

Status: Point in time view as at 01/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, SCHEDULE 13. (See end of Document for details)

SCHEDULES

SCHEDULE 13

Section 18

REGISTRATION OF DEATHS AND STILL-BIRTHS

PART 1

ENGLAND AND WALES

Interpretation

- 1 (1) In this Part of this Schedule—
- “the 1926 Act” means the Births and Deaths Registration Act 1926;
 - “the 1953 Act” means the Births and Deaths Registration Act 1953;
 - “the principal 1987 Regulations” means the Registration of Births and Deaths Regulations 1987 (S.I. 1987/2088);
 - “the 2019 Regulations” means the Notification of Deaths Regulations 2019 (S.I. 2019/1112).
- (2) Expressions used in this Part of this Schedule and in the 1953 Act have the same meaning as in that Act.

Commencement Information

I1 Sch. 13 para. 1 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Information concerning deaths: England and Wales

- 2 (1) A funeral director is qualified for the purposes of section 16 or 17 of the 1953 Act to give information concerning the death of a person if the funeral director—
- (a) is responsible for the arrangement of the deceased's funeral, and
 - (b) is authorised by a relative of the deceased to give information concerning the death.
- (2) Section 36 of the 1953 Act (penalties for failure to give information) does not apply to a funeral director who provides information in reliance on sub-paragraph (1).

Commencement Information

I2 Sch. 13 para. 2 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

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Giving information other than in person and dispensing with signing the register

- 3 (1) A qualified informant who is required under the 1953 Act to give information about a death or still-birth to the registrar may give the information to the registrar—
- (a) by telephone, or
 - (b) by any other methods specified in guidance issued by the Registrar General, if the informant is unable to attend before the registrar in person.
- (2) The duty of a qualified informant to sign the register in the presence of the registrar does not apply where information is provided in reliance on sub-paragraph (1).
- (3) An entry in a register of deaths or a register of still-births for which, by virtue of sub-paragraph (2), no signature is required is to be treated as an entry signed by a qualified informant for the purposes of the 1953 Act.
- (4) A person is to be treated as unable to give information for the purposes of sub-paragraph (1) if it would be impractical for the person to do so (whether because of illness, the need to care for others, the risk of infection, staff shortages at the registrar's office or any other reason).

Commencement Information

I3 Sch. 13 para. 3 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Medical certificates of cause of death

- 4 (1) Sub-paragraphs (2) to (5) have effect for any period before the coming into force of the section 22 of the 1953 Act that is substituted by paragraph 14 of Schedule 21 to the Coroners and Justice Act 2009.
- (2) A registered medical practitioner (“X”) who is not the practitioner who attended the deceased person (“D”) during D's last illness may sign a certificate under section 22(1) of the 1953 Act (certificates of cause of death) if—
- (a) the practitioner who attended D is unable to sign the certificate or it is impractical for that practitioner to sign the certificate, and
 - (b) X is able to state to the best of X's knowledge and belief the cause of death.
- (3) A registered medical practitioner (“P”) may sign a certificate under section 22(1) of the 1953 Act, even in the case of a person who has not been attended during that person's last illness by a registered medical practitioner, if P is able to state to the best of P's knowledge and belief the cause of death.
- (4) Where a registered medical practitioner proposes to sign a certificate under section 22(1) of the 1953 Act in reliance on sub-paragraph (2) or (3)—
- (a) Forms 14 and 15 in Schedule 2 to the principal 1987 Regulations have effect as if in each case—
 - (i) the line beginning with “Last seen” were omitted, and
 - (ii) the words “I was in medical attendance during the above named deceased's last illness, and that” were omitted;
 - (b) Forms 11 and 12 in Schedule 2 to the Registration of Births and Deaths (Welsh Language) Regulations 1987 (S.I. 1987/2089) were subject to modifications corresponding to those mentioned in paragraph (a).

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- (5) Where a registered medical practitioner signs a certificate under section 22(1) of the 1953 Act in reliance on sub-paragraph (2) or (3)—
 - (a) the practitioner is subject to the other duties applicable to a person who has signed such a certificate, and
 - (b) in a sub-paragraph (2) case, the practitioner who attended the deceased is not subject to any duties in relation to such a certificate.
- (6) Where a registered medical practitioner signs a certificate under section 22(1) of the 1953 Act in reliance on sub-paragraph (3), regulation 41 of the principal 1987 Regulations (reference to coroner) has effect as if paragraph (1)(a) were omitted.
- (7) In section 20 of the Coroners and Justice Act 2009 (medical certificate of cause of death), subsection (4) has effect as if the words “during a period of emergency” were omitted.

Commencement Information

I4 Sch. 13 para. 4 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Delivery of documents by alternative methods

- 5 (1) Any relevant document may be delivered by any electronic or other means specified in guidance issued by the Registrar General.
- (2) “Relevant document” means—
 - (a) a document relating to a death or still-birth that is required or permitted by or under the 1953 Act, or
 - (b) a certificate for the purposes of section 1 of the 1926 Act (prohibition on disposal of body except on registrar's certificate) or a notification of disposal for the purposes of section 3 of that Act.

Commencement Information

I5 Sch. 13 para. 5 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Further modifications of the principal 1987 Regulations

- 6 (1) The principal 1987 Regulations have effect with the following modifications.
- (2) Regulation 34(1) (registration of still-birth where no reference to the coroner) has effect as if—
 - (a) in sub-paragraph (c) “personally” were omitted, and
 - (b) in the words after sub-paragraph (c) “in the presence of the informant” were omitted.
- (3) Regulation 41(1)(b)(ii) (reference to coroner) has effect as if—
 - (a) for “the certifying medical practitioner” there were substituted “ a medical practitioner ”, and
 - (b) for “14 days” there were substituted “ 28 days ”.

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- (4) Regulation 42(1) (registration of death within 12 months where no report to coroner) has effect as if—
- (a) in sub-paragraph (c) “personally” were omitted, and
 - (b) in the words after sub-paragraph (c) “in the presence of the informant” were omitted.
- (5) Regulation 43(1) (registration of death where no inquest held) has effect as if “in the presence of a qualified informant” were omitted.
- (6) Regulation 47(3) (registration of death after 12 months) has effect as if—
- (a) the words “shall arrange for that informant to attend at his office and” were omitted, and
 - (b) “in his presence” were omitted.

Commencement Information

I6 Sch. 13 para. 6 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Notification of death to coroner

- 7 (1) A registered medical practitioner is not required to notify the relevant senior coroner of a person's death in the circumstances described in regulation 3(1)(e) or (f) of the 2019 Regulations unless the practitioner also reasonably believes that—
- (a) there is no registered medical practitioner who may sign a certificate under section 22(1) of the 1953 Act in reliance on paragraph 4(2) or (3), or
 - (b) there is such a registered medical practitioner, but the practitioner is not available within a reasonable time of the person's death to sign the certificate.
- (2) Expressions used in this paragraph and the 2019 Regulations have the same meaning as in the Regulations.

Commencement Information

I7 Sch. 13 para. 7 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Transitional provision

- 8 Anything relating to the registration of a death or still-birth that, immediately before the end of any period for which a provision of this Part of this Schedule has effect, is in the process of being done in reliance on that provision may continue to be done after the end of that period in reliance on that provision.

Commencement Information

I8 Sch. 13 para. 8 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

- 9 (1) This paragraph applies where, during any period for which paragraph 5 has effect, a person delivers a relevant document in reliance on that paragraph.

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- (2) The person must give, deliver or send the document in accordance with the applicable legislation as soon as reasonably practicable after the end of the period, and in any event not later than the end of the period of 3 months beginning with the day on which the period ends.
- (3) The Registrar General may give a direction—
 - (a) setting a later deadline than the one specified in sub-paragraph (2), or
 - (b) dispensing with the duty under sub-paragraph (2).
- (4) A direction under sub-paragraph (3) may be expressed as having effect generally, in relation to persons within a description specified in the direction, or in relation to a particular case.
- (5) A direction under sub-paragraph (3) may vary or revoke previous directions given under that sub-paragraph.
- (6) A registrar may, in relation to a relevant document that is required to be given, delivered or sent to the registrar, give a direction in a particular case—
 - (a) setting a later deadline than the one specified in sub-paragraph (2), or
 - (b) dispensing with the duty under sub-paragraph (2).
- (7) In this paragraph—

“applicable legislation” means—

 - (a) in the case of a document within paragraph 5(2)(a), the 1953 Act, and
 - (b) in the case of a document within paragraph 5(2)(b), the 1926 Act;

“relevant document” has the same meaning as in paragraph 5.

Commencement Information

I9 Sch. 13 para. 9 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

PART 2

SCOTLAND

Interpretation

- 10 (1) In this Part of this Schedule “the 1965 Act” means the Registration of Births, Deaths and Marriages (Scotland) Act 1965.
- (2) Expressions used in this Part of this Schedule and in the 1965 Act have the same meaning as in that Act.

Commencement Information

I10 Sch. 13 para. 10 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

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Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, SCHEDULE 13. (See end of Document for details)

Information concerning deaths

- 11 A funeral director may for the purposes of section 23(1) of the 1965 Act give information concerning the death of a person if the funeral director—
- (a) is responsible for the arrangement of the deceased's funeral, and
 - (b) is authorised by a relative of the deceased to give information concerning the death.

Commencement Information

III Sch. 13 para. 11 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Giving information other than in person

- 12 (1) A person who is required under the 1965 Act to give information about a death or still-birth to the district registrar for a registration district may give the information to the registrar—
- (a) by telephone, or
 - (b) by any other methods specified in guidance by the Registrar General, if the person is unable to attend the registrar personally.
- (2) A person is to be treated as unable to give information for the purposes of sub-paragraph (1) if it would be unreasonable for the person to do so (whether because of illness, the need to care for others, the risk of infection, staff shortages at the district registrar's office or any other reason).
- (3) Where information is given under sub-paragraph (1)—
- (a) if an approved digital means of attesting the death registration form or, as the case may be, register is available for the person providing the information (“the informant”) to use, the informant may attest the death registration form or, as the case may be, register by that means;
 - (b) otherwise—
 - (i) the informant must provide such details as to the informant's usual signature as the district registrar may require, and
 - (ii) if satisfied with those details, the registrar may in a manner specified in guidance by the Registrar General attest the death registration form or, as the case may be, register on behalf of the informant.
- (4) For the purpose of sub-paragraph (3), “an approved digital means of attesting” is a means specified for that purpose in guidance issued by the Registrar General.

Commencement Information

III Sch. 13 para. 12 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Delivery of documents by alternative methods

- 13 (1) Any relevant document may be given or delivered by any electronic or other means specified in guidance issued by the Registrar General.

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- (2) “Relevant document” means a document relating to a death or still-birth that is required or permitted by or under the 1965 Act.

Commencement Information

I13 Sch. 13 para. 13 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Guidance

- 14 The Registrar General may vary or revoke any guidance issued under this Part of this Schedule.

Commencement Information

I14 Sch. 13 para. 14 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Transitional provision

- 15 Anything relating to the registration of a death or still-birth that, immediately before the end of any period for which a provision of this Part of this Schedule has effect, is in the process of being done in reliance on that provision may continue to be done after the end of that period in reliance on that provision.

Commencement Information

I15 Sch. 13 para. 15 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

- 16 (1) This paragraph applies where, during any period for which paragraph 13 has effect, a person gives or delivers a relevant document in reliance on that paragraph.
- (2) The person must give, deliver or send the document in accordance with the 1965 Act as soon as reasonably practicable after the end of the period, and in any event not later than the end of the period of 3 months beginning with the day on which the period ends.
- (3) The Registrar General may give a direction—
- (a) setting a later deadline than the one specified in sub-paragraph (2), or
 - (b) dispensing with the duty under sub-paragraph (2).
- (4) A direction under sub-paragraph (3) may be expressed as having effect generally, in relation to persons within a description specified in the direction, or in relation to a particular case.
- (5) A direction under sub-paragraph (3) may vary or revoke previous directions given under that sub-paragraph.
- (6) A district registrar may, in relation to a relevant document that is required to be given, delivered or sent to the registrar, give a direction in a particular case—
- (a) setting a later deadline than the one specified in sub-paragraph (2), or
 - (b) dispensing with the duty under sub-paragraph (2).

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(7) In this paragraph “relevant document” has the same meaning as in paragraph 13.

Commencement Information

I16 Sch. 13 para. 16 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

PART 3

NORTHERN IRELAND

Interpretation

- 17 (1) In this Part of this Schedule—
 “the 1976 Order” means the Births and Deaths Registration (Northern Ireland) Order 1976 (S.I. 1976/1041 (N.I. 14));
 “the 2012 Regulations” means the Civil Registration Regulations (Northern Ireland) 2012 (S.R. (N.I.) 2012 No. 408).
- (2) In this Part of this Schedule—
 (a) references to Articles are to Articles of the 1976 Order;
 (b) references to Forms are to Forms in Schedule 1 to the 2012 Regulations.
- (3) Expressions used in this Schedule and in the 1976 Order have the meaning given in that Order.

Commencement Information

I17 Sch. 13 para. 17 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Giving certificate of cause of still-birth directly

- 18 (1) This paragraph applies if—
 (a) a registered medical practitioner or registered midwife is required under Article 15(5) to give an informant a certificate for the purposes of Article 15(3), and
 (b) the certificate is signed during any period for which this paragraph has effect.
- (2) The medical practitioner or, as the case may be, the registered midwife—
 (a) must forthwith send a copy of the certificate to the registrar by electronic means;
 (b) is not required to give the certificate to the informant (but may do so).
- (3) The informant is not subject to any duty under Article 15(3) in relation to the certificate.

Commencement Information

I18 Sch. 13 para. 18 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

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- 19 In accordance with paragraph 18, Form 10 has effect as if, in the opening lines, for “accompanied by” there were substituted “ and a copy of ”.

Commencement Information

I19 Sch. 13 para. 19 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Giving certificate of notice of still-birth directly

- 20 Article 15(7) (registrar receiving written notice of still-births) has effect as if—
- (a) for “accompanied by such a certificate” there were substituted “ and a copy of such a certificate ”;
 - (b) for “person sending the notice” there were substituted “ person who has control over, or who ordinarily effects the disposal of bodies at, any burial ground or other place at which it is intended to dispose of the body of a still-born child, ”.

Commencement Information

I20 Sch. 13 para. 20 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Giving information to the registrar other than in person and dispensing with signing the register

- 21 (1) A qualified informant who is required under the 1976 Order to give information concerning a death or still-birth to a registrar, but who is unable to attend before a registrar in person, may give that information—
- (a) by telephone, or
 - (b) by electronic means.
- (2) The duty of a qualified informant to sign the register does not apply where information is given in reliance on sub-paragraph (1).
- (3) Where information is given in reliance on sub-paragraph (1), that information is to be regarded for the purposes of the 1976 Order as having been given in the manner that is required by the 2012 Regulations.
- (4) An entry in the register of deaths or the register of still-births for which, by virtue of sub-paragraph (2), no signature is required is to be treated as an entry signed by a qualified informant for the purposes of the 2012 Regulations.
- (5) A qualified informant is to be treated as unable to attend before a registrar in person for the purposes of sub-paragraph (1) if it would be unreasonable or impracticable for the person to do so (whether because of illness, the need to care for others, the risk of infection, staff shortages at the registrar's office or any other reason).

Commencement Information

I21 Sch. 13 para. 21 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

- 22 In accordance with paragraph 21—

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- (a) Form 2 has effect as if at entry number 15 for “Signature” there were substituted “ Name of person professing to be informant ”;
- (b) Form 3 has effect as if at entry number 16 for “Signature of informant” there were substituted “ Name of person professing to be informant ”.

Commencement Information

I22 Sch. 13 para. 22 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Signing of certificates of cause of death

- 23 (1) This paragraph applies if—
- (a) a person dies as a result of any natural illness,
 - (b) the person was treated by a registered medical practitioner (“A”) within 28 days prior to the date of the person's death,
 - (c) the time when (apart from this paragraph) A would be required to sign the certificate of cause of death under Article 25(2) falls within any period for which this paragraph has effect,
 - (d) at that time, A is unable to sign the certificate or it is impracticable for A to do so, and
 - (e) another registered medical practitioner (“B”) can state to the best of B's knowledge and belief the cause of death.
- (2) B may sign the certificate of cause of death under Article 25(2).
- (3) B is subject to the other duties applicable to a person who has signed such a certificate.
- (4) A is not subject to any duties in relation to such a certificate.

Commencement Information

I23 Sch. 13 para. 23 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

- 24 (1) This paragraph applies if—
- (a) a person dies as a result of any natural illness,
 - (b) the person was not treated by a registered medical practitioner within 28 days prior to the date of the person's death, and
 - (c) a registered medical practitioner (“C”) can state to the best of C's knowledge and belief the cause of death.
- (2) C may sign the certificate of cause of death under Article 25(2).
- (3) C is subject to the other duties applicable to a person who has signed such a certificate.

Commencement Information

I24 Sch. 13 para. 24 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

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- 25 Where B or C proposes to sign a certificate under Article 25(2) in reliance on paragraph 23 or 24, Form 12 has effect as if—
- (a) the two lines beginning with “Date on which was last seen alive and treated by me” were omitted, and
 - (b) for “has died as a result of the natural illness or disease for which he has been treated by me within twenty eight days prior to the date of death” there were substituted “ has died as a result of the cause of death referred to above ”.

Commencement Information

I25 Sch. 13 para. 25 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

- 26 Where C signs a certificate under Article 25(2) in reliance on paragraph 24, section 7 of the Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.)) has effect as if the words “for which he had been seen and treated by a registered medical practitioner within twenty-eight days prior to his death” were omitted.

Commencement Information

I26 Sch. 13 para. 26 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Giving certificate of cause of death directly

- 27 (1) This paragraph applies if—
- (a) a registered medical practitioner signs a certificate of cause of death under Article 25(2) (whether or not the certificate is signed in reliance on paragraph 23 or 24), and
 - (b) the certificate is signed during any period for which this paragraph has effect.
- (2) The medical practitioner—
- (a) must forthwith send a copy of the certificate, together with such other particulars as are prescribed under Article 25(2), to the registrar by electronic means,
 - (b) is not required to give the certificate to the informant (but may do so).
- (3) The informant is not subject to any duties in relation to the certificate.

Commencement Information

I27 Sch. 13 para. 27 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

- 28 In accordance with paragraph 27—
- (a) Article 22 has effect as if the words “, accompanied by such medical certificate of the cause of the death as is required by Article 25 to be given to the registrar,” were omitted;
 - (b) Article 25(3) has effect as if after “paragraph (2)” there were inserted “ or give the registrar a copy of such a certificate ”;
 - (c) Article 25(4) has effect as if for the words from “An informant” to “and” there were substituted “ Where a registered medical practitioner gives to the

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registrar a copy of the certificate which the practitioner has signed under Article 25(2) together with such other particulars as are required under Article 25(2) to be given by the practitioner.”.

Commencement Information

I28 Sch. 13 para. 28 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Giving certificate of registration, or written notice, of death directly

29 Article 29 (certificate of registration of death) has effect with the following modifications—

- (a) paragraph (1) has effect as if—
 - (i) after “person giving information concerning the death” there were inserted “ or the person who effects the disposal of, or performs any funeral service for, the body of the deceased person ”;
 - (ii) after “a certificate in the prescribed form”, the words “under his hand” were omitted;
- (b) paragraph (2) has effect as if—
 - (i) for “the person sending the notice, if required to do so,” there were substituted “ the person who effects the disposal of, or performs any funeral service for, the body of the deceased person ”;
 - (ii) after “a certificate in the prescribed form”, the words “under his hand” were omitted.

Commencement Information

I29 Sch. 13 para. 29 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

Transitional provision

30 Anything relating to the registration of a death or still-birth that, immediately before the end of any period for which any provision of this Part of this Schedule has effect, is in the process of being done in reliance on that provision may continue to be done after the end of that period in reliance on that provision.

Commencement Information

I30 Sch. 13 para. 30 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

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Changes to legislation:

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