STATUTORY INSTRUMENTS

1964 No. 1967

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, ETC.

ABROAD

The Registration of Births and Deaths (High Commissioners) Regulations 1964

Made - - - - *7th December* 1964
Coming into Operation *1st January* 1965

In the exercise of powers conferred upon me by section 29(1) of the British Nationality Act 1948(a), section 4(1) of the British Nationality Act 1958(b), and all other powers enabling me in that behalf, I hereby, with the consent of the Treasury, make the following regulations :—

1.—(1) These regulations may be cited as the Registration of Births and Deaths (High Commissioners) Regulations 1964 and shall come into operation on 1st January 1965.

(2) In these regulations, unless the context otherwise requires :—

" country " means a country for the time being specified in section 1(3) of the British Nationality Act 1948 ; " registration officer " means an officer appointed in accordance with Regulation 2 ;

" duly certified and sealed " means signed under the hand of a registration officer and impressed with the seal of the High Commissioner for the United Kingdom in a country ;

" register " means the register of births or the register of deaths, as the case may be, as prescribed in Regulations 3 and 4.

(3) The Interpretation Act 1889(c) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. The High Commissioner for the United Kingdom in a country shall, where applicable, appoint one or more members of his staff to be a registration officer to whom shall be assigned the duty of maintaining the registers.

Registers of Births and Deaths

3.—(1) In each country in which the Secretary of State has so authorised there shall be maintained registers of births in which shall be recorded the birth within the country of a person in respect of whom a registration officer has received an application together with the prescribed fee and is satisfied that :—

(*a*) he is a citizen of the United Kingdom and Colonies ; or

(*b*) he is a British subject without citizenship who intends to make his ordinary place of residence in the United Kingdom, a Colony or Protectorate ; or

(a) 11 & 12 Geo. 6. c. 56. (b) 6 & 7 Eliz. 2. c. 10. (c) 52 & 53 Vict. c. 63.

(*c*) his father or, in the case of an illegitimate person, his mother, is, or would but for his death have been, a citizen of the United Kingdom and Colonies ; or

(*d*) the circumstances specified in section 1(2) of the British Nationality and Status of Aliens Act 1943(a) exist in his case.

(2) Registers of births shall be in form A set out in the Schedule hereto.

4.—(1) In each country in which the Secretary of State has so authorised, there shall be maintained registers of deaths in which shall be recorded the death within the country of a person in respect of whom a registration officer has received an application together with the prescribed fee and is satisfied that at the time of death that :—

(*a*) he was a citizen of the United Kingdom and Colonies ; or

(*b*) he was a British subject without citizenship ; or

(*c*) he was a British subject by virtue of section 2 of the British Nationality Act 1948 ; or

(*d*) he was a minor at the time of his death and his father or, in the case of a person born illegitimate, his mother was, or would but for his death have been, a citizen of the United Kingdom and Colonies ; or

(*e*) where such death occurred before 1st January 1949, he would, but for his death, have become a citizen of the United Kingdom and Colonies or British subject without citizenship.

(2) Registers of deaths shall be in form B as set out in the Schedule hereto.

Registration of Births and Deaths

5.—(1) On receiving an application for the registration of a birth or of a death, a registration officer shall record, as precisely as possible, in the register those particulars for the recording of which provision is made in the register.

(2) Such registration shall be in the manner and form directed in instructions issued under Regulation 14.

6. A registration officer shall not register a birth or death unless satisfied as to the facts of the case by the production of a locally issued certificate of birth or death or by the furnishing of a statutory declaration or by such other evidence as appears to him sufficient in the circumstances of the case.

7.—(1) A registration officer may at any time on the authority of the Secretary of State re-register the birth of a person born illegitimate whose birth has been previously registered under Regulation 3(1)(*c*) if he is satisfied that the person has been legitimated by the subsequent marriage of his parents and shall make a note to that effect in the margin of the previous entry.

(2) Such re-registration and such marginal note shall be in the manner and form directed in instructions issued under Regulation 14.

Correction of Errors

8.—(1) An entry in a register shall be deemed to have been completed by the signature of a registration officer.

(a) 6 & 7 Geo. 6. c. 14.

(2) Any error or omission discovered in an entry before completion thereof may be rectified by a registration officer in the manner and form directed in instructions issued under Regulation 14.

(3) Any error or omission discovered in an entry after completion thereof may be rectified by a registration officer in the manner and form directed in instructions issued under Regulation 14 if he is satisfied as to the correctness of the facts of the case produced by the original informant or some other person cognisant of the facts of the case:

Provided that where, in the opinion of a registration officer, the error or omission is of a substantial nature or where more than 7 years have elapsed since the entry was recorded, he shall require the informant to furnish a statutory declaration as to the facts of the case.

(4) Where, after the completion of an entry in the register of births the person to whom the entry relates is given a name in baptism or otherwise differing from the name (if any) recorded therein, the name so given may, subject to the production of satisfactory evidence as to the facts of the case, be recorded in the register without alteration of the previous name.

Transmission of copies

9.—(1) Before the 1st day of February in each year a registration officer shall transmit to the Registrar General in London a copy, duly certified and sealed, of all entries recorded during the previous year in the registers maintained by him prepared in form C or D, as the case may be, set out in the Schedule hereto.

(2) If in any year there has been no entry made in any register maintained by him, a registration officer shall transmit to the Registrar General in London a certificate, duly certified and sealed, to that effect prepared in form E set out in the Schedule hereto.

(3) Where, under Regulation 7, a birth has been re-registered and a marginal note to that effect is made to the previous entry after a copy of such previous entry has been transmitted in accordance with paragraph (1) of this Regulation, a registration officer shall likewise transmit a certified copy of the previous entry showing the marginal note.

(4) Where an entry is corrected under Regulation 8(3) or where an additional or substituted name is added to an entry under Regulation 8(4) after a copy of the entry has been transmitted in accordance with paragraph (1) of this Regulation, a registration officer shall likewise transmit a certified copy of the corrected or amended entry.

10. Where it appears to a registration officer that an entry in a register records the birth of a child of a father (or mother, where the child is born illegitimate) born in Scotland or Northern Ireland or the death of a person so born, he shall mark such entry in the margin accordingly so that the Registrar General in London may transmit a certified copy of such entry to the Registrar General in Edinburgh or the Registrar General in Belfast as the case may be.

Issue of Certified Copies

11.—(1) A registration officer shall issue, on request and on payment of the prescribed fee, a copy duly certified and sealed, of an entry in a register:

Provided that where a birth has been re-registered under Regulation 7, a certified copy of the re-registered entry only shall be issued.

(2) Such copy, which shall be a complete copy of all the particulars recorded in an entry, including any correction, addition, or substitution made under Regulations 8 or 13, shall be on the form F or H, as the case may be, set out in the Schedule hereto:

Provided that where, under Regulation 13, a specified marginal addition has been made to an entry and later struck out, the addition and its cancellation shall be omitted from the certified copy.

12. A registration officer shall issue, on request and on payment of the prescribed fee, a short certificate, duly certified and sealed, in respect of an entry in a register of births on the form G set out in the Schedule hereto.

Adoptions

13.—(1) A registration officer shall, upon receipt of information from the Registrar General in London as to the making, quashing or revoking of an adoption order in respect of a person whose birth has been recorded in a register of births, make such marginal additions as may be specified by the Registrar General to the entry relating to that person.

(2) Such additions shall be recorded in the manner and form directed in instructions issued under Regulation 14.

(3) Having complied with the provisions of the foregoing paragraphs, a registration officer shall forthwith transmit to the Registrar General, a copy, duly certified and sealed, of the entry showing the additions.

14. The Secretary of State may from time to time give such instructions as to the functions or duties of registration officers under these regulations as he considers necessary.

15. Where the Secretary of State is satisfied that the conditions and requirements of these regulations cannot be complied with and that any registration of birth or death or any addition or correction of an entry in a register is one that should be made, he may authorise such registration, addition or correction, subject to such alternative condition as he may see fit to impose.

16. The following fees shall be levied by registration officers:—

	s.	d.
(1) For registering a birth or death	5	0
(2) For making an addition to or correction of an entry in a register	5	0
(3) For making a search for an entry in a register	5	0
(4) For furnishing a certified copy of an entry in a register ...	5	0
(5) For furnishing a short certificate of birth	1	6

Arthur Bottomley,
One of Her Majesty's Principal Secretaries of State.

3rd December 1964.

We consent,

G. H. R. Rogers,
J. McCann,
Two of the Lords Commissioners of Her Majesty's Treasury

7th December 1964.

SCHEDULE

FORM A—FORM OF REGISTER OF BIRTHS

19 , BIRTHS within the district of the at

Columns	1	2	3	4	5	6	7	8	9	10
No.	When and where born	Name, if any	Sex	Name, and surname of father and claim to citizenship of the United Kingdom and Colonies or British Nationality	Name, surname and maiden surname of mother and claim to citizenship of the United Kingdom and Colonies or British Nationality	Rank, profession or occupation of father	Signature, description, and residence of informant	When registered	Signature of registration officer	Name(s) entered after registration

FORM B—FORM OF REGISTER OF DEATHS

19 , DEATHS within the district of the at

Columns	1	2	3	4	5	6	7	8	9
No.	When and where died	Name and surname	Sex	Age	Rank, profession or occupation and claim to citizenship of the United Kingdom and Colonies or British nationality	Residence at the time of death	Signature, description, and residence of informant	When registered	Signature of registration officer

FORM C—ANNUAL RETURNS OF BIRTHS TO REGISTRAR GENERAL

19 , BIRTHS within the district of the at

Columns	1	2	3	4	5	6	7	8	9	10
No.	When and where born	Name, if any	Sex	Name, and surname of father and claim to citizenship of the United Kingdom and Colonies or British Nationality	Name, surname and maiden surname of mother and claim to citizenship of the United Kingdom and Colonies or British Nationality	Rank, profession or occupation of father	Signature, description, and residence of informant	When registered	Signature of registration officer	Name(s) entered after registration

I, , Registration Officer at , do hereby certify that this is a true copy of the entries of birth registered in this Office of the High Commissioner for the United Kingdom from the entry of birth of , No. , to the entry of birth of , No.

Witness my hand and seal, this day of , 19 .

Registration Officer

FORM D—ANNUAL RETURNS OF DEATHS TO REGISTRAR GENERAL

19 , DEATHS within the district of the at

Columns	1	2	3	4	5	6	7	8	9
No.	When and where died	Name and surname	Sex	Age	Rank, profession or occupation and claim to citizenship of the United Kingdom and Colonies or British nationality	Residence at the time of death	Signature, description, and residence of informant	When registered	Signature of registration officer

I, , Registration Officer at , do hereby certify that this is a true copy of the entries of death registered in this Office of the High Commissioner for the United Kingdom from the entry of death of No. , to the entry of death of , No. .

Witness my hand and seal, this day of , 19 .

Registration Officer

FORM E—RETURN OF NO ENTRY HAVING BEEN MADE IN THE BIRTH OR DEATH REGISTERS DURING PRECEDING YEAR

THE DISTRICT OF THE.....AT.....

I, , Registration Officer at , do hereby certify that during the year ended the 31st December, 19 , no entry has been made in the register of Births* maintained Deaths by me and the last recorded entry remains at No. .

Witness my hand and seal, the day of 19

Registration Officer

* Strike out whichever does not apply. A separate return should be transmitted in respect of each register book in which no entry has been made.

FORM F—FORM OF CERTIFIED COPY OF AN ENTRY IN THE REGISTER OF BIRTHS

19 , BIRTHS within the district of the at

Columns	1	2	3	4	5	6	7	8	9	10
No.	When and where born	Name, if any	Sex	Name, and surname of father and claim to citizenship of the United Kingdom and Colonies or British Nationality	Name, surname and maiden surname of mother and claim to citizenship of the United Kingdom and Colonies or British Nationality	Rank, profession or occupation of father	Signature, description, and residence of informant	When registered	Signature of registration officer	Name(s) entered after registration

I, , Registration Officer at , do hereby certify that this is a true copy of the entry of birth of , No. , in the register of births maintained in this Office of the High Commissioner for the United Kingdom.

Witness my hand and seal, this day of , 19 .

Registration Officer

FORM G—SHORT CERTIFICATE OF BIRTH

Name and surname ...	
Sex	
Date of Birth	
Place of Birth	

I, , Registration Officer at , do hereby certify that the above particulars have been compiled from an entry in the register of births maintained in this Office of the High Commissioner for the United Kingdom.

Witness my hand and seal, this day of , 19 .

Registration Officer

FORM H—FORM OF CERTIFIED COPY OF AN ENTRY IN THE REGISTER OF DEATHS

19 , DEATHS within the district of the at

Columns	1	2	3	4	5	6	7	8	9
No.	When and where died	Name and surname	Sex	Age	Rank, profession or occupation and claim to citizenship of the United Kingdom and Colonies or British nationality	Residence at the time of death	Signature, description, and residence of informant	When registered	Signature of registration officer

I, , Registration Officer at , do hereby certify that this is a true copy of the entry of death of , No. , in the register of deaths maintained in this Office of the High Commissioner for the United Kingdom.

Witness my hand and seal, this day of , 19

Registration Officer

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations provide for the keeping of registers by a member of the staff (registration officer) of the United Kingdom High Commissioner in each Commonwealth country in which the Secretary of State has so authorised for recording the births and deaths within that country of United Kingdom citizens and certain other specified classes of United Kingdom nationals. Provision is also made for a registration officer to issue certified copies of entries in such registers. In each case, certain fees are chargeable for the services provided.

The Regulations also provide for certain incidental matters such as the transmission of certified copies of recorded entries to the General Register Office in London, for the re-registration of the birth of a legitimated person and for additions and corrections to be made in certain cases to previously recorded entries.