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STATUTORY INSTRUMENTS

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**2017 No. 1279**

**REGISTRATION OF BIRTHS, DEATHS &  
MARRIAGES, ETC., ENGLAND AND WALES**

**The Registration (Entries of Overseas Births  
and Deaths) (Amendment) Order 2017**

*Made - - - - 13th December 2017*  
*Laid before Parliament 20th December 2017*  
*Coming into force - - 11th January 2018*

At the Court at Buckingham Palace, the 13th day of December 2017

Present,

The Queen's Most Excellent Majesty in Council

This Order in Council is made in exercise of the powers conferred by section 41(4)(a) of the British Nationality Act 1981(1).

Accordingly, Her Majesty is pleased, by and with the advice of Her Privy Council, to make the following Order in Council:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Registration (Entries of Overseas Births and Deaths) (Amendment) Order 2017 and comes into force on 11th January 2018.

(2) In this Order “the 1982 Order” means the Registration (Entries of Overseas Births and Deaths) Order 1982(2).

**Amendment of the 1982 Order**

2. The 1982 Order is amended in accordance with articles 3 to 6.

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(1) 1981 c. 61.  
(2) S.I. 1982/1526.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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#### **Amendment of article 4**

3. In article 4(1) and 4(2) (application of legislation relating to Scotland and Northern Ireland), for “7(3) or 10(3) of the Registration of Overseas Births and Deaths Regulations 1982” substitute “11(2) of the Registration of Overseas Births and Deaths Regulations 2014(3)”.

#### **Amendment of Part 1 of Schedule 1 to the 1982 Order**

4. In Part 1 of Schedule 1 to the 1982 Order, at the end of the table insert—

“Section 38A(1)(b)(4)	Fees	For “of births or register of deaths” substitute “held by the Registrar General”.
Section 38A(1)(c)		For “of births or register of deaths” substitute “held by the Registrar General”.”

#### **Amendment of Part 2 of Schedule 1 to the 1982 Order**

5. In Part 2 of Schedule 1 to the 1982 Order, at the end insert—

“Section 38A(1)(b)	Fees	For “of births or register of deaths” substitute “held by the Registrar General”.
Section 38A(1)(c)		For “of births or register of deaths” substitute “held by the Registrar General”.”

#### **Amendment of Part 1 of Schedule 2 to the 1982 Order**

6. In Part 1 of Schedule 1 to the 1982 Order, at the end insert—

“The Registration of Overseas Births and Deaths Regulations 2014 (S.I. 2014/511)(5).”

*Ceri King*  
Deputy Clerk of the Privy Council

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(3) S.I. 2014/511.

(4) 1953 c. 20. Section 38A was inserted by section 89(1) and (2)(a) of, and paragraph 2 of Part 1 of Schedule 15 to, the Immigration Act 2016 (c. 19).

(5) S.I. 2014/511.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Registration (Entries of Overseas Births and Deaths) Order 1982 ([S.I. 1982/1526](#)) (“the 1982 Order”). The 1982 Order applies provisions of enactments relating to the registration of births and deaths in the United Kingdom to certified copies of birth and death entries sent for deposit with the Registrars General in the United Kingdom.

The Overseas Births and Deaths Regulations 2014 ([S.I. 2014/511](#)) (“the 2014 Regulations”) set out the process by which the birth or death overseas of a British Citizen or British overseas territories citizens in any Commonwealth or foreign country may be registered; revoking existing provisions which govern these registrations.

Article 3 amends reference to the provisions under which certified copies are transmitted by the Registrar General for England and Wales to the Registrar General for Scotland or the Registrar General for Northern Ireland, to refer to the 2014 Regulations.

Articles 4 to 6 of this Order make amendments to Parts 1 and 2 of Schedule 2 and Part 1 of Schedule 2 to the 1982 Order. These are in respect of providing a certified copy of a birth or death entry upon request and the charging of a fee, where that entry is held by the Registrar General for England and Wales and the original registration was made in the registers held by the Secretary of State under the 2014 Regulations. This prescribes the same fee for those making a request for a certified copy of a birth or death certificate from the Registrar General regardless of where the original registration was made.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.