Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Civil Registration Regulations (Northern Ireland) 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

STATUTORY RULES OF NORTHERN IRELAND

2012 No. 408

CIVIL REGISTRATION

The Civil Registration Regulations (Northern Ireland) 2012

Made - - - -	*19th November 2012*
Coming into operation-	*17th December 2012*

The Department of Finance and Personnel makes the following Regulations in exercise of the powers conferred on it by Articles 10(1), 10(4), 11(1), 12(1), 14(3), 14ZA(3), 15(3), 15(6), 15(7), 15(9), 16(1), 16(2), 18(2), 19(2), 19A(2), 21(1), 21(5), 23(1), 25(2), 29(1), 29(2), 30(1), 31(2), 32, 34A(1), 35(2), 35(3), 36(3), 37(3), 37(4), 37(4B), 39, 40, 40A and 40B(2) of the Births and Deaths Registration (Northern Ireland) Order 1976 [F1], Article 50(4) of the Adoption (Northern Ireland) Order 1987 [F2], Article 35(5) and 35A(2) of the Marriage (Northern Ireland) Order 2003 [F3], section 155A(2) and 159 of the Civil Partnership Act 2004 [F4], paragraph 3A(1) of Schedule 1 to the Presumption of Death Act (Northern Ireland) 2009 [F5] and section 31(2) of the Civil Registration Act (Northern Ireland) 2011 [F6].

F1 S.I. 1976/1041 (N.I. 14) Relevant amendments were effected by sections 1 to 4, 8 to 10 and 17 of the Civil Registration Act (Northern Ireland) 2011 c. 20. Article 14ZA was inserted by section 56 of, and paragraph 61 of Schedule 6 to, the Human Fertilisation and Embryology Act 2008 c.22. Article 19A was inserted by Article 185(1) of, and paragraph 87 of Schedule 9 to, the Children (Northern Ireland) Order 1995 S.I. 1995/755 (N.I. 2). Articles 34A, 37(4B), 40A and 40B were inserted by sections 14, 16, 11 and 19 of the Civil Registration Act (Northern Ireland) 2011 respectively.

F2 S.I. 1987/2203 (N.I. 22) Article 50 was amended by section 25(3) of the Civil Registration Act (Northern Ireland) 2011.

F3 S.I. 2003/413 (N.I. 3) Article 35(5) was amended by section 23(1), and Article 35A was inserted by section 24(1), of the Civil Registration Act (Northern Ireland) 2011.

F4 2004 (c. 33) Section 155 was amended by section 23(2), and section 155A was inserted by section 24(2), of the Civil Registration Act (Northern Ireland) 2011.

F5 2009 (c. 6) Paragraph 3A of Schedule 1 was inserted by section 28(2) of the Civil Registration Act (Northern Ireland) 2011.

F6 2011 c. 20

Modifications etc. (not altering text)

C1 Regulations modified (temp.) (26.3.2020) by Coronavirus Act 2020 (c. 7), s. 87(2), **Sch. 13 para. 21(4)** (with ss. 88-90, Sch. 13 para. 30); S.I. 2020/361, reg. 2(a)

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Civil Registration Regulations (Northern Ireland) 2012 and shall come into operation on 17 December 2012.

Interpretation

2.—(1) In these Regulations —

"the 1976 Order" means the Births and Deaths Registration (Northern Ireland) Order 1976;

"the Act" means the Civil Registration Act (Northern Ireland) 2011;

"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 entered into a civil partnership (or, where she has married or entered into a civil partnership more than once, her first marriage or civil partnership);

"name", in relation to a person, excludes a surname except in regulations 12, 13, 27 and 30;

"occupation" includes rank or profession;

"prescribed fee" means a fee prescribed under Article 47 of the 1976 Order, Articles 35(3) and 37 of the Marriage (Northern Ireland) Order 2003, section 157 of the Civil Partnership Act 2004 or paragraph 7 of Schedule 1 to the Presumption of Death Act (Northern Ireland) 2009;

"the Record of Northern Ireland Connections" means the register maintained in accordance with section 31(1) of the Act;

"a relevant event" means an event mentioned in Schedule 1 to the Act;

"relevant period" means: in relation to information relating to a birth or the adoption of a child, the period of 100 years from the date of the child's birth; in relation to information relating to a death, the period of 50 years from the date of the death; in relation to information relating to a marriage or a civil partnership, the period of 75 years from the date the marriage was solemnised or the civil partnership was registered; in relation to information relating to presumed deaths, the period of 50 years from the presumed date of death;

"relevant register" means: a register of births or deaths, for which the 1976 Order provides, but not a register of still-births; the Adopted Children Register for which Article 50(1)(a) of the Adoption (Northern Ireland) Order 1987 provides; any marriage registration record, for which the Marriage (Northern Ireland) Order 2003 provides; any civil partnership registration record, for which the Civil Partnership Act 2004 provides; or the Register of Presumed Deaths, for which section 15(1) of the Presumption of Death Act (Northern Ireland) 2009 provides;

"remote search" means a search in a relevant register which is conducted by any person at a place other than the General Register Office or a Register Office using electronic communications;

"second female parent" means a woman who is a parent of a child by virtue of section 42 or 43 or, where appropriate, section 46(1) or (2) of the Human Fertilisation and Embryology Act 2008

"short birth certificate" means a certificate of birth issued under Article 40 of the 1976 Order;

"short death certificate" means a certificate of death issued under Article 40A of the 1976 Order;

"signature" or "sign" shall include the entering of a person's name in such manner as the Registrar General may direct;

"status" means marital or civil partnership status.

(2) In these Regulations, 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 the form.

Revocation

3. The Registration (Births, Still-Births and Deaths) Regulations (Northern Ireland) 1973 [F7] are hereby revoked.

F7 S.R. 1973 No. 373

PART II

GENERAL PROVISIONS AS TO ENTRIES IN REGISTERS

Manner of registration

4. The particulars to be registered concerning a birth, still-birth or death shall be recorded by means of a separate entry made —

(a) in typescript; or

(b) in any other manner as may be specified by the Registrar General.

Additional particulars concerning a birth or a still-birth

5. The additional particulars required by Article 10(4)(b)(ii) of the 1976 Order to be supplied to the registrar concerning a birth or a still-birth shall be those 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 qualified informant, if any, as the Registrar General may specify.

Form of registers

7. A register of births, still-births or deaths shall be comprised of —

(a) the original respective entries; or

(b) copies thereof made or compiled by electronic means or 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 Article 20 of the 1976 Order, 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 birth of the child.

Particulars to be registered

11.—(1) The particulars to be registered concerning a birth shall be the particulars required to be entered in Form 1.

(2) If more than one living child is born at a confinement, the time of birth shall be entered after the date of birth.

(3) The surname to be entered shall be that by which at the date of registration of the birth it is intended the child shall be known.

(4) If —

(a) the mother;

(b) the father; or

(c) the second female parent

has acquired a surname different from that borne by that person at the date of the birth, the name and surname at that date shall be entered, followed by the surname subsequently acquired.

(5) If, at the time of the birth of the child, the parents are not married to each other or in a civil partnership with each other, details of the father's occupation or, as the case may be, the second female parent's occupation shall not be entered unless that person's name has been entered as the father or the second female parent in accordance with Article 14(3), 14ZA or 14A of the 1976 Order.

(6) If the father or second female parent is deceased, the word ‘deceased’ shall be entered following the surname.

(7) If the birth is that of a living infant child found exposed and the date of birth is unknown then, subject to Article 11(3) of the 1976 Order, the approximate date of birth shall be entered.

(8) If the birth is that of a living infant child found exposed, and the place of birth is unknown, then details of the place where, and the date on which, the child was found shall be entered.

Manner in which required particulars are to be given

12.—(1) For the purposes of Article 10(4) of the 1976 Order, a person shall give information of —

(a) the particulars prescribed in pursuance of Article 10(1), and

(b) the additional particulars prescribed in pursuance of Article 10(4)(b)(ii),

concerning a birth by attending personally at any Register Office and giving that information to the registrar.

(2) Where —

(a) the mother and father of a child are not married to each other at the time of the birth, and

(b) both parents intend to make a joint request under Article 14(3)(a) for the name of the person stating himself to be the father of the child to be entered as the father,

they may attend any Register Office, and make such a request together, or separately, and where both parents intend to make such a request separately, the provisions of regulation 13 shall apply.

(3) Where —

(a) the mother and second female parent of a child are not in a civil partnership with each other at the time of the birth, and

(b) both parents intend to make a joint request under Article 14ZA(3)(a) for the name of the person stating herself to be the second female parent of the child to be so entered,

they may attend any Register Office, and make such a request together.

(4) When the required particulars have been entered in Form 1, the registrar shall call upon the qualified informant to verify that the particulars have been entered correctly and if it appears that any error has been made, a fresh entry of the birth shall be made containing the correct particulars.

(5) When the qualified informant has verified that the particulars entered are correct —

(a) the qualified informant shall sign the register at the appropriate place, and

(b) the registrar shall enter the name and official description of the registrar at the appropriate place.

(6) Paragraph (1) shall apply for the purposes of Article 11(1) of the 1976 Order as it applies for the purposes of Article 10(4).

Further provision in relation to the manner in which required particulars are to be given by unmarried parents

13.—(1) Where both parents attend a Register Office separately they shall attend at the same Register Office, before the expiration of a period of 42 days from the date of birth.

(2) Where the father of a child attends a Register Office before the mother of that child, and gives the required particulars in relation to the birth of that child to the registrar, the registrar shall not cause an entry containing those particulars to be made in relation to the birth of that child unless the mother, before the expiration of the period of 42 days from the date of the birth —

(a) attends at the Register Office at which the father has given the required particulars,

(b) verifies that the particulars given by the father are correct, and

(c) in the case of any particulars given in relation to the name of the father of the child, confirms that she wishes the particulars so given to be entered in the register.

(3) Where the mother of a child attends a Register Office before the father of that child, and gives the required particulars in relation to the birth of that child to the registrar, including the name of the father of the child, the registrar shall not cause those particulars relating to the name of the