



## 2011 CHAPTER 20

### *Miscellaneous*

#### **Access to information in the Register of Presumed Deaths**

**28.**—(1) Schedule 1 to the Presumption of Death Act (Northern Ireland) 2009 (Register of Presumed Deaths) shall be amended in accordance with subsections (2) and (3).

(2) After paragraph 3 (searches of indexes and examination of entries) there shall be inserted the following—

#### *“Access to information*

(1) Regulations made by the Department may make provision for any person to have access on payment of the prescribed fee to any information contained in the Register of Presumed Deaths.

(2) In sub-paragraph (1) “the prescribed fee” means the fee of such amount as may be prescribed by order made by the Department under paragraph 7(1).

(3) Regulations under sub-paragraph (1) may provide that the relevant period must have expired in relation to the information.

(4) In sub-paragraph (3) “the relevant period” means, in relation to information relating to a presumed death, the period of 50 years from the presumed date of death or such other period as may be prescribed.

(5) Regulations under sub-paragraph (1) may provide for the Registrar General—

- (a) to make arrangements with any person for the purpose of providing access to information as mentioned in that sub-paragraph; and

- (b) for that purpose to transfer information to that person subject to conditions (including conditions as to the making of payments by that person to the Registrar General).
- (6) This paragraph is without prejudice to paragraph 3.”.
- (3) In paragraph 7 (fees), in sub-paragraph (1), after head (b) there shall be inserted the following head—
  - “(bb) access to any information under paragraph 3A;”.
- (4) In consequence of subsection (2), in the definition of “prescribed” in section 17 (interpretation) of that Act, for the word “paragraph” there shall be substituted the words “paragraphs 3A(1) and (2) and”.