registration of the birth of an illegitimate child at the request of the mother of the child—

- (a) a declaration in form 31 shall be made by the mother before one of the officers specified in regulation 25A or, if not more than 3 months have elapsed since the date of the birth of the child, before the registrar of the sub-district in which the birth occurred;
 - (b) the declaration shall be attested by the officer before whom it was made;
 - (c) where the declaration is attested by a superintendent registrar, or a registrar other than the registrar for the sub-district in which the birth occurred, the officer who attested it shall deliver it to that registrar together with the authority of the Registrar General and a statutory declaration made by the person who is to be shown in the register as the father, acknowledging himself to be the father of the child.
- (2) Upon receiving the documents specified in the foregoing sub-paragraph the registrar for the sub-district in which the birth occurred shall—
- (a) copy the particulars recorded in the spaces of the declaration made by the mother into the corresponding spaces in the register;
 - (b) call upon the mother to verify the particulars as entered and to sign the entry in space 14 or, if she is not present, shall enter her name in space 14 in the form in which it is signed in the declaration made by her and add the words "by declaration dated" inserting the date on which her declaration was made and signed;
 - (c) add in space 14 the words "Statutory declaration made by on" inserting the full name of the person acknowledging himself to be the father and the date on which the statutory declaration was made and signed by him;
 - (d) enter the date on which the entry was made and add the words "On the authority of the Registrar General";
 - (e) if not more than 3 months have elapsed since the date of birth of the child, sign the entry in space 16 and add his official description;

- (f) if more than 3 months have elapsed since the date of the birth, make the entry in the presence of the superintendent registrar of the district in which the birth occurred and the superintendent registrar and the registrar shall sign the entry and add their official descriptions.

Re-registration on mother's information on production of an affiliation order

25D. Where under section 10A(1)(c) of the Act the Registrar General authorises the re-registration of the birth of an illegitimate child at the written request of the mother of the child—

- (a) if the mother attends, pursuant to the authority of the Registrar General, before the registrar for the sub-district in which the birth occurred, within 3 months after the date of the birth, to give information for the re-registration of the birth, the registrar shall—
- (i) ascertain from the mother the particulars to be registered concerning the birth and enter them in spaces 1 to 13 in the register in the presence of the mother in accordance with the authority of the Registrar General;
 - (ii) call upon the mother to verify the particulars entered and to sign the entry in space 14;
 - (iii) after the signature of the mother in space 14 enter the words "Pursuant to section 10A(1)(c) of the Births and Deaths Registration Act 1953";
 - (iv) enter the date on which the entry was made and add the words "On the authority of the Registrar General";
 - (v) sign the entry in space 16 and add his official description.
- (b) if the mother attends, pursuant to the authority of the Registrar General, within 3 months after the date of the birth before any other registrar, or after 3 months have elapsed since the date of the birth, before any superintendent registrar, that officer shall—
- (i) call upon the mother to make and sign a declaration in form 32;
 - (ii) attest the declaration and deliver it to the registrar of the sub-district in which the birth occurred together with the authority of the Registrar General and the certified copy of the order made under section 4 of the Affiliation Proceedings Act 1957.
- (c) upon receiving the authority of the Registrar General to re-register a birth under paragraph (b) of this regulation together with the declaration made in pursuance thereof and the certified copy of the order made under the Affiliation Proceedings Act 1957, the registrar for the sub-district in which the birth occurred shall—
- (i) copy the particulars recorded in the spaces of the declaration into the corresponding spaces of the entry and shall call upon the mother to sign the entry in space 14 of the register, or if she is not present, shall enter her name in space 14 in the form in which it is signed in the declaration made by her and add the words "by declaration dated" inserting the date on which her declaration was made and signed;

- (ii) add in space 14 the words “Pursuant to section 10A(1)(c) of the Births and Deaths Registration Act 1953”;
- (iii) enter the date on which the entry was made and add the words “On the authority of the Registrar General”;
- (iv) if not more than 3 months have elapsed since the date of birth of the child, sign the entry in space 16 of the register and add his official description;
- (v) if more than 3 months have elapsed since the date of birth of the child, make the entry in the presence of the superintendent registrar of the district in which the birth occurred and the superintendent registrar and the registrar shall sign the entry and add their official descriptions.

Noting of entries

25E. Where under section 10A of the Act the Registrar General authorises the re-registration of the birth of an illegitimate child the superintendent registrar or registrar having custody of the register in which the birth was previously registered shall, when so directed by the Registrar General, note the previous entry relating to the birth with the words “Re-registered under section 10A of the Births and Deaths Registration Act 1953 on

Insertion of Part IVB in the principal regulations

9. After Part IVA of the principal regulations as inserted by these regulations the following Part shall be inserted—

“PART IVB

NOTING OF ENTRY OF BIRTH RE-REGISTERED UNDER SECTION 3A(5)
OF THE ACT

Noting of original entry of birth

25F. Where under section 3A(5) of the Act the Registrar General re-registers the birth of a living new-born child found exposed the superintendent registrar or registrar having custody of the register in which the birth was previously registered shall, when so directed by the Registrar General, note the previous entry relating to the birth with the words “Re-registered under section 3A(5) of the Births and Deaths Registration Act 1953 on

Amendment of regulation 27 of the principal regulations

10. In regulation 27 of the principal regulations (relevant date for particulars) after the word “except” there shall be inserted the words “that their application in respect of the particulars of the father of a child shall not be subject to regulation 18(4)(d) and (e) and except”.

Amendment of regulation 41 of the principal regulations

11. In regulation 41 of the principal regulations (manner of registration of still-births)—

(a) in paragraph (2) after the words “the provisions of” where they first occur there shall be inserted the words “paragraph (3) of this regulation and of”;

(b) after paragraph (2) the following paragraph shall be inserted—

“(3) Where a still-born child is found exposed and the date and place of the still-birth are unknown, the registrar shall enter in space 1 the words “Found at on”, with the relevant place and date.”.

Amendment of regulation 83 of the principal regulations

12. In regulation 83 of the principal regulations (certificates of death for purposes of Industrial Assurance and Friendly Societies Act 1948)—

(a) in paragraph (1) for the words “(in this regulation called “the Act of 1948”)” there shall be substituted the words “or of Schedule 5 to the Friendly Societies Act 1974”;

(b) in paragraph (2) for the words “Act of 1948” there shall be substituted the words “Industrial Assurance and Friendly Societies Act 1948 or the Friendly Societies Act 1974”;

(c) in paragraph (3) for the words “of Schedule 1 to the Act of 1948” there shall be substituted the words “either of Schedule 1 to the Industrial Assurance and Friendly Societies Act 1948 or of Schedule 5 to the Friendly Societies Act 1974”;

(d) in paragraph (4) for the words “of the Act of 1948” there shall be substituted the words “either of the Industrial Assurance and Friendly Societies Act 1948 or of the Friendly Societies Act 1974”.

Substitution for regulation 84(2) of the principal regulations

13. There shall be substituted for regulation 84(2) of the principal regulations (applications for certificates under various enactments) the following paragraph—

“(2) The enactments referred to in paragraph (1) are—

(a) Savings Bank Act 1887(a), section 10;

(b) Young Persons (Employment) Act 1938(b), section 5;

(c) Shops Act 1950(c), section 35;

(d) Savings Certificates Regulations 1972(d), regulation 32;

(e) Premium Savings Bonds Regulations 1972(e), regulation 25;

(f) Friendly Societies Act 1974(f), section 106;

(a) 1887 c. 40.

(d) S.I. 1972/641 (1972 I, p. 2084).

(b) 1938 c. 69.

(e) S.I. 1972/765 (1972 II, p. 2449).

(c) 1950 c. 28

(f) 1974 c. 46.

(g) Social Security Act 1975(a), section 160 (including that section as applied by—

(i) Family Allowances Act 1965(b), section 12; and

(ii) Industrial Injuries and Diseases (Old Cases) Act 1975(c), section 11).”.

Amendment of Schedule 1 to the principal regulations

14. In Schedule 1 to the principal regulations (prescribed forms)—

(a) in the list of contents, after the particulars relating to form 29 there shall be added in the respective columns the particulars relating to the following forms—

Form	Relevant Regulation	Description	Statutory Purpose
30	25B(b)	Declaration for the re-registration of a birth	Births and Deaths Registration Act 1953 Sections 6, 9 and 10A(1)(a)
31	24A, 25C(1)	Declaration for the registration/re-registration of a birth	Births and Deaths Registration Act 1953 Sections 6, 9, 10(b) and 10A(1)(b)
32	25D(b)	Declaration for the re-registration of a birth	Births and Deaths Registration Act 1953 Sections 6, 9 and 10A(1)(c)

(b) after Form 29 there shall be added the following forms—

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

FORM 30

Declaration for the re-registration of a birth

Regulation 25B(b)

Births and Deaths Registra-
tion Act 1953, Ss. 6, 9 and
10A(1)(a)

CHILD	
1. Date and place of birth	
2. Name and surname	3. Sex
FATHER	
4. Name and surname	
5. Place of birth	
6. Occupation	
MOTHER	
7. Name and surname	
8. Place of birth	
9. (a) Maiden surname	(b) Surname at marriage if different from maiden surname
10. Usual address (if different from place of child's birth)	
INFORMANT	
11. Name and surname (if not the mother or father)	12. Qualification
13. Usual address (if different from that in 10 above)	

For use (a) where the informants give information out of the sub-district of the child's birth or (b) in any case where more than 3 months have elapsed since the date of birth of the child.

We, being qualified under the Births and Deaths Registration Act 1953 to give information for the registration of the birth of the above-named child, DO SOLEMNLY DECLARE that the particulars above are those which are required to be registered concerning such birth, according to the best of our knowledge and belief, and request that the name of the father of the child be entered in the register of births as in space 4 above.

Signatures Date

Signed and declared by the above-named declarants in the presence

of
Registrar of Births and Deaths/Superintendent Registrar

..... Sub-district District

FORM 31

Declaration for the registration/re-registration of a birth

Regulations 24A, 25C(1)

Births and Deaths Registra-
tion Act 1953, Ss. 6, 9, 10(b)
and 10A(1)(b)

CHILD	
1. Date and place of birth	
2. Name and surname	3. Sex
FATHER	
4. Name and surname	
5. Place of birth	
6. Occupation	
MOTHER	
7. Name and surname	
8. Place of birth	
9. (a) Maiden surname	(b) Surname at marriage if different from maiden surname
10. Usual address (if different from place of child's birth)	
INFORMANT	
11. Name and surname (if not the mother or father)	12. Qualification
13. Usual address (if different from that in 10 above)	

For use where the child is illegitimate and the mother produces a statutory
declaration of paternity made by the father.

I, DO SOLEMNLY DECLARE that I am the mother of the child the particulars of whose birth are specified above and that the person named in space 4 above is the father of the child; and I request that his name should be recorded as such in the register of births.

Signature Date

Signed and declared by the above-named declarant in the presence

of
Registrar of Births and Deaths/Superintendent Registrar

..... Sub-district District

FORM 32

Declaration for the re-registration of a birth

Regulation 25D(b)

Births and Deaths Registra-
tion Act 1953, Ss. 6, 9 and
10A(1)(c)

CHILD	
1. Date and place of birth	
2. Name and surname	3. Sex
FATHER	
4. Name and surname	
5. Place of birth	
6. Occupation	
MOTHER	
7. Name and surname	
8. Place of birth	
9. (a) Maiden surname	(b) Surname at marriage if different from maiden surname
10. Usual address (if different from place of child's birth)	
INFORMANT	
11. Name and surname (if not the mother or father)	12. Qualification
13. Usual address (if different from that in 10 above)	

For use where the child is illegitimate and the mother produces a certified copy of an order made under section 4 of the Affiliation Proceedings Act 1957.

I, DO SOLEMNLY DECLARE that I am the mother of the child the particulars of whose birth are specified above and that the person named in space 4 above is the father of the child and is named as such in the certified copy of the order made under section 4 of the Affiliation Proceedings Act 1957 relating to the child and produced by me; and I request that his name should be recorded as such in the register of births.

Signature Date

Signed and declared by the above-named declarant in the presence

of
Registrar of Births and Deaths/Superintendent Registrar

..... Sub-district District

Revocation of existing regulations

15. Regulations 18(2)(b) and 39 of the principal regulations and regulations 1 to 6 and 8 to 10 of and schedules 1 and 2 to the Registration of Births, Deaths and Marriages (Amendment) Regulations 1969(a) are hereby revoked, without prejudice to anything duly done or suffered or to any right, privilege, obligation or liability acquired, accrued or incurred under those regulations.

Given under my hand on 6th December 1976.

G. Paine,
Registrar General.

I approve

David Ennals,
Secretary of State for Social Services.

6th December 1976.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Registration of Births, Deaths and Marriages Regulations 1968 (the principal regulations) and revoke regulations 1 to 6 and 8 to 10 of and schedules 1 and 2 to the Registration of Births, Deaths and Marriages (Amendment) Regulations 1969.

Regulations 3 and 11 amend the principal regulations to omit references to the registration in the birth register of the birth of a living new-born child found exposed and amend the references to the manner of registration of the birth of a still-born child found exposed. Regulations 4-7 amend the principal regulations to provide for the recording of the name of the father of an illegitimate child on first registration. Regulation 8 by inserting a new Part IVA into the principal regulations prescribes the procedure for re-registration of the birth of an illegitimate child.

Regulation 14 amends Schedule 1 to the principal regulations by prescribing the forms to be used on first or subsequent registration of the birth of an illegitimate child. Regulation 9 by inserting a new Part IVB prescribes the form of the note to be made in the original entry in the birth register when the birth of a living new-born child found exposed is re-registered by the Registrar General. Regulation 10 amends the principal regulations to provide for the re-registration of the birth of a legitimated child and Regulations 12 and 13 amend certain legislative references in the principal regulations.

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