

These notes relate to the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14) which received Royal Assent on 1 August 2006

LOCAL ELECTORAL ADMINISTRATION AND REGISTRATION SERVICES (SCOTLAND) ACT 2006

EXPLANATORY NOTES

THE ACT

Part 2: Registration Services

Registration information

Section 45 Correction of errors in registers

104. Under section 42(2) of the 1965 Act a registrar was able to correct any **clerical** errors in entries in the birth and death registers, from the faulty transcription of particulars provided by an informant. The registrar was also able to correct other errors that are prescribed by the Registrar General. If the error was discovered after the entry in the registers has been signed, then the error could still be corrected – but only within 7 days and in the presence of the informant. A similar provision in section 42(3) related to the correction of errors in the marriage register due to faulty transcription of particulars from a Marriage Schedule. The correction could be made within one month of the date of registration, provided that no extract containing the information has been issued.
105. These rules placed unrealistic prohibitions on the registrars and made it inconvenient for the informant who had to go to the registration office simply to witness the correction of what could be a trivial error (e.g. “McKenzie” entered as “MacKenzie”). Subsection (2) allows registrars to correct errors of transcription or other prescribed errors without the informant being present or without the restriction, in relation to marriages, for there to have been no extract issued. In cases where a more significant error is discovered, the other provisions in section 42 of the 1965 Act continue to apply.
106. Subsection (3) provides for the correction of an error in the pre-1855 registers kept by individual parishes. It allows the Registrar General to take into account suitable electronic evidence that an error has been made, as well as written evidence.
107. [Section 45](#) came into force and was implemented by regulations 7 and 8 of [S.S.I. 2006/598](#) with effect from 1st January 2007.