

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

Changes to legislation: Welfare Reform Act 2009, Paragraph 13 is up to date with all changes known to be in force on or before 13 October 2023. 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

13 After section 10A of the 1953 Act insert—

“10B Re-registration after sole registration: information provided by other parent and confirmed by mother

- (1) The Minister may by regulations make provision for the re-registration of a birth to show a person as the father of a relevant child, on the basis of information given by that person after the birth is registered and confirmed by the mother.
- (2) In this section a “relevant child” means a child—
 - (a) whose father and mother were not married to^[F1], or civil partners of,] each other at the time of the child's birth, and
 - (b) whose birth has been registered before or after the commencement of this section without any person being registered as the father of the child (or as a parent of the child by virtue of section 42, 43 or 46(1) or (2) of the Human Fertilisation and Embryology Act 2008).
- (3) Regulations under subsection (1) may—
 - (a) enable a person who believes himself to be the father of a relevant child to make a declaration to that effect to the registrar,
 - (b) enable or require the registrar by notice to require the mother to state whether or not she acknowledges that the person is the father of the child, and
 - (c) where the mother acknowledges that the person is the father, require the registrar to re-register the birth so as to show the person as the father.
- (4) In the case of a child who has a parent by virtue of section 43 of the Human Fertilisation and Embryology Act 2008, references in subsections (1) and (3) to the father are to be read as references to the woman who is a parent by virtue of that section.
- (5) Regulations under this section may—

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- (a) require anything to be done in a prescribed form or manner or in the presence of the registrar,
 - (b) make provision as to the time within which anything is required or authorised to be done.
- (6) Regulations under this section may not provide for any birth to be re-registered except with the authority of the Registrar General.
- (7) In this section “prescribed” means prescribed by regulations made under this section by the Minister.

10C Re-registration after sole registration: information provided by mother and confirmed by other parent

- (1) The Minister may by regulations make provision for the re-registration of a birth to show a person as the father of a relevant child, on the basis of information given by the mother after the birth is registered and confirmed by that person.
- (2) In this section a “relevant child” means a child—
- (a) whose father and mother were not married to^[F2], or civil partners of,] each other at the time of the child's birth, and
 - (b) whose birth has been registered before or after the commencement of this section without any person being registered as the father of the child (or as a parent of the child by virtue of section 42, 43 or 46(1) or (2) of the Human Fertilisation and Embryology Act 2008).
- (3) Regulations under subsection (1) may—
- (a) enable the mother of a relevant child to make a declaration to the registrar stating that a specified person (“the alleged father”) is the father of the child,
 - (b) enable or require the registrar by notice to require the alleged father to state whether or not he acknowledges that he is the father of the child,
 - (c) where the alleged father acknowledges that he is the father of the child, require the alleged father to give prescribed information to the registrar, and
 - (d) where the alleged father gives that information to the registrar, require the registrar to re-register the birth so as to show the alleged father as the father.
- (4) In the case of a child who has a parent by virtue of section 43 of the Human Fertilisation and Embryology Act 2008, references in subsections (1) and (3) to the father are to be read as references to the woman who is a parent by virtue of that section (and references to the alleged father have a corresponding meaning).
- (5) Regulations under this section may—
- (a) require anything to be done in a prescribed form or manner or in the presence of the registrar,
 - (b) make provision as to the time within which anything is required or authorised to be done.

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(6) Regulations under this section may not provide for any birth to be re-registered except with the authority of the Registrar General.

(7) In this section “prescribed” means prescribed by regulations made under this section by the Minister.”

Textual Amendments

F1 Words in Sch. 6 para. 13 inserted (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), **19(7)(a)**

F2 Words in Sch. 6 para. 13 inserted (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), **19(7)(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](#)