



Registration of Births, Deaths and Marriages (Scotland) Act 1965

1965 CHAPTER 49

PART II

REGISTRATION OF BIRTHS

14 Duty to give information of particulars of birth.

- (1) Subject to the subsequent provisions of this Part of this Act, in the case of every birth it shall be the duty of—
- (a) the [^{F1}child's father or mother (whether or not they have attained the age of sixteen years)], or
 - (b) in the case of the death or inability of the father and mother, each other person who under [^{F2}subsection (2)] is qualified to give information concerning the birth,

within twenty-one days from the date of the birth, to [^{F3}give to the district registrar for a registration district information of the prescribed particulars concerning the birth]: Provided that the giving of that information ^{F4}... by the father or the mother or by any one of those persons shall constitute a discharge of any duty imposed by this subsection on any other person.

[^{F5}(1A) For the purposes of subsection (1) above, a person shall give information of the prescribed particulars concerning a birth to the district registrar for a registration district ^{F6}...—

- (a) [^{F7}by] attending personally at the registration office for that district and—
 - (i) giving to the registrar information of the particulars required to be registered concerning the birth, and
 - (ii) attesting, in the prescribed manner, the prescribed form (in this Part, the “birth registration form”) concerning the birth in the presence of the registrar, ^{F8}...
- [^{F9}(b) in a manner permitted in the circumstances (or any circumstances) by a direction issued by the registrar, or

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- (c) in a manner permitted in the circumstances (or any circumstances) by a direction issued by the Registrar General.]

^{F10}(1B) [A person has not discharged the duty under subsection (1) in relation to a birth until the birth registration form containing the information given by the person of the prescribed particulars concerning the birth is attested by, or on behalf of, the person.

(1C) References in this section to a birth registration form being attested—

- (a) by a person are to the person attesting the form—
- (i) in the prescribed manner in the presence of the district registrar, or
 - (ii) in a manner approved by the Registrar General,
- (b) on behalf of a person are to the form being attested by the district registrar in a manner approved by the Registrar General (once the person has provided the registrar with any information the registrar requests).

(1D) Where there is a way for—

- (a) a person (“the informant”) to give information of the prescribed particulars of a birth that does not entail the informant attending personally at a registration office, or
- (b) a birth registration form to be attested that does not entail the informant attesting it in the presence of a district registrar,

it is for the informant to choose whether to give the information, or attest the form, that way.]

(2) The following persons, in addition to the father and mother, shall be qualified to give information concerning the birth of a child, that is to say—

- (a) any relative of either parent of the child, being a relative who has knowledge of the birth;
- (b) the occupier of the premises in which the child was, to the knowledge of that occupier, born;
- (c) any person present at the birth;
- (d) any person having charge of the child.

^{F11}(3) Nothing in this ^{F11}... section shall authorise the registration of the particulars of any birth in two or more registers, or more than once in any one register.

(4) If it appears to the Registrar General that the particulars of the birth of any child have been registered in two or more registers, or more than once in any one register, he may give directions for the cancellation of all those registrations except such one of them as may be specified in the directions.

^{F12}(4A) [In the case of a child who has a parent by virtue of section 42 of the Human Fertilisation and Embryology Act 2008, the references in subsections (1) and (2) to the father of the child are to be read as references to the woman who is a parent by virtue of that section.]

^{F13}(5) [In this section, any reference to the father or parent of the child shall not include a reference to a father who is not married to [^{F14}or in a civil partnership with] the mother and has not been married to [^{F14}or in a civil partnership with] her since the child’s conception.]]

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Textual Amendments

- F1** Words in s. 14(1)(a) substituted (1.11.1995) by 1995 c. 36, s. 99(1); S.I. 1995/2787, art. 3, **Sch.**
- F2** Words in s. 14(1)(b) substituted (24.9.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 25(2)(a), 59(2)(b)
- F3** Words in s. 14(1) substituted (1.10.2006 for specified purposes, 24.9.2022 in so far as not already in force) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), ss. 39(3)(a)(i), 63(2); S.S.I. 2006/469, art. 2, sch. 1 (with art. 4); S.S.I. 2022/266, art. 2(a)
- F4** Words in s. 14(1) repealed (1.10.2006 for specified purposes, 24.9.2022 in so far as not already in force) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), ss. 39(3)(a)(ii), 63(2); S.S.I. 2006/469, art. 2, sch. 1 (with art. 4); S.S.I. 2022/266, art. 2(a)
- F5** S. 14(1A) inserted (1.10.2006 for specified purposes, 24.9.2022 in so far as not already in force) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), ss. 39(3)(b), 63(2); S.S.I. 2006/469, art. 2, sch. 1 (with art. 4); S.S.I. 2022/266, art. 2(a)
- F6** Word in s. 14(1A) repealed (24.9.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 25(2)(b)(i), 59(2)(b)
- F7** Word in s. 14(1A)(a) inserted (24.9.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 25(2)(b)(ii), 59(2)(b)
- F8** Word in s. 14(1A) repealed (24.9.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 25(2)(b)(iii), 59(2)(b)
- F9** S. 14(1A)(b)(c) substituted for s. 14(1A)(b) (24.9.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 25(2)(b)(iv), 59(2)(b)
- F10** S. 14(1B)-(1D) inserted (24.9.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 25(2)(c), 59(2)(b)
- F11** Words in s. 14(3) repealed (1.10.2006 for specified purposes, 1.1.2007 in so far as not already in force) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), ss. 39(3)(c), 63(2); S.S.I. 2006/469, arts. 2, 3, Schs. 1, 2 (with art. 4)
- F12** S. 14(4A) inserted (6.4.2009 for specified purposes, 1.9.2009 in so far as not already in force) by Human Fertilisation and Embryology Act 2008 (c. 22), s. 68(2), **Sch. 6 para. 42**; S.I. 2009/479, art. 6(1)(e)(2) (with art. 7, Sch.)
- F13** S. 14(5) added by Law Reform (Parent and Child) (Scotland) Act 1986 (c. 9, SIF 49:8), s. 10(1), **Sch. 1 para. 8(1)**
- F14** Words in s. 14(5) inserted (1.6.2021) by Civil Partnership (Scotland) Act 2020 (asp 15), s. 16, **sch. 2 para. 1(2)**; S.S.I. 2021/23, reg. 2, sch. (with reg. 3)

Modifications etc. (not altering text)

- C1** S. 14(1) modified (1.11.1995) by 1995 c. 36, s. 99(2); S.I. 1995/2787, art. 3, **Sch.**

Changes to legislation:

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