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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 484**

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

The National Health Service Central  
Register (Scotland) Regulations 2006

*Made* - - - - 3rd October 2006  
*Laid before the Scottish  
Parliament* - - - - 4th October 2006  
*Coming into force* - - 11th November 2006

The Registrar General, in exercise of the powers conferred by sections 57(2)(f), (3)(i), (4), (6) and (7) and 61(2) of the Local Electoral Administration and Registration Services (Scotland) Act 2006<sup>(1)</sup> and of all other powers enabling him in that behalf, with the approval of the Scottish Ministers in accordance with section 60(1) of that Act, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the National Health Service Central Register (Scotland) Regulations 2006 and shall come into force on 11th November 2006.

**Interpretation**

2. In these Regulations—

“the Act” means the Local Electoral Administration and Registration Services (Scotland) Act 2006;

“the Common Services Agency” means the Common Services Agency for the Scottish Health Service;

“entry information” means information—

- (a) under section 57(3)(a) to (h) of the Act; or
- (b) prescribed in column 1 of Schedule 1,

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(1) 2006 asp 14. Section 57(7) provides that references in section 57(6) to information include references to information of prescribed kinds, and the reference to recipients includes a reference to recipients of prescribed descriptions. Section 60 contains a definition of “prescribed” and applies a definition of “Registrar General” in section 1 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (c. 49) relevant to the exercise of statutory powers under which these Regulations are made.

contained in a particular individual's entry in the register;

"the individual" means the individual whose information an entry in the register contains; and

"the register" means the central register for health and local authority purposes held by the Registrar General under section 57 of the Act.

**Additional information to be held on the register and sources of that information**

3.—(1) The information described in column 1 of Schedule 1 is prescribed for the purposes of section 57(3)(i) of the Act (additional information which may be contained in a register entry).

(2) The persons described in column 2 of Schedule 1 are prescribed for the purposes of section 57(2)(f) of the Act (additional information held by persons or contained in places which may be used to create and maintain the register) in relation to the information described in the corresponding entry in column 1.

**Information to be provided from the register and persons to whom it is to be provided**

4.—(1) The information described in column 1 of Schedule 2 is prescribed for the purposes of section 57(6) of the Act (information which may be provided from the register) as information which may be provided under section 57(4).

(2) For the purposes of section 57(4) and (6) of the Act (additional persons, or persons of such descriptions, in relation to whom information may be provided), that information may be provided to the persons described in the corresponding entry in column 2 of Schedule 2.

New Register House,  
Edinburgh  
2nd October 2006

*D MACNIVEN*  
Registrar General for Scotland

Approved by the Scottish Ministers

St Andrew's House,  
Edinburgh  
3rd October 2006

*GEORGE LYON*  
Authorised to sign by the Scottish Ministers

SCHEDULE 1

Regulation 3

Additional information which may be contained in an entry in, and obtained from persons or places to create and maintain, the register

| <b>Column (1) – additional information prescribed under section 57(3)(i) of the Act which may be contained in a register entry</b>                                      | <b>Column (2) – persons, or descriptions of persons, prescribed under section 57(2)(f) of the Act as sources of information which may be used to compile a register entry</b> |
|---|---|
| 1. Mother’s birth surname.  |   |
| 2. Place of birth.  |   |
| 3. A unique patient number determined by the Common Services Agency.  |   |
| (a) (a) Reference codes indicating the fact of any registration–  |   |
| (i) on the cancer registry held by the Common Services Agency; or   |   |
| (ii) supplied by such a registry for a part of the United Kingdom other than Scotland which exists for the same purpose as, or a similar purpose to, that registry; and |   |
| (b) any date corresponding to such a registration.  |   |
| 5. A reference code which relates uniquely to a medical research project.   | A researcher conducting a medical research project.   |
| 6. A date recorded by the Common Services Agency as contact lost between a patient and the National Health Service in Scotland.   |   |
| 7. In connection with those who serve or have served in the naval, military or air forces of the Crown–   | The Ministry of Defence or the naval, military or air forces of the Crown.  |
| (a) that individual's–  |   |
| (i) date of recruitment; and  |   |
| (ii) date of medical discharge (if any); and  |   |
| (b) for the dependents of those persons, the date of registration for medical treatment with a medical officer of the force that person serves or has served with.      |   |
| 8. A date at which the individual is likely to have left the United Kingdom supplied by –   |   |
| (a) the Office of National Statistics; or   |   |

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| <b>Column (1) – additional information prescribed under section 57(3)(i) of the Act which may be contained in a register entry</b>                 | <b>Column (2) – persons, or descriptions of persons, prescribed under section 57(2)(f) of the Act as sources of information which may be used to compile a register entry</b> |
|--|---|
| (b) the Northern Ireland Central Services Agency for the Health and Social Services.   |   |
| 9. A reference code indicating that the individual has previously been registered with a general medical practitioner practice on the Isle of Man. |   |
| 10. A postcode and reference code indicating address.  | A local authority.  |
| 11. Fact and date of death.  |   |

## SCHEDULE 2

Regulation 4

Information which may be provided from the register and persons to whom it may be provided

| <b>Column (1) – information which may be provided by the Registrar General under section 57(6) of the Act</b> | <b>Column (2) – persons, or descriptions of persons, to whom the Registrar General may, under section 57(4) and (6) of the Act, provide the relative information</b>  |
|---|---|
| 1. Any entry information.   | The Common Services Agency;<br>a Health Board;<br>a Special Health Board.   |
| 2. Any entry information, except postcode and reference code indicating address.                              | Any–<br>(a) “English NHS body”, “Welsh NHS body” or “cross-border SHA” within the meaning of Part 2 of the Health and Social Care (Community Health and Standards) Act 2003(2);<br>(b) Health and Social Services Board established under article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972(3). |
| 3. Any entry information, except postcode and reference code indicating address.                              | The Office of National Statistics and the Northern Ireland Central Services Agency for the Health and Social Services.  |
| 4. Any entry information.   | A researcher conducting a medical research project.   |

(2) 2003 c. 43. Section 148 sets out definitions of the terms “English NHS body”, “Welsh NHS body” and “cross-border SHA” (Strategic Health Authority).

(3) S.I.1972/1265 (NI 14).

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| <b>Column (1) – information which may be provided by the Registrar General under section 57(6) of the Act</b>   | <b>Column (2) – persons, or descriptions of persons, to whom the Registrar General may, under section 57(4) and (6) of the Act, provide the relative information</b>  |
|---|---|
| <p><b>5.</b> For an individual in relation to whom information has been provided by the local authority–</p> <ul style="list-style-type: none"><li>(a) the principal reference number on the register which relates uniquely to the individual as the Registrar General has determined under section 57(3)(h) of the Act;</li><li>(b) the unique patient number determined by the Common Services Agency; and</li><li>(c) any other entry information, except postcode and reference code indicating address, which is equivalent to the information that has been provided by the local authority but does not match that information.</li></ul> | <p>The local authority which has provided the information referred to in column 1.</p>  |
| <p><b>6.</b> Such reference numbers as the Registrar General has determined under section 57(3)(h) of the Act which relate uniquely to–</p> <ul style="list-style-type: none"><li>(a) those who serve or have served in the naval, military or air forces of the Crown; or</li><li>(b) dependents of those individuals.</li></ul>   | <p>The Ministry of Defence or the naval, military or air forces of the Crown.</p>   |
| <p><b>7.</b> Any entry information requested in relation to the prevention or detection of serious crime (within the meaning of section 93(4)(a) or (b) of the Police Act 1997<sup>(4)</sup>), to the apprehension or prosecution of those suspected of having committed such crime or to national security, except the entry information described in entries 4 and 5 in Schedule 1.</p>   | <p>A chief constable of a police force in Scotland, England and Wales or Northern Ireland, the Scottish Drug Enforcement Agency established under section 36(1)(a)(ii) of the Police (Scotland) Act 1967<sup>(5)</sup>, the Scottish Crime and Drug Enforcement Agency<sup>(6)</sup> or the Security Service.</p> |
| <p><b>8.</b> The fact that an individual’s information is contained on the register, or fact and date of death.</p>   | <p>Any–</p> <ul style="list-style-type: none"><li>(a) practising solicitor; or</li><li>(b) body which may refer to itself as a “charity” in Scotland<sup>(7)</sup>.</li></ul>   |

(4) 1997 c. 50.

(5) 1967 c. 77.

(6) Established under section 2 of the [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\)](#) as successor to the Scottish Drug Enforcement Agency.

(7) Part 1 (in particular sections 13 and 14) and sections 99 and 106 of the [Charities and Trustee Investment \(Scotland\) Act 2005 \(asp 10\)](#) provide for this.

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## EXPLANATORY NOTE

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

These Regulations prescribe the information that can be shared by the Registrar General for Scotland (“the Registrar General”) in operating the central register for health and local authority purposes (“the register”) under section 57 of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (“the Act”).

The register is the National Health Service Central Register for Scotland. It is held by the Registrar General for Scotland for the National Health Service in Scotland (and was formerly held by the Registrar General principally under section 1(3) of the Registration of Births, Deaths and Marriages Act 1965 (c. 49)).

An entry in the register may contain basic individual identity and further details as specified in section 57(3) of the Act and column 1 of Schedule 1 to these Regulations. Entry details may be drawn from the persons and places specified in section 57(2) to the Act and (for three classes of information) as specified in column 2 of Schedule 1 to these Regulations. Accordingly, the Regulations prescribe additional information held by persons or contained in places which may be used to create and maintain, and which may be contained in an entry in, the register (regulation 3 and Schedule 1). They also prescribe the information that may be provided from the register, and to whom (regulation 4 and Schedule 2).

A full Regulatory Impact Assessment has not been produced for this instrument as it has no cost on business.