



# Births and Deaths Registration Act 1874

1874 CHAPTER 88 37 and 38 Vict

An Act to amend the Law relating to the Registration of Births and Deaths in England, and to consolidate the Law respecting the Registration of Births and Deaths at Sea. [7th August 1874]

## Extent Information

E1 For extent see [s. 15](#).

## Modifications etc. (not altering text)

C1 Preamble omitted under authority of [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#)

## Commencement Information

I1 Act wholly in force on 1.1.1875.

1—5. .... F1

## Textual Amendments

F1 [Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3](#) repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), [Sch. 2](#)

6 ..... F2

## Textual Amendments

F2 [S. 6](#) repealed by [Local Government Act 1929 \(c. 17\)](#), [Sch. 12 Pt. II](#)

7–16 ..... F3

*Changes to legislation: There are currently no known outstanding effects for the Births and Deaths Registration Act 1874. (See end of Document for details)*

**Textual Amendments**

**F3** Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by Births and Deaths Registration Act 1953 (c. 20), **Sch. 2**

*Burials*

**17** ..... <sup>F4</sup>

**Textual Amendments**

**F4** S. 17 repealed by Births and Deaths Registration Act 1926 (c. 48), **Sch. 2**

**18 Burial of deceased children as still-born.**

A person shall not wilfully bury or procure to be buried the body of any deceased child as if it were still-born.

A person who has control over or ordinarily buries bodies in any burial ground shall not permit to be buried in such burial ground the body of any deceased child as if it were still-born, . . . <sup>F5</sup>

Any person who acts in contravention of this section shall be liable [<sup>F6</sup>on summary conviction to a fine not exceeding level 1 on the standard scale].

**Textual Amendments**

**F5** Words repealed by Births and Deaths Registration Act 1926 (c. 48), **Sch. 2**

**F6** Words in s. 18 substituted (5.11.1993) by 1993 c. 50, s. 1(2), **Sch. 2 Pt. I para.7.**

**19 Notice where coffin contains more than one body.**

Where there is in the coffin in which any deceased person is brought for burial the body of any other deceased person, or the body of any still-born child, the undertaker or other person who has charge of the funeral shall deliver to the person who buries or performs any funeral or religious service for the burial of such body or bodies notice in writing signed by such undertaker or other person, and stating to the best of his knowledge and belief with respect to each such body the following particulars:—

- (a) If the body is the body of a deceased person, the name, sex, and place of abode of the said deceased person;
- (b) If the body has been found exposed, and the name and place of abode are unknown, the fact of the body having been so found and of the said particulars being unknown; and
- (c) If the body is that of a deceased child without a name, or a still-born child, the name and place of abode of the father, or, if it is illegitimate, of the mother of such child.

Every person who fails to comply with this section shall be liable [<sup>F7</sup>on summary conviction to a fine not exceeding level 1 on the standard scale].

*Changes to legislation: There are currently no known outstanding effects for the Births and Deaths Registration Act 1874. (See end of Document for details)*

**Textual Amendments**

**F7** Words in s. 19 substituted (5.11.1993) by 1993 c. 50, s. 1(2), **Sch. 2 Pt. I para.7.**

**20** ..... **F8**

**Textual Amendments**

**F8** Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by Births and Deaths Registration Act 1953 (c. 20), **Sch. 2**

**21** ..... **F9**

**Textual Amendments**

**F9** Ss. 21, 24–27, 31–33 repealed by Registration Service Act 1953 (c. 37), **Sch. 2**

**22** ..... **F10**

**Textual Amendments**

**F10** Ss. 22, 34 repealed by Local Government Act 1929 (c. 17), **Sch. 12 Pt. I**

**23** ..... **F11**

**Textual Amendments**

**F11** Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by Births and Deaths Registration Act 1953 (c. 20), **Sch. 2**

**24–27** ..... **F12**

**Textual Amendments**

**F12** Ss. 21, 24–27, 31–33 repealed by Registration Service Act 1953 (c. 37), **Sch. 2**

**28** ..... **F13**

*Changes to legislation: There are currently no known outstanding effects for the Births and Deaths Registration Act 1874. (See end of Document for details)*

**Textual Amendments**

**F13** S. 28 repealed by [National Health Service Reorganisation Act 1973 \(c. 32\)](#), **Sch. 5**

**29** ..... **F14**

**Textual Amendments**

**F14** S. 29 repealed by [Elementary Education Act 1876 \(c. 79\)](#), **Sch. 4**

**30** ..... **F15**

**Textual Amendments**

**F15** Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

**31–33** ..... **F16**

**Textual Amendments**

**F16** Ss. 21, 24–27, 31–33 repealed by [Registration Service Act 1953 \(c. 37\)](#), **Sch. 2**

**34** ..... **F17**

**Textual Amendments**

**F17** Ss. 22, 34 repealed by [Local Government Act 1929 \(c. 17\)](#), **Sch. 12 Pt. I**

**35, 36.** ..... **F18**

**Textual Amendments**

**F18** Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

**37** ..... **F19**

*Changes to legislation: There are currently no known outstanding effects for the Births and Deaths Registration Act 1874. (See end of Document for details)*

**Textual Amendments**

**F19** S. 37 repealed by [Registration of Births, Deaths and Marriages \(Special Provisions\) Act 1957 \(c. 58\)](#), ss. 2(3), 7(2)

*Miscellaneous*

**38—** ..... **F20**  
**44.**

**Textual Amendments**

**F20** Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

**F21** **45** .....

**Textual Amendments**

**F21** S. 45 repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt. 1** Group1.

**46** ..... **F22**

**Textual Amendments**

**F22** S. 46 repealed by [Forgery Act 1913 \(c. 27\)](#), **Sch.**

**47–49** ..... **F23**

**Textual Amendments**

**F23** Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

**50** ..... **F24**

**Textual Amendments**

**F24** S. 50 repealed by [Statute Law Revision \(No. 2\) Act 1893, \(c. 54\)](#)

*Changes to legislation: There are currently no known outstanding effects for the Births and Deaths Registration Act 1874. (See end of Document for details)*

**51 Extent of Act.**

This Act . . . <sup>F25</sup> shall extend only to England and Wales.

**Textual Amendments**

**F25** Words repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), **Sch. 1 Pt. XIX**

**52** . . . . . <sup>F26</sup>

**Textual Amendments**

**F26** Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

**53 Short title.**

This Act may be cited as “The Births and Deaths Registration Act 1874.”

**54** . . . . . <sup>F27</sup>

**Textual Amendments**

**F27** [S. 54, Sch. 5](#) repealed by [Statute Law Revision Act 1883 \(c. 39\)](#)

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**Changes to legislation:** There are currently no known outstanding effects for the Births and Deaths Registration Act 1874. (See end of Document for details)

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<sup>F28</sup>F28  
FIRST TO  
THIRD SCHEDULES

Textual Amendments

**F28** Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs. 1–3 repealed by Births and Deaths Registration Act 1953 (c. 20), **Sch. 2**

.....  
F28

<sup>F29</sup>F29  
FOURTH SCHEDULE

Textual Amendments

**F29** Sch. 4 repealed by Statute Law (Repeals) Act 1977 (c. 18), s.1(1), **Sch.1**, Pt. XIX

.....  
F29

<sup>F30</sup>F30  
FIFTH SCHEDULE

Textual Amendments

**F30** S. 54, Sch. 5 repealed by Statute Law Revision Act 1883 (c. 39)

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F30

**Changes to legislation:**

There are currently no known outstanding effects for the Births and Deaths Registration Act 1874.