

PROJET DE LOI

ENTITLED

The Births, Deaths and Marriages Certificates (Miscellaneous Provisions) (Guernsey) Law, 1951 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Ordres en Conseil Vol. XV, p. 46; as amended by the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979 (Ordres en Conseil Vol. XXVII, p. 40); the Births, Deaths, Marriages and Legitimacy (Bailiwick of Guernsey) (Amendment) Law, 1991 (No. XVIII of 1991); the Marriage (Bailiwick of Guernsey) Law, 2020 (No. XVI of 2020); the Births, Deaths and Marriages (Fees) (Amendment) Ordinance, 1991 (Recueil d'Ordonnances Tome XXV, p. 238); the Births, Deaths and Marriage Certificates (Fees) (Amendment) Ordinance, 2006 (No. XXII of 2006); the Births, Deaths and Marriage Certificates (Fees) Regulations, 2009 (G.S.I. No. 3 of 2009); the Births, Deaths and Marriage Certificates (Fees) Regulations, 2010 (G.S.I. No. 111 of 2010); the Births, Deaths and Marriages Certificates (Fees) Regulations, 2012 (G.S.I. No. 59 of 2012). See also the Fees, Charges and Penalties (Guernsey) Law, 2007 (No. VII of 2008).

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ARRANGEMENT OF SECTIONS

1. Shortened form of birth certificate. Fee for above certificate. Fee for birth certificate.
2. Fee for death certificate.
3. ...
- 3A. Variation of fees.
4. Citation of 1840 Law.

SCHEDULE Certificate of Birth.

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THE STATES, in pursuance of their Resolution of the 5th day of October, 1949, have approved the following provisions, which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Shortened form of birth certificate. Fee for above certificate. Fee for birth certificate.

1. (1) Notwithstanding any of the provisions of the Loi relative à l'Enregistrement des Naissances et Décès dans le Bailliage de l'Île de Guernesey, registered on the Records of this Island on the 9th day of March, 1935, (hereinafter referred to as "**the 1935 Law**") or of the Loi relative à l'Enregistrement des Naissances et Décès dans l'Île d'Auregny, registered on the Records of this Island on the 31st day of October, 1925, the Registrar-General for the purposes of the 1935 Law and the Registrars of the Islands of Alderney and Sark may issue as a Birth Certificate a certificate in the form set out in the Schedule hereto, or in any other form which the States may from time to time by Ordinance direct to be substituted therefor, in lieu of the certificate in the form set out in Schedule A to the 1935 Law, unless the person requiring the issue of the certificate shall request that it be issued in the last-mentioned form.

(2) The fee[...] payable in respect of the issue of a certificate in the form set out in the Schedule hereto shall be [£15.00].

(3) The fee[...] payable in respect of the issue of a certificate in the form set out in Schedule A to the 1935 Law shall, notwithstanding any of the provisions of that Law, be [£20.00].

NOTES

In section 1,

the words omitted in the first pairs of square brackets in, first, subsection (2) and, second, subsection (3) were repealed by the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979, section 2(c), with effect from 23rd April, 1979;

the figures and symbols in the second pairs of square brackets in, first, subsection (2) and, second, subsection (3) were substituted by the Births, Deaths and Marriages Certificates (Fees) Regulations, 2012, respectively regulation 2 and regulation 3, with effect from 1st January, 2013.¹

Fee for death certificate.

2. Notwithstanding any of the provisions of the 1935 Law, the fee[...] payable in respect of the issue thereunder of a Death Certificate shall be [£20.00].

NOTES

In section 2,

the words omitted in the first pair of square brackets in section 2 were repealed by the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979, section 2(c), with effect from 23rd April, 1979;

the figures and symbol in the second pair of square brackets in section 2 were substituted by the Births, Deaths and Marriages Certificates (Fees) Regulations, 2012, regulation 3, with effect from 1st January, 2013.²

Fee for marriage certificate.

3. ...

NOTE

Section 3 was repealed by the Marriage (Bailiwick of Guernsey) Law, 2020, section 67, Schedule, with effect from 1st March, 2021.³

[Variation of fees.

3A. (1) The States may by Ordinance vary the fees that shall be payable in respect of the issue of a certificate mentioned in the foregoing provisions of this Law and any such Ordinance may provide that different fees shall be payable in respect of the issue of similar certificates in different circumstances.

(2) Any Ordinance made under subsection (1) –

- (a) may contain such supplementary, incidental and transitional provisions as in the opinion of the States is necessary or expedient for the purposes of the Ordinance,
- (b) may be amended or repealed by a subsequent Ordinance.]

NOTES

Section 3A (which was originally inserted by the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979, section 2(d), with effect from 23rd April, 1979) was substituted by the Births, Deaths, Marriages and Legitimacy (Bailiwick of Guernsey) (Amendment) Law, 1991, section 3, with effect from 3rd December, 1991.

The following Ordinances have been made under section 3A:

*Births, Deaths and Marriage (Fees) (Amendment) Ordinance, 1991;
Births, Deaths and Marriage Certificates (Fees) (Amendment)
Ordinance, 2006.*

In accordance with the provisions of the Fees, Charges and Penalties (Guernsey) Law, 2007, section 1, Schedule, with effect from 19th May, 2008, the power to prescribe by Ordinance the fees therein referred to and payable under this Law may be exercised by Regulation.

Citation of 1840 Law.

4. The 1840 Law may be cited as the Loi de 1840 ayant Rapport au Registre Général des Naissances, des Mariages et des Morts.

NOTES

The Law received Royal Sanction on 31st May, 1951 and was registered on the Records of the Island of Guernsey and came into force on 23rd June, 1951.

The Loi de 1840 ayant Rapport au Registre Général des Naissances, des Mariages et des Morts has since been repealed by the Marriage (Bailiwick of Guernsey) Law, 2020, section 67, Schedule, with effect from 1st March, 2021.

SCHEDULE

CERTIFICATE OF BIRTH.

Surname
Christian Name
Sex Date of Birth

Place of Birth } Parish of in the Island
of }
Birth } of

I certify that the above particulars have been compiled from an entry in a Register in my custody.

Greffe,
Guernsey.

This day of, 19 ..

.....
Registrar-General.

¹ Subsection (2) was previously amended by the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979, section 2(a), with effect from 23rd April, 1979; the Births, Deaths and Marriages (Fees) (Amendment) Ordinance, 1991, section 2(a), with effect from 1st March,

1991; the Births, Deaths and Marriage Certificates (Fees) (Amendment) Ordinance, 2006, section 2, with effect from 31st May, 2006; the Births, Deaths and Marriage Certificates (Fees) Regulations, 2009, regulation 1, with effect from 1st February, 2009; the Births, Deaths and Marriages Certificates (Fees) Regulations, 2010, regulation 2, with effect from 1st January, 2011. Subsection (3) was previously amended by the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979, section 2(b), with effect from 23rd April, 1979; the Births, Deaths and Marriages (Fees) (Amendment) Ordinance, 1991, section 2(b), with effect from 1st March, 1991; the Births, Deaths and Marriage Certificates (Fees) (Amendment) Ordinance, 2006, section 3, with effect from 31st May, 2006; the Births, Deaths and Marriage Certificates (Fees) Regulations, 2009, regulation 3, with effect from 1st February, 2009; the Births, Deaths and Marriages Certificates (Fees) Regulations, 2010, regulation 3, with effect from 1st January, 2011.

² Section 2 was previously amended by the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979, section 2(b), with effect from 23rd April, 1979; the Births, Deaths and Marriages (Fees) (Amendment) Ordinance, 1991, section 2(b), with effect from 1st March, 1991; the Births, Deaths and Marriage Certificates (Fees) (Amendment) Ordinance, 2006, section 3, with effect from 31st May, 2006; the Births, Deaths and Marriage Certificates (Fees) Regulations, 2009, regulation 3, with effect from 1st February, 2009; the Births, Deaths and Marriages Certificates (Fees) Regulations, 2010, regulation 3, with effect from 1st January, 2011.

³ Prior to its repeal, section 3 was amended by the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979, section 2, with effect from 23rd April, 1979; the Births, Deaths and Marriages (Fees) (Amendment) Ordinance, 1991, section 2(b), with effect from 1st March, 1991; the Births, Deaths and Marriage Certificates (Fees) (Amendment) Ordinance, 2006, section 3, with effect from 31st May, 2006; the Births, Deaths and Marriage Certificates (Fees) Regulations, 2009, regulation 3, with effect from 1st February, 2009; the Births, Deaths and Marriages Certificates (Fees) Regulations, 2010, regulation 3, with effect from 1st January, 2011; the Births, Deaths and Marriages Certificates (Fees) Regulations, 2012, regulation 3, with effect from 1st January, 2013.