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SCHEDULES

SCHEDULE 6

REGISTRATION OF BIRTHS

PART 2

OTHER AMENDMENTS

PROSPECTIVE

Perjury Act 1911 (c. 6)

19 In section 4 of the Perjury Act 1911 (false statements, etc, as to births or deaths) after subsection (1) insert—

“(1A) For the purposes of subsection (1)(a), information which a person is required to provide to a registrar of births or deaths for the purposes of subsection (1) of section 2B of the Births and Deaths Registration Act 1953 (duties of [^{F1}mother not married or a civil partner] when acting alone) is to be taken to be information concerning a birth.”

Textual Amendments

F1 Words in Sch. 6 para. 19 substituted (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), **19(8)**

Population (Statistics) Act 1938 (c. 12)

20 (1) In the Schedule to the Population (Statistics) Act 1938 (particulars which may be required on registration of a birth), in paragraph 1—

(a) for paragraph (a) substitute—

“(a) in all cases—

(i) the age of the mother;

(ii) the number of previous children of the mother, and how many of them were born alive or were still-born;”.

(b) for paragraph (c) substitute—

“(c) where the birth is of a child whose father and mother were married to each other at the time of the child's birth (or is by reason of any marriage of the child's parents treated by section 1(2) of the Family Law Reform Act 1987 as such a child for the purposes of that Act)—

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- (i) the date of the marriage, and
- (ii) whether the mother had been married, or had formed a civil partnership, before her marriage to the child's father;
- (d) where the birth is of a child to whom section 1(3) of that Act applies by reason of any civil partnership between the child's parents—
 - (i) the date of the formation of the civil partnership, and
 - (ii) whether the mother had been married, or had formed a civil partnership, before she formed the civil partnership with the child's other parent;
- (e) where the birth does not fall within paragraph (c) or (d), whether at any time before the birth the mother had been married or had formed a civil partnership.”

(2) This paragraph does not extend to Scotland.

Commencement Information

II Sch. 6 para. 20 in force at 21.5.2012 by S.I. 2012/1256, art. 2(2)(b)

PROSPECTIVE

Children Act 1989 (c. 41)

- 21 (1) Section 4 of the Children Act 1989 (acquisition of parental responsibility by father) is amended as follows.
- (2) At the beginning of subsection (1)(a) insert “ except where subsection (1C) applies, ”.
- (3) In subsection (1A), after paragraph (a) insert—
- “(aa) regulations under section 2C, 2D, 2E, 10B or 10C of the Births and Deaths Registration Act 1953;”.
- (4) After subsection (1B) insert—
- “(1C) The father of a child does not acquire parental responsibility by virtue of subsection (1)(a) if, before he became registered as the child's father under the enactment in question—
- (a) the court considered an application by him for an order under subsection (1)(c) in relation to the child but did not make such an order, or
 - (b) in a case where he had previously acquired parental responsibility for the child, the court ordered that he was to cease to have that responsibility.”
- 22 (1) Section 4ZA of the Children Act 1989 (acquisition of parental responsibility by second female parent) is amended as follows.
- (2) At the beginning of subsection (1)(a) insert “ except where subsection (3A) applies, ”.

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(3) In subsection (2), after paragraph (a) insert—

“(aa) regulations under section 2C, 2D, 10B or 10C of the Births and Deaths Registration Act 1953;”.

(4) After subsection (3) insert—

“(3A) A person who is a parent of a child by virtue of section 43 of the Human Fertilisation and Embryology Act 2008 does not acquire parental responsibility by virtue of subsection (1)(a) if, before she became registered as a parent of the child under the enactment in question—

(a) the court considered an application by her for an order under subsection (1)(c) in relation to the child but did not make such an order, or

(b) in a case where she had previously acquired parental responsibility for the child, the court ordered that she was to cease to have that responsibility.”

PROSPECTIVE

Child Support Act 1991 (c. 48)

23 In section 26 of the Child Support Act 1991 (disputes about parentage), in subsection (2), in Case A2, in paragraph (b), after “10 or 10A of” insert “ , or regulations made under section 2C, 2D, 2E, 10B or 10C of, ”.

PROSPECTIVE

Child Support (Northern Ireland) Order 1991 (S.I. 1991/2628 (N.I. 23))

24 In Article 27 of the Child Support (Northern Ireland) Order 1991 (disputes about parentage), in paragraph (2), in Case A2, in paragraph (b), after “10 or 10A of” insert “ , or regulations made under section 2C, 2D, 2E, 10B or 10C of, ”.

PROSPECTIVE

Children (Scotland) Act 1995 (c. 36)

25 In section 3 of the Children (Scotland) Act 1995 (provisions relating both to parental responsibilities and parental rights), in subsection (3A), after paragraph (b) insert—

“(ba) regulations under section 2C, 2D, 10B or 10C of the Births and Deaths Registration Act 1953;”.

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PROSPECTIVE

Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2))

- 26 (1) Article 7 of the Children (Northern Ireland) Order 1995 (acquisition of parental responsibility) is amended as follows.
- (2) In paragraph (2A) for the “or” at the end of paragraph (b) substitute—
“(ba) regulations under section 2C, 2D, 2E, 10B or 10C of the Births and Deaths Registration Act 1953; or”.
- (3) In paragraph (2B), for the “or” at the end of paragraph (b) substitute—
“(ba) regulations under section 2C, 2D, 10B or 10C of the Births and Deaths Registration Act 1953; or”.

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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](#)