STATUTORY INSTRUMENTS

2016 No. 980

REGISTRATION OF BIRTHS, DEATHS & MARRIAGES, ETC., ENGLAND AND WALES CIVIL PARTNERSHIP, ENGLAND AND WALES

The Births, Deaths, Marriages and Civil Partnerships Records Regulations 2016

Made - - - -	*13th October 2016*
Laid before Parliament	*14th October 2016*
Coming into force - -	*7th November 2016*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 34A and section 38A(1)(c), (2) and (5) and 39A(1)(a) of the Births and Deaths Registration Act 1953(**1**), section 65A, 71A(1)(h) and (5) and 74(3) of the Marriage Act 1949(**2**), sections 34(1)(e) and (2) and 258(2) of the Civil Partnership Act 2004(**3**) and section 9(4)(e), (f), (5)(ba) and (5C), and section 18(4)(a) of the Marriage (Same Sex Couples) Act 2013(**4**).

In accordance with section 65A(5) of the Marriage Act 1949, before making these Regulations the Secretary of State has consulted the Registrar General.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Births, Deaths, Marriages and Civil Partnerships Records Regulations 2016 and come into force on 7th November 2016.

(**1**) 1953 (c. 20). Section 34A was inserted by section 98 of the Deregulation Act 2015 (c. 20) and amended by section 89(1) and (2)(b) of, and paragraphs 21 and 28 of Part 2 of Schedule 15 to, the Immigration Act 2016 (c. 19); section 38A was inserted by section 89(1) and (2)(a) of and paragraph 2 of Part 1 of Schedule 15 to, the Immigration Act 2016; section 39A was inserted by section 56 of, and paragraphs 1 and 17 of Part 1 of Schedule 6 to, the Welfare Reform Act 2009 (c. 24), and sub-sections (1), (2) and (5) have been amended by section 89(1) and (2)(b) of, and paragraphs 21 and 30 of Part 2 of Schedule 15 to, the Immigration Act 2016 and sub-section (5) has also been amended by section 98(1) and (4) of the Deregulation Act 2015.

(**2**) 1949 (c. 76). Section 65A was inserted by section 99(1) of the Deregulation Act 2015 and has been amended by section 89(1) and (2)(b) of, and paragraphs 8 and 18 of Part 2 of Schedule 15 to, the Immigration Act 2016; section 71A was inserted by section 89(1) and (2)(a) of, and paragraph 1 of Part 1 of Schedule 15 to, the Immigration Act 2016. Section 74(3) was inserted by section 52 of, and paragraphs 1 and 15 of Part 1 of Schedule 4 to, the Immigration Act 2014 (c. 22).

(**3**) 2004 (c. 33). Section 34(1) was amended by articles 3(1) and 5 of, and paragraph 14(b) of Schedule 1 and paragraph 14(b) of Schedule 2 to, the Transfer of Functions (Registrations) Order 2008 (SI 2008/678), and section 89(1) of, and (2)(a) of and paragraphs 4(1) – (4) of Part 1 of Schedule 15 to, the Immigration Act 2016.

(**4**) 2013 (c. 30). Sub-section (5)(ba) of section 9 was inserted by section 99(1) and (3) of the Deregulation Act 2015 and sub-section (5C) was inserted by section 89(1) and (2)(a) of, and paragraph 5 of Part 1 of Schedule 15 to, the Immigration Act 2016.

(2) In these Regulations—

"expedited service" means a service provided to a person who makes an application to the Registrar General before 13:00 on a working day and which is normally provided within 3 relevant hours of the request for a record being received;

"portable document format" means a document which meets the specifications set out in the International Standards Organisation document ISO 32000-1:2008(**5**);

"relevant hours" means the hours between 08:00 and 16:00 on a working day;

"standard service" means a service provided to a person who makes an application to the Registrar General and which is normally provided within 5 working days of the request for a record being received;

"working day" means a day which is not a Saturday or Sunday, Christmas Day, Good Friday or a bank holiday under the Banking and Financial Dealings Act 1971(**6**) in England and Wales.

Provision of the information contained in a birth record in portable document format

2.—(1) The Registrar General may, on request, search the Registrar General's certified copies of entries in the birth register and provide a record of the information contained in a birth entry in those copies, in portable document format.

(2) A request for the Registrar General to undertake a search and provide information under paragraph (1) must—

(a) be made via the public website known as www.gov.uk, and

(b) indicate whether the record is required by way of standard service or expedited service.

(3) The Registrar General may charge a fee for each record provided under paragraph (1) in accordance with regulation 6 and the fee charged is payable to the Registrar General.

Provision of the information contained in a death record in portable document format

3.—(1) The Registrar General may, on request, search the Registrar General's certified copies of entries in the death register and provide a record of the information contained in a death entry in those copies, in portable document format.

(2) A request for the Registrar General to undertake a search and provide information under paragraph (1) must—

(a) be made via the public website known as www.gov.uk, and

(b) indicate whether the record is required by way of standard service or expedited service.

(3) The Registrar General may charge a fee for each record provided under paragraph (1) in accordance with regulation 6 and the fee charged is payable to the Registrar General.

Provision of the information contained in a marriage record in portable document format

4.—(1) The Registrar General may, on request, search the Registrar General's certified copies of entries in the marriage register and copies of entries in the conversion register(**7**) and provide a record of the information contained in a marriage entry in those copies, in portable document format.

(**5**) https://standards.data.gov.uk/standard/pdf-17-isoiec-32000-12008-document-management-portable-document-format-part-1-pdf-17.
(**6**) 1971 c. 80.
(**7**) Regulation 22 of the Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014 (S.I. 2014/3181) requires the Registrar General to provide a system on which to keep the records of civil partnerships which have been converted into marriages and permits those records to be kept together with other records of the Registrar General. The indexes to records in the conversion register and the marriage register are kept together.