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COUNTY OF SURREY

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

SCHEME UNDER SECTION 14 OF THE REGISTRATION SERVICE ACT 1953

The Council of the County of Surrey, in exercise of the powers conferred on it by section 14 of the Registration Service Act 1953, makes the following Scheme:-

TITLE

1. This Scheme may be cited as “The Surrey Registration Scheme 2008” and shall come into operation on the Fourth day of August 2008.

INTERPRETATION

2. In this Scheme, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:-

“the 1953 Act” means the Registration Service 1953;

“the 1949 Act” means the Marriage Act 1949;

“the Council” means the Council of the County of Surrey;

“area” means the area of the County of Surrey;

“the Code of Practice” means the Registrar General’s Code of Practice for Local Authorities in place at the time of the making of this Scheme, as amended from time to time, and attached to this Scheme as the annex;

“principal officer” means superintendent registrar or registrar of births and deaths and “principal office” shall be construed accordingly;

“the Proper Officer” means the officer appointed by the Council for the purposes of the 1953 Act.

REGISTRATION DISTRICTS AND SUB-DISTRICTS

3. The council shall, in accordance with the Code of Practice, divide its area into registration districts and sub-districts.

4. The Council shall determine the location of offices and provide, equip and maintain those offices so as to meet the delivery targets in the Code of Practice and relevant legal requirements.

OFFICERS

5. (1) The Council shall determine the number of principal officers and other officers in accordance with the service standards contained in the Code of Practice. There shall be a minimum

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of one superintendent registrar and one registrar of births and deaths for each registration district and sub-district respectively.

(2) The Proper Officer shall notify the Registrar General of all principal officer appointments. Such notification may be made electronically.

DEPUTIES

6. (1) It shall be for the Proper Officer to appoint deputies under section 8(1) (deputy superintendent registrars and registrars of births and deaths) of the 1953 Act as amended by the Statistics and Registration Service Act 2007.

(2) The Proper Officer shall notify the Registrar General of all deputy appointments. Such notification may be made electronically.

(3) A deputy shall continue to hold office notwithstanding a change in the holder of the principal office.

FUNCTIONS OF REGISTRAR OF MARRIAGES

7. Every registrar of births and deaths appointed within the area may perform the functions of a registrar of marriages.

POWERS OF THE PROPER OFFICER

8. There shall be vested in the Proper Officer, subject to any regulations that may from time to time be in force under section 20(b) (regulations) of the 1953 Act, the powers and key responsibilities as set out in the Code of Practice.

INCIDENTAL TRANSITIONAL PROVISIONS

9. Subject to the provisions of this Scheme, upon operation of this Scheme:

(1) Where notice of marriage is given on or before 3rd August 2008 to the superintendent registrar of the East Surrey, North Surrey and West Surrey registration districts existing immediately before the commencement of this Scheme, and the marriage has not been solemnised on or before that date, the notice of marriage shall be valid as if given to the superintendent registrar of the Surrey registration district as constituted by this Scheme and he will cause any notice or exact copy of the particulars entered in the marriage notice book and required to be displayed under section 31(1)(marriage under certificate) of the 1949 Act to be affixed in some conspicuous place in his office from and including 4th. August 2008 for any unexpired portion of the period of 15 days mentioned in that sub-section.

(2) Where notice of marriage has been given prior to the commencement of this Scheme, and the marriage has not been solemnised before that date, then the following shall apply-

(a) where the persons to be married had stated in the notice that they wished to be married in the office of the superintendent registrar for the North Surrey

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registration district, the superintendent registrar for the Surrey registration district may arrange for the solemnisation of the marriage in his office; and

- (b) where the persons to be married had stated in the notice that they wished to be married in the office of the superintendent registrar for the East Surrey or West Surrey registration districts existing immediately before the commencement of this Scheme, the superintendent registrar for the Surrey registration district may arrange for the solemnisation of the marriage in the premises approved under section 46A (provisions relating to the approval of premises for marriages) of the 1949 Act on the same site as the office stated in the notice, or, if none has been approved, in his office.
- (3) Where notice of civil partnership is given on or before 3rd August 2008 to Surrey County Council, and the civil partnership has not been registered on or before that date, then the following shall apply –
- (a) where the persons entering into a civil partnership had stated in the notice that they wished to register the civil partnership in the register office for the North Surrey registration district existing immediately before the commencement of this Scheme, the civil partnership registrar may arrange for the registration of the civil partnership in the Surrey register office as constituted by this Scheme; and
 - (b) where the persons entering into a civil partnership had stated in the notice that they wished to register the civil partnership in the register office for the East Surrey or West Surrey registration districts existing immediately before the commencement of this Scheme, the civil partnership registrar may arrange for the registration of the civil partnership in the premises approved under section 46A (provisions relating to the approval of premises for marriages) of the 1949 Act on the same site as the office stated in the notice, or, if none has been approved, in the Surrey register office as constituted by this Scheme; and
 - (c) the Council shall cause the relevant information recorded in the notice and required to be displayed under section 10(3) (proposed civil partnership to be publicised) of the Civil Partnership Act 2004 to be displayed at the register office for the Surrey registration district as constituted by this Scheme on and including 4th August 2008 for any unexpired portion of the period of 15 days mentioned in that sub-section.
- (4) For the purposes of any notice of marriage or notice of civil partnership to be given on or after 4th. August 2008, the establishment of the Surrey registration district by this Scheme shall be deemed to have taken effect 32 days before that date.
- (5) Nothing in this Scheme shall prejudice or affect the registration of any building for the solemnisation of marriages under section 41 (registration of buildings) of the 1949 Act or the appointment of any persons as an authorised person under section 43 (appointment of authorised persons) of that Act.
- (6) Any notice under section 27 of the 1949 Act, given in accordance with section 19 of the Asylum and Immigration Act 2004 and the Immigration (Procedure for Marriage)

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Regulations intended to be given to the superintendent registrar for the registration district for North Surrey shall be deemed to have been properly given if given to the superintendent registrar for the Surrey registration district as constituted by this Scheme.

- (7) Any notice under section 8 of the Civil Partnership Act 2004, given in accordance with schedule 23 of that Act and the Immigration (Procedure for Formation of Civil Partnerships) Regulations 2005 intended to be given to the authorised person in the register office for North Surrey shall be deemed to have been properly given if given to the authorised person in the register office for Surrey.
- (8) Where any birth (including a still-birth) or death-
 - (a) occurs on or before 3rd. August 2008 in the East Surrey, North Surrey and West Surrey registration sub-districts existing immediately before the commencement of this Scheme; and
 - (b) the birth or death is not registered on or before that date-

the birth or death shall be registered by the registrars of births and deaths for the Surrey registration sub-district as constituted by this Scheme.

REVOCATION

10. The Surrey Registration Schemes 2000 and 2001 are revoked but without prejudice to anything done or to any right, privilege, obligation or liability acquired, accrued or incurred under it.

REVISION TO THE CODE OF PRACTICE

11. The Council may adopt any revision to the Code of Practice by means of the Proper Officer confirming their acceptance of the revision to the Registrar General.

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Dated this.....day of2008

Council's Sealing Clause

The Secretary of State for the Home Department hereby approves the foregoing scheme without modification.

Signed on behalf of the Secretary of State for the Home Department

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on thisday of2008

Executive Board Member, Identity and Passport Services