

2010 No. 427

**REGISTRATION OF BIRTHS, DEATHS, MARRIAGES,
ETC.**

**The Registration Services (Fees) Amendment (Scotland)
Regulations 2010**

Made - - - - *1st December 2010*

Laid before the Scottish Parliament *2nd December 2010*

Coming into force in accordance with regulation 1

The Registrar General makes the following Regulations in exercise of the powers conferred by sections 28A(4), 37(1), 38(2) and (3), 39D(1), 39E(3), 43(8), 47 and 54(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (“the 1965 Act”)(a), sections 38 and 39C of that Act as applied by sections 98 and 122(7) of the Civil Partnership Act 2004 (“the 2004 Act”)(b), sections 122(4) and 134(2) of the 2004 Act, sections 55(6) and (9), 58(5) and (8) and 61(2)(a) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (“the 2006 Act”)(c) and all other powers enabling him to do so.

The Scottish Ministers have approved the making of these Regulations in accordance with section 54(1) of the 1965 Act(d), section 126(3) of the 2004 Act and section 60(1) of the 2006 Act.

Citation and commencement

1.—(1) These Regulations may be cited as the Registration Services (Fees) Amendment (Scotland) Regulations 2010.

(2) Except as provided in paragraph (3) they come into force on 1st January 2011.

(3) Regulations 3(b) and (c), 5, 6(2)(b) to (e), (h) and (i), (k) and (l), (n) and (o) and (3)(b), 9 and 10(2)(b) to (e), (3) and (4) come into force on 1st April 2011.

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- (a) 1965 c.49 (“the 1965 Act”); section 28A was inserted by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73), section 10(1); section 37 was amended by, and sections 39D and 39E were inserted by, the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14) (“the 2006 Act”), section 44; section 54(1) was amended by the Children Act 1975 (c.72), Schedule 4, Part III, the Marriage (Scotland) Act 1977 (c.15), Schedule 3, and the 2006 Act, section 41(3). Section 1 contains a definition of “Registrar General” and section 56 contains a definition of “prescribed” relevant to the statutory powers under which these Regulations are made.
- (b) 2004 c.33; section 98 was substituted by the 2006 Act, section 52(6); and section 122(7) was inserted by the 2006 Act, section 52(7). Section 39D of the 1965 Act applies to any information shared with district registrars under section 39C; section 126(1) contains a definition of “prescribed” and section 135(1) contains a definition of “Registrar General” relevant to the statutory powers under which these Regulations are made.
- (c) 2006 asp 14. Section 60 applies the definition of “Registrar General” from the 1965 Act and contains a definition of “prescribed” relevant to the statutory powers under which these Regulations are made.
- (d) The functions of the Secretary of State under the 1965 Act were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

Amendment of the Registration Services (Fees, etc.) (Scotland) Regulations 2006

2. The Registration Services (Fees, etc.) (Scotland) Regulations 2006(a) are amended in accordance with regulations 3 to 7.

3. In regulation 2(1) (interpretation)—

(a) after the definition of “bulk particular search” insert—

““express bulk particular search” means a bulk particular search made within 5 working days of the first working day after the date on which the application is received by the Register General;”;

(b) in the definition of “Internet search session”, for “90 days” substitute “1 year”; and

(c) after the definition of “particular search” insert—

““public holiday” means Good Friday, Easter Monday, the first Monday in May and the third Monday in September;”.

4. In regulation 4 (priority handling fee), for “£10” substitute “£15”.

5. In regulation 7 (remission of fees), for paragraph (ba)(b) substitute—

“(ba) these criteria are met—

(i) remission is likely to promote public knowledge of the registers in respect of which fees are payable under these Regulations;

(ii) the fee remitted is for—

(aa) a general search made at the ScotlandsPeople Centre at General Register House, 2 Princes Street, Edinburgh, EH1 3YY; or

(bb) an Internet search; and

(iii) the search is made—

(aa) by or on behalf of an association whose objects include genealogy;

(bb) by or on behalf of a school within the meaning of section 135 of the Education (Scotland) Act 1980(c) or at a public library managed by a library authority (within the meaning of section 2 of the Public Libraries Consolidation (Scotland) Act 1887(d)); or

(cc) using a discount voucher which has previously been issued by the Register General;”.

6.—(1) Schedule 1 (fees payable to Registrar General) is amended in accordance with paragraphs (2) to (4).

(2) In Part I (searches in statutory registers and parochial registers)—

(a) for “3.00” (fee for a particular search where an application is made in person) each time it appears in column 3, substitute “5.00”;

(b) for “6.00” (fee for an Internet search) each time it appears in column 3, substitute “7.00”;

(c) for “10.00” (fee per day for a general search) each time it appears in column 3, substitute “15.00”;

(d) for “440.00” (fee per quarter for a general search) each time it appears in column 3, substitute “490.00”;

(e) for “1,250.00” (fee per year for a general search) each time it appears in column 3, substitute “1,450.00”;

(a) S.S.I. 2006/575; amended by S.S.I. 2007/531, 2009/64 and 2010/92.

(b) Paragraph (ba) was added by S.S.I. 2007/531.

(c) 1980 c.44; the definition of “school” in section 135 was amended by the Registered Establishments (Scotland) Act 1987 (c.40), section 2(2) and the Standards in Scotland’s Schools etc. Act 2000 (asp 6), schedule 3.

(d) 1887 c.42 (50 and 51 Vict.); the definition of “library authority” in section 2 was substituted by the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13, paragraph 5.

- (f) for “100.00” (fee per application for a bulk particular search) each time it appears in column 3, substitute “120.00”;
- (g) for “0.01” (fee per record and per group of 10 records for a bulk particular search) each time it appears in column 3, substitute “0.012”;
- (h) omit entry 4(a) in column 2 and the corresponding entry in column 3 (fee per block reservation of 10 places for a general search of parochial registers and indexes to statutory registers);
- (i) before entry 4(b) in column 2 and the corresponding entry in column 3, insert—

“(a) in the case of a 2 hour session after 16:30 on a Monday to Friday—	
per group of up to 20 people	200.00
per group of between 21 and 50 people	250.00
per person	10.00
(ab) on a Saturday, Sunday or public holiday—	
per person, per day	30.00”;

- (j) after entry 5 in column 2 and the corresponding entry in column 3, insert—

“5A. Express bulk particular search in the indexes to the statutory registers, whether the specified entry is traced or not—	
(a) per application;	180.00
(b) for each of the first 20,000 records searched;	0.018
(c) for each group of 10 records (or part thereof) searched additional to the first 20,000 records	0.018”;

- (k) omit entry 8(a) in column 2 and the corresponding entry in column 3 (fee per block reservation of 10 places for a general search of the index to the Register of Dissolutions of Civil Partnership);

- (l) before entry 8(b) in column 2 and the corresponding entry in column 3, insert—

“(a) in the case of a 2 hour session after 16:30 on a Monday to Friday—	
per group of up to 20 people	200.00
per group of between 21 and 50 people	250.00
per person	10.00
(ab) on a Saturday, Sunday or public holiday—	
per person, per day	30.00”;

(m) after entry 9 in column 2 and the corresponding entry in column 3, insert—

“9A. Express bulk particular search in the index to the Register of Dissolutions of Civil Partnership, whether the specified entry is traced or not—

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| (a) | per application; | 180.00 |
| (b) | for each of the first 20,000 records searched; | 0.018 |
| (c) | for each group of 10 records (or part thereof) searched additional to the first 20,000 records | 0.018”; |

(n) omit entry 12(a) in column 2 and the corresponding entry in column 3 (fee per block reservation of 10 places for a general search in the index of accessible material);

(o) before entry 12 (b) in column 2 and the corresponding entry in column 3, insert—

“(a) in the case of a 2 hour session after 16:30 on a Monday to Friday—

per group of up to 20 people 200.00

per group of between 21 and 50 people 250.00

per person 10.00

(ab) on a Saturday, Sunday or public holiday—

per person, per day 30.00”;

(p) after entry 13 in column 2 and the corresponding entries in column 3, insert—

“14. Express bulk particular search in the index of accessible material under section 58(1) of the 2006 Act, whether the specified entry is traced or not—

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| (a) | per application; | 180.00 |
| (b) | for each of the first 20,000 records searched; | 0.018 |
| (c) | for each group of 10 records (or part thereof) searched additional to the first 20,000 records | 0.018”. |

(3) In Part II (issue of extracts of entries in statutory and parochial registers and of abbreviated extracts)—

(a) for “8.00” (fee for the issue of an extract or copy) each time it appears in column 3, substitute “10.00”; and

(b) for “10.00” (fee for the issue of an extract or copy of an entry identified by Internet search) each time it appears in column 3, substitute “12.00”.

(4) In Part III (changes of name), in column 3, for “36.00” (fee for the recording of name, change of name or surname or alternative name), substitute “40.00”.

7.—(1) Schedule 2 (Fees payable to District Registrars) is amended in accordance with paragraphs (2) and (3).

(2) In Part I (searches in statutory registers and parochial registers), for “10.00” (fee per hour for a general search) each time it appears in column 3, substitute “15.00”.

(3) In Part II (issue of extracts of entries in statutory registers and parochial registers and of abbreviated extracts), for “9.00” (fee for the issue of an extract or copy) each time it appears in column 3, substitute “10.00”.

Amendment of the Book of Scottish Connections Regulations 2008

8.—(1) The Book of Scottish Connections Regulations 2008(a) are amended in accordance with regulations 9 to 11.

9. In regulation 2(1) (interpretation)—

(a) in the definition of “internet search session”, for “90 days” substitute “1 year”; and

(b) after the definition of “particular search” insert—

““public holiday” means Good Friday, Easter Monday, the first Monday in May and the third Monday in September;”.

10.—(1) Schedule 9 (fees payable to Registrar General) is amended in accordance with paragraphs (2) and (3).

(2) In column 3—

(a) for “3.00” (fee for a particular search where the application is made in person), substitute “5.00”;

(b) for “6.00” (fee for an internet search), substitute “7.00”;

(c) for “10.00” (fee per day for a general search), substitute “15.00”;

(d) for “440.00” (fee per quarter for a general search), substitute “490.00”; and

(e) for “1,250.00” (fee per year for a general search), substitute “1,450.00”.

(3) Omit entry 5(a) in column 2 and the corresponding entry in column 3 (fee per block reservation of 10 places for a general search).

(4) Before entry 5(b) in column 2 and the corresponding entry in column 3, insert—

“(a) in the case of a 2 hour session after 16:30 on a Monday to Friday—

per group of up to 20 people	200.00
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per group of between 21 and 50 people	250.00
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per person	10.00
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(ab) on a Saturday, Sunday or public holiday—

per person, per day	30.00”.
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(a) S.S.I. 2008/386.

11. In Schedule 10 (fees payable to district registrars), for “10.00” (fee per hour for a general search) each time it appears in column 3, substitute “15.00”.

PAUL MPARR
Deputy Registrar General for Scotland

New Register House,
Edinburgh
30th November 2010

Approved by the Scottish Ministers

JIM MATHER
Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
1st December 2010

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend fees payable to the Registrar General and to district registrars under the Registration Services (Fees, etc.) (Scotland) Regulations 2006 (“the 2006 Regulations”) and the Book of Scottish Connections Regulations 2008 (“the 2008 Regulations”).

Regulations 2 to 7 amend the 2006 Regulations. They increase the maximum length of an internet search session from 90 days to 1 year (regulation 3(b)). They amend regulation 4 of and Schedules 1 and 2 to the 2006 Regulations to increase the fees payable to the Registrar General and to district registrars for searches in statutory and parochial registers and for the issue of copies and extracts (regulations 3(a) and (c), 4, 6(2) and (3) and 7). They also increase the fee payable to the Registrar General for recording a change of name (regulation 6(4)).

The amendments to the fee structure remove the separate fee per block reservation of 10 places for a general search (£9 per place reserved) and set fees for new 2 hour general search sessions after 16:30 on weekdays and full day general search sessions at weekends and on public holidays (regulations 3(c) and 6(2)(i),(l) and (o)). They also set fees for a new express bulk particular search service (regulations 3(a) and 6(2)(j), (m) and (p)).

Regulation 5 amends regulation 7 of the 2006 Regulations. The amendment allows the Registrar General to remit fees for general searches made at the ScotlandsPeople Centre in certain circumstances.

Regulations 8 to 11 amend the 2008 Regulations. They increase the maximum length of an internet search session from 90 days to 1 year (regulation 9(a)). They amend Schedules 9 and 10 to the 2008 Regulations to increase the fees payable to the Registrar General and to district registrars for searches in the Book of Scottish Connections (regulations 10(2) and 11). They also amend the fee structure by removing the separate fee per block reservation of 10 places for a general search (£9 per place reserved) and by setting fees for new 2 hour general search sessions after 16:30 on weekdays and full day general search sessions at weekends and on public holidays (regulations 9(b) and 10(3) and (4)).

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