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Vital Registration and Marriage in England and Wales

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FOREWORD

William Farr, often called the father of modern vital statistics, was the first Compiler of Abstracts of the Registrar General's Office of England and Wales. He initiated a series of vital statistics reports which are without parallel. This is a description of the civil registration system on which the statistical reports are based. Not included here, is the procedure for collecting at the time of registration additional information on deaths for statistical purposes.

Of special interest, is the central file of vital records in the General Register Office. Certified copies of all births, deaths and marriages registered locally are received by the General Register Office after the end of each quarter. These are indexed and the indexes including those for all other records on file are made available for search by the public.

This description of the civil registration system in England and Wales is reprinted with the kind permission of the Registrar General of England and Wales. Slight modifications have been made to conform with the format of the Technical Papers.

Vital Registration and Marriage in England and Wales

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HISTORICAL BACKGROUND

The modern system of registration of births and deaths and the solemnization and registration of marriages stems from 2 Acts: the Births and Deaths Registration Act of 1836 and the Marriage Act of the same year, both of which came into operation on 1 July 1837. Under these Acts, the post of Registrar General was created with a headquarters, the General Register Office, to supervise a service of local registrars with areas of responsibility based on unions of parishes created under the Poor Law Act of 1834.

The 1836 Acts provided facilities for registration but it was not until 1874 that registration of births and deaths was made compulsory. An Act of 1926 improved the safeguards provided by death registration against irregular burial, and established stillbirth registration. A register of adoptions was created by an Act of 1926 and in the same year provision was made for the reregistration of births of legitimated persons. In 1929 the Local Government Act abolished the Poor Law authorities and provided for a salaried local registration service based on the areas of local authorities.

Various Acts governing the preliminaries to marriage and the solemnization of marriage were brought together in a single Act in 1949. The organisation of the registration service was similarly covered in a consolidating Act in 1953 and in a companion Act in the same year the law governing the registration of births, stillbirths, and deaths was consolidated. These 3 Acts - the Marriage Act 1949, the Registration Service Act 1953 and the Births and Deaths Registration Act 1953 - are the main statutory powers under which marriage and registration are administered today.

THE LOCAL REGISTRATION SERVICE

Schemes

Each nonmetropolitan county, metropolitan district and London borough authority may prepare a local scheme which among other things determines the following:

a) The number and boundaries of the registration

- districts and subdistricts in the authority's area;
- b) The location of offices and stations for those districts and subdistricts; and,
- c) The number of superintendent registrars and registrars of births and deaths. A registrar is responsible for registering all the births and deaths which occur in his subdistrict but he may also be required by the scheme to register marriages taking place in the registration district as a whole.

In practice, the schemes are drafted by officers of the General Register Office in consultation with the local authority and are submitted for approval to the Secretary of State for Social Services or the Secretary of State for Wales as appropriate.

Registration officers

Registrars and superintendent registrars are appointed and paid by the local authority. The hours of attendance of registrars in their offices and outstations are also fixed by the local authority. The General Register Office assesses the amount of work to be performed in each district and subdistrict and this helps to determine the salary payable by the local authority to the officers. But, although the officers are appointed locally they hold office during the pleasure of the Registrar General, which means that they cannot be dismissed by the local authority.

In England and Wales there are some 500 superintendent registrars and 1,250 registrars of births and deaths most of whom also have duties in relation to marriages. In addition, there are about 260 registrars whose sole duty is the registration of marriages. Only about half of the officers have full-time registration duties, the remainder combining those duties with some other local authority activity or other business. Their offices are provided, equipped and maintained by the local authority.

Duties of registration officers

A superintendent registrar is concerned mainly with attesting notices of marriage and the solemnization of marriages in his office. He also prepares and

issues certified copies of birth, death and marriage entries which have been made in his district since 1837

The registrar's duty is to register every birth, stillbirth and death which occurs in his subdistrict. He issues certified copies of the entries (except stillbirths) so long as the register is in his possession. When the registers are filled, he sends stillbirth registers to the General Register Office and other registers to his superintendent registrar for custody. He also issues documents for disposal of bodies and other documents in connection with the medical and social services.

All the duties of local officers are controlled by regulations made under the Acts of 1949 and 1953 and by instructions issued by the Registrar General.

REGISTRATION - GENERAL

All information for entry in the registers is tendered personally by a qualified informant to the registrar. Information cannot be given by post nor can an informant complete a form showing the particulars required. Except for certain deaths referred to a coroner, all information recorded other than the cause of a death is derived from questions by the registrar and answers by the informant. The latter testifies to the accuracy of the particulars by signing the entry in the register. No evidence, such as a marriage certificate for birth registration, is required to support the information given by the informant.

The entries are made by hand in special record ink, in registers supplied by the General Register Office. Provided certain conditions are met, events in Wales and Monmouthshire may be registered in Welsh as well as in English, and bilingual registers are provided for this purpose.

True certified copies of every entry are made by the registrars and supplied to the Registrar General at the end of every quarter. The clergy and other people who register marriages are similarly required to submit quarterly copies to the Registrar General. The original records (except stillbirth registers) are retained locally.

REGISTRATION OF BIRTHS AND STILLBIRTHS

Notification of birth

Every registrar is required to secure the prompt registration of every birth which occurs in his subdistrict. He has access to the notifications of births which are made by doctors and midwives to the local health authority under the Public Health Acts. Generally he is given a list of the births which

have occurred in his subdistrict each month. From this list he can check whether every birth has been registered.

For those births which have not been registered within 42 days of their occurrence, the registrar is required by law to send a requisition to the person whose duty he believes it is to register the birth. A parent of a child becomes liable to a penalty of £20 if the required information is not given to the registrar within 42 days of the birth.

Qualified informants

Under Section 1 of the Births and Deaths Registration Act 1953, the following persons are qualified to give information to the registrar concerning a birth:

- a) The mother of the child and the father if the child was of legitimate birth;
- b) The occupier of the house in which the child was, to the knowledge of that occupier, born;
- c) Any person present at the birth; and,
- d) Any person having charge of the child.

The duty of giving information is placed primarily upon the parents of the child but in the case of death or inability of the parents, the duty falls on each of the other qualified informants.

Where a newborn child is found abandoned, the duty of giving to the registrar such information as is available rests on the person who found the child or the person who takes charge of the child.

Particulars to be registered

The particulars to be registered concerning a birth are prescribed by regulations made under Section 1 of the Act. The current regulations which came into force on 1 April 1969 prescribe the following particulars:

- a) The child's date and place of birth, name and surname and sex;
- b) The name and surname and place of birth of the parents;
- c) The father's occupation; and,
- d) The mother's maiden surname and, if different, the surname in which she married the father of the child.

Particulars of an illegitimate child's father can be entered in the register under one of the following conditions:

- a) If he attends with the mother to give information to the registrar and also signs the register;
- b) If he acknowledges paternity in a statutory declaration; and,

- c) If the mother produces an affiliation order naming him as the father

The register entry shows the registration district and subdistrict and local authority area in which the child was born, the name address and qualification of the informant and the date of the registration. There is also provision in the entry for the child's names to be added, or new names to be given, after registration, but the surname cannot similarly be changed.

At the time of registering a birth, the registrar collects additional information for statistical purposes which is not entered in the register. Details of these particulars and the uses to which they are put are explained in the companion booklet *Vital and Health Statistics in England and Wales*.

The procedure and information required for stillbirths is largely the same as that for births, the main difference being the recording of the cause of death of the stillborn child on evidence given by the doctor or midwife who was present at the birth or who examined the body. The registrar may also issue a certificate which authorises the disposal of the body.

Registration by declaration

Normally, information for the registration of a birth must be given personally by the informant to the registrar for the subdistrict in which the birth occurred, but provision is made for an informant to give that information before any registrar by making a declaration of the particulars required to be registered. The declaration is sent to the registrar of the subdistrict where the birth occurred and that registrar records the particulars in his register. Such an entry does not of course contain the signature of the informant but it shows the name of the person who declared the particulars.

Many births take place in maternity hospitals away from the area of the mother's home and registrars try to register as many as possible of those births by visiting the hospitals. But where he is not able to do so the declaration procedure makes it unnecessary for the mother to return to the subdistrict of birth to give information for the registration.

National Health Service

When a birth is registered, the registrar gives the informant a card bearing the National Health Service number which helps the parents to place their child on the list of their local doctor.

REGISTRATION OF DEATHS AND BURIAL AND CREMATION

Medical evidence

A registered medical practitioner (*i.e.*, a doctor whose name appears in the Medical Register) who attended a deceased person during his or her last illness is required by law to give a certificate stating to the best of his knowledge and belief the cause of death. This medical certificate of the cause of death is in a form which has been agreed internationally. The doctor must deliver the completed certificate to the registrar of births and deaths. In practice, he invariably delivers the certificate through a relative of the deceased who is to give information to the registrar.

The registrar supplies books of medical certificate forms to the registered doctors practising in his subdistrict and to the secretary or records officer of local hospitals. For obvious reasons, he is required to account for all books received from the General Register Office and issued locally.

Qualified informants

The persons liable to give information to the registrar concerning a death are:

- a) A relative of the deceased;
- b) A person present at the death;
- c) The occupier or inmate of the house, if he knows of the happening of the death;
- d) The person causing the disposal of the body; and where a dead body is found;
- e) The person who found the body; and,
- f) The person in charge of the body.

One of these persons, in the above order of priority, is required to give information concerning the death to the registrar within 5 days after the death. If within that time the informant notifies the registrar that a medical certificate of cause of death has been signed, the 5 day period is extended to 14 days. The registrar is required to send a requisition to the person he considers liable to give information, if that information is not given within the stipulated period.

Particulars to be registered

The particulars required to be registered concerning a death are prescribed by regulations made under the Births and Deaths Registration Act 1953. These regulations, which came into force on 1 April 1969, require the following particulars of the deceased:

- a) The date and place of death;
- b) The name, surname and sex (and, in the case of a woman who has married, her maiden surname);

- c) Date and place of birth;
- d) Occupation and usual address; and,
- e) The cause of death

The informant's qualification as informant and address are also recorded. The entry shows the district, subdistrict and administrative area where the death occurred and the date of registration.

The informant supplies all of the above particulars except the cause of death. This is taken from the medical certificate of cause of death, coroner's notification or certificate after inquest.

Reference to coroners, post mortem and inquest

The registrar has a duty under his regulations to refer to the coroner all deaths which appear to have occurred from unnatural causes, violence, accident or industrial disease. He cannot register such deaths until the coroner has had an opportunity to investigate them.

If the coroner decides to take no action on a death referred to him, he will so inform the registrar who will register the death on the information of a qualified informant and enter the cause of death in accordance with the medical certificate of the doctor. The coroner may order a post mortem examination in the light of which he may decide that it is unnecessary to hold an inquest. In such cases, he advises the registrar of the pathologist's findings and the death is registered on the information of an informant in the usual way. But, in such cases, the cause of death is recorded in accordance with the pathologist's finding and the fact that the death was referred to the coroner is recorded in the register.

In relatively few cases, the coroner may decide to hold an inquest. Following an inquest, the coroner is required to certify to the registrar the particulars of the deceased and the finding of the inquest as to the cause of death. The registrar is required to register the death on the evidence of the coroner's certificate; no qualified informant is needed.

The registrar must refer to the coroner any alleged stillbirth where he has reason to believe that the child might have been born alive. As for deaths, the coroner may take no action, he may order a post mortem examination or he may hold an inquest and, in such cases, the registrar's duties are similar to those for other deaths.

Other duties at registration

At the time of registering a death, the registrar collects further information for statistical purposes which is not entered in the register. Details of this in-

formation are given in the booklet, *Vital and Health Statistics in England and Wales*.

When he has registered a death, the registrar is required to issue in appropriate cases forms and explanatory leaflets which will enable the relatives to claim a death grant and widow's benefit. The death grant is intended to contribute towards the cost of funeral expenses.

He also endeavours to collect from the informant the deceased's medical card. This card which shows the deceased's National Health Service number is sent to the Central Register and ultimately the deceased's name is removed from the local doctor's list of patients. Where a medical card is not surrendered, the deceased's NHS number is traced from the date of the deceased's birth and other particulars supplied by the informant at registration.

Where a deceased person was receiving an allowance or pension from Government funds, the registrar is required to notify the appropriate authority of the death. Similarly, if the deceased was a member of certain professional bodies, the registrar is required to notify that body. He does so either by preparing a full certified copy of the death entry or by completing a special form of notification.

Disposal of bodies

The Births and Deaths Registration Act 1926 provides that the body of a deceased person may not be disposed of until a registrar or coroner has issued a document which allows disposal to proceed. The authorities for burial of a body which the registrar may issue are a certificate that he has received notice of the death, a certificate that he has registered the death or a certificate that the death is not required to be registered. This last certificate is used where the death occurred outside England and Wales and the body is brought to this country for disposal. The person seeking such a certificate must sign a declaration that the death occurred outside England and Wales. The authority issued by the coroner is his order for burial.

Neither the registrar nor the coroner can issue any document which, by itself, is sufficient authority for cremation. The registrar may issue his certificate that he has registered the death or a coroner may issue his certificate for cremation, but in each case a medical referee at the crematorium must give the final authority for cremation.

The registrar's certificates and the coroner's order and certificate are in 3 parts. The first part is the counterfoil to be completed and retained by the issuer; the second, the certificate or order itself; and

the third, a detachable notification of disposal on which the burial or cremation authority is required to notify the registrar of the date, place and means of disposal. The second and third parts of these authorities are issued intact and must be produced together as authority for the disposal.

So that an authority may not be misused, the registrar is required to check his counterfoils regularly to see that he has been notified of every disposal. Where he has not been notified, he must make enquiries to discover how, when and where the body was disposed of. When he receives notification of disposal, the registrar checks particulars of the deceased person on the notification against his counterfoil to ensure that the authority was used for the deceased person for whom it was issued.

Similar authorities are issued for the disposal of the bodies of stillborn children but no notification of disposal is required for stillbirths.

MARRIAGE

There are two distinct procedures for marriage in England and Wales. Marriage may be solemnized according to the rites and ceremonies of the Church of England (or the Church in Wales) after ecclesiastical preliminaries; alternatively, it may take place in other specified buildings after civil preliminaries. These procedures are described in more detail below.

Marriage according to the rites of the Church of England

The preliminaries to a Church of England marriage may be either:

- a) The publication of banns;
- b) The issue of a common licence;
- c) The issue of a special licence granted by, or on behalf of the Archbishop of Canterbury; and,
- d) The issue of a superintendent registrar's certificate.

Application for the publication of banns is made to the clergyman of the parish in which each party to the marriage lives. The banns must be published on 3 successive Sundays before the marriage can take place. Thus 15 to 21 days must elapse after the application for banns to be published, before the parties may marry. This waiting period and the publication of banns may be avoided if the parties apply for a common licence to the diocesan registrar or surrogate in the diocese. Once the licence has been granted, the parties may be married forthwith. A special licence is issued only in grave emergencies or

very exceptional circumstances and enables a marriage to be solemnized according to the rites of the Church of England at any time and place. Parties may marry according to the rites of the Church of England on the authority of a certificate of a superintendent registrar instead of after banns, but at least 21 days must elapse after notice has been given to the superintendent registrar before the parties may marry.

Marriage after civil preliminaries

Essentially, civil preliminaries consist of the giving of notice of marriage to a superintendent registrar who, unless he is satisfied that there is an impediment to the marriage, issues his authority for the marriage to proceed. These preliminaries apply to all marriages which are not solemnized according to the rites of the Church of England.

Place of marriage. Most marriages after civil preliminaries take place in a district register office or a registered building. Such buildings are usually churches or chapels belonging to nonconformist denominations and registered by the Registrar General for marriages. Marriages may not take place in those buildings until they are so registered. However, marriages according to the usages of the Jews or the Society of Friends take place in buildings which are not registered by the Registrar General.

Normally, the building chosen for the marriage must be in the superintendent registrar's district in which notice is given; but, if one of the parties usually worships in a building outside the district, the parties may after declaring this fact marry in that building. Similarly, if there is not within the district a building of the religious denomination according to which the parties wish to marry, they may marry in the nearest one of the required denomination.

Marriage notice and superintendent registrar's authority. Parties wishing to marry must give notice of their intention to a superintendent registrar or, in some circumstances, to a registrar. They may elect to marry on the authority of a superintendent registrar's certificate or his certificate and licence.

For marriage by certificate each of the parties must give notice to the superintendent registrar for the district in which he or she has lived for the 7 days immediately preceding the giving of notice. If the parties live in the same district only one notice is required. The notice given by the party or parties is displayed for 21 days in the district register office so that any person knowing of an impediment to the marriage may inform the superintendent registrar. At the end of the 21 days, the superintendent registrar,

unless he is satisfied that there is an impediment to the marriage, may issue his certificate for the marriage to proceed

If the marriage is to be by certificate and licence, only one notice is required. This notice may be given by either party to the superintendent registrar for the district in which one of them has lived for the 15 days immediately prior to the giving of notice. The notice is not displayed and, unless the superintendent registrar is satisfied that there is an impediment to the marriage, he will issue his certificate and licence for the marriage to take place, after one clear day (other than a Sunday, Christmas Day or Good Friday) from the date on which the notice was given and entered in his marriage notice book.

The superintendent registrar's certificate and his certificate and licence are valid for 3 months from the date on which notice was entered. Parties may not marry on those authorities when that time has expired.

Registrar General's Licence

Under the provisions of the Marriage (Registrar General's licence) Act 1970, it has been possible since 1 January 1971 for the Registrar General to issue his licence for marriage in particular circumstances. It is issued where one of the parties is seriously ill and not expected to recover and cannot be moved to a place where marriages are normally solemnized. Most such marriages take place at very short notice in hospitals and private homes.

The Registrar General's licence forms, for these special circumstances, the counterpart of the Archbishop's special licence mentioned above, which is valid only for marriages solemnized according to the rites and ceremonies of the Church of England.

Restrictions on marriage

A marriage contracted between persons either of whom is under the age of 16 years is void. A person who has a lawful wife or husband living cannot contract a valid marriage. A marriage is void if it is contracted between parties who are related to one another within a defined list of relationships, *e.g.*, a mother may not marry her son nor a brother his sister.

In satisfying himself that the parties are free to marry, the superintendent registrar has a duty to inspect documents which support the parties' declared status. If a party is divorced, he will examine the decree which made the dissolution of the previous marriage absolute; if a party's previous spouse has

died he will want to see the death certificate or some other satisfactory evidence of death.

Persons under the age of 18 years who have not previously married must have the consent of their parents before they may give notice to marry. Where the parents have been deprived of custody of the child or have died, the consent of the child's guardian must be given. In certain circumstances, the necessity of obtaining consent to the marriage can be dispensed with by the courts or by the Registrar General.

The marriage ceremony and registration

In every marriage ceremony after civil preliminaries, the parties must each declare before 2 or more witnesses that they are free to marry. Following this, they make a contract to join each other as man and wife. The words to be used in this declaration and contract are written into the Marriage Act, and may not be varied, but there is special provision for the declaration and contract to be said in the Welsh language.

In the district register office, the superintendent registrar officiates at the marriage. The actual ceremony takes little longer than 5 to 10 minutes during which the superintendent registrar recites the declaratory and contracting words for each party to repeat in turn. There is no religious service in a register office; in registered buildings the declaration and contract are included in some part of the marriage service of the denomination concerned.

Immediately after the ceremony the marriage is registered. In churches and other buildings of the Church of England (or the Church in Wales), the incumbent of the church registers the marriage in duplicate registers; in register offices, a registrar of marriages or additional registrar carries out the registration (the superintendent registrar cannot register the marriage); in registered buildings, the marriage may be registered by a registrar in his own register or by a person specially authorised by the Registrar General to do so. Where an authorised person registers, he does so in duplicate registers supplied for the registered building.

Particulars recorded are, in respect to each party of the marriage; name and surname, age, marital condition, occupation, residence at the time of marriage, and father's name, surname and occupation. The date and place of the marriage are also registered and the entry is signed by the parties, the witnesses and the person officiating at the ceremony. Where a religious ceremony is performed, the name of the denomination whose rites were used is entered.

LOCAL RECORDS AND CERTIFICATES

Each register office is equipped with fireproof safes or a strong room in which the registers of all births, deaths and marriages occurring locally are housed. Records of stillbirths are not retained locally. Current registers are similarly kept in security boxes by the registrars: filled registers are sent to the superintendent registrar for custody. Registrars and superintendent registrars are empowered to issue a variety of certificates from the records in their custody. Full certified copies of birth, death and marriage entries are issued, some of which are supplied at a reduced rate to meet specific statutory purposes, e.g., claims for family allowances, national insurance, and national savings. Short certificates of birth may also be issued which show only the name, surname and sex of the child, the date of birth and the district and subdistrict of birth.

Applicants for certificates, research workers and others, have a right to inspect specific entries in the registers held by registrars, but they have access only to the indexes of the records held in the register office. In the register office, they may also make general searches in the indexes without specifying the object of the search but information contained in the registers may be supplied only by means of a certificate.

Incumbents of churches, authorised persons, Secretaries of synagogues and Registering Officers of the Society of Friends, similarly keep their registers of marriages in fireproof safes or boxes and can allow searches in them and issue certificates from them. When the registers are filled, one of the duplicates is sent to the superintendent registrar of the district for custody.

THE GENERAL REGISTER OFFICE

This booklet is concerned only with the work of the Marriage and Registration Division, which in turn is subdivided into a number of branches and sections whose various functions are described in more detail below.

Adoptions and records receipt

This branch of the office combines for convenience two sections with quite distinct functions.

Adoptions. Under the Adoption Act 1958, adoptions are granted to applicants by the High Court, County Courts and Juvenile Courts. The order granting an adoption contains a direction to the Registrar General to make an entry in the Adopted Children Register recording particulars of the adopted child and the adopters which are set out in a schedule

to the order. Where the court is satisfied that the child being adopted is identical with a child whose record of birth is held by the Registrar General, there is a further direction to mark that record with the word 'Adopted'.

The main function of the Adoptions Section is to make entries in the Adopted Children Register in accordance with the courts' directions and issue certificates of entries to applicants. The particulars recorded in the register are the child's date and country of birth, name and surname and sex; the name, surname, address and occupation of the adopter(s); and the date of the order and the description of the court by which it was made. For those children born in this country, the entry shows, in addition to the country of birth, the names of the registration district and subdistrict in which the birth entry is recorded. Some 20,000 adoptions are registered annually by the Section.

The Act forbids the disclosure of the link between the adoption entry and the original birth entry except in certain circumstances. In order to cover such circumstances, the Registrar General is required to maintain a special index which will provide that link but this index is not, of course, available to the public. The section prepares a general index of adopted children which is available for searching by the public to trace a required entry in the Adopted Children Register, but neither this nor any certificate issued after a search contains any reference to the original birth entry.

At the time of registering an adoption, the Section notifies the superintendent registrar holding the original birth entry and he is instructed to mark the entry 'Adopted' and send to GRO a certified copy of the marked entry which replaces the record held. At the same time, the adoption is notified to the Central Register in Southport so that the records there can be amended. The adopters are sent a free short certificate of the entry and told how to obtain further short certificates or full certified copies of the entry. The short certificate from the Adopted Children Register is in the same form as a similar certificate issued from the birth records.

Provision has been made in the Adoption Act 1968 to widen the scope of registration to include adoptions overseas of children born in this country. Such registrations cannot, however, be made unless the overseas adoption is of a description which has been specified by an order under the 1968 Act and the Registrar General is satisfied that there are sufficient particulars available to enable an entry to be made.

This section also handles applications under

section 26 of the Children Act 1975 by adult adopted people, to be given the information relating to their birth after attending an interview with a skilled counsellor

Records receipt After the end of each quarter, the section receives certified copies of all birth, death and marriage entries made locally by the registrars, clergy, authorised persons, etc. Every entry is examined to discover any obvious errors, and where errors are found, steps are taken to get them corrected. The examiners also assist in the preparation of the central indexes, *e.g.*, the preparation of double entry punching slips to cover hyphenated surnames

The pages of the certified copies are arranged into 40 volumes according to district and every page is numbered. When the certified copies are arranged and cleared by the examiners, they are passed to the punching staff which prepares the information required for the indexes. This information is fed to the computer which produces an alphabetical print-out for the pages of the volumes of indexes. The references used in the indexes are matched to the volume and page numbers of the certified copies

Each quarter, this section handles entries relating to some 200,000 births, 100,000 marriages and 130,000 deaths

Marriages and general

This branch also contains 2 separate and distinct sections:

Marriages. Because of the complication of the marriage laws in various overseas countries and in states of those countries, every proposed marriage where one of the parties has been granted a foreign divorce must be referred to this branch. The work involves a careful study of case law to determine whether or not the divorce granted overseas is likely to free the person concerned to marry in this country. Where it is certain that the divorce would not be recognised in English law, the superintendent registrar is advised to withhold the issue of his authority for the marriage to proceed. Some 2,500 foreign divorce documents are vetted each year

Also referred to this branch, are the cases where the consents to the marriage of a minor are lacking. On the evidence submitted, the branch must recommend to the Registrar General whether he should dispense with the necessity of obtaining consent to the marriage.

Many other problems concerning the due compliance with the legal preliminaries to marriage

are referred to the branch for advice and instructions, but problems involving marriage in the Church of England (or the Church in Wales) are not handled here. Such problems are dealt with by the central controlling bodies of the Church.

General. This section is concerned with the general administration of the Births and Deaths Registration Acts and the direction of registration officers in their duties under them. It deals with enquiries from local officers and the public about registration matters generally. Such matters include, for example, decisions on whether a death offshore is registerable; whether a child was liveborn and died or was stillborn; disposal of bodies; resolution of doubt as to particulars required to be registered; and loss or damage to registers in local offices. The section also prepares a wide variety of registration forms for use in local offices.

Corrections and legitimation

Corrections. The statutory provision for correcting entries of birth, stillbirth, death and marriage is in section 29 of the Births and Deaths Registration Act 1953 and in section 61 of the Marriage Act 1949.

Simple clerical errors in birth and death entries, *e.g.*, mistakes in copying from documents, are corrected by the registrar in the presence of his superintendent. More serious clerical errors and errors of fact or substance are referred to the corrections section before any action to correct the entry is taken. The section obtains all the evidence necessary to prove that an error has been made before authorising correction. If a clerical error is involved, it must be corrected by the registrar in the presence of a qualified informant; if the error is one of fact or substance, 2 persons having knowledge of the true facts are required to make statutory declarations of those facts. Clerical errors are corrected in the body of the entry with a marginal note showing the authority for correction; errors of fact or substance are corrected by marginal note without amendment of the particulars in the entry.

There are no provisions to distinguish clerical errors in marriage entries from errors of fact or substance. All errors in completed marriage entries are corrected by marginal note and in the presence of the parties married or of 2 credible witnesses and the superintendent registrar. As in the case of birth and death entries, the section examines all the evidence of the true facts and advises the local officer of the manner in which the correction should be made.

In birth entries, a common correction involves the deletion of the particulars of the father in the en-

try This situation arises where a married woman conceives a child through adultery but gives her husband's name as the father of the child for the birth entry. Subsequently, she cohabits with or marries the father of the child and brings up the child in the father's surname. At this stage she wishes to remove her husband's name from the entry and have the actual father's name inserted instead. If the section is satisfied on evidence adduced that her husband could not be the father of the child, the entry is corrected to remove his name from the entry; and, if the section is similarly satisfied that the other man is in fact the father, either the entry is reregistered on the joint information of the parents or, if they have married, the entry is reregistered under the Legitimacy Acts. (See below).

A similar situation often leads to correction of a death entry. A woman cohabits with a married man who dies. She gives information for the registration of the death signing the entry as the 'widow of the deceased.' Because of this, the true widow is unable to prove her title to widow's pension. Again, all available evidence is examined by the section and, where appropriate, the entry is corrected to show the informant qualified in some capacity other than that of widow of the deceased.

Where the original entry of an illegitimate child's birth does not contain particulars of the father, the section may authorise reregistration to include those particulars subject to the conditions specified previously.

The section also authorises the registration of births more than 12 months after the date of birth. It is often not till later in life, *e.g.*, at pension age, that a person discovers his birth was not registered. Provided the section can be satisfied as to the actual date and place of the birth, and provided a qualified informant is still available, the section will, on behalf of the Registrar General, authorise the late registration. The fact that the Registrar General's authorisation has been given, is recorded in the entry.

Particulars of the births of foundlings and of abandoned children whose birth records cannot be traced, may be entered in a special register maintained in this section under section 92 of the Children Act 1975. Applications under these provisions are made by the person in charge of the child or by the child himself if he has reached the age of 18 years. Because of the limited particulars available, only short birth certificates may be issued from this register.

Legitimation Under the Legitimacy Acts, a child born before the marriage of his parents is legitimated by their subsequent marriage to each

other. Once the child is legitimated, the parents have a statutory duty to give such information as may be necessary to enable the Registrar General to authorise the reregistration of the child's birth. The legitimation section is concerned with verifying the facts and authorising those reregistrations. They endeavour to seek evidence that the person claiming to be the father is, in fact, the natural father of the child. Such evidence may include a Declaration of Legitimacy, an affiliation order granted to the mother, or an acknowledgement of paternity by the father at the time the birth was registered. If that evidence is not produced, the father is required to make a declaration of paternity before the authority to reregister is given. One of the parents, usually the father, may attend before the registrar for the sub-district where the child was born to give information personally; alternatively, information may be given by declaration before another registrar. If the parents are not in this country they may declare the facts before specified persons, *e.g.*, HM consular officers, and the birth is reregistered in accordance with that declaration.

Overseas registration

Births, deaths and marriages of United Kingdom citizens may be registered overseas by HM Consuls and, in the case of servicemen and their families, by the Service authorities; and births and deaths in certain Commonwealth countries may be registered by British High Commissioners. There is also provision for the registration of births and deaths in ships by the Registrar General of Shipping and Seamen and there are similar arrangements in respect of births and deaths in civil aircraft, hovercraft and offshore installations. In respect to all of these events, certified copies of entries are sent to the Registrar General and the overseas section arranges for the assimilation of those entries into the records of the General Register Office. The section performs functions similar to those carried out by other sections of the Office in this country. The returns from overseas are received, arranged and examined, and indexes of the entries are prepared. The section handles returns relating to some 23,000 births, 2,000 deaths and 1,500 marriages annually.

Searching, verification and certificates

Some 240 million records are held by the General Register Office. The vast bulk of these records are typed or written certified copies of originals but the information they contain is being progressively transferred to microfilm to ease storage.

problems and to make ready access to it possible by modern searching equipment

Each week about 8,000 applications are made for certificates of entries or for searches in the records. Some 3,000 of these applications are made in person by members of the public. A public search room is available where they can search the indexes of the records and identify the entries in which they are interested. They are not given access to the actual certified copies or microfilm records. If certificates are required, the reference found by the searcher is used to locate the entry from which the certificate is prepared.

A fairly large staff is required to handle the 5,000 or so applications for certificates that are made by post each week. Besides the clerical staff dealing with the applications, there are officers whose sole duty is to search the indexes to the records and identify entries required, and a reproduction section which prepares certificates, by hand or typewriter or by photocopying. A large proportion of the pages of the indexes has been copied on to microfilm enabling the indexes to be searched by clerks seated at a desk using viewing machines.

Besides the searching necessary for the supply of certificates, the branch undertakes considerable work on behalf of other Government departments, in particular for National Insurance purposes. The many local offices throughout the country are able to send to the branch particulars of births, deaths and marriages in applications made to them and those particulars are verified from the records held in the GRO. The branch carries out some 4,000 verifications per week.

Local services and inspectorate

The main function of this branch is to administer the provisions of the Registration Service Act. Particular sections deal with the appointment of local officers and the drafting of the local schemes which form the bases for the administration of registration business in local authority areas.

Although the appointment of the registration officers is the responsibility of the local council, the branch is required to ensure that appointments are made within the terms of the Act and regulations. Various methods are used for the appointment of deputy officers and the Registrar General's approval is required for each appointment. The appointments sections also handle the appointment of authorised persons (see above), the certification of buildings for worship and the registration of buildings for the solemnization of marriages.

Local schemes are made by the local authority councils with the approval of the Secretary of State for Social Services (or the Secretary of State for Wales where appropriate), but the section drafts the schemes in consultation with the councils.

There are 9 Inspectors of Registration and 9 Assistant Inspectors supervised by a Chief Inspector and 3 Deputy Chief Inspectors. Each inspector has responsibility for a region of the country and his duty is to visit the registration officers in his region, to examine the work being done so as to ensure that the Acts, regulations and instructions are being compiled with and to advise the officers on registration matters. They must also be available to local authority officials for consultation and advice on registration within their region. The main job of the Assistant Inspector is to visit authorised persons in registered buildings and satisfy himself that the provisions of the Marriage Act and Regulations are being properly carried out. He must ensure particularly that the registers in which the marriage entries are recorded are in good condition and housed in secure damp-proof and fireproof safes or other containers.

National Health Service Central Register

In September 1939, shortly after the outbreak of the second World War, the population resident in England and Wales was enumerated. The primary purposes of this enumeration were to provide identity documents and documents for rationing purposes and to control the call up for the Forces. Every person enumerated was given an identity number against which particulars of that person were entered in transcript books in the offices of the Central National Registration Office in Southport, Lancashire. This initial enumeration formed the primary register of the population which has been maintained by the staff in Southport ever since.

An additional birth register was formed of the children born after September 1939, and further registers to cater for immigrants to this country and those discharged from HM Forces.

With the discontinuance of National Registration in February 1952, the office became the NHS Central Register and its main purpose was, and still is, to arrange for additions to and deletions from the list of patients on which a per capita payment is made to local doctors. To provide for the entry of newborn children on the lists, each registration subdistrict is allocated a 3 lettered code. To these letters are added 2 further letters to represent the year and quarter of registration. The full code number for National Health Service purposes consists of those 5 letters and the

number of entry of the child's birth in the register. Other registers are maintained to supply National Health Service numbers to persons registering with doctors for the first time on entry into England or Wales or to persons whose numbers cannot be traced. On the death of a patient, the local registrar tries to obtain the National Health Service number of the deceased but in some 50 percent of the deaths where this number is not so obtained, the Southport staff is required to trace the numbers. To assist in this task, alphabetical indexes are maintained in which searches are made.

The Central Register also acts as a central control for the receipt and distribution of information relating to emigration, enlistments into the Armed Forces, etc.

There is no statutory system for informing the Central Register of change of address but, where a person on changing his address registers with a new doctor in a different Health Executive Council area, that change is notified to Southport. The Central Register, therefore, provides a means of tracing the whereabouts of missing persons but considerable restrictions are placed on its use for this purpose. In the main, this use is limited to such projects as medical research.

APPENDIX

Principal enactments relating to registration

This list is confined to those enactments which contain the basic provisions relating to registration. In addition to those listed, there is a considerable number of earlier enactments which remain partially in force and later ones which introduce modifications. Accordingly, the list should be regarded not as an exhaustive statement of all relevant provisions but simply as a guide to sources of statutory authority.

Marriage and registration - general

Marriage Act 1949
Registration Service Act 1953
Births and Deaths Registration Act 1953
The Registration of Births, Deaths and Marriages Regulations 1968
The Birth Certificate (Shortened Form) Regulations 1968
The Registration of Births, Deaths and Marriages (Fees) Order 1972
Marriage (Registrar General's Licence) Act 1970

Adoptions

Adoption Act 1958
Adoption Act 1968
Adoption Act 1975

Legitimacy

Legitimacy Act 1926
Legitimacy Act 1959

Overseas

Foreign Marriages Act 1892
British Nationality Act 1948
Civil Aviation Act 1949
Registration of Births, Deaths and Marriages (Special Provisions) Act 1957
Merchant Shipping Act 1970
The Registration of Births and Deaths (Consular Officers) Regulations 1948
The Civil Aviation (Births, Deaths and Missing Persons) Regulations 1948
The Registration of Births and Deaths (High Commissioners) Regulations 1964
The Service Departments Registers Order 1959
The Foreign Marriages Order 1970

Welsh

Welsh Language Act 1967
The Registration of Births, Stillbirths and Deaths (Welsh Language) Regulations 1969
The Registration of Marriages (Welsh Language) Regulations 1971