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## STATUTORY INSTRUMENTS

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# 1976 No. 1041

## Births and Deaths Registration (Northern Ireland) Order 1976

### PART V GENERAL

#### Registers

**32.** The registers shall be maintained by recording the particulars in question in such manner as may be prescribed.

#### Reproduction of registers and replacement of lost registers, etc.

**33.—(1)** If any register in the custody of a registrar, or before reproduction, has been lost, destroyed or mutilated or has become illegible, in whole or in part, the Registrar General shall be notified forthwith and the register in the custody of a registrar which has been mutilated or become illegible shall be immediately delivered to the Registrar General.

(2) The Registrar General shall cause any such register to be corrected or completed or a new register to be made by any process which he thinks fit, and any such corrected, completed or new register which is duly authenticated by <sup>F1</sup>... the Registrar General shall be of the same legal force and effect as the original register.

**F1** Words in art. 33(2) repealed (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), ss. 13, 34, [Sch. 2](#); S.R. 2012/406, art. 2, Sch.

#### Searches of indexes and certified copies of entries

**34.—(1)** The Registrar General shall cause indexes of all the entries in the registers in his custody to be made and kept in the General Register Office.

(2) Any person may—

- (a) search any index which is, under paragraph (1), kept in the General Register Office at any time during which the Office is open to the public; and
- (b) require the Registrar General to furnish him with a certified copy of an entry in the registers referred to in paragraph (1).

(3) Paragraphs (1) and (2) shall not apply in relation to any entries in a register of still-births, but upon payment of the prescribed fee the Registrar General may, in any particular case—

- (a) cause a search to be made of any register of still-births;
- (b) cause a certified copy to be issued of any entry in any such register.

(4) The prescribed fee shall be paid to the Registrar General by any person making or requiring a general or particular search or requiring to be furnished with a certified copy under this Article.

*Status: Point in time view as at 16/11/2012.*

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(5) The Registrar General shall cause any certified copy of an entry and any certificate under Article 40 [<sup>F2</sup>or 40A] given in the General Register Office to be stamped with the seal of the Office, of which judicial notice shall be taken.

**F2** Words in art. 34(5) inserted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\), ss. 11\(2\), 34; S.R. 2012/406, art. 2, Sch.](#)

### [<sup>F3</sup>Access to information relating to births and deaths

**34A.**—(1) Regulations may make provision for any person to have access on payment of the prescribed fee to any information contained in the registers.

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

(3) In paragraph (2) “ the relevant period ” means—

- (a) in relation to information relating to a birth, the period of 100 years from the date of the birth or such other period as may be prescribed;
- (b) in relation to information relating to a death, the period of 50 years from the date of the death or such other period as may be prescribed.

(4) Regulations under 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 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).

(5) Paragraph (1) shall not apply to any register of still-births.

(6) This Article is without prejudice to Article 38.]

**F3** Art. 34A inserted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\), ss. 14, 34; S.R. 2012/406, art. 2, Sch.](#)

### Correction of entries in registers

**35.**—(1) An alteration shall not be made in an entry in any register otherwise than in accordance with paragraphs (2) to (4) or any other statutory provision.

(2) Any person authorised by the Registrar General in that behalf may—

- (a) correct in the prescribed manner any [<sup>F4</sup>error (other than an error of fact or substance)] in any register; and
- (b) correct any error of fact or substance in the register if a person requiring the error to be corrected (whether in pursuance of a notice or otherwise) produces to him a statutory document in the prescribed form specifying the error and the true facts, being a declaration made by a qualified informant, in relation to the birth or death in question, or by two credible persons possessing knowledge of the true facts.

(3) Where an error of fact or substance (other than one relating to the cause of death) occurs in a coroner's certificate issued in relation to a death where an inquest is held, the coroner (or any succeeding coroner for the area in question) shall, if he is satisfied by evidence on oath or a statutory declaration that an error exists, give a certificate in the prescribed form to the officer having the custody of the register in which the information is entered stating the nature of the error and the true facts as ascertained by him on the evidence.

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(4) Where an officer having the custody of the register in question receives a certificate under paragraph (3) he shall, in such form and manner as the Registrar General may direct, correct the error without altering the original entry.

**F4** Words in art. 35(2)(a) substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), [ss. 15\(1\)](#), 34; S.R. 2012/406, art. 2, Sch.

### Correction or cancellation of entries in registers on motion of certain officers

**36.—**(1) Where in the opinion of a registrar a register <sup>F5</sup>... contains an error of fact or substance he shall notify the Registrar General to that effect.

(2) The Registrar General may require [<sup>F6</sup>any registrar] to issue a notice to a qualified informant requiring him to correct the error.

(3) The Registrar General may, or [<sup>F7</sup>any registrar] required by the Registrar General to do so, shall, by notice in writing require any qualified informant—

- (a) to [<sup>F8</sup>take such steps as may be specified in the notice for the purposes of this paragraph within such time] as may be so specified; and
- (b) to produce a statutory document in the prescribed form specifying the error and the true facts, so far as they are known to him;

and where an informant complies with sub-paragraph ( b), the Registrar General may cause the register to be corrected under Article 35(2) as if the conditions set out in that paragraph had been satisfied.

(4) Where the Registrar General is satisfied that an entry in a register contains any error of fact or substance and that a qualified informant is not, or two credible persons possessing knowledge of the true facts are not, available in relation to that entry, he may—

- (a) issue a direction to [<sup>F9</sup>any registrar], requiring him to make such a correction in the entry as may be specified in the direction; or
- (b) where the register is in the custody of the Registrar General, cause to be made a correction in the entry.

(5) Where the Registrar General is satisfied that two or more entries in any register have been made in respect of the same event, he may issue a direction [<sup>F10</sup>requiring any person to cancel such of the entries as the Registrar General may specify].

**F5** Words in art. 36(1) repealed (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), [ss. 15\(2\)\(a\)](#), 34, [Sch. 2](#); S.R. 2012/406, art. 2, Sch.

**F6** Words in art. 36(2) substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), [ss. 15\(2\)\(b\)](#), 34; S.R. 2012/406, art. 2, Sch.

**F7** Words in art. 36(3) substituted (16.11.2012) by virtue of [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), [ss. 15\(2\)\(c\)\(i\)](#), 34; S.R. 2012/406, art. 2, Sch.

**F8** Words in art. 36(3)(a) substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), [ss. 15\(2\)\(c\)\(ii\)](#), 34; S.R. 2012/406, art. 2, Sch.

**F9** Words in art. 36(4) substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), [ss. 15\(2\)\(d\)](#), 34; S.R. 2012/406, art. 2, Sch.

**F10** Words in art. 36(5) substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), [ss. 15\(2\)\(e\)](#), 34; S.R. 2012/406, art. 2, Sch.

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**Registration or alteration of child's name**

37.—(1) The provisions of this Article shall apply only to persons whose births are registered in Northern Ireland, and, without prejudice to<sup>F11</sup> Article 52(1)(a) of the Adoption (Northern Ireland) Order 1987] relating to the giving or taking of a new name, to persons in respect of whom there is an entry in the Adopted Children Register maintained by the Registrar General under<sup>F11</sup> Article 50 of that Order].

<sup>F12</sup>(2) .....

(3) Where an application in the prescribed form is made to the Registrar General by the qualified applicant in respect of the change of name or surname of a child under eighteen years of age, the Registrar General may record that change of name or surname by causing an appropriate entry to be made in the register—

<sup>F13</sup>(a) .....

<sup>F13</sup>(b) .....

but only one change of name and one change of surname in respect of any one child shall be <sup>F14</sup>so recorded].

(4) Where an application in the prescribed form is made to the Registrar General in respect of a change of name or surname of a person over eighteen years of age, the Registrar General may record that change of name or surname by causing an appropriate entry to be made in the register—

<sup>F15</sup>(a) .....

<sup>F15</sup>(b) .....

but only one change of name and three changes of surname in respect of any one person may be recorded under this paragraph and a period of five years must elapse after one change of surname is recorded before another such change is recorded.

<sup>F16</sup>(4A) The Registrar General may notify such persons as the Registrar General considers appropriate of a change of name or surname recorded under this Article.

(4B) A person may make an application in the prescribed form to the Registrar General as to persons to be notified under paragraph (4A) of a change of name or surname recorded under this Article in consequence of an application made by that person under paragraph (3) or (4).

(4C) The prescribed fee shall be paid to the Registrar General by any person making an application under paragraph (4B).

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

(4E) The power conferred by paragraph (4A) may be exercised whether or not an application has been made under paragraph (4B).]

(5) On making an application under any of the provisions of this Article the applicant shall pay such fees as may be prescribed.

(6) Nothing in this Article shall affect any rule of law as respects change of name or surname.

(7) In <sup>F17</sup>paragraph (3)] “qualified applicant” means—

<sup>F18</sup>(a) the father and mother of the child if—

(i) they were married to each other at the time of his birth; or

(ii) they were not married to each other at the time of his birth but the father has parental responsibility for the child;

[ in the case of a child who has a parent by virtue of section 42 or 43 of the Human <sup>F19</sup>(aa) Fertilisation and Embryology Act 2008, the mother and other parent of the child if Article

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155(3) of the Children (Northern Ireland) Order 1995 applies to the child or if it does not apply but the other parent has parental responsibility for the child;]

[<sup>F20</sup>(b) the mother of the child if—

- (i) in the case of a child who has a father, the child's parents were not married to each other at the time of the birth and the father does not have parental responsibility for the child; and
- (ii) in the case of a child who has a parent by virtue of section 43 of the Human Fertilisation and Embryology Act 2008, Article 155(3) of the Children (Northern Ireland) Order 1995 does not apply to the child and the parent by virtue of that section of that Act does not have parental responsibility for the child;]
- (c) the surviving parent if either of the parents of the child is deceased and the surviving parent has parental responsibility for the child;
- (d) the guardian of the child or any other person who has parental responsibility for him if—
  - (i) both his parents are deceased; or
  - (ii) either of his parents is deceased and the surviving parent does not have parental responsibility for him;]

and in this definition, in the case of an adopted child, the references to the father and mother or to the parents of a child shall be construed as references to the adoptive parents of the child.

(8) In this Article “change” in relation to a name or surname includes any change by way of substitution, addition, omission, spelling or hyphenation.

**F11** 1987 NI 22

**F12** Art. 37(2) repealed (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), ss. 16(2), 34, [Sch. 2](#); S.R. 2012/406, art. 2, Sch.

**F13** Art. 37(3)(a)(b) repealed (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), ss. 16(3)(a), 34, [Sch. 2](#); S.R. 2012/406, art. 2, Sch.; S.R. 2012/406, art. 2, Sch.

**F14** Words in art. 37(3) substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), ss. 16(3)(b), 34; S.R. 2012/406, art. 2, Sch.

**F15** Art. 37(4)(a)(b) repealed (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), ss. 16(4), 34, [Sch. 2](#); S.R. 2012/406, art. 2, Sch.; S.R. 2012/406, art. 2, Sch.

**F16** Art. 37(4A)-(4E) inserted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), ss. 16(5), 34; S.R. 2012/406, art. 2, Sch.

**F17** Words in art. 37(7) substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), ss. 16(6), 34; S.R. 2012/406, art. 2, Sch.

**F18** 1995 NI 2

**F19** Art. 37(7)(aa) inserted (6.4.2009 for certain purposes otherwise 1.9.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. 56, 68(2), [Sch. 6 para. 66\(a\)](#); S.I. 2009/479, [arts. 5\(h\), 6\(1\)\(e\)\(f\)\(2\)](#) (with transitional provisions in art. 7, Sch. 1)

**F20** Art. 37(7)(b) substituted (6.4.2009 for certain purposes otherwise 1.9.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. 56, 68(2), [Sch. 6 para. 66\(b\)](#); S.I. 2009/479, [arts. 5\(h\), 6\(1\)\(e\)\(f\)\(2\)](#) (with transitional provisions in art. 7, Sch. 1)

#### Modifications etc. (not altering text)

**C1** Art. 37 modified (6.4.2010) by [Human Fertilisation and Embryology \(Parental Orders\) Regulations 2010 \(S.I. 2010/985\)](#), reg. 5, [Sch. 4](#)

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## Examination of entries in registers

**38.**—(1) Subject to paragraph (2), any person may, on payment of the prescribed fee, examine the particular entry in any register in which he is interested and the registrar shall, on payment of the prescribed fee, issue a certified copy of that entry.

(2) Paragraph (1) shall not entitle any person to examine an entry in a register of still-births except where the registrar, with the consent of the Registrar General in any particular case, allows.

### [<sup>F21</sup>Certified copies

**39.** A certified copy issued under this Order may be—

- (a) made by any method of reproducing a document; or
- (b) a document containing such information as may be prescribed derived from an entry in the registers.]

**F21** Art. 39 substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\), ss. 17, 34; S.R. 2012/406, art. 2, Sch.](#)

## Short birth certificate

**40.** The Department may make regulations—

- (a) providing as respects any entry in a register of births or adoptions, for the issue by the Registrar General or [<sup>F22</sup>any registrar] of a certificate of such of the items comprising that entry (other than items relating to parentage or adoption) as may be prescribed;
- (b) providing for the form of any such certificate;
- (c) providing for the particulars to be furnished by an applicant for such a certificate;
- (d) providing for the manner in which any such certificate is to be compiled; and
- (e) requiring the payment, by the applicant for the certificate, of the prescribed fee;

but such a certificate shall not be issued in respect of any entry which has been marked “adopted”.

**F22** Words in art. 40(a) substituted (3.10.2011) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\), ss. 18, 34; S.R. 2011/323, art. 2\(f\)](#)

### [<sup>F23</sup>Short death certificate

**40A** The Department may make regulations—

- (a) providing as respects any entry in a register of deaths made after the commencement of section 11 of the Civil Registration Act (Northern Ireland) 2011, for the issue by the Registrar General or any registrar of a certificate of such of the items comprising that entry (other than items relating to the cause of death) as may be prescribed;
- (b) providing for the form of any such certificate;
- (c) providing for the particulars to be furnished by an applicant for such a certificate;
- (d) providing for the manner in which any such certificate is to be compiled; and
- (e) requiring the payment, by the applicant for the certificate, of the prescribed fee.]

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**F23** Art. 40A inserted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\), ss. 11\(1\), 34; S.R. 2012/406, art. 2, Sch.](#)

#### [<sup>F24</sup>Notification of births and deaths

**40B.**—(1) The Registrar General may notify such persons as the Registrar General considers appropriate of the registration of a birth or a death under this Order.

(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 any person who gave information leading to the registration of the birth or the death.

(3) The prescribed fee shall be payable to the Registrar General by any person making an application under paragraph (2).

(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).

(6) This Article shall not apply to the registration of a still-birth.]

**F24** Art. 40B inserted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\), ss. 19, 34; S.R. 2012/406, art. 2, Sch.](#)

#### Entries in registers as evidence

**41.**—(1) An entry of a birth or death in a register shall not be evidence of the birth or death unless the entry—

- (a) [<sup>F25</sup>includes the name of] a person professing to be the informant and to be such a person as might be required by law at the date of the entry to give to the registrar information concerning the birth or death;
- (b) is made in pursuance of Article 10(7) or Article 21(8) or any corresponding statutory provision repealed by the Births and Deaths Registration Act (Northern Ireland) 1967 or the Births, Deaths and Marriages Registration (Northern Ireland) Order 1973 or this Order relating to the registration of a birth by declaration;
- (c) relates to a re-registration and is made in pursuance of Article 18, 19 or 31, or any statutory provision repealed by the Births and Deaths Registration Act (Northern Ireland) 1967 or this Order corresponding to Article 19;
- (d) relates to a death or still-birth and is made upon a certificate issued by a coroner following an inquest;
- (e) is made in pursuance of the statutory provisions relating to the registration of births and deaths at sea; or
- (f) relates to a birth or death which has occurred outside the United Kingdom.

(2) Where more than three months but not more than twelve months have expired between the date of a birth and the date on which the birth is registered, the entry in a register under this Order or any statutory provision repealed by the Births and Deaths Registration Act (Northern Ireland) 1967 or this Order shall not be evidence of the birth unless the entry is made in pursuance of Article 18 or 19 or contains a marginal note that a statutory declaration has been made by a qualified informant, so however that nothing in this paragraph shall apply where the date on which the birth of the child is registered falls on or after 1st October 1973.



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(3) Where more than twelve months have expired between the date of a birth or death and the date on which the birth or death is registered, the entry of the birth or death in a register under this Order or any statutory provision repealed by the Births and Deaths Registration Act (Northern Ireland) 1967 or this Order shall not be evidence of the birth or death unless the entry purports to have been made with the authority of the Registrar General.

(4) A certified copy issued under Article 34 or 38 shall be deemed to be a true copy of the entry in question notwithstanding that it is made on a form different from that on which the original entry was made if any differences in the column headings under which the particulars appear in the original entry and the copy respectively are differences of form only and not of substance.

**F25** Words in art. 41(1)(a) substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011](#) (c. 20), ss. 20, 34; S.R. 2012/406, art. 2, Sch.

### Proof of age or death for purposes of certain statutory provisions

**42.—**(1) Where the age or death of a person is required to be proved for the purposes of any statutory provision specified in Schedule 1, any person shall, on presenting a written requisition in such form and containing such particulars as may be specified by the Department and on payment of such fee as may be prescribed, be entitled to a certified copy of the entry of the birth or death of that person in the relevant register under the hand of the person having the custody thereof or stamped with the seal of the General Register Office.

(2) Forms for the requisitions referred to in paragraph (1) shall, on request, be supplied without charge by any person having the custody of a register.

(3) The General Register Office and any registrar having custody of a register may, on payment of the prescribed fee, issue such information (including copies of or extracts from registers) as may be required for the purposes of any statutory provision specified in Schedule 1.

(4) The Secretary of State may by order made subject to affirmative resolution add to the statutory provisions specified in Schedule 1 any other statutory provision for the purposes of which paragraphs (1) to (3) are to be applied.

(5) Where an order is made under paragraph (4), this Article and Schedule 1 shall have effect accordingly.

### Offences relating to registers

**43.—**(1) Any registrar who refuses, or, without reasonable cause, fails to register any birth or death or particulars in respect of which a qualified informant has given information, which he ought to register, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding<sup>[F26]</sup> level 3 on the standard scale].

(2) Any person who registers or causes to be registered any birth in contravention of Article 13 or death in contravention of Article 24 shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding<sup>[F26]</sup> level 1 on the standard scale].

(3) Any person who, having the custody of any register, negligently loses or damages it or allows it to be damaged shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding<sup>[F26]</sup> level 3 on the standard scale].

**F26** 1984 NI 3



## Refusal to give information

44.—(1) Any person who—

(a) being required by this Order to give information concerning any birth or death, or any living infant child, or any dead body wilfully refuses to answer any question put to him by the registrar, relating to the particulars required under Articles 10 and 21;

<sup>F27</sup>(b) . . . . .

(c) fails to comply with any notice issued by a registrar or the Registrar General in pursuance of this Order; or

(d) refuses or fails, without reasonable excuse, to give, send or deliver any certificate in accordance with this Order;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [<sup>F28</sup>level 1 on the standard scale ] for each offence.

(2) Where the parent of any child fails to give the information required by this Order concerning the birth of the child, he shall, except as provided by this Order, be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [<sup>F29</sup> level 1 on the standard scale ] for each offence.

(3) Where any person required by this Order to give information concerning a death in the first instance, and not merely in default of some other person, fails to give that information he shall, except as provided by this Order, be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [<sup>F30</sup> level 1 on the standard scale ] for each offence.

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| <p><b>F27</b> Art. 44(1)(b) repealed (16.11.2012) by <a href="#">Civil Registration Act (Northern Ireland) 2011 (c. 20)</a>, ss. 21, 34, <a href="#">Sch. 2</a>; S.R. 2012/406, art. 2, <a href="#">Sch.</a></p> <p><b>F28</b> 1984 NI 3</p> <p><b>F29</b> 1984 NI 3</p> <p><b>F30</b> 1984 NI 3</p> |
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## Forgery, etc., of documents under this Order

45.—(1) Any person who—

(a) <sup>F31</sup>. . . falsifies any certificate, declaration or order under this Order;

(b) knowing any such certificate, declaration or order to be false<sup>F31</sup>. . . , uses it as true, or gives or sends it as true to any person; or

(c) passes as genuine any reproduction of a certified copy under this Order, knowing that the reproduction is not a certified copy;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [<sup>F32</sup> level 2 on the standard scale ] .

*Para. (2) rep. by 1981 c. 45*

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| <p><b>F31</b> 1981 c. 45</p> <p><b>F32</b> 1984 NI 3</p> |
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### Time limit for commencing summary proceedings

46. Notwithstanding anything in<sup>F33</sup> Article 19(1) of the Magistrates' Courts (Northern Ireland) Order 1981], summary proceedings for an offence under [<sup>F34</sup> Article 9(2), 30(3), 43, 44 or 45 of] this Order may be commenced at any time within three years from the commission of the offence.

**F33** 1981 NI 26

**F34** 1980 NI 6

### Fees payable for searches, certified copies, etc.

47.—(1) There shall be payable for or in respect of—

- (a) examination of a particular entry in a register, and searches in indexes of registers;
- (b) certified copies and certificates relating to any entries in registers;
- (c) any functions performed by any [<sup>F35</sup>person] under Article 37;

[<sup>F36</sup>(cc) applications under Article 40B;]

(d) furnishing information for the purposes of any statutory provision specified in Schedule 1;

[<sup>F37</sup>(da) documents supplied under section 30 of the Civil Registration Act (Northern Ireland) 2011;

(db) entries made in the Record of Northern Ireland Connections under section 31 of that Act;]

fees of such amounts as may be prescribed under this Article.

[<sup>F38</sup>(2) The Department may by order prescribe the fees payable for the purposes of paragraph (1); but no order shall be made under this paragraph unless a draft of the order has been laid before and approved by resolution of the Assembly.]

(3) Where any fee is prescribed under this Article, then it shall not be lawful for any person to demand or receive, in respect of any transaction to which that fee relates, any sum in excess of the prescribed fee other than a sum equal to the amount of any expenditure properly incurred in the carrying out of that transaction.

(4) Except as may be prescribed [<sup>F39</sup>the Registrar General or] a registrar may refuse to comply with any application made to him under this Order [<sup>F40</sup>or the Civil Registration Act (Northern Ireland) 2011] until the prescribed fee is paid to him; and any such fee shall be a debt recoverable summarily by the [<sup>F41</sup>person] to whom it is payable.

**F35** Word in art. 47(1)(c) substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), **ss. 22(2)(a)**, 34; S.R. 2012/406, art. 2, Sch.

**F36** Art. 47(1)(cc) inserted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), **ss. 22(2)(b)**, 34; S.R. 2012/406, art. 2, Sch.

**F37** Art. 47(1)(da)(db) inserted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), **ss. 22(2)(c)**, 34; S.R. 2012/406, art. 2, Sch.

**F38** SI 1999/663

**F39** Words in art. 47(4) inserted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), **ss. 22(3)(a)**, 34; S.R. 2012/406, art. 2, Sch.

**F40** Words in art. 47(4) inserted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), **ss. 22(3)(b)**, 34; S.R. 2012/406, art. 2, Sch.

**F41** Word in art. 47(4) substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011 \(c. 20\)](#), **ss. 22(3)(c)**, 34; S.R. 2012/406, art. 2, Sch.

*Art. 48, with Schedule 2, effects repeals*

## Savings

**49.**—(1) In the application of section 29 of the Interpretation Act (Northern Ireland) 1954 to any repeal made by this Order, subsections (1) and (3) thereof shall have effect with the omission of the word “statutory” wherever it occurs.

(2) Any form used, and any requirement as to the particulars to be entered in any form used, for the purposes of any statutory provision repealed by this Order in force immediately before the commencement of this Order shall continue in force as though prescribed under this Order until other forms or particulars are so prescribed.

(3) Where a period of time specified in any statutory provision repealed by this Order is current at the commencement of this Order, this Order shall have effect as if the corresponding provision thereof had been in force when that period began to run.

**Status:**

Point in time view as at 16/11/2012.

**Changes to legislation:**

Births and Deaths Registration (Northern Ireland) Order 1976, PART V is up to date with all changes known to be in force on or before 17 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.