



Births and Deaths Registration Act 1874

1874 CHAPTER 88 37 and 38 Vict

An Act to amend the Law relating to the Registration of Births and Deaths in England, and to consolidate the Law respecting the Registration of Births and Deaths at Sea. [7th August 1874]

Extent Information

E1 For extent see s. 15.

Modifications etc. (not altering text)

C1 Preamble omitted under authority of [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#)

Commencement Information

I1 Act wholly in force on 1.1.1875.

1—5. F1

Textual Amendments

F1 Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), [Sch. 2](#)

6 F2

Textual Amendments

F2 S. 6 repealed by [Local Government Act 1929 \(c. 17\)](#), [Sch. 12 Pt. II](#)

7–16 F3

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Births and Deaths Registration Act 1874. (See end of Document for details)

Textual Amendments

F3 Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by Births and Deaths Registration Act 1953 (c. 20), **Sch. 2**

Burials

17 ^{F4}

Textual Amendments

F4 S. 17 repealed by Births and Deaths Registration Act 1926 (c. 48), **Sch. 2**

18 Burial of deceased children as still-born.

A person shall not wilfully bury or procure to be buried the body of any deceased child as if it were still-born.

A person who has control over or ordinarily buries bodies in any burial ground shall not permit to be buried in such burial ground the body of any deceased child as if it were still-born, . . . ^{F5}

Any person who acts in contravention of this section shall be liable to a penalty not exceeding [^{F6}level 1 on the standard scale].

Textual Amendments

F5 Words repealed by Births and Deaths Registration Act 1926 (c. 48), **Sch. 2**

F6 Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 46**

19 Notice where coffin contains more than one body.

Where there is in the coffin in which any deceased person is brought for burial the body of any other deceased person, or the body of any still-born child, the undertaker or other person who has charge of the funeral shall deliver to the person who buries or performs any funeral or religious service for the burial of such body or bodies notice in writing signed by such undertaker or other person, and stating to the best of his knowledge and belief with respect to each such body the following particulars:—

- (a) If the body is the body of a deceased person, the name, sex, and place of abode of the said deceased person;
- (b) If the body has been found exposed, and the name and place of abode are unknown, the fact of the body having been so found and of the said particulars being unknown; and
- (c) If the body is that of a deceased child without a name, or a still-born child, the name and place of abode of the father, or, if it is illegitimate, of the mother of such child.

Every person who fails to comply with this section shall be liable to a penalty not exceeding [^{F7}ten pounds]. [^{F7}level 1 on the standard scale].

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Changes to legislation: There are currently no known outstanding effects for the Births and Deaths Registration Act 1874. (See end of Document for details)

Textual Amendments

F7 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 46**

20 **F8**

Textual Amendments

F8 Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

21 **F9**

Textual Amendments

F9 Ss. 21, 24–27, 31–33 repealed by [Registration Service Act 1953 \(c. 37\)](#), **Sch. 2**

22 **F10**

Textual Amendments

F10 Ss. 22, 34 repealed by [Local Government Act 1929 \(c. 17\)](#), **Sch. 12 Pt. I**

23 **F11**

Textual Amendments

F11 Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

24–27 **F12**

Textual Amendments

F12 Ss. 21, 24–27, 31–33 repealed by [Registration Service Act 1953 \(c. 37\)](#), **Sch. 2**

28 **F13**

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Textual Amendments

F13 S. 28 repealed by [National Health Service Reorganisation Act 1973 \(c. 32\)](#), **Sch. 5**

29 **F14**

Textual Amendments

F14 S. 29 repealed by [Elementary Education Act 1876 \(c. 79\)](#), **Sch. 4**

30 **F15**

Textual Amendments

F15 Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

31–33 **F16**

Textual Amendments

F16 Ss. 21, 24–27, 31–33 repealed by [Registration Service Act 1953 \(c. 37\)](#), **Sch. 2**

34 **F17**

Textual Amendments

F17 Ss. 22, 34 repealed by [Local Government Act 1929 \(c. 17\)](#), **Sch. 12 Pt. I**

35, 36. **F18**

Textual Amendments

F18 Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

37 **F19**

Status: Point in time view as at 01/02/1991.

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Textual Amendments

F19 S. 37 repealed by [Registration of Births, Deaths and Marriages \(Special Provisions\) Act 1957 \(c. 58\)](#), ss. 2(3), 7(2)

Miscellaneous

38— **F20**
44.

Textual Amendments

F20 Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

45 Recovery of penalties.

..... ^{F21} all penalties imposed by this Act may, unless otherwise directed; be recovered on summary conviction before two justices in manner directed by the Summary Jurisdiction Acts, and when so recovered shall be paid into the receipt of Her Majesty’s Exchequer in such manner as the Treasury may from time to time direct, and be carried to the Consolidated Fund.

..... **F21**

Textual Amendments

F21 Words repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

46 **F22**

Textual Amendments

F22 S. 46 repealed by [Forgery Act 1913 \(c. 27\)](#), **Sch.**

47–49 **F23**

Textual Amendments

F23 Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3 repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), **Sch. 2**

50 **F24**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Births and Deaths Registration Act 1874. (See end of Document for details)

Textual Amendments

F24 [S. 50](#) repealed by Statute Law Revision (No. 2) Act 1893, (c. 54)

51 Extent of Act.

This Act . . . ^{F25} shall extend only to England and Wales.

Textual Amendments

F25 Words repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. XIX](#)

52 ^{F26}

Textual Amendments

F26 [Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs.1–3](#) repealed by [Births and Deaths Registration Act 1953 \(c. 20\)](#), [Sch. 2](#)

53 Short title.

This Act may be cited as “The Births and Deaths Registration Act 1874.”

54 ^{F27}

Textual Amendments

F27 [S. 54, Sch. 5](#) repealed by [Statute Law Revision Act 1883 \(c. 39\)](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Births and Deaths Registration Act 1874. (See end of Document for details)

^{F28}F28
FIRST TO
THIRD SCHEDULES

Textual Amendments

F28 Ss. 1–5, 7–16, 20, 23, 30, 35, 36, 38–44, 47–49, 52, Schs. 1–3 repealed by Births and Deaths Registration Act 1953 (c. 20), **Sch. 2**

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F28
.....

^{F29}F29
FOURTH SCHEDULE

Textual Amendments

F29 Sch. 4 repealed by Statute Law (Repeals) Act 1977 (c. 18), s.1(1), **Sch.1**, Pt. XIX

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F29
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^{F30}F30
FIFTH SCHEDULE

Textual Amendments

F30 S. 54, Sch. 5 repealed by Statute Law Revision Act 1883 (c. 39)

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F30
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Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Births and Deaths Registration Act 1874.