

2139. Personal Issues of Air Publications.*Sponsor: DSDC(L)3*

The regulations relating to the issue and retention of publications as a "personal issue" (as distinct from temporary loan) are contained in AP 113A (Regulations for the Supply and Maintenance of Publications and Forms).

2140-2143. (Omitted)**SECTION 10 - BIRTHS, DEATHS AND MARRIAGES****J2144. General.***Sponsor: RAF Employment Policy*

(1) A member of HM Forces is to report to his CO, as soon as possible, any change in his P Stat Cat, including divorce or separation, and (except in the RN) any birth or death in his family. All reports are to be supported by the relevant certificate or other official documents, which should be returned by the CO to the owner as soon as possible. All consequent changes in the name, address and relationship of the nearest relative or friend are also to be reported. Any costs incurred in connection with the registration of births, deaths and marriages are to be paid by the individual concerned or his next-of-kin.

(1A) (*RAF only*). An officer or airman who is already married at the time of his appointment to a commission or enlistment in the RAF is to produce his marriage certificate at the unit where he first reports for duty.

(1B) (*RAF only*). The CO of the unit is to notify Manning of every occurrence reported under Clause (1) and (1A). Detailed instructions on the notification procedures are contained in AP 3392, Vol 2, Leaflets 1413 and 1414.

(2) **Adoption of children.** Adoption of a child is to be reported in the same way as a birth and the CO is to be furnished with a copy of the adoption order or a certificate of the entry in the adopted children's register. The same procedure is to apply when an interim order is made or when the child of a member of HM Forces is adopted by some other person.

J2145. Marriages in the United Kingdom.*Sponsor: RAF Employment Policy*

(1) The requirements of the law relating to the publication of banns or giving notice of marriage and to the solemnization and registration of a marriage vary according to whether the marriage takes place in England and Wales, in Scotland or in Northern Ireland*. To ensure that they are aware of the requirements of the law of the country in which they, or members of their families, intend to marry, Service personnel are advised to consult their CO or chaplain.

(2) **Marriage in Service chapels.** Marriages may be solemnized in Service chapels in England and Wales which have been licensed or registered for the purpose. Personnel who wish to be married in a Service chapel should consult the chaplain.

*Explanatory leaflets are published as follows:

Marriage in England and Wales - The Office of Population Censuses and Survey, St Catherine's House, Kingsway, London WC2B 6JP.

Marriage in Scotland - by New Register Office, Edinburgh, EH1 3YT.

Marriage in Northern Ireland - The Registrar General, Oxford House, 49-55 Chichester Street, Belfast BT1 4HL.

J2146. Marriages outside the United Kingdom under the Foreign Marriage Acts.*Sponsor: RAF Employment Policy*

(1) The Foreign Marriage Acts 1892-1947 and the Foreign Marriage (Armed Forces) Order 1964 provided for marriages to be solemnized and registered in any foreign territory by a chaplain serving with any part of the Armed Forces of the Crown in that territory, or by an authorized person. Relevant extracts from the Acts and the Foreign Marriage (Armed Forces) Order 1964 are reproduced at Appendix 16, section 1.

(2) Appendix 16, section 2 sets out the rules for the solemnization of marriages by "authorized persons".

(3) Persons who wish to marry under the provisions of the Acts should obtain early advice in order to ensure that they may have sufficient time to comply with the necessary formalities.

(4) Before a marriage can be solemnized under these Acts the chaplain or authorized person must be in possession of a certificate signed by or on behalf of the Senior Officer of the Service in the territory as prescribed by Article 3 of the Foreign Marriage (Armed Forces) Order 1964 - see Appendix 16, section 1.

(5) A person wishing to be married must give notice to his CO with the following particulars regarding himself and (so far as they are within his knowledge) the other party to the marriage:

(a) Full name.

(b) Age.

(c) Nationality.

(d) Condition (Bachelor, spinster, widower, widow, divorced).

(e) If a member of the Forces, full Service particulars (or, if a female as in Article 2 of the Order, the exact employment held).

(f) Home address, or if none, residence and names of next-of-kin.

(g) Full name, address, rank and profession of father.

(6) After checking the particulars as far as possible from the records available to him, the CO is to ensure that the notice is endorsed with the name of the chaplain or authorized person who is to officiate at the ceremony and forward it to the Senior Officer for approval. When the Senior Officer has reached a decision on the application he will notify both the applicant and the chaplain of his decision.

(7) If either of the parties is a minor the written consent of the parents or guardian of the minor is to be forwarded with the notice or, if consent is unobtainable, the reason is to be stated.

J2147. Civil Registration of Births and Deaths in the United Kingdom. *Sponsor: DACOS Community Support*

(1) When a member of HM Forces dies in the UK his CO is to ascertain whether the relatives have registered the death. If they have not he is to notify the Registrar or to ensure that notification is given by a convenient Service unit or establishment.

(2) Personnel are themselves responsible for notifying to the local civilian registrar births and deaths which occur in their families.

J2148. Service Registration of Births, Deaths and Marriages outside the United Kingdom.*Sponsor: ACOS Pers Pol (RAF)*

(1) The Registration of Births, Deaths and Marriages (Special Provisions) Act 1957, and the Service Departments Registers Orders 1959, 1963, 1988 and 2002 made there-under (relevant extracts from which are reproduced in [Appendix 37](#)) provide for the registration of births, deaths and marriages occurring outside the UK among members of the Armed Forces and civilians serving or working with them, and the families of such persons, and of deaths and births occurring on board HM ships or aircraft. Registration under the Act is carried out in the various overseas commands by Service registering officers appointed for the purpose by the Defence Council. (Appointed officers for the RAF are shown in Section 2 of [Appendix 37](#)). Copies of entries in registers are transmitted to General Register Office, Overseas Registration Section, Smedley Hydro, Trafalgar Road, Birkdale, Southport, PR8 2HH and the Registrars General in England, Scotland and Northern Ireland keep them as "Service Departments Registers". Certified copies of such entries can thereafter be obtained from the Register Office concerned.

(1A) (*RAF only*). Information concerning the registration by Joint Casualty and Compassionate Cell (JCCC) of certain deaths occurring outside the UK, which cannot be registered elsewhere, is given in JSP 751.

(2) Registration under the provisions of the Act is not to be applied in respect of births, deaths and marriages occurring to locally-engaged personnel or their families, or to locally-engaged servants, or to any persons who have no domicile in or connection with the UK such as would justify entries in the records of the General Register Office.

(3) **Method of Registration.** Service personnel and civilians are responsible for ensuring the registration of their own marriages and of the births, deaths or marriages which occur in their families (but see clause (5)). Notifications can be made either by personal attendance on the registering officer or by a report on the appropriate form (ORS 1, ORS 2 or ORS 3) by a qualified informant (as specified on the reverse of the forms); after the form has been attested by an officer or other qualified person, it is to be sent by the informant to the registering officer.

(4) **Registration in Special Cases.** Attention is drawn to the conditions applying to late registrations (ie more than 12 months after the date of a birth, death or marriage) and to the registration or re-registration of births of legitimated children - see [Appendix 37](#). Where it may be necessary to presume death (or in other circumstances where there is no "qualified informant") no registration is to be effected, but full details are to be reported to RAF PMA (Cwk) Casualty who will ask the Registrar General to authorise registration of the death; if he approves, he will give the necessary authority to the Overseas Registration Section at the General Register Office, Southport. The late registration is made in registers held by that office.

(5) **Registration of marriages under the Foreign Marriage Acts.** The officiating chaplain is responsible for initiating the registration of a marriage solemnized under the provisions of the Foreign Marriage Acts. He is to forward Form ORS 2, duly completed, to the registering officer. He is also to complete and hand to the parties the marriage Form ORS 15, which provides evidence of the fact of the marriage until such time as the registering officer has issued a marriage certificate.

(6) **Responsibilities of Commanding Officers.** On the death of a member of HM Forces or of a civilian serving or working with the Forces as set out in the Schedule to [Appendix 37](#) (excluding those specified in clause (2) above), the CO is to ensure that the necessary action is taken to effect registration.

(7) The captain of one of HM ships or the person in command of a Service aircraft is to arrange for the registration of the death of any person whatsoever taking place on his ship or aircraft (see also para [J2149](#)).

(8) In the case of a birth or a marriage the registering officer is to send a certificate to the person concerned as soon as possible. In the case of a death, the certificate is to be sent by the registering officer to the next-of-kin if residing in the territory. He is also to notify JCCC of the action he has taken. If the next-of-kin is not residing in the territory, the registering officer is to send the certificate to JCCC.

J2149. Registration of Deaths occurring on an RAF passenger-carrying aircraft outside the UK and outside its territorial waters. *Sponsor: OC JCCC*

(1) Following the practice in civil aircraft accidents occurring outside the UK, where all deaths on an aircraft are registered on one register by the Board of Trade, all deaths (Service and civilian) on an RAF passenger-carrying aircraft outside the UK and outside its territorial waters will be registered by the Joint Casualty and Compassionate Centre (JCCC) under the Service Departments Registers Orders.

(2) Deaths in the above cases should not be registered elsewhere (unless there is such a requirement under local law).

(3) Deaths occurring overseas after the crash, eg in hospital, are to be registered either by a service registering officer, if within a command theatre or through consular channels. Cases of doubt are to be referred to the appropriate consular authorities or to the JCCC.

J2150. Local Registration of Births and Deaths outside the United Kingdom. *Sponsor: ACOS Pers Pol (RAF)*

(1) In addition to registration under the law of the UK (see para **J2148** and clause (2) below) local registration as required by the law of the country or colony must be complied with by Service personnel in respect of births and deaths occurring in their families. COs are to ensure that the attention of all concerned is drawn to this requirement.

Registration of Births

(2) The British Nationality Act 1981, which came into force on 1 January 1983, provides that:

(a) Anyone born in the UK is a British Citizen by birth, if at least one of his parents was then a British Citizen, or "settled in the UK" (ie neither a tourist nor an illegal immigrant).

(b) Anyone born abroad is a British Citizen by descent, if at least one of his parents was then a British Citizen by birth.

(c) Anyone born abroad, at least one of whose parents was then a UK Crown Servant recruited in the UK, is a British Citizen by birth. (See note).

(d) A child born abroad to parents, who at that time, were both British Citizens by descent, or where one parent was a British Citizen by descent and the other was an alien, is not a British Citizen unless an application to register the child is made within 12 months of the birth and the parents (or British parent) have previously lived in the UK for not less than 3 years.

Note: In the Act the correct expression is 'British citizen other than by descent' and it includes those who have acquired that status through birth, adoption, naturalization or registration in the United Kingdom.

(3) It follows therefore that Clause 2(c) above gives an advantage to the children of Servicemen born abroad over those whose parents were not in Crown Service at the time, and that it is in everyone's interest to establish the fact of Crown Service when registering the birth of a Serviceman's child. The CO is to advise the father to take the following action on obtaining birth certificates:

(a) Obtain a Services certificate of birth through a Service registering officer (see para **J2148**). These officers are located in overseas commands and Defence Liaison Staffs attached to certain British Embassies or High Commissions. Such a certificate does not constitute evidence that the child is a British Citizen.

(b) Register the birth through a British Consulate (in a foreign country) or a British High Commission (in a Commonwealth country). This will constitute evidence that the child is a

British Citizen. The parents will have to produce certain documentary evidence of their citizenship and pay a registration fee. High Commission registration is possible in most, but not all, Commonwealth countries. If the father fails to obtain this registration shortly after the birth of the child he will be faced with proving its citizenship at a later date, probably in the UK, when similar documentary evidence and payment will be required, and the Services certificate will become very important.

(c) Local registration, if this is mandatory under the laws of the country concerned (see clause 1 above).

J2151. Burial in the United Kingdom following death aboard a ship or aircraft. *Sponsor: OC JCCC*

(1) When, following a death aboard a ship or aircraft outside territorial waters or in an aircraft while airborne over the UK (in which cases the death is registerable under the Service Departments Registers Orders), the body is landed for burial:

(a) In England or Wales - it is necessary to apply to the Registrar for the sub-district in which burial is to take place for a certificate of no liability to register: this certificate must be produced for the purpose of burial; but if (under para 1023) an inquest into the death is to be held, the authority for burial will be the disposal certificate issued by the Coroner.

(b) In Scotland or Northern Ireland - no such certificate is required but the keeper of the burial ground must be satisfied that death occurred outside the UK.

(2) See also para J2884 and JSP 751 Joint Casualty & Compassionate Policy & Procedures).

2152-2159. (Omitted)

SECTION 11 - ELECTORAL REGISTRATION

(This section should be read in conjunction with Appendix 20)

J2160. Electoral Registration of Members of the Armed Forces and their Spouses.

Sponsor: Air Personnel Casework(Employment Tribunals)

Registers of electors for parliamentary, European Parliament and local government elections are prepared annually and are operative for a 12 months period commencing from 1 December. In addition, alterations are made on a monthly basis for those people who change their address between the annual updates. Only persons whose names appear on the register are eligible to vote in an election that occurs during the period of that register. The Representation of the People Act 2000 (as amended) came into effect on 16 February 2001 and introduced various changes, some of which relate specifically to Service personnel.

J2161. Eligible Personnel.

Sponsor: Air Personnel Casework(Employment Tribunals)

In order to register, personnel must meet the following criteria:

(a) Be over 16 years of age (although an individual cannot actually vote until his or her 18th birthday).

(b) Be a United Kingdom or Commonwealth citizen, or a citizen of the Irish Republic or of another European Union member state. However, citizens of European Union member states other than the United Kingdom, Irish Republic, Cyprus or Malta are only eligible to vote in local government elections and European Parliamentary elections.

J2162. Registration Options.

Sponsor: Air Personnel Casework(Employment Tribunals)

Service personnel and their spouses or civil partners, may choose to register to vote in one of three ways.

Whichever registration option is chosen, it must be renewed annually. Registration options are:

(a) Service Voter. All full time Service personnel, their spouses or civil partners have the option to register as Service Voters by completing a yearly Service Registration Form. When registering this way, the Service Voter's qualifying address can be where they are resident in the UK (including Service Families or Single Living Accommodation (SFA/SLA)), an address in the UK where they would be living if they were not in the Services or, if neither of these two options are possible, an address where they have lived in the past. This option is particularly suitable for those posted overseas or likely to be posted elsewhere in the near future.

(b) Ordinary Voter. Since 2001, Service personnel also have the alternative option to register in the same way as ordinary voters. If they are living at a permanent address in the UK, either at a private or other qualifying address (i.e. SFA or SLA) a Service person and/or spouse/civil partner can choose to register as an ordinary voter.

(c) Overseas Voter. Those Service personnel and their spouses/civil partners who are posted abroad and do not wish to register as Service Voters can register as Overseas Voters. This is a facility available to all British Citizens who currently live abroad, but have been registered as voters in Britain within the last 15 years. The disadvantages of this option are that Overseas Voters can only vote in UK Parliamentary and European Parliamentary elections, not local elections in the UK and the facility is time-limited, i.e. the ability to do this expires after a period of 15 years from the time the person was last registered in the UK.

Service dependants other than a spouse or civil partner are not eligible to make a Service declaration and can only register as ordinary voters, or Overseas Voters. Reserve personnel and R IRISH Home Service personnel required to serve in Northern Ireland (except for training) are not eligible to register as Service Voters. Reserve personnel called up for active service are, however, eligible to register as Service Voters.

J2163. Renewal of Registration.

Sponsor: Air Personnel Casework(Employment Tribunals)

All households in England, Scotland and Wales receive an annual electoral Registration Form from the local Electoral Registration Officer during September/October for confirmation and updating of the following year's register of electors. All those registered as ordinary voters should ensure they complete this annual form every year. In addition, all those registered as Service Voters are sent an annual renewal notification from the Electoral Registration Officer with whom they are registered. This will be posted 9 to 10 months after the last registration. If not received, Service personnel should contact their local authority Electoral Registration Officer. In Northern Ireland, there are no household forms but each individual receives an annual renewal notification, and is responsible for his or her own registration.

J2164. Rolling Registration.

Sponsor: Air Personnel Casework(Employment Tribunals)

In addition to the annual canvas, provision is made for a system of rolling electoral registration. This allows individuals to register at any time of year if their circumstances change, for example, when they either move properties within the same electoral registration area, or to another electoral registration area within the United Kingdom.

J2165. Privacy of Information.

Sponsor: Air Personnel Casework(Employment Tribunals)

There are two versions of the electoral register. By law, only certain people and organisations can have copies of the full register and they can only use it for specific purposes. However, Electoral Registration Officers also make copies of an edited electoral register available for sale or commercial use by anyone, who may then use it for any purpose. Those wishing to have their name and address left off the edited version must specifically notify the Electoral Registration Officer that they opt out of having their details included on the edited register. There is a tick box on the electoral registration form for individuals to indicate their choice.

J2166. Absent Voting.*Sponsor: Air Personnel Casework(Employment Tribunals)*

Service personnel and their spouses/civil partners who are overseas or away from their UK residence during an election may elect to vote either by post or proxy, whether they have chosen to register as ordinary voters, Service Voters or Overseas Voters:

- (a) Postal Voting. Postal ballot papers may not be sent out until shortly before the election so that they may not be received by those overseas in time to mark their vote and return them. Those overseas or likely to be deployed are advised to consider appointing a proxy.
- (b) Voting by Proxy. The generally acceptable grounds for voting by proxy as ordinary voters are as follows:
 - a. Physical incapacity or blindness.
 - b. Occupation, employment or attendance on a course.
 - c. Where voting in person would require a journey by sea or air (i.e. holiday or posted abroad).

However, registered Service Voters and Overseas Voters do not need to meet the above requirements as their particular circumstances automatically entitle them to vote by proxy. The proxy does not necessarily need to be a family member, they can be anyone who meets the following criteria: they must be aged 18 or over, a British, Irish or Commonwealth citizen and be living in the UK. If the option is chosen to appoint a proxy, a voter can still cast their vote in person providing the proxy has not already voted on their behalf. The person appointed as a proxy is not required to live in the same area as the person who appointed them is registered, and can apply to cast the proxy vote by post. However, if the proxy chooses to vote by post, the Service person will not be able to vote in person.

J2167. European Union - Citizens.*Sponsor: Air Personnel Casework(Employment Tribunals)*

Citizens of countries in the European Union may register and vote at both local government and European Parliamentary elections, but not British Parliamentary elections (except citizens of Irish Republic, Cyprus or Malta).

J2168. Unit Procedures.*Sponsor: Air Personnel Casework(Employment Tribunals)*

All ships, units and stations are to give Service personnel and their families every assistance to register as voters. Commanding Officers are to appoint an officer(s) to be responsible for providing advice to serving personnel and their families on Service voting issues. Unit Registration Officers should act as a focal point within their unit to ensure that everything possible is done to encourage Service personnel and their families to register to vote. The responsibilities of Unit Registration Officers are:

- (a) To encourage Service personnel and their families by all appropriate means to register to vote in Parliamentary, European Parliamentary and Local Government elections.
- (b) To promulgate information on a regular basis (at least 6 monthly) within units on how to register to vote and for the requirement to do so annually.
- (c) To liaise with local Electoral Registration Officers and give assistance as necessary, including access to units when canvassing individuals to register to vote.
- (d) To act as a focal point within units in response to initiatives from the Electoral Commission, and other initiatives, encouraging Service personnel and their families to register to vote.
- (e) To liaise with local family organisations in assisting families of Service personnel to register to vote.

- (f) To ensure that all new entrants to the Armed Forces are made aware of the procedures and options for registering to vote and voting.

J2169. Election Procedures.

Sponsor: Air Personnel Casework(Employment Tribunals)

The following procedures are to be adopted:

(a) By Elections. On receipt by the Services of notification that a by-election is pending, a signal will be despatched to all home commands giving the name of the constituency and address of the Electoral Registration Officer. COs should then ensure that Form F/Vote/36 (Notice of Pending By-Election) is completed and posted in a prominent position on notice boards.

(b) General Elections. The procedures as above will apply, except that Form F/Vote/51 (Notice of General Election) is to be posted on notice boards.

(c) Local Government Elections. Local government elections in the whole of the U.K. are normally held on the first Thursday in May. No notification is made, although information will be available from the individual's home local authority.

(d) European Parliamentary Elections. The same procedures for general elections apply, except that notification will be made by release of a DIN.

J2170. Additional Information.

Sponsor: Air Personnel Casework(Employment Tribunals)

Local Electoral Registration Officers are able to provide additional information including specific details for registration within their area. Lists of Electoral Registration Officers can be found on the Internet at www.aboutmyvote.co.uk.

J2171-J2176. *(Omitted)*