

*Status: This version of this part contains provisions that are prospective.*

**Changes to legislation:** Welfare Reform Act 2009, Paragraph 11 is up to date with all changes known to be in force on or before 24 April 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. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 6

#### REGISTRATION OF BIRTHS

##### PART 1

#### AMENDMENTS OF BIRTHS AND DEATHS REGISTRATION ACT 1953

PROSPECTIVE

- 11 (1) Section 10 of the 1953 Act (registration of father <sup>F1</sup>... or of second female parent where parents not [<sup>F2</sup>married or] civil partners) is amended as follows.
- (2) In subsection (1)—
- (a) for the words from the beginning to “the registrar” substitute “ In the case of a child whose father and mother were not married to<sup>F3</sup>, or civil partners of,] each other at the time of the child's birth, no person shall as father of the child be required to give information concerning the birth of the child except by virtue of regulations under section 2C or 2E, and the registrar ”,
- (b) in paragraph (b) for sub-paragraph (ii) substitute—
- “(ii) a declaration in the prescribed form which is made by that person, states himself to be the father of the child, and is countersigned by a prescribed person; or”,
- (c) in paragraph (c) for sub-paragraph (ii) substitute—
- “(ii) a declaration in the prescribed form which is made by the mother, states that that person is the father of the child, and is countersigned by a prescribed person; or” , and
- (d) at the end of paragraph (g) insert “or
- (h) in accordance with regulations made under section 2C (confirmation of parentage information given by mother), section 2D (declaration before registration by person claiming to be other parent) or section 2E (scientific tests)”.
- (3) In subsection (1B)—
- (a) for the words from the beginning to “that section” substitute “ In the case of a child to whom section 1(3) of the Family Law Reform Act 1987 does not apply, no woman shall as parent of the child by virtue of section 43 of the Human Fertilisation and Embryology Act 2008 be required to give information concerning the birth of the child except by virtue of regulations under section 2C, and the registrar shall not enter the name of any woman as a parent of the child by virtue of that section ”,

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(b) in paragraph (b) for sub-paragraph (ii) substitute—

“(ii) a declaration in the prescribed form which is made by the woman concerned, states herself to be a parent of the child by virtue of section 43 of that Act, and is countersigned by a prescribed person; or”

(c) in paragraph (c) for sub-paragraph (ii) substitute—

“(ii) a declaration in the prescribed form which is made by the mother, states that the woman concerned is a parent of the child by virtue of section 43 of that Act, and is countersigned by a prescribed person; or”, and

(d) at the end of paragraph (f) insert “or

(g) in accordance with regulations made under section 2C (confirmation of parentage information given by mother) or section 2D (declaration before registration by person claiming to be other parent)”.

(4) After subsection (1B) insert—

“(1C) Subsections (1) and (1B) have effect subject to section 10ZA.”

(5) In subsections (2)(b) and (2A)(b), for “section 2” substitute “ section 2A ”.

(6) Omit subsection (3).

#### Textual Amendments

- F1** Words in Sch. 6 para. 11(1) omitted (2.12.2019) by virtue of [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), **19(6)(a)(i)**
- F2** Words in Sch. 6 para. 11(1) inserted (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), **19(6)(a)(ii)**
- F3** Words in Sch. 6 para. 11(2)(a) inserted (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), **19(6)(b)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 4 para. 9(3)(b) repealed by [2009 c. 24 Sch. 7 Pt. 1](#)