

1973. No. 373

[C]

REGISTRATION OF BIRTHS, DEATHS, ETC.

REGULATIONS, DATED 28TH SEPTEMBER 1973, MADE BY THE MINISTRY OF FINANCE UNDER THE BIRTHS AND DEATHS REGISTRATION ACT (NORTHERN IRELAND) 1967 AS AMENDED BY THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION (NORTHERN IRELAND) ORDER 1973 AND UNDER THE FRIENDLY SOCIETIES ACT (NORTHERN IRELAND) 1970.

The Ministry of Finance, on behalf of the Secretary of State and in exercise of the powers conferred on it by the Births and Deaths Registration Act (Northern Ireland) 1967(a) as amended by the Births, Deaths and Marriages Registration (Northern Ireland) Order 1973(b) and by paragraph 5 of Schedule 5 to the Friendly Societies Act (Northern Ireland) 1970(c) and of every other power enabling it in that behalf, hereby makes the following regulations:—

PART I**PRELIMINARY***Citation and commencement*

1. These regulations may be cited as the Registration (Births, Still-Births and Deaths) Regulations (Northern Ireland) 1973 and shall come into operation on 1st October 1973.

Interpretation

2.—(1) In these regulations—

“the Act” means the Births and Deaths Registration Act (Northern Ireland) 1967, as amended by the Births, Deaths and Marriages Registration Order (Northern Ireland) 1973;

“birth” does not include a still-birth;

“description”, in relation to a coroner, means his official designation and the area of his jurisdiction;

“maiden surname” means the surname under which a woman contracted her marriage (or, where she has married more than once, her first marriage);

“name”, in relation to a person, excludes a surname except in regulations 22, 31 and 34;

“occupation” includes rank or profession;

“short birth certificate” means a certificate of birth issued under section 52 of the Act.

(2) Any reference to a numbered form shall be construed as a reference to the form bearing that number in Schedule 1; and any reference to a numbered space on a form shall be construed as a reference to the space bearing that number on that form.

(a) 1967. c. 25 (N.I.).

(c) 1970. c. 31 (N.I.).

(b) S.I. 1973, No. 600 (N.I. 8.).

Revocation

3. The Registration (Births, Still-Births and Deaths) Consolidated Regulations (Northern Ireland) 1969(d) are hereby revoked.

Provided that notwithstanding anything in these regulations the Registrar General may permit any form lawfully used immediately before the commencement of these regulations for any of the purposes for which these regulations provide, to continue to be used for the purposes of these regulations.

PART II**GENERAL PROVISIONS AS TO ENTRIES IN REGISTERS***Manner of registration*

4. The prescribed particulars of each birth, still-birth or death shall be recorded by means of a separate entry made in typescript or in any other manner as may be specified by the Registrar General.

Additional particulars concerning births and still-births

5. The additional particulars required by section 16(4)(b)(ii) of the Act to be supplied to the registrar concerning a birth or a still-birth shall be the particulars specified in Schedule 2.

Making of entries on the authority of the Registrar General

6. Where the Registrar General issues his written authority for the registration or re-registration of any event, the particulars which are recorded in the authority shall be entered in the register on the attendance of such informant, if any, as the Registrar General may specify.

Form of registers

7. A register of births, still-births or deaths, whether in the custody of a registrar or the Registrar General, shall be comprised of the original respective entries or copies thereof made by means of photography, xerography, microfilming or any similar method of reproducing documents, as the Registrar General may specify.

Cancellation of entry space

8. Where on the registration of a birth, still-birth or death it appears that particulars are not required to be entered in any space on the appropriate form, a horizontal line shall be entered in that space.

Notation of original entries following re-registration

9. Where a birth, still-birth or death is re-registered on the authority of the Registrar General such notation as the Registrar General may direct shall be made in the margin of the original entry and a notation so made shall for all purposes be deemed to be part of the entry.

PART III

REGISTRATION OF BIRTHS

Particulars as at date of birth

10. Without prejudice to section 31 of the Act and subject to the provisions of regulation 11(6) and (7), the particulars to be recorded under this part in respect of the parents of a child shall be the particulars appropriate as at the date of the birth of the child.

Particulars to be registered

11.—(1) Subject to Regulation 6 and to this regulation the particulars to be registered concerning a birth shall be the particulars required to be entered in spaces 1 to 14 in form 1.

(2) With respect to space 1 (Surname) the surname to be entered shall be that by which at the date of the registration of the birth it is intended that the child shall be known.

(3) With respect to space 2 (Name) if a name is not given a horizontal line shall be entered.

(4) With respect to space 4 (Date of Birth)—

(a) if more than one living child is born at a confinement the time of birth shall be entered after the date of birth in each entry respectively;

(b) if the birth is that of a living infant child found exposed and the date of birth is unknown then, subject to section 17(3) of the Act, there shall be entered the words "On or about", followed by the approximate date of birth.

(5) With respect to space 6 (Place of birth) if the birth is that of a living infant child found exposed and the place of birth is unknown, there shall be entered the words "Found atOn.....", with the relevant place and date.

(6) With respect to spaces 7 and 8 (Father's name and surname and occupation)—

(a) if the father has acquired a surname different from that borne by him at the date of the birth, the name and surname as at the date of the birth shall be entered in space 7, followed by the surname acquired preceded by the word "now" or, if the father is deceased, by the word "afterwards";

(b) if the father is deceased, the word "(deceased)" shall be entered following the surname in space 7;

(c) if the child was illegitimate, space 8 shall not be completed unless the name and surname of the person acknowledging himself to be the father of the child have been entered in space 7 pursuant to section 23(2) of the Act.

(7) With respect to space 9 (Mother's name and surname)—

(a) if the mother has acquired by marriage or otherwise a surname different from that borne by her at the date of the birth, there shall be entered the name and surname as at the date of the birth followed by the acquired surname preceded by the word "now" or, if the mother is deceased, by the word "afterwards";

- (b) if the child was illegitimate there shall be entered particulars of the mother's usual occupation, if any, unless pursuant to paragraph (6) an entry has been made of the father's occupation.

(8) With respect to spaces 13 and 14 (Informant's qualification and address)—

- (a) the address required shall be the address as at the date of registration of the birth;
- (b) if in pursuance of section 23(2)(a) of the Act an entry has been made of the name and surname of the person acknowledging himself to be the father of the child, particulars relating to both informants shall be entered in spaces 13 and 14.

Verification of particulars

12. When the required particulars have been entered in spaces 1 to 14, the registrar shall call upon the informant to verify the particulars entered; by confirming the correctness thereof and if it appears that any error has been made a fresh entry of the birth shall be made containing the correct particulars.

Signatures

13.—(1) The registrar shall call upon the informant to sign the entry in space 15.

(2) Wherein pursuance of section 23(2) of the Act an entry has been made of the name and surname of the person acknowledging himself to be the father—

- (a) if that person is present, the registrar shall call upon both that person and the mother to sign the entry; or
- (b) if that person is not present and there is produced to the registrar a statutory declaration and declaration in pursuance of section 23(2)(b) of the Act, the registrar shall call upon the mother to sign the entry; and below her signature the words "Statutory declaration made by on" shall be entered, inserting the full name and surname of the person acknowledging himself to be the father and the date on which the statutory declaration was made and signed by him.

(3) Where the Registrar General authorises the registration of a birth pursuant to section 16(5)(a) of the Act the words "On the authority of the Registrar General" shall be entered in space 15 without any further entry in that space.

Date of registration

14. Where the Registrar General issues his written authority pursuant to section 21 of the Act for the registration of a birth which occurred more than one year previously, the words "On the authority of the Registrar General" shall be entered following the date of registration in space 16.

Signature, etc., of registrar

15. The registrar shall sign the entry in space 17 and shall add his official description.

Registration of illegitimate birth requiring declaration and statutory declaration under section 23(2)(b) of the Act.

16.—(1) The form of a declaration made for the purposes of section 23(2)(b)(i) of the Act by the mother of the child shall be form 4.

(2) A statutory declaration for the purposes of section 23(2)(b)(ii) of the Act shall be made before—

(a) where the declarant is in Northern Ireland, a Justice of the Peace or some other person lawfully authorised to administer oaths;

(b) where the declarant is not in Northern Ireland—

(i) a notary public or some other person lawfully authorised to administer oaths in that country or place if the declaration is made in England or Wales, Scotland, the Isle of Man, the Channel Islands or in any other country of the British Commonwealth of Nations or in the Irish Republic;

(ii) one of Her Majesty's consular officers, a notary public or some other person lawfully authorised to administer oaths in that country or place if the declaration is made in any place not mentioned in sub-paragraph (b)(i):

Provided that a declaration made before a person other than one of Her Majesty's consular officers shall be authenticated by one of the said officers if the Registrar General so requires.

PART IV

REGISTRATION OF STILL-BIRTHS

Registration of still-births without reference to coroner

Certificate of evidence of still-birth

17. The form of a certificate to be given in pursuance of section 24(2) of the Act by a registered medical practitioner or a midwife present at a still-birth or who has examined the body of a still-born child shall be form 5.

Particulars to be registered

18.—(1) Subject to the provisions of this regulation the particulars to be registered concerning a still-birth shall be the particulars required to be entered in spaces 1 to 12 in form 2.

(2) Subject to paragraph (3), the provisions of regulations 10 to 13 and 15 shall, with any necessary modifications, apply to completing form 2 as they apply to completing form 1; but an informant shall not be required to verify the entry in space 4 on form 2.

(3) With respect to space 4 (Cause of still-birth) the cause of still-birth shall be entered as stated in the certificate given by the registered medical practitioner or midwife, followed by the word "Certified".

Reference of still-birth to coroner and registration upon such reference

Reference to coroner

19. Where a registrar is informed of an alleged still-birth and does not receive a certificate issued in pursuance of section 24(2) of the Act, he shall report the alleged still-birth to the coroner on a form provided for the purpose by the Registrar General.