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SCHEDULES

SCHEDULE 21 U.K.

MINOR AND CONSEQUENTIAL AMENDMENTS

VALID FROM 25/07/2013

PART 1 U.K.

CORONERS ETC

Births and Deaths Registration Act 1953 (c. 20)

- 6 The Births and Deaths Registration Act 1953 is amended as follows.
- 7 In section 2 (information concerning birth to be given to registrar within 42 days), in paragraph (ii) of the proviso, for “an inquest is held at which” substitute “an investigation is conducted under Part 1 of the 2009 Act, other than one that is discontinued under section 4 of that Act (cause of death revealed by post-mortem examination), in the course of which”.
- 8 (1) Section 16 (information concerning death in a house) is amended as follows.
- (2) In subsection (2)—
- (a) in paragraph (a), for “any relative of the deceased person” substitute “any person who is a relative or the partner of the deceased and who was”,
 - (b) in paragraph (b), for “any other relative of the deceased residing or being” substitute “any person who is a relative or the partner of the deceased and who is or resides”, and
 - (c) after paragraph (b) insert—
“(ba) any personal representative of the deceased;”.
- (3) In subsection (3)—
- (a) in paragraph (a), for “the nearest relative such” substitute “each such person”,
 - (b) in paragraph (b)—
 - (i) for “no such relative” substitute “no such person”, and
 - (ii) for “each such relative” substitute “each such person”,
 - (c) in paragraph (c)—
 - (i) for “if there are no such relatives” substitute “if neither of paragraphs (a) and (b) above applies”, and
 - (ii) for “paragraph (c) or (d)” substitute “paragraph (ba), (c) or (d)”,
 - (d) in paragraph (d), for “if there are no such relatives or persons as aforesaid” substitute “if none of paragraphs (a) to (c) above applies”, and

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(e) for “five days from the date of the death” substitute “ five days from the relevant date ”.

(4) In that subsection, for paragraph (ii) of the proviso substitute—

“(ii) this subsection shall not have effect if an investigation is conducted under Part 1 of the 2009 Act into the death of the deceased person and has not been discontinued under section 4 of that Act (cause of death revealed by post-mortem examination).”

(5) After that subsection insert—

“(4) In this section, the expression “the relevant date” means—

- (a) the date on which the registrar is notified in accordance with regulations under section 20(1)(f)(i) or (h)(i) of the 2009 Act (confirmation or certification by medical examiner of cause of death); or
- (b) where an investigation under Part 1 of that Act into the death of the deceased person is discontinued under section 4 of that Act, the date of the discontinuance.”

9 (1) Section 17 (information concerning other deaths) is amended as follows.

(2) In subsection (2)—

- (a) in paragraph (a), for “any relative of the deceased who” substitute “ any person who is a relative or the partner of the deceased and who ”, and
- (b) after that paragraph insert—
 - “(aa) any personal representative of the deceased;”.

(3) In subsection (3)—

- (a) in paragraph (a), for “relative” substitute “ person ”,
- (b) in paragraph (b), for “relatives” substitute “ persons ”,
- (c) for “five days from the date of the death or of the finding of the body” substitute “ five days from the relevant date ”, and
- (d) for paragraph (ii) of the proviso substitute—

“(ii) this subsection shall not have effect if an investigation is conducted under Part 1 of the 2009 Act into the death of the deceased person and has not been discontinued under section 4 of that Act (cause of death revealed by post-mortem examination).”

(4) After that subsection insert—

“(4) In this section, the expression “the relevant date” means—

- (a) the date on which the registrar is notified in accordance with regulations under section 20(1)(f)(i) or (h)(i) of the 2009 Act (confirmation or certification by medical examiner of cause of death); or
- (b) where an investigation under Part 1 of that Act into the death of the deceased person is discontinued under section 4 of that Act, the date of the discontinuance.”

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PROSPECTIVE

- 10 (1) Section 18 (notice preliminary to information of death) is amended as follows.
- (2) For the words from the beginning to “that person's death” substitute “ If, before the expiration of five days from the relevant date, a qualified informant of a person's death ”.
- (3) For the words from “accompanied by a notice” to “the cause of death,” substitute “ accompanied by a confirmed attending practitioner's certificate, or a medical examiner's certificate issued in accordance with regulations under section 20 of the 2009 Act (medical certificate of cause of death), ”.
- (4) For “from the date aforesaid” substitute “ from the relevant date ”.
- (5) At the end of that section (which becomes subsection (1)) insert—
- “(2) In this section, the expression “the relevant date” means—
- (a) the date on which the registrar is notified in accordance with regulations under section 20(1)(f)(i) or (h)(i) of the 2009 Act (confirmation or certification by medical examiner of cause of death); or
- (b) where an investigation under Part 1 of that Act into the death of the deceased person is discontinued under section 4 of that Act (cause of death [^{F1}becoming clear before inquest]), the date of the discontinuance.”

Textual Amendments

- F1** Words in Sch. 21 para. 10(5) substituted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\), ss. 39\(6\)\(a\), 51\(3\)](#)

- 11 (1) In section 19 (registrar's power to require information concerning death), subsection (1) is amended as follows.
- (2) For the words from the beginning to “the registrar may” substitute—
- “(A1) This section applies where, after the expiration of the relevant period from—
- (a) the date on which the registrar is notified in accordance with regulations under section 20(1)(f)(i) or (h)(i) of the 2009 Act (confirmation or certification by medical examiner of cause of death), or
- (b) where an investigation under Part 1 of that Act into a person's death is discontinued under section 4 of that Act (cause of death revealed by post-mortem examination), the date of the discontinuance,
- the death of that person has, owing to the default of the persons required to give information concerning it, not been registered.
- (1) The registrar may”.
- (3) For paragraph (ii) of the proviso substitute—

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“(ii) an investigation under Part 1 of the 2009 Act is conducted into the death of the deceased person and has not been discontinued under section 4 of that Act”.

VALID FROM 16/04/2024

12 In section 20 (registration of death free of charge) omit the words from “, at any time” to “of any person,”.

VALID FROM 16/04/2024

13 Omit section 21 (registration of death after twelve months).

VALID FROM 16/04/2024

14 For section 22 substitute—

“22 Registration of cause of death on receipt of medical certificate

(1) This section applies where—

- (a) the registrar is given a confirmed attending practitioner's certificate, or a medical examiner's certificate, in accordance with regulations under section 20 of the 2009 Act (medical certificate of cause of death); and
- (b) no investigation into the death under Part 1 of that Act is conducted.

(2) The registrar shall enter in the register the cause of death as stated in the certificate, together with—

- (a) the name of the medical examiner and such information about the examiner as may be prescribed; and
- (b) where an attending practitioner's certificate was prepared, the name of the practitioner by whom it was prepared and such information about that practitioner as may be prescribed.”

15 (1) Section 23 (furnishing of information by coroner) is amended as follows.

(2) For subsection (2) substitute—

“(2) Where there has been an investigation under Part 1 of the 2009 Act into a death and the senior coroner sends to the registrar a certificate giving information concerning the death, including the particulars found under section 10(1)(b) of that Act, the registrar shall in the prescribed form and manner register the death and those particulars; and, if the death has been previously registered, those particulars shall be entered in the prescribed manner without any alteration of the original entry.

(2ZA) Where under section 40(8)(a)(i) of the 2009 Act the Chief Coroner amends a finding under section 10(1)(b) of that Act and sends to the registrar a certificate setting out the amended particulars, the registrar shall in the

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prescribed form and manner register the amended particulars without any alteration of the original entry.”

(3) For subsection (2A) substitute—

“(2A) Where—

- (a) an investigation under Part 1 of the 2009 Act into a death is suspended under Schedule 1 to that Act, and
- (b) the senior coroner sends to the registrar a certificate stating the particulars required by this Act to be registered concerning the death (so far as they have been ascertained at the date of the certificate),

the registrar shall in the prescribed form and manner register the death and those particulars.

(2B) Where—

- (a) an investigation under Part 1 of the 2009 Act into a death is suspended under paragraph 2 of Schedule 1 to that Act (suspension where certain criminal proceedings brought), and
- (b) the senior coroner sends to the registrar a certificate—
 - (i) stating the result of the proceedings in respect of the charge or charges by reason of which the investigation was suspended, or of any proceedings that had to be concluded before the investigation could be resumed, or
 - (ii) setting out any changes or additions to the particulars mentioned in subsection (2A) of this section,

the registrar shall in the prescribed form and manner register the result of those proceedings, or the changes or additions, without any alteration of the original entry.

(2C) Where—

- (a) an investigation under Part 1 of the 2009 Act into a death is suspended under paragraph 3 of Schedule 1 to that Act (suspension pending inquiry), and
- (b) the senior coroner sends to the registrar a certificate—
 - (i) stating the findings of the inquiry by reason of which the investigation was suspended,
 - (ii) stating the result of any proceedings that had to be concluded before the investigation could be resumed, or
 - (iii) setting out any changes or additions to the particulars mentioned in subsection (2A) of this section,

the registrar shall in the prescribed form and manner register the findings of that inquiry, or the result of those proceedings, or the changes or additions, without any alteration of the original entry.”

(4) In subsection (3), for the words from the beginning to “stating” substitute “ Where an investigation is discontinued under section 4 of the 2009 Act by reason of an examination under section 14 of that Act (post-mortem examinations) and the senior coroner sends to the registrar a certificate stating ”.

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Commencement Information

- I1** Sch. 21 para. 15(1)(3)(4) in force at 25.7.2013 by [S.I. 2013/1869](#), [art. 2\(o\)\(v\)](#)
I2 Sch. 21 para. 15(2) in force at 25.7.2013 for specified purposes by [S.I. 2013/1869](#), [art. 2\(o\)\(vi\)](#)

VALID FROM 16/04/2024

- 16 (1) Section 23A (giving of information concerning a death to a person other than the registrar) is amended as follows.
- (2) In subsection (2), for paragraphs (a) and (b) substitute—
- “**(a)** if ^{F2}—
- (i) there has been no investigation under Part 1 of the 2009 Act into the death, or
- (ii) such an investigation has been discontinued under section 4 of the 2009 Act (cause of death becoming clear before inquest) other than as mentioned in paragraph (b),]
- a copy of a confirmed attending practitioner's certificate, or of a medical examiner's certificate, given to the registrar in accordance with regulations under section 20 of the 2009 Act (medical certificate of cause of death); and
- (b)** if an investigation into the death has been discontinued under section 4 of that Act by reason of an examination under section 14 of that Act (post-mortem examinations), a copy of a certificate from the senior coroner stating the cause of death as disclosed by the report of the person making the examination.”.
- (3) In subsection (5), after “a relative” insert “ or the partner ”.
- (4) Omit subsection (6).

Textual Amendments

- F2** Words in [Sch. 21 para. 16\(2\)](#) substituted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), [ss. 39\(6\)\(c\)](#), [51\(3\)](#)

VALID FROM 16/04/2024

- 17 In section 24 (certificates as to registration of death), in subsection (1), for “has received a certificate under section twenty-two of this Act” substitute “has been given a confirmed attending practitioner's certificate or a medical examiner's certificate in accordance with regulations under section 20 of the 2009 Act ”.
- 18 (1) Section 29 (correction of error in registers) is amended as follows.
- (2) After subsection (3) insert—

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“(3A) In the case of a death in relation to which the registrar has been given a confirmed attending practitioner's certificate, or a medical examiner's certificate, in accordance with regulations under section 20 of the 2009 Act—

- (a) no correction under subsection (3) of this section relating to the cause of death may be made without the approval of the medical examiner concerned;
- (b) any error of fact or substance relating to the cause of death in a register of deaths may be corrected by entry in the margin (without any alteration of the original entry) by the officer having the custody of the register on being notified by the medical examiner of the nature of the error and the true facts of the case.”

“(3B) In the case of a death in relation to which an investigation under Part 1 of the 2009 Act has been discontinued under section 4 of that Act (cause of death revealed by post-mortem examination)—

- (a) no correction under subsection (3) of this section relating to the cause of death may be made without the approval of the senior coroner concerned;
- (b) any error of fact or substance relating to the cause of death in a register of deaths may be corrected by entry in the margin (without any alteration of the original entry) by the officer having the custody of the register on being notified by the senior coroner of the nature of the error and the true facts of the case.”

(3) In paragraph (a) of subsection (4), for “touching which he has held an inquest” substitute “into which he has conducted an investigation under Part 1 of the 2009 Act (other than one that has been discontinued under section 4 of that Act)”.

(4) Omit paragraph (b) of that subsection and the word “or” preceding it.

Commencement Information

- I3** Sch. 21 para. 18(1) in force at 25.7.2013 for specified purposes by [S.I. 2013/1869](#), [art. 2\(o\)\(vii\)\(viii\)](#)
- I4** Sch. 21 para. 18(2) in force at 25.7.2013 for specified purposes by [S.I. 2013/1869](#), [art. 2\(o\)\(vii\)](#)
- I5** Sch. 21 para. 18(3)(4) in force at 25.7.2013 by [S.I. 2013/1869](#), [art. 2\(o\)\(viii\)](#)

VALID FROM 16/04/2024

19 After section 33 insert—

“33A Short certificate of death

- (1) Any person shall—
 - (a) on furnishing the prescribed particulars, and
 - (b) on payment of such fee as may be specified in regulations made by the Minister by statutory instrument,be entitled to obtain from the Registrar General, a superintendent registrar or a registrar a short certificate of the death of any person.

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(2) Any such certificate shall be in the prescribed form and shall be compiled in the prescribed manner from the records and registers in the custody of the Registrar General, or from the registers in the custody of the superintendent registrar or registrar, as the case may be, and shall contain such particulars as may be prescribed.

(3) A statutory instrument containing regulations under subsection (1) (b) of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

PROSPECTIVE

20 In section 34 (entry in register as evidence of birth or death) omit subsection (4).

21 (1) In section 41 (interpretation) insert the following definitions at the appropriate places—

““the 2009 Act” means the Coroners and Justice Act 2009;”;

“ “attending practitioner's certificate” has the meaning given by section 20(1)(a) of the 2009 Act;”;

“ “confirmed attending practitioner's certificate” means an attending practitioner's certificate in respect of which the cause of death has been confirmed by a medical examiner in accordance with regulations under section 20(1)(f)(i) of the 2009 Act;”;

“ “medical examiner” means a person appointed under section 19 of the 2009 Act;”;

“ “medical examiner's certificate” has the meaning given by section 20(1)(h) of the 2009 Act;”;

“ “partner” (except in the expression “civil partner”) is to be read in accordance with subsection (2) of this section.”

(2) At the end of that section (which becomes subsection (1)) insert—

“(2) A person is the partner of a deceased person if the two of them (whether of different sexes or the same sex) were living as partners in an enduring relationship at the time of the deceased person's death.

(3) A reference in this Act to an investigation under Part 1 of the 2009 Act being conducted includes a reference to the case where such an investigation has begun and—

(a) has not yet finished,

(b) is suspended under Schedule 1 to that Act (whether temporarily or otherwise), or

(c) is discontinued under section 4 of that Act.”

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