

2005 No. 912

**REGISTRATION OF BIRTHS, DEATHS, MARRIAGES,
ETC., ENGLAND AND WALES**

The Gender Recognition Register Regulations 2005

Made - - - - - *23rd March 2005*

Coming into force - - - - - *4th April 2005*

The Registrar General, in exercise of the powers conferred upon him by section 20(a) of the Registration Service Act 1953(a), section 26(3) of the Welsh Language Act 1993(b) and section 24(2) of and paragraph 3 of Schedule 3 to the Gender Recognition Act 2004(c) and of all other powers enabling him in that behalf, with the approval of the Chancellor of the Exchequer(d), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Gender Recognition Register Regulations 2005 and shall come into force on 4th April 2005.

(2) In these Regulations unless the context otherwise requires—

“the 2004 Act” means the Gender Recognition Act 2004;

“the Adopted Children Register” means the register maintained by the Registrar General under section 11 of the Adoption of Children Act 1926(e), section 12 of the Adoption of Children Act 1949(f), section 17 of the Adoption Act 1950(g), section 20 of the Adoption Act 1958(h) and section 50 of the Adoption Act 1976(i);

“the Air Register Book of Births and Deaths” means the book of certified copies kept by the Registrar General under section 43 of the Civil Aviation Act 1946(j), section 55 of the Civil Aviation Act 1949(k) and section 83(5) of the Civil Aviation Act 1982(l);

“consular or High Commission records” means certified copies of birth entries sent to the Registrar General under the Registration of Births and Deaths (Consular Officers) Regulations

(a) 1953 c. 37 (1 & 2 Eliz 2).

(b) 1993 c. 38.

(c) 2004 c. 7.

(d) The approval of the Chancellor of the Exchequer is required by the Gender Recognition Act 2004, Schedule 3, paragraph 3(5).

(e) 1926 c. 29 (16 & 17 Geo 5); the whole Act was repealed by the Adoption Act 1950, section 46, Schedule 4 and by Children Act 1975 section 108, Schedule 4 Part 1.

(f) 1949 c. 98 (12, 13 & 14 Geo 6); the whole Act was repealed by the Statute Law (Repeals) Act 1993, section 1(1), Schedule 1 Part VIII.

(g) 1950 c. 26 (14 Geo 6); the whole Act was repealed by the Adoption Act 1958, section 59(2) and Schedule 6.

(h) 1958 c. 5 (7 Eliz 2); the whole Act was repealed by the Adoption Act 1976, section 73(3) and Schedule 4.

(i) 1976 c. 36 the whole Act is to be repealed by the Adoption and Children Act 2002, section 139(3), Schedule 5 from a day to be appointed.

(j) 1946 c. 70 (9 & 10 Geo 6); the whole Act was repealed by the Civil Aviation Act 1949, section 70, Schedule 12 and the Air Corporations Act 1949, section 41, Schedule 3.

(k) 1949 c. 67 (12, 13 & 14 Geo 6); the whole Act was repealed by the Civil Aviation Act 1982, section 109 and Schedule 16.

(l) 1982 c.16.

1930(a), the Registration of Births and Deaths (Consular Officers) Regulations 1943(b), the Registration of Births and Deaths (Consular Officers) Regulations 1948(c), the Registration of Births and Deaths (High Commissioners) Regulations 1964(d), the Registration of Births and Deaths (Consular Officers) Regulations 1974(e), the Registration of Overseas Births and Deaths Regulations 1982(f) or any other consular or High Commission record of a birth entry held by the Registrar General;

“Her Majesty’s forces records” means the registers held by the Registrar General under any Order in Council under section 1 of and records held under section 3 of the Registration of Births, Deaths and Marriages (Special Provisions) Act 1957(g) and any other record of a birth held by the Registrar General which took place outside the United Kingdom among the families of members of Her Majesty’s naval, military or air forces and other associated or connected personnel;

“Hovercraft Records” means records transmitted to the Registrar General pursuant to regulation 5 of the Hovercraft (Births, Deaths and Missing Persons) Regulations 1972(h);

“the marine register” means the register of certified copies held by the Registrar General under section 254 of the Merchant Shipping Act 1894(i), section 72 of the Merchant Shipping Act 1970(j) and section 108(8) of the Merchant Shipping Act 1995(k); and

“Parental Order Register” means the register maintained by the Registrar General under section 50 of the Adoption Act 1976 as modified by the Parental Orders (Human Fertilisation and Embryology) Regulations 1994(l);

Particulars to be entered in the Gender Recognition Register

2.—(1) The particulars to be contained in an entry in the Gender Recognition Register are—

- (a) where the birth has been registered at a register office in England and Wales and there is no more recent entry in a register referred to in sub-paragraphs (d) and (e), the particulars set out in Part 1 of Schedule 1;
- (b) where the entry relates to a birth registered in Her Majesty’s forces records, the particulars set out in the relevant part of Schedule 2;
- (c) where the entry relates to consular or High Commission records, the particulars set out in Schedule 3;
- (d) where the entry relates to a birth registered in the Adopted Children Register, the particulars set out in the relevant part of Schedule 4;
- (e) where the entry relates to a birth registered in the Parental Order Register, the particulars set out in Schedule 5;
- (f) where the entry relates to a birth registered in the Air Register Book of Births and Deaths, the particulars set out in Schedule 6;
- (g) where the entry relates to a birth registered under section 3A of the Births and Deaths Registration Act 1953 (registration of births of abandoned children)(m) and there is no more recent entry referred to in sub-paragraph (d), the particulars set out in Schedule 7;
- (h) where the entry relates to a birth registered in the marine register, the particulars set out in the relevant part of Schedule 8; and

(a) S.R & O. 1930/740.

(b) S.R & O. 1943/765, revoked by S. R & O. 1948/2837.

(c) S. R & O. 1948/2837, revoked by S.I. 1974/2136.

(d) S.I. 1964/1967 which lapsed on the repeal of the British Nationality Act 1948.

(e) S.I. 1974/2136 which lapsed on the repeal of the British Nationality Act 1948.

(f) S.I. 1982/1123.

(g) 1957 c. 58 (5 & 6 Eliz 2); section 3 was amended by S.I. 2002/1419, article 3(1).

(h) S.I. 1972/1513.

(i) 1894 c. 60 (57 & 58 Vict); whole Act repealed by the Merchant Shipping Act 1988 and various other enactments.

(j) 1970 c. 36; whole Act repealed by the Merchant Shipping Act 1995 and various other enactments.

(k) 1995 c. 21.

(l) S.I. 1994/2767.

(m) 1953 c. 20 (1 & 2 Eliz 2); section 3A was inserted by the Children Act 1975, section 92.

(i) where the entry relates to a birth [recorded] in the Hovercraft Records, the particulars set out in Schedule 9.

(2) Where the UK birth register entry contains particulars recorded in English and Welsh, the particulars to be contained in the Gender Recognition Register shall also be recorded in English and Welsh.

Additional particulars in certain cases

3. Where a person is the subject of a UK birth register entry falling within regulation 2(1)(a) and that entry was made on or before the 31st March 1969, the particulars to be contained in the Gender Recognition Register shall include the particulars set out in Schedule 1 Part 2, if the person the subject of the entry requests that they be included.

Marking of previous entry

4.—(1) When so directed by the Registrar General acting pursuant to the 2004 Act, Schedule 3 paragraph 3(1)(b), a superintendent registrar or a registrar of births and deaths shall mark a UK birth register entry in their custody with the words “Re-registered by the Registrar General”.

(2) In securing that the UK birth register entry in his custody is marked in accordance with the 2004 Act, Schedule 3 paragraph 3(1)(b), the Registrar General shall mark the entry with the words “Re-registered by the Registrar General”.

Given under my hand on
23rd March 2005

Len Cook
Registrar General

I approve

23rd March 2005

Stephen Timms
Signed by authority of the Chancellor of the Exchequer

SCHEDULE 1

regulation 2(1)(a) and 3

Particulars to be entered in Gender Recognition Register where the birth was registered in England and Wales

PART 1

Particulars to be entered where birth record was created on or before 31st March 1969

Registration district

Sub-district

Administrative area

Entry number

Child

Date of birth

Place of birth

Forename(s)

Sex

Forename(s) entered after registration

Father

Name

Occupation

Mother

Name

Maiden surname

Date of registration

Signature of registering officer

PART 2

Additional particulars to be entered where UK birth record was created on or after 1st April 1969

Child

Surname

Father

Place of birth

Mother

Place of birth

Occupation

Surname at marriage if different from maiden surname

Usual address

SCHEDULE 2

regulation 2(1)(b)

Her Majesty's Forces Records

PART 1

Particulars to be entered where birth record was created on or before 31st March 1959

Military, air force or naval station

Entry number

Child

Date of birth

Place of birth

Forename(s)

Sex

Forename(s) entered after registration

Father

Name

Nationality

Rank and if soldier or airman Regimental number

Mother

Name

Maiden surname

Date of registration

Signature of registering officer

PART 2

Particulars to be entered where birth record was created on or after 1st April 1959 and on or before 31st December 1971

Command

Entry number

Child

Date of birth

Place of birth

Forename(s)

Surname

Sex

Forename(s) entered after registration

Father

Name

Country of residence

Rank or occupation

Mother

Name

Maiden surname

Date of registration

Signature of registering officer

PART 3

Particulars to be entered where birth record was created on or after 1st January 1972

Headquarters

Entry number

Child

Date of birth

Place of birth

Forename(s)

Surname

Sex

Forename(s) entered after registration

Father

Name

Country of residence

Place of birth

Rank or occupation

Mother

Name

Place of birth

Maiden surname

Surname at marriage if different from maiden surname

Date of registration

Signature of registering officer

SCHEDULE 3

regulation 2(1)(c)

Consular or High Commission Records

District of High Commission or Consul

Entry number

Child

Date of birth

Place of birth

Forename(s)

Surname

Sex

Claim to citizenship

Forename(s) entered after registration

Father

Name

Date of birth

Place of birth

Rank, profession or occupation

Claim to British Nationality or citizenship

Mother

Name

Maiden surname

Surname at marriage if different from maiden surname

Date of birth

Place of birth

Occupation

Claim to British Nationality or citizenship

Date of registration

Signature of registration officer

SCHEDULE 4

regulation 2(1)(d)

Adopted Children Register

PART 1

Particulars to be entered where birth record was created on or after 1st January 1927
and on or before 31st December 1949

Entry number

Adopted child

Forename(s)

Sex

Date of birth

Adopter/Adopters

Name, address and occupation

Date of entry

Signature of attesting officer

PART 2

Particulars to be entered where the birth record was created on or after 1st January
1950 and on or before 31st December 1958

Entry number

Adopted Child

Forename(s)

Surname

Sex

Date of birth

Country of birth

Adopter/Adopters

Name, address and occupation

Date of entry

Signature of attesting officer

PART 3

Particulars to be entered where birth record was created on or after 1st April 1958 and on or before 31st December 1975

Entry number

Adopted child

Forename(s)

Surname

Sex

Date of birth

Country of birth

Adopter/Adopters

Name, address and occupation

Date of entry

Signature of attesting officer

PART 4

Particulars to be entered where birth record was created on or after 1st January 1976 and on or before 31st May 2003

Entry number

Adopted child

Forename(s)

Surname

Sex

Date of birth

Country of birth (if England or Wales – Registration District and Sub-district)

Adopter/Adopters

Name, address and occupation

Date of entry

Signature of attesting officer

PART 5

Particulars to be entered where birth record was created on or after 1st June 2003

Entry number

Adopted child

Forename(s)

Surname

Sex

Date of birth

Place of birth (England or Wales – Registration District and Sub-district)

Country of birth

Adopter/Adopters

Name, address and occupation

Date of entry

Signature of attesting officer

SCHEDULE 5

regulation 2(1)(e)

Parental Order Register

Entry number

Registration district

Sub-district

Administrative area

Child

Date of birth

Place of birth

Forename(s)

Surname

Sex

Forename(s) entered after registration

Father

Name

Place of birth

Occupation

Mother

Name

Place of birth

Occupation

Maiden surname

Surname at marriage if different from maiden surname

Usual address

Date of registration

Signature of registering officer

SCHEDULE 6

regulation 2(1)(f)

Air Register Book of Births and Deaths

Entry number

Registration marking of aircraft

Child

Date of birth

Place of birth

Forename(s)

Surname

Sex

Baptismal or given name(s) entered after registration

Father

Name

Usual residence

Nationality

Profession or occupation and rank or title (if any)

Mother

Name

Maiden surname

Usual residence

Nationality

Date of registration

Signature of registrar

SCHEDULE 7

regulation 2(1)(g)

**Birth registered under section 3A of the Births and Deaths Registration
Act 1953 (abandoned children)**

Entry number

Child

Place of birth (Registration district and Sub-district)

Date of birth

Forename(s)

Surname

Sex

Date of registration

Signature of attesting officer

SCHEDULE 8

regulation 2(1)(h)

Marine Register

PART 1

Particulars to be entered where birth record was created on or before
31st December 1948

Entry number

Name of ship

Official number

Child

Date of birth

Forename(s)

Sex

Father

Name

Rank, profession or occupation

Nationality (stating birthplace)

Last place of abode

Mother

Name

Maiden surname

Nationality (stating birthplace)

Last place of abode

Date of registration

Signature of registering officer

PART 2

Particulars to be entered where birth record was created on or after 1st January 1949
and on or before 31st December 1972

Entry number

Name of ship and port of registry

Official number

Child

Date of birth

Place of birth

Forename(s)

Sex

Father

Name

Rank, profession or occupation

Nationality (stating birthplace)

Last place of abode

Mother

Name

Maiden surname

Nationality (stating birthplace)

Last place of abode

Date of registration

Signature of registering officer

PART 3

Particulars to be entered where birth record was created on or after 1st January 1973

Entry number

Name of ship

Official number

Port of registry or owner's name and address

Child

Date of birth

Place of birth

Forename(s)

Surname

Sex

Father

Name

Occupation

Usual residence

Nationality

Mother

Name

Maiden name

Surname at marriage if different from maiden surname

Usual residence

Nationality

Date of registration

Signature of registering officer

SCHEDULE 9

regulation 2(1)(i)

Hovercraft Records

Entry number

Registration marking of hovercraft

Country of registration of hovercraft

Child

Date of birth

Place of birth

Forename(s)

Surname

Sex

Baptismal or given name(s) entered after registration

Father

Name

Usual residence

Nationality

Profession or occupation and rank or title (if any)

Mother

Name

Maiden surname

Usual residence

Nationality

Date of registration

Signature of registrar

EXPLANATORY NOTE

(This note is not part of the regulations)

These Regulations make provision for entries to be made in the Gender Recognition Register and the marking of existing birth register entries once the Registrar General receives a copy of the full gender recognition certificate under section 10(1) of the Gender Recognition Act 2004.

The Regulations provide for an entry in the gender recognition register to contain information which corresponds with the information recorded in the applicants existing birth record, apart from the new name and gender which will be obtained from the gender recognition certificate.

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