

# **LOCAL ELECTORAL ADMINISTRATION AND REGISTRATION SERVICES (SCOTLAND) ACT 2006**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### **Part 2: Registration Services**

#### **Recording of events relating to persons outwith Scotland**

#### ***Section 54 Recording of certain events in Book of Scottish connections***

130. Subsection (1) obliges the Registrar General to keep a new register to be known as the “Book of Scottish Connections” (BSC). In some circumstance and in certain countries, people with a Scots connection can arrange for a birth, death or marriage abroad to be recorded in the register held by the Registrar General in Edinburgh, who is thereafter able to issue an official copy, in English, of the entry in the foreign register. The event has first to be registered with the civil registration authorities of the country in question. The BSC will offer, for an appropriate fee, the facility for Scots abroad to apply directly to the Registrar General to add to the records held in Edinburgh a copy of any suitably-authenticated entry in a statutory register of births, deaths, marriages or divorces outwith Scotland, where the subject of the entry has or had a connection with Scotland to be preserved a part of the family history record. Section 55 came into force on 1st October 2006 for the limited purpose of making regulations.
131. Subsection (2) defines the events which can be recorded on the BSC – a birth, death, marriage or divorce, formation or dissolution of a civil partnership and entering into or dissolution of an overseas relationship (as defined by the Civil Partnership Act 2004) – so long as the person involved qualifies under later subsections.
132. Subsection (3) defines an event occurring outside Scotland, as an event that occurs in the rest of the UK or elsewhere in the world, and an overseas relationship (defined by reference to section 212 of the Civil Partnership Act 2004).
133. Subsection (4) states that a person qualifies if a parent or grandparent was born in Scotland or if the BSC already records an event relating to a parent or grandparent.
134. Subsection (5) states that a person qualifies if born in Scotland or was normally resident in Scotland at the time of the event.
135. Subsection (6) requires the Registrar General to make an entry in the BSC on receipt of an application in the form containing the necessary information, together with a fee and any necessary supporting documents, all of which the Registrar General has the power to prescribe by regulations. The Registrar General is given discretion not to make an entry if he does not consider it appropriate to do so.