



## 2011 CHAPTER 20

### *Miscellaneous*

#### **Access to information relating to marriages and civil partnerships**

**23.**—(1) In Article 35 of the Marriage (Northern Ireland) Order 2003 (NI 3) (searches), after paragraph (4) there shall be added the following paragraphs—

“(5) Regulations may make provision for any person to have access, on payment of the prescribed fee, to any information contained in any marriage registration records.

(6) Regulations under paragraph (5) may provide that the relevant period must have expired in relation to the information.

(7) In paragraph (6) “the relevant period” in relation to a marriage means the period of 75 years from the date on which the marriage was solemnised or such other period as may be prescribed.

(8) Regulations under paragraph (5) may provide for the Registrar General—

- (a) to make arrangements with any person for the purpose of providing access to information as mentioned in that paragraph; and
- (b) for that purpose to transfer information to that person subject to conditions (including conditions as to the making of payments by that person to the Registrar General).”.

(2) In section 155 of the Civil Partnership Act 2004 (c. 33) (searches), after subsection (5) there shall be added the following subsections—

“(6) Regulations under section 159 may make provision for any person to have access, on payment of the prescribed fee, to any information contained in any civil partnership registration records.

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*Changes to legislation: There are currently no known outstanding effects for the Civil Registration Act (Northern Ireland) 2011, Cross Heading: Miscellaneous. (See end of Document for details)*

(7) Regulations under section 159 may provide that the relevant period must have expired in relation to the information.

(8) In subsection (7) “the relevant period” in relation to a civil partnership means the period of 75 years from the date on which the civil partnership was registered or such other period as may be prescribed.

(9) Regulations under section 159 may provide for the Registrar General—

(a) to make arrangements with any person for the purpose of providing access to information as mentioned in subsection (6); and

(b) for that purpose to transfer information to that person subject to conditions (including conditions as to the making of payments by that person to the Registrar General).”.

#### Commencement Information

II S. 23 in operation at 16.11.2012 by S.R. 2012/406, art. 2, Sch.

### Notification of registration of marriages and civil partnerships

**24.**—(1) After Article 35 of the Marriage (Northern Ireland) Order 2003 (NI 3) there shall be inserted the following Article—

#### “Notification of registration

**35A.**—(1) The Registrar General may notify such persons as the Registrar General considers appropriate of the registration of a marriage.

(2) An application may be made in the prescribed form to the Registrar General as to persons to be notified by the Registrar General under paragraph (1) by either party to the marriage.

(3) The prescribed fee shall be payable to the Registrar General by the applicant.

(4) Any notification under paragraph (1) shall be subject to such conditions as the Registrar General considers appropriate.

(5) The power conferred by paragraph (1) may be exercised whether or not an application has been made under paragraph (2).”.

(2) After section 155 of the Civil Partnership Act 2004 (c. 33) there shall be inserted the following section—

#### “155A Notification of registration

(1) The Registrar General may notify such persons as the Registrar General considers appropriate of the registration of a civil partnership.

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(2) An application may be made in the prescribed form to the Registrar General as to persons to be notified by the Registrar General under subsection (1) by either civil partner.

(3) The prescribed fee shall be payable to the Registrar General by the applicant.

(4) Any notification under subsection (1) shall be subject to such conditions as the Registrar General considers appropriate.

(5) The power conferred by subsection (1) may be exercised whether or not an application has been made under subsection (2).”.

#### **Commencement Information**

**I2** S. 24 in operation at 16.11.2012 by S.R. 2012/406, art. 2, Sch.

#### **Access to information in the Adopted Children Register**

**25.—**(1) The Adoption (Northern Ireland) Order 1987 (NI 22) (Adopted Children Register) shall be amended as follows.

(2) In the definition of “prescribed” in Article 2(2), after the word “Articles” in the second place where it occurs there shall be inserted “ 50(4) and (6), ”.

(3) In Article 50, after paragraph (3) there shall be added the following paragraphs—

“(4) The Department of Finance and Personnel may by regulations make provision for any person to have access, on payment of the prescribed fee, to any information contained in the Adopted Children Register.

(5) Regulations under paragraph (4) may provide that the relevant period must have expired in relation to the information.

(6) In paragraph (5) “the relevant period” in relation to the adoption of a child means the expiration of the period of 100 years from the date of the child's birth or such other period as may be prescribed.

(7) Regulations under paragraph (4) may provide for the Registrar General—

(a) to make arrangements with any person for the purpose of providing access to information as mentioned in that paragraph; and

(b) for that purpose to transfer information to that person subject to conditions (including conditions as to the making of payments by that person to the Registrar General).”.

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#### **Commencement Information**

**I3** S. 25 in operation at 16.11.2012 by S.R. 2012/406, art. 2, Sch.

### **Access to information in the Gender Recognition Register**

**26.**—(1) Paragraph 22 of Schedule 3 to the Gender Recognition Act 2004 (c. 7) (Gender Recognition Register maintained in Northern Ireland) shall be amended as follows.

(2) In sub-paragraph (4) (Gender Recognition Register not to be open to public inspection or search), for the word “The” there shall be substituted the words “Subject to sub-paragraph (5), the”.

(3) After sub-paragraph (4) there shall be added the following sub-paragraphs—

“(5) The Department of Finance and Personnel may by regulations make provision for any person to have access, on payment of the prescribed fee, to any information contained in the Gender Recognition Register.

(6) Regulations under sub-paragraph (5) may provide that the relevant period must have expired in relation to the information.

(7) In sub-paragraph (6) “the relevant period” in relation to information relating to a person means the period of 100 years from the date of that person's birth or such other period as may be prescribed.

(8) Regulations under sub-paragraph (5) may provide for the Registrar General—

- (a) to make arrangements with any person for the purpose of providing access to information as mentioned in that sub-paragraph; and
- (b) for that purpose to transfer information to that person subject to conditions (including conditions as to the making of payments by that person to the Registrar General).”.

#### **Commencement Information**

**I4** S. 26 in operation at 16.11.2012 by S.R. 2012/406, art. 2, Sch.

### **Notification of entry in the Register of Presumed Deaths**

**27** In paragraph 1 of Schedule 1 to the Presumption of Death Act (Northern Ireland) 2009 (entries in Register of Presumed Deaths), after sub-paragraph (2) there shall be added the following sub-paragraphs—

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“(3) The Registrar General may notify such persons as the Registrar General considers appropriate that an entry has been made in the Register of Presumed Deaths.

(4) Any notification under sub-paragraph (3) shall be subject to such conditions as the Registrar General considers appropriate.”.

#### Commencement Information

**I5** S. 27 in operation at 16.11.2012 by S.R. 2012/406, art. 2, Sch.

### Access to information in the Register of Presumed Deaths

**28.**—(1) Schedule 1 to the Presumption of Death Act (Northern Ireland) 2009 (Register of Presumed Deaths) shall be amended in accordance with subsections (2) and (3).

(2) After paragraph 3 (searches of indexes and examination of entries) there shall be inserted the following—

#### “Access to information

**3A.**—(1) Regulations made by the Department may make provision for any person to have access on payment of the prescribed fee to any information contained in the Register of Presumed Deaths.

(2) In sub-paragraph (1) “the prescribed fee” means the fee of such amount as may be prescribed by order made by the Department under paragraph 7(1).

(3) Regulations under sub-paragraph (1) may provide that the relevant period must have expired in relation to the information.

(4) In sub-paragraph (3) “the relevant period” means, in relation to information relating to a presumed death, the period of 50 years from the presumed date of death or such other period as may be prescribed.

(5) Regulations under sub-paragraph (1) may provide for the Registrar General—

(a) to make arrangements with any person for the purpose of providing access to information as mentioned in that sub-paragraph; and

(b) for that purpose to transfer information to that person subject to conditions (including conditions as to the making of payments by that person to the Registrar General).

(6) This paragraph is without prejudice to paragraph 3.”.

(3) In paragraph 7 (fees), in sub-paragraph (1), after head (b) there shall be inserted the following head—

“(bb) access to any information under paragraph 3A;”.

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(4) In consequence of subsection (2), in the definition of “prescribed” in section 17 (interpretation) of that Act, for the word “paragraph” there shall be substituted the words “ paragraphs 3A(1) and (2) and ”.

**Commencement Information**

**16** S. 28 in operation at 16.11.2012 by S.R. 2012/406, art. 2, Sch.

**Correction of errors in the Register of Presumed Deaths**

**29** In paragraph 4(1) of Schedule 1 to the Presumption of Death Act (Northern Ireland) 2009 (correction, etc. of Register of Presumed Deaths), for the words “any clerical error or any error of fact or substance” there shall be substituted the words “ an error ”.

**Commencement Information**

**17** S. 29 in operation at 16.11.2012 by S.R. 2012/406, art. 2, Sch.

**Commemorative documents**

**30.—(1)** The Registrar General may supply any person with a document commemorating any entry in a register relating to—

- (a) a birth;
- (b) a marriage or a civil partnership; or
- (c) a death,

on payment of the prescribed fee to the Registrar General.

(2) In this section “prescribed” means prescribed by order made under Article 47 of the 1976 Order.

**Commencement Information**

**18** S. 30 in operation at 16.11.2012 by S.R. 2012/406, art. 2, Sch.

**Record of Northern Ireland Connections**

**31.—(1)** The Registrar General shall maintain—

- (a) a register called the Record of Northern Ireland Connections in which shall be made entries under this section; and
- (b) an index of the register.

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(2) Any person may apply to the Registrar General in the prescribed manner for an event mentioned in Schedule 1 to be entered in the register in the prescribed form on payment of the prescribed fee to the Registrar General.

(3) The Registrar General may amend or delete any entry made under this section.

(4) Any person may on payment of the prescribed fee to the Registrar General—

- (a) search the index,
- (b) have access to any information contained in the register, and
- (c) require the Registrar General to provide a copy of any entry in the register.

(5) In this section—

“prescribed” means—

- (a) except in the case of any fee, prescribed by regulations made by the Department of Finance and Personnel;
- (b) in the case of any fee, prescribed by order made under Article 47 of the 1976 Order;

“register” means the Record of Northern Ireland Connections established under subsection (1).

(6) Regulations under this section shall be subject to negative resolution.

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**Commencement Information**

**19** S. 31 in operation at 16.11.2012 by S.R. 2012/406, art. 2, Sch.

**Status:**

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**Changes to legislation:**

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