STATUTORY INSTRUMENTS

2016 No. 911

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

The Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016

Made - - - -	*12th September 2016*
Laid before Parliament	*14th September 2016*
Coming into force - -	*5th October 2016*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 5 of the Places of Worship Registration Act 1855(**1**), sections 43D(**2**), 71A(**3**) and 74(3)(**4**) of the Marriage Act 1949(**5**), sections 38A(**6**) and 39A(**7**) of the Births and Deaths Registration Act 1953(**8**), sections 34 and 36(4) of the Civil Partnership Act 2004(**9**), sections 15(4) and 19 of, and paragraph 6(1) and (3) of Schedule 1 to, the Presumption of Death Act 2013(**10**) and section 9(1) and (4) of the Marriage (Same Sex Couples) Act 2013(**11**).

(**1**) 1855 c. 81. Section 5 was substituted by section 89(1) and (2)(b) of, and paragraph 6 of Part 2 of Schedule 15 to, the Immigration Act 2016 (c. 19).
(**2**) Section 43D was inserted by section 4(2) of, and paragraph 2 of Schedule 1 to, the Marriage (Same Sex Couples) Act 2013 (c. 30) and has been amended by section 89(1) and (2)(b) of, and paragraphs 8 and 12 of Part 2 of Schedule 15 to, the Immigration Act 2016.
(**3**) 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.
(**4**) 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).
(**5**) 1949 c. 76.
(**6**) 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 41(1) of the Births and Deaths Registration Act 1953 (c. 20) provides that in that Act, "the Minister" means the Secretary of State.
(**7**) 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). 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. Sub-section (5) has also been amended by section 98(1) and (4) of the Deregulation Act 2015 (c. 20). Section 39A will be brought fully into force before these Regulations come into force.
(**8**) 1953 c. 20.
(**9**) 2004 c. 33. Section 34 was amended by the Civil Partnership (Amendments to Registration Provisions) Order 2005 (S.I. 2005/2000) and the Transfer of Functions (Registration) Order 2008 (S.I. 2008/678), and by section 89(1) and (2)(a) of, and paragraph 4 of Part 1 of Schedule 15 to, the Immigration Act 2016.
(**10**) 2013 c. 13.
(**11**) 2013 c. 30. Section 9 was amended by section 99(1) and (3) of the Deregulation Act 2015 and by section 89(1) and (2)(a) of, and paragraph 5 of Part 1 of Schedule 15 to, the Immigration Act 2016.

Citation and commencement

1. These Regulations may be cited as the Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016 and come into force on 5th October 2016.

Interpretation

2. In these Regulations—

"the 1949 Act" means the Marriage Act 1949;

"the 1953 Act" means the Births and Deaths Registration Act 1953;

a "priority service" is a service provided to a person who makes an application to the Registrar General—

(a) by giving the relevant information and paying the correct fee by—

(i) attending in person at the General Register Office between 10:00 and 16:00 hours on a working day; or

(ii) post, telephone, or electronic means which is received by the Registrar General before 16:00 hours on a working day; and

(b) where the document applied for is normally provided on or before the next working day by sending by first class post or to a person attending in person at the General Register Office between 10:00 hours and 16:00 hours;

"relevant information" means—

(a) in the case of a short certificate of birth provided under section 33(1) of the 1953 Act, the particulars prescribed by regulation 63 of the Registration of Births and Deaths Regulations 1987(**12**);

(b) in the case of a certified copy of an entry provided under section 65(2)(**13**) of the 1949 Act or section 30(2)(**14**) of the 1953 Act, either a reference number relating to an index kept by the Registrar General under section 65(1) of the 1949 Act or section 30(1) or (1A) of the 1953 Act corresponding to the certified copy for which the application is made, or sufficient information which allows the Registrar General to establish such reference number;

a "standard service" is a service—

(a) provided to a person who makes an application to the Registrar General by giving the relevant information and paying the correct fee by—

(i) attending in person at the General Register Office between 10:00 and 16:00 hours on a working day; or

(ii) post, telephone, or electronic means which is received by the Registrar General before 16:00 hours on a working day; and

(b) where the document applied for is normally provided—

(i) in a case where the application includes a reference to the number relating to the index kept by the Registrar General under section 65(1) of the 1949 Act or section 30(1) or (1A)(**15**) of the 1953 Act, on or before the 4th working day after the working day on which such application is made; or

(**12**) S.I. 1987/2088. Regulation 63 was amended by the Registration of Births and Deaths (Amendment) (England and Wales) Regulations 2009 (S.I. 2009/2165).

(**13**) Section 65(2) was amended by section 23(1) of, and Schedule 1 to, the Registration Service Act 1953 (c. 37) and by section 89(1) and (2)(b) of, and paragraphs 8 and 17 of Part 2 of Schedule 15 to, the Immigration Act 2016.

(**14**) Section 30(2) was amended by section 89(1) and (2)(b) of, paragraphs 21 and 23(a) of Part 2 of Schedule 15 to, the Immigration Act 2016.

(**15**) Subsection (1A) was inserted by section 108 of, and paragraph 13 of Schedule 3 to, the Children Act 1975 (c. 72).

(ii) in a case where that application does not include such a reference number, on or before the 15th working day after the working day on which such application is made,

by sending by second class post or to a person attending in person at the General Register Office between 10:00 hours and 16:00 hours; and

"working day" means a day which is not a Saturday or a Sunday, Christmas Day, Good Friday or a bank holiday under the Banking and Financial Dealings Act 1971(**16**) in England and Wales.

Fees

3.—(1) In respect of the services or matters set out in column 2 of the table in Schedule 1 (for which provision is made under the enactment specified in column 1) the fee specified in column 3 is payable to the person specified in column 4.

(2) In any case where it appears to the Registrar General that payment of the fee in row 24 would cause hardship to the parties to the intended marriage, the Registrar General may waive the fee in whole or in part.

Revocations and amendments

4. Schedule 2 (revocations and amendments) has effect.

Robert Goodwill
Minister of State
Home Office

12th September 2016

(**16**) 1971 c. 80.

SCHEDULE 1 Regulation 3

Fees Payable

Table

	Column 1	*Column 2*	*Column 3*	*Column 4*
	Enactment	*Fee payable for –*	*Amount of fee –*	*Fee payable to –*
1	Places of Worship Registration Act 1855 section 5	Certification of place of meeting for religious worship	£29.00	The superintendent registrar
2	Marriage Act 1949 section 27(4)(**17**)	Entry in marriage notice book—		
		(a) where both parties to the proposed marriage are exempt persons within the meaning of section 49 of the Immigration Act 2014(**18**)	£35.00	The superintendent registrar
		(b) in any other case	£47.00	The superintendent registrar
3	Marriage Act 1949 section 26(1)(dd)(**19**)	Attendance of superintendent registrar other than at that superintendent registrar's office for purpose of being given notice of marriage—		
		(a) of a house-bound person	£47.00	The superintendent registrar
		(b) of a detained person	£68.00	The superintendent registrar

(**17**) 1949 c. 76. Section 27(4) was amended by section 1(7) of, and paragraph 5 of Schedule 1 to, the Marriage Act 1983 (c. 32) and by section 52 of, and paragraphs 1, 2(1) and (3) of Part 1 of Schedule 4 to, the Immigration Act 2014.
(**18**) 2014 c. 22.
(**19**) Section 26 was substituted by section 3 of the Marriage (Same Sex Couples) Act 2013.

	Column 1	*Column 2*	*Column 3*	*Column 4*
4	Marriage Act 1949 section 31(5A)(**20**)	Application to reduce the 28 day waiting period	£28.00	The Registrar General
5	Marriage Act 1949 section 41(1)	Application for registration of a building for the solemnization of marriages between a man and a woman—		
		(a) where the building is already registered under section 43A of the Marriage Act 1949(**21**)	£64.00	The superintendent registrar
		(b) where the building is not already registered under section 43A of the Marriage Act 1949	£123.00	The superintendent registrar
6	Marriage Act 1949 section 43A(2)(**22**)	Application for registration of a building for the solemnization of marriages of same sex couples where—		
		(a) the building is already registered under section 41 of the Marriage Act 1949(**23**)	£64.00	The superintendent registrar
		(b) the building is not already registered under section 41 of the Marriage Act 1949	£123.00	The superintendent registrar
7	Marriage Act 1949 sections 41(1) and 43A(2)	Joint application for the registration of a building for the solemnization of marriages between a man	£123.00	The superintendent registrar

(**20**) Section 31(5A) was inserted by section 160(6) of the Immigration and Asylum Act 1999 (c. 33) and amended by section 52 of, and paragraphs 1, 10(1) and (2)(c) of Part 1 of Schedule 4 to, the Immigration Act 2014.
(**21**) Section 43A was inserted by section 4(2) of, and paragraphs 1 and 2 of Schedule 1 to, the Marriage (Same Sex Couples) Act 2013.
(**22**) The procedure for applications is set out in regulation 4 of the Marriage of Same Sex Couples (Registration of Buildings and Appointment of Authorised Persons) Regulations 2014 (S.I. 2014/106).
(**23**) Section 41 of the 1949 Act provides for the registration of buildings for the solemnization of the marriage of a man and a woman.