



# Births and Deaths Registration Act 1953

1953 CHAPTER 20 1 and 2 Eliz 2

## PART II

### REGISTRATION OF DEATHS

#### 15 Particulars of deaths to be registered.

Subject to the provisions of this Part of this Act, the death of every person dying in England or Wales and the cause thereof shall be registered by the registrar of births and deaths for the sub-district in which the death occurred by entering in a register kept for that sub-district such particulars concerning the death as may be prescribed:

Provided that where a dead body is found and no information as to the place of death is available, the death shall be registered by the registrar of births and deaths for the sub-district in which the body is found.

#### 16 Information concerning death in a house.

- (1) The following provisions of this section shall have effect where a person dies in a house.
- (2) The following persons shall be qualified to give information concerning the death, that is to say—
  - (a) any relative of the deceased person present at the death or in attendance during his last illness;
  - (b) any other relative of the deceased residing or being in the sub-district where the death occurred;
  - (c) any person present at the death;
  - (d) the occupier of the house if he knew of the happening of the death;
  - (e) any inmate of the house who knew of the happening of the death;
  - (f) the person causing the disposal of the body.
- (3) It shall be the duty—

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- (a) of the nearest relative such as is mentioned in paragraph (a) of the last foregoing subsection; or
- (b) if there is no such relative, of each such relative as is mentioned in paragraph (b) of that subsection; or
- (c) if there are no such relatives, of each such person as is mentioned in paragraph (c) or (d) of that subsection; or
- (d) if there are no such relatives or persons as aforesaid, of each such person as is mentioned in paragraph (e) or (f) of that subsection,

to give to the registrar, before the expiration of five days from the date of the death, information to the best of his knowledge and belief of the particulars required to be registered concerning the death, and in the presence of the registrar to sign the register:

Provided that—

- (i) the giving of information and the signing of the register by any one qualified informant shall act as a discharge of any duty under this subsection of every other qualified informant;
- (ii) <sup>F1</sup>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).]

#### **Textual Amendments**

**F1** Words in s. 16(3) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), [Sch. 21 para. 8\(4\)](#) (with s. 180); S.I. 2013/1869, art. 2(o)(ii)

## **17 Information concerning other deaths.**

- (1) The following provisions of this section shall have effect where a person dies elsewhere than in a house or where a dead body is found and no information as to the place of death is available.
- (2) The following persons shall be qualified to give information concerning the death, that is to say—
  - (a) any relative of the deceased who has knowledge of any of the particulars required to be registered concerning the death;
  - (b) any person present at the death;
  - (c) any person finding or taking charge of the body;
  - (d) any person causing the disposal of the body.
- (3) It shall be the duty—
  - (a) of each such relative as is mentioned in paragraph (a) of the last foregoing subsection; or
  - (b) if there are no such relatives, of each other qualified informant,
 to give to the registrar, before the expiration of five days from the date of the death or of the finding of the body, such information of the particulars required to be registered concerning the death as the informant possesses, and in the presence of the registrar to sign the register:

Provided that—

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- (i) the giving of information and the signing of the register by any one qualified informant shall act as a discharge of any duty under this subsection of every other qualified informant:
- (ii) [<sup>F2</sup>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).]

#### Textual Amendments

**F2** Words in s. 17(3) substituted (25.7.2013) by Coroners and Justice Act 2009 (c. 25), s. 182(4)(e), Sch. 21 para. 9(3)(d) (with s. 180); S.I. 2013/1869, art. 2(o)(iii)

### 18 Notice preliminary to information of death.

If, before the expiration of five days from the date of the death or of the finding of the dead body of any person, a qualified informant of that person's death sends to the registrar a written notice of the occurrence of the death or of the finding of the body accompanied by a notice given under subsection (2) of section twenty-two of this Act of the signing of a certificate of the cause of death, the information of the particulars required to be registered concerning the death need not be given before the expiration of the said five days, but shall, notwithstanding the notice, be given before the expiration of fourteen days from the date aforesaid by the person giving the notice or by some other qualified informant.

### 19 Registrar's power to require information concerning death.

- (1) Where, after the expiration of the relevant period from the date of the death or finding of the dead body of any person, the death of that person has, owing to the default of the persons required to give information concerning it, not been registered, the registrar may by notice in writing require any qualified informant—
  - (a) to attend personally at the registrar's office, or at some other place appointed by the registrar within his sub-district, before such date (being not less than seven days after the receipt of the notice nor more than twelve months from the date of the death or of the finding of the body) as may be specified in the notice; and
  - (b) to give information to the best of the informant's knowledge and belief of the particulars required to be registered concerning the death; and
  - (c) to sign the register in the presence of the registrar:

Provided that any such requirement shall cease to have effect if, before the date specified in the notice and before the person to whom the notice is given complies with it, either—

- (i) the death is duly registered; or
  - (ii) [<sup>F3</sup>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]
- (2) In this section, the expression "the relevant period" means—
    - (a) where notice has been duly given to the registrar in accordance with the last foregoing section, fourteen days;
    - (b) in any other case, five days.

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#### Textual Amendments

- F3** Words in s. 19(1) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), [Sch. 21 para. 11\(3\)](#) (with s. 180); S.I. 2013/1869, art. 2(o)(iv)

## 20 Registration of death free of charge.

Where the registrar receives personally from any qualified informant, at any time before the expiration of twelve months from the date of the death or finding of the dead body of any person, information of the particulars required to be registered concerning that person's death, then, so soon as he has received any particulars required to be registered concerning the cause of death which are required to be given by any person other than the informant, he shall forthwith register the death and the particulars, if not previously registered, in the prescribed form and manner without any fee or reward from the informant:

F4

#### Textual Amendments

- F4** S. 20 proviso repealed by [S.I. 1968/1242](#), [Sch. 2](#)

## 21 Registration of death after twelve months.

- (1) After the expiration of twelve months from the date of the death or finding of the dead body of any person, the death of that person shall not be registered except with the written authority of the Registrar General and in such manner and subject to such conditions as may be prescribed, and the fact that the authority of the Registrar General has been obtained shall be entered in the register.
- (2) ..... F5
- (3) Any person who registers any death, or causes any death to be registered, in contravention of this section shall be liable on summary conviction to a fine not exceeding [<sup>F6</sup>level 1 on the standard scale].

#### Textual Amendments

- F5** Ss. 6(3), 7(2), 14(3), 21(2) repealed by [S.I. 1968/1242](#), [Sch. 2](#)
- F6** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46

## 22 Certificates of cause of death.

- (1) In the case of the death of any person who has been attended during his last illness by a registered medical practitioner, that practitioner shall sign a certificate in the prescribed form stating to the best of his knowledge and belief the cause of death and shall forthwith deliver that certificate to the registrar.
- (2) On signing a certificate of the cause of death under the foregoing subsection the medical practitioner shall give in the prescribed form to some qualified informant of the death notice in writing of the signing of the certificate, and that person shall, except

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where an inquest is held . . . <sup>F7</sup> touching the death of the deceased person, deliver the said notice to the registrar.

- (3) [<sup>F8</sup>Except where an inquest is held into the death of the deceased person or a post-mortem examination of his body is made under section 19 of the Coroners Act 1988], a registrar to whom a certificate of cause of death is delivered under subsection (1) of this section shall enter in the register the cause of death as stated in the certificate, together with the name of the certifying medical practitioner.
- (4) The Registrar General shall from time to time furnish to every registrar printed forms of the certificates required to be signed by registered medical practitioners under subsection (1) of this section, and every registrar shall furnish such forms free of charge to any registered medical practitioner residing or practising in that registrar's sub-district.

#### Textual Amendments

**F7** Words repealed by [Coroners Act 1980 \(c. 38, SIF 33\)](#), [Sch. 2](#)

**F8** Words substituted by [Coroners Act 1988 \(c. 13, SIF 33\)](#), s. 36(1), [Sch. 3 para. 3](#)

### 23 Furnishing of information by coroner.

<sup>F9</sup>(1) . . . . .

[<sup>F10</sup>(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 prescribed form and manner register the amended particulars without any alteration of the original entry.]

[<sup>F11</sup>(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

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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.]

- (3) [<sup>F12</sup>[<sup>F13</sup>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] the cause of death as disclosed by the report of the person making the examination,] the registrar shall in the prescribed form and manner make an entry thereof in the register accordingly.

#### Textual Amendments

- F9** S. 23(1) repealed by [Coroners Act 1988 \(c. 13, SIF 33\)](#), s. 36(1)(2), [Sch. 3 para. 4\(1\)](#), [Sch. 4](#)
- F10** S. 23(2)(2ZA) substituted for s. 23(2) (25.7.2013 for specified purposes) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), [Sch. 21 para. 15\(2\)](#) (with s. 180); S.I. 2013/1869, art. 2(o)(vi)
- F11** S. 23(2A)-(2C) substituted for s. 23(2A) (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), [Sch. 21 para. 15\(3\)](#) (with s. 180); S.I. 2013/1869, art. 2(o)(v)
- F12** Words substituted by [Coroners Act 1988 \(c. 13, SIF 33\)](#), s. 36(1), [Sch. 3 para. 4\(4\)](#)
- F13** Words in s. 23(3) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), [Sch. 21 para. 15\(4\)](#) (with s. 180); S.I. 2013/1869, art. 2(o)(v)

#### [<sup>F14</sup>23A Giving of information concerning a death to a person other than the registrar

- (1) Subject to subsection (2) of this section, any person required by or under this Act to give information to the registrar of the particulars required to be registered concerning a death may give that information by making and signing in the presence of and delivering to such officer as may be prescribed a declaration in writing.
- (2) A declaration shall not be made under this section unless the officer in whose presence the declaration is to be made has in his possession—
- (a) if no post-mortem examination of the deceased person's body is made by virtue of section 19 of the Coroners Act 1988 <sup>F15</sup>, a copy of the certificate delivered to the registrar under subsection (1) of section 22 of this Act; or

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- (b) if a post-mortem examination of the deceased person's body is so made, a copy of the certificate delivered to the registrar under subsection (3) of section 23 of this Act;

and the registrar shall, if so requested by the officer in whose presence the declaration is to be made, supply to that officer a copy of the certificate mentioned in paragraph (a) or, as the case may be, paragraph (b) of this subsection.

- (3) The officer in whose presence a declaration is made under this section shall send the declaration to the registrar who shall in the prescribed manner enter the death in the register.
- (4) An entry made under the last foregoing subsection shall be deemed for the purposes of this Act to have been signed by the person who signed the declaration and a person making a declaration under this section shall be deemed to have given information concerning the death to the registrar and to have complied with any requirement of the registrar made under this Act to attend and give that information.
- (5) Where the person by whom a declaration under this section is made is a relative of the deceased person, he shall be deemed, for the purposes of determining his qualification to give the information given by making the declaration, to be in the sub-district where the death occurred.
- (6) A person who, upon making a declaration under this section, delivers to the officer in whose presence the declaration is made the notice to be delivered to the registrar under subsection (2) of section 22 of this Act shall be deemed to have delivered that notice to the registrar.

#### Textual Amendments

**F14** S. 23A inserted (1.4.1997) by [S.I. 1996/2395](#), [art. 3](#)

**F15** [1988 c.13](#).

## 24 Certificates as to registration of death.]

- (1) The registrar, upon registering any death, shall forthwith give to the person giving information concerning the death a certificate under his hand that he has registered the death; but may, before registering the death and subject to such conditions as may be prescribed, upon receiving written notice of the occurrence of a death in respect of which he has received a certificate under section twenty-two of this Act, give to the person sending the notice, if required to do so, a certificate under his hand that he has received notice of the death; and any certificate given under this subsection shall be given without fee:

Provided that the registrar shall not issue any such certificate in any case in which he is satisfied that a coroner's order has been issued authorising the disposal of the body.

- (2) Where the body of a deceased person has been removed into England or Wales from some place outside both those countries for disposal, and no order has been given by a coroner in respect thereof, the registrar of the sub-district in which it is intended to dispose of the body, if it appears that the death is not required by law to be registered in England or Wales, shall, upon application by the person procuring the disposal . . .  
<sup>F16</sup> give a certificate to that effect in the prescribed form.

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- (3) A person to whom any certificate issued by the registrar under this section is delivered shall transmit it to the person effecting the disposal of the body of the deceased person.
- (4) A registrar by whom a certificate has been given under this section may, upon receiving a satisfactory explanation of any circumstances by reason of which the certificate is not available for the purposes of the enactments relating to the disposal of the bodies of dead persons, issue . . . <sup>F16</sup> a duplicate thereof either to the person to whom the original certificate was given or to the person effecting the disposal of the body; and any such duplicate certificate shall be in a distinctive form.
- (5) Where, on the expiration of the prescribed period after the issue in respect of any deceased person of a certificate under this section or of a coroner’s order authorising the disposal of the body, no notification as to the date, place and means of disposal of the body has been received by the registrar from the person effecting its disposal, the registrar shall make enquiry of the person to whom the certificate or order was issued and it shall be the duty of that person to give information to the best of his knowledge and belief as to the person having the custody of the certificate or order, the place in which the body is lying, or, if the body has been disposed of, the person effecting the disposal.
- (6) In this section, the expression “person effecting the disposal” means the person by whom or whose officer the register in which the disposal is to be recorded is kept, except that, in the case of a burial under the <sup>M1</sup>Burial Laws Amendment Act 1880, or section four of the <sup>M2</sup>Welsh Church (Burial Grounds) Act 1945, in the churchyard or graveyard of a parish or ecclesiastical district, it shall be construed as referring to the relative, friend or legal personal representative having charge of or being responsible for the burial of the deceased person.

#### **Textual Amendments**

**F14** S. 23A inserted (1.4.1997) by [S.I. 1996/2395](#), [art. 3](#)

**F16** Words repealed by [S.I. 1968/1242](#), [Sch. 2](#)

#### **Marginal Citations**

**M1** [1880 c. 41](#).

**M2** [1945 c. 27](#).



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