

## NOTA GENERAL ADICIONAL: REGISTRO DE NACIMIENTO MENORES DE EDAD EN EL REINO UNIDO

(Traducción al Español)

Los padres pueden darle a su hijo(a) cualquier nombre o apellido que deseen. Ningún documento adicional es requerido bajo la ley del Reino Unido, sin embargo existe la facilidad de hacer esto a través los tribunales del Reino Unido por un "Deed Poll" o Declaración Reglamentaria. El apellido que se les da a un niño(a) cuando su nacimiento es registrado en el Reino Unido es generalmente, pero no siempre, el del padre. Sin embargo a veces ocurre, en especial en los casos de personas que nacen fuera del matrimonio, que los apellidos de los padres, son usados en cualquier orden (con o sin un guión en el medio) para producir un apellido compuesto. La ley Inglesa no tiene restricciones con respecto al apellido dado/registrado para un niño(a) en el Reino Unido.

Los padres pueden cambiar conjuntamente el apellido del niño(a), o en casos de divorcio, por parte del padre o madre con la custodia del niño(a), en ausencia de una orden de la corte indicando lo contrario. Si la madre tiene la custodia del niño(a) y vuelve a contraer matrimonio, ella podría cambiar el apellido del niño(a) a del nuevo cónyuge, aún cuando éste no sea el padre biológico del niño(a).

-La información contenida en esta nota general no deberá ser tomada como una declaración definitiva de la ley-

### Children

Parents may give their child any forename or surname. No additional documentation is required under UK law although there is a facility for doing so through the UK courts by way of a Deed Poll or Statutory Declaration. The surname given to a child when its birth is registered in the UK is generally, but not always, that of the father. However it sometimes happens, especially in the case of persons born outside marriage, that the surnames of the parents, in any order, are used (hyphenated or not) to provide a double-barrelled surname. English law places no restrictions as to what surname may be registered for a child in the UK.

The surname of a child may be changed by parents acting jointly or, after divorce, in the absence of any order of the court to the contrary, by the parent having custody of that child. If, therefore, the mother has custody of the child and remarries, she may cause the child to be known by the surname of her new husband, even though he is not the father of the child.

-The information contained in this note is general and should not be taken as a definitive statement of law-



# REGISTRO DE NACIMIENTOS, DEFUNCIONES, MATRIMONIOS, ETC. INGLATERRA Y GALES

## Regulaciones del Registro de Nacimientos y Defunciones 1987

### PARTE III

#### REGISTRO DE NACIDOS VIVOS

#### Inscripción de datos cuando el registro toma lugar en los primeros tres meses desde la fecha de nacimiento

9 - (1) Cuando el registro relevante es recibido de un declarante calificado antes de la expiración de tres meses desde la fecha de nacimiento del niño(a), la información del individuo requerida por el reglamento 7 (1) registrará el nacimiento y datos, si no han sido previamente registrados en la presencia del declarante en el formulario 1, ingresando los datos particulares en los espacios 1 al 13, cuando sea aplicable, en conformidad con las siguientes cláusulas de este Reglamento.

- (2) Con respecto al espacio 1 (fecha y lugar de nacimiento), si es más de un nacido vivo en el parto, el registro civil registrará después de la fecha de nacimiento la hora de nacimiento.
- (3) Con respecto al espacio 2 (nombre y apellido) –
  - (a) Si aún no se ha dado un nombre, el registro civil ingresará solo el apellido, seguido por una línea horizontal;
  - (b) El apellido a ser registrado será el apellido que, a la fecha del registro de nacimiento, se propone dar a conocer al niño(a).
- (4) Con respecto al espacio 4 (nombre y apellido del padre) –
  - (a) Si, aplicando al menos el sub-párrafo (b), el padre adquirió después del nacimiento del niño(a) un nombre o apellido diferente al que tenía en la fecha de su nacimiento, el registro civil (sujeto a la sección 10 de la Acta (7)) ingresará en el espacio 4 el nombre y apellido que tenía en la fecha de su nacimiento, seguido del nombre y apellido en el momento del registro del niño(a), precedido por la palabra “ahora” o, si el padre ya es fallecido, su nombre y apellido al fallecer precedido por la palabra “después”;
  - (b) En el caso de un requerimiento hecho por la madre bajo la sección 10(c) del Acta, el registro civil ingresará en el espacio 4 el nombre y apellido del padre putativo registrado en la copia certificada de la orden hecha bajo la sección 4 del Acta de Procedimientos de Afiliación 1957 (8) presentada al oficial por la madre.
- (5) Con respecto a los espacios 5 y 6 (lugar de nacimiento del padre y ocupación) –
  - (a) En el caso que aplique la sección 10 del Acta, el registro civil no completará los espacios 5 y 6 al menos que el nombre y apellido del padre del niño(a) hayan sido ingresados en el espacio 4 en conformidad a esa sección;



- (b) Si el padre ya ha fallecido a la fecha del nacimiento el registro civil ingresará debajo de los datos en el espacio 6 la palabra "difunto";
- (c) Si el padre cambió su ocupación desde el nacimiento del niño(a), el registro civil ingresará en el espacio 6 después de ocupación en la fecha de nacimiento la ocupación en la fecha del registro precedido por la palabra "ahora".
- (6) Con respecto al espacio 7 (nombre y apellido de la madre) –
- (a) Si la madre adquirió después del nacimiento del niño(a) un nombre o apellido diferente al que tenía en la fecha de nacimiento del niño(a), el registro civil ingresará el nombre y apellido a la fecha de su nacimiento, seguido por el nombre y apellido en el momento del registro del niño(a), precedido por la palabra "ahora" o, si la madre es fallecida, su nombre y apellido al fallecer, precedido por la palabra "después";
- (b) Si la madre tenía un empleo remunerado (incluyendo trabajo independiente) antes del nacimiento y al momento del registro de nacimiento, los datos del empleo se registrarán inmediatamente después de su nombre y apellido.
- (7) Con respecto al espacio 9(b) (el apellido de la madre en el matrimonio si es casada más de una vez) el apellido ingresado será el apellido que la madre contrajo en el último matrimonio, excepto si el apellido es el mismo que el ingresado en el espacio 9(a) (apellido materno), una línea recta tendrá que ser ingresada en el espacio 9(b).
- (8) Con respecto al espacio 13 (la dirección usual del declarante) –
- (a) La dirección requerida será la dirección actual durante el registro del nacimiento
- (b) Si, en conformidad con la sección 10(a) del Acta, existe un ingreso relacionado al padre del niño(a), el registro civil ingresará la dirección del padre seguido por la dirección de la madre si es diferente;
- (c) Excepto por el sub párrafo (b), el registro civil no ingresará la dirección del declarante si es la misma dirección que la de la madre.
- (9) Después de completar los espacios 1 al 13 del registro, el oficial del registro civil llamará al declarante para verificar los datos ingresados.
- (10) Si se ha realizado algún error en el registro de los datos, el registro civil, en la presencia del declarante, hará las correcciones necesarias como indica el reglamento 54.



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STATUTORY INSTRUMENTS

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**1987 No. 2088**

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

**The Registration of Births and Deaths Regulations 1987**

Made - - - - 26th November 1987

Coming into force - - - 1st January 1988

The Registrar General in exercise of the powers set out in Schedule 1 to this instrument and of all other powers enabling her in that behalf, with the concurrence and approval of the Secretary of State for Social Services<sup>(1)</sup> so far as required<sup>(2)</sup>, hereby makes the following Regulations:—

**PART I**

**PRELIMINARY**

**Citation and commencement**

1. These Regulations may be cited as the Registration of Births and Deaths Regulations 1987 and shall come into force on 1st January 1988.

**Interpretation**

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act” means the Births and Deaths Registration Act 1953<sup>(3)</sup>;

“approved form” means a form approved by the Registrar General for the purpose for which it is used;

“certificate of cause of death” means a certificate required to be signed by a medical practitioner pursuant to section 22(1) of the Act;

“coroner” includes a deputy coroner and an assistant deputy coroner;

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(1) In respect of the exercise of the powers specified in paragraphs 1, 3 and 4 of Schedule 1 to this instrument, see the Secretary of State for Social Services Order 1968 (S.I. 1968/1699), article 2 (transferring all functions of the Minister of Health to the Secretary of State).

(2) The concurrence of the Secretary of State is required in relation to the exercise of the powers conferred by the provisions specified in paragraph 1 of Schedule 1 to this instrument and his approval is required in relation to the exercise of the powers conferred by the provisions specified in the remaining paragraphs, other than paragraphs 2 and 7, of the Schedule.

(3) 1953 c. 20.



(2) Except as otherwise provided in these Regulations the particulars to be recorded in respect of the parents of a child shall be those appropriate as at the date of its birth.

#### **Declaration by mother for registration of birth**

8. Form 2 shall be the prescribed form of the declaration to be made by the mother pursuant to section 10(b)(i) of the Act<sup>(6)</sup> (entry of father's name in register at request of mother on declaration by her and statutory declaration of father).

#### **Entry of particulars on registration within three months from date of birth**

9.—(1) Where the relevant registrar receives from any qualified informant before the expiration of three months from the date of the birth of a child information of the particulars required by Regulation 7(1) he shall forthwith register the birth and the particulars, if not previously registered, in the presence of the informant on form 1, entering the particulars required in spaces 1 to 13 in accordance, where applicable, with the following provisions of this Regulation.

(2) With respect to space 1 (date and place of birth), if more than one living child is born at the confinement the registrar shall after the date of birth enter the time of birth.

(3) With respect to space 2 (name and surname)—

- (a) if a name is not given, the registrar shall enter only the surname, preceded by a horizontal line;
- (b) the surname to be entered shall be the surname by which at the date of the registration of the birth it is intended that the child shall be known.

(4) With respect to space 4 (father's name and surname)—

- (a) if, other than in a case to which sub-paragraph (b) applies, the father acquired after the child's birth a name or surname different from that borne by him at the date of the birth, the registrar shall (subject to section 10 of the Act<sup>(7)</sup>) enter in space 4 the name and surname as at the date of the birth, followed by the name and surname as at the date of registration preceded by the word "now" or, if the father is deceased, the name and surname at his death preceded by the word "afterwards";
- (b) in the case of a request made by the mother under section 10(c) of the Act, the registrar shall enter in space 4 the name and surname of the putative father as recorded in the certified copy of the order made under section 4 of the Affiliation Proceedings Act 1957<sup>(8)</sup> which was produced to him by the mother.

(5) With respect to spaces 5 and 6 (father's place of birth and occupation)—

- (a) in a case to which section 10 of the Act applies, the registrar shall not complete spaces 5 and 6 unless the name and surname of the father of the child have been entered in space 4 pursuant to that section;
- (b) if the father was deceased at the date of the birth the registrar shall enter below the particulars in space 6 the word "deceased";
- (c) if the father has changed his occupation since the birth of the child, the registrar shall in space 6 after the occupation as at the date of the birth enter the occupation as at the date of registration preceded by the word "now".

(6) With respect to space 7 (mother's name and surname)—

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<sup>(6)</sup> Section 10(b)(i) was substituted by section 27(1) of the Family Law Reform Act 1969 (c. 46).

<sup>(7)</sup> Section 10 was amended by section 27(1) of the Family Law Reform Act 1969 (c. 46) and by section 93(1) of the Children Act 1975 (c. 72).

<sup>(8)</sup> 1957 c. 55. Section 4 was amended by section 1(1) and (2) of the Affiliation Proceedings (Amendment) Act 1972 (c. 49) and by section 50 of the Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22).

- (a) if after the birth of the child the mother acquired a name or surname different from that borne by her at the date of the birth, the registrar shall enter the name and surname as at the date of the birth, followed by the name and surname as at the date of registration preceded by the word “now” or, if the mother is deceased, the name and surname as at her death preceded by the word “afterwards”;
  - (b) if the mother was in gainful employment (including self-employment) before the birth and at the time of the registration of the birth particulars of that employment are given by the informant the registrar shall enter those particulars immediately below her name and surname.
- (7) With respect to space 9(b) (mother’s surname at marriage if married more than once) the surname to be entered shall be that in which the mother contracted her most recent marriage except that if that surname is the same as that entered in space 9(a) (maiden surname) a line shall be drawn through space 9(b).
- (8) With respect to space 13 (informant’s usual address)—
- (a) the address required shall be the address as at the date of registration of the birth;
  - (b) if in pursuance of section 10(a) of the Act an entry has been made in respect of the father of the child, the registrar shall enter the father’s address followed by the mother’s address if different;
  - (c) except as provided by sub-paragraph (b), the registrar shall not enter the address of the informant if that address is the same as the mother’s usual address.
- (9) After completing spaces 1 to 13 of the entry the registrar shall call upon the informant to verify the particulars entered.
- (10) If any error has been made in those particulars, the registrar shall, in the presence of the informant, make the necessary correction as provided in regulation 54.

#### Completion of registration

(1) When spaces 1 to 13 of form 1 have been completed and verified the registrar shall call upon the following persons to sign the entry in space 14 of the form—

- (i) if made pursuant to sub-paragraph (a), the informant;
- (ii) if made pursuant to paragraph (a) of that section, the person acknowledging himself to be the father, and then the mother,
- (iii) if made pursuant to paragraph (b) of that section, the mother, in which case the registrar shall add after her signature the words “Statutory declaration made by on ”, inserting the name and surname of the person acknowledging himself to be the father and the date on which the statutory declaration was made by him,
- (iii) if made pursuant to paragraph (c) of that section, the mother, in which case the registrar shall add after her signature the words “Pursuant to section 10(c) of the Births and Deaths Registration Act 1953”.

(2) The registrar shall then enter in space 15 the date on which the entry is made and shall sign the entry in space 16, adding his official description.

#### Registration between three and twelve months from date of birth

**11.—**(1) Where a qualified informant attends before a superintendent registrar pursuant to section 6(1)(a) of the Act<sup>(9)</sup> for the purpose of the registration of a live-birth which occurred in

(9) Section 6(1)(a) was amended by Part VI of Schedule 4 to the Children Act 1975 (c. 72).