

# Registration of Births and Deaths (Welsh Language) Bill

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Schedule – Consequential amendments to the Births and Deaths Registration Act 1953

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**B I L L**

TO

Make provision about the registration of births and deaths where particulars are given in Welsh and English; to permit certificates of particulars of entries of registers of births and deaths to be in Welsh or English only in such circumstances; and for connected purposes.

**B**E IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Registration where particulars are given in Welsh**

- (1) After section 24 of the Births and Deaths Registration Act 1953 (c. 20) (“the 1953 Act”) (certificates as to registration of death) insert—

**“24A Registers of births and deaths in England and Wales of which particulars are given in Welsh**

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- (1) If the registrar in England receives a declaration or statement made under section 9 or 23A of this Act in Welsh (as well as in English) to a prescribed officer in Wales who could understand and write Welsh, the registrar shall (as well as registering or re-registering the birth or death concerned) send the declaration or statement to the Registrar General.

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- (2) The Registrar General shall keep at the General Register Office registers of live-births, still-births and deaths in which shall be entered in both English and Welsh the particulars contained in declarations and statements sent to the Registrar General under subsection (1) of this section.”

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- (2) After section 32 of the 1953 Act (searches in registers kept by registrars) insert—

**“32A Single language certified copies of bilingual entries**

Where an entry has been made in any register in both English and Welsh, a certified copy of the entry provided under section 30, 31 or 32 of this Act may, if the person to whom it is provided so requests, consist of a copy of only the English or only the Welsh version of the entry.”

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## 2 Certificates of prescribed particulars

- (1) For section 33 of the 1953 Act (short certificate of birth) substitute –

### “33 Certificates of prescribed particulars in register

- (1) Any person shall, on furnishing the prescribed information and on payment of such fee as may be specified, be entitled to obtain a certificate as to such of the particulars contained in any entry of a birth or death in a register as may be prescribed. 5
- (2) A certificate may be obtained –
- (a) from the Registrar General if he has custody of the register or of a certified copy of the entry; and 10
- (b) from a superintendent registrar or registrar if he has custody of the register.
- (3) A certificate shall be in the prescribed form and compiled in the prescribed manner.
- (4) In subsection (1) of this section “specified” means specified by order made by the Secretary of State; and an order under this subsection may make different provision in relation to different descriptions of certificates or provision limited to particular descriptions of certificates. 15
- (5) The power to make orders under subsection (4) of this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.” 20

## 3 Supplementary

The Schedule (which contains amendments to the Act consequential on sections 1 and 2) has effect.

## 4 Short title, commencement and extent

- (1) This Act maybe cited as the Registration of Births and Deaths (Welsh Language) Act 2009. 25
- (2) Sections 1 and 2 and the Schedule shall come in to force on such a day as the Secretary of State may by order appoint; and different days may be appointed for different purposes. 30
- (3) This Act does not extend to Scotland or Northern Ireland.

## SCHEDULE

Section 3

### CONSEQUENTIAL AMENDMENTS TO THE BIRTHS AND DEATHS REGISTRATION ACT 1953

- 1 The 1953 Act has effect subject to the following amendments.
- 2 In section 10(1) (registration of father where parents not married or of second female “parent where parents not civil partners), for “the registrar shall not enter in the register the name of any person” insert “no person shall be registered”. 5
- 3 In section 10(1B) (registration of father where parents not married or of second female parent where parents not civil partners), for “the registrar shall not enter in the register the name of any woman” insert “no woman shall be registered”. 10
- 4 (1) Section 10ZA (registration of father or second female parent by virtue of certain provisions of Human Fertilisation and Embryology Act 2008 (c. 22)) is amended as follows.
  - (2) In subsection (1) for “the registrar shall not enter” insert “no entry shall be made”. 15
  - (3) In subsection (2)(a) for “the registrar to make” insert “that” and after “such an entry” insert “should be made”.
- 5 (1) Section 10A (re-registration where parents neither married nor civil partners) is amended as follows. 20
  - (2) In subsection (1) for “registrar shall re-register the birth” insert “birth shall be re-registered”.
  - (3) In subsection (1B) for “registrar shall re-register the birth” insert “birth shall be re-registered”.
  - (4) After subsection (2) insert – 25
    - “(3) Subsection (2) of this section shall not apply in relation to re-registration in the register of live births kept by the Registrar General under section 24A of this Act.”
- 6 In section 13 (registration of name of child or of alteration of name) after subsection (1A) insert – 30
  - “(1B) If the child’s birth has been registered in the register of live births kept by the Registrar General under section 24A of this Act, the Registrar General shall enter the name mentioned in the certificate in that register.”
- 7 In section 14 (re-registration of births of legitimated persons) after subsection (4) insert – 35
  - “(4A) Where a birth is re-registered under this section in such circumstances as may be prescribed, provision may be prescribed for

- the Registrar General of an entry in the register of live-births kept by the Registrar General under section 24A of this Act.”
- 8 In section 14A of the Act (re-registration after declaration of parentage) after subsection (2) insert –
- “(3) Where a birth is re-registered under this section in such circumstances as may be prescribed, provision may be prescribed for the Registrar General of an entry in the register of live-births kept by the Registrar General under section 24A of this Act.”
- 9 (1) Section 30 of the Act (searches of indexes kept by the Registrar General) is amended as follows.
- (2) In subsection (1A) after “section 3A” insert “and 24A”.
- (3) In subsection (2) after “said certified copies” insert “or registers”.
- (4) In subsection (3) –
- (a) after “registers of still-births” insert “or to the register of still-births kept by the Registrar General under section 24A of this Act”, and
- (b) at end insert “or in the register of still-births kept by him under section 24A of this Act.”
- 10 (1) Section 34 (entry in register as evidence of birth or death) is amended as follows.
- (2) In subsection (2) after “certified copy of a register” insert “or a certificate as to particulars contained in an entry of a birth or death”.
- (3) In subsection (6) –
- (a) after “General Register Office” insert “, or any certificate given in that Office under section 33 of this Act”;
- (b) after “of an entry”, in the second place, insert “, or any certificate given in that Office under section 33 of this Act”; and
- (c) after “no certified copy” insert “or certificate”.

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To make provision about the registration of births and deaths where particulars are given in Welsh and English; to permit certificates of particulars of entries of registers of births and deaths to be in Welsh or English only in such circumstances; and for connected purposes.

*Ordered to be brought in by Hywel Williams,  
Mr Elfyn Llwyd, Adam Price, Mr Dai Davies,  
Mark Williams, Dr Hywel Francis  
and Michael Fabricant.*

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*Ordered, by The House of Commons,  
to be Printed, 1 April 2009.*

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