

# ORDER IN COUNCIL

**I**  
**1979**

ratifying a Projet de Loi

**ENTITLED**

## **The Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979**

---

(Registered on the Records of the Island of Guernsey  
on the 23rd April, 1979.)

---



---

**1979.**

# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 23rd day of April, 1979, before Charles Keith Frossard, Esquire, Deputy Bailiff; present:— Stanley Walter Gavey, Esquire, O.B.E., Edward James Lainé, Esquire, C.B.E., D.F.C., Walter Francis Robin, Esquire, Harry Wall Poat, Esquire, D.S.O., M.C., A.D.C., Richard Brook Sutcliffe, Richard Oliver Symons, Albert Richard McCartney Straw, Esquires, Frederick William Winslow Chandler, Esquire, D.S.O., D.F.C., Lionel Walter Sarre, Esquire, M.B.E., K.P.M. and Donald Pescott Plummer, Esquire, Jurats.*

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 14th day of March, 1979, ratifying a *Projet de Loi* entitled "The Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Comptroller thereon, ordered that the said Order in Council be registered on the records of this Island and that an extract of this present Act, together with a copy of the said Order in Council, be sent by Her Majesty's Greffier to the Clerk of the Court of Alderney and to the Seneschal of Sark for registration on the records of those Islands respectively, of which Order in Council the tenor followeth:—

## At the Court at Buckingham Palace

The 14th day of March 1979

PRESENT,

### The Queen's Most Excellent Majesty in Council

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey dated the 29th day of January 1979 in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

“1. That in pursuance of their Resolution of the 27th day of July 1977 the States of Deliberation at a meeting held on the 29th day of March 1978 approved a Bill or “Projet de Loi” entitled “The Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979”, which Bill is designed to apply to the Bailiwick of Guernsey, and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the States of the Island of Alderney at a meeting held on the 16th day of August 1978 considered the said Bill or “Projet de Loi” when a Resolution was passed agreeing to the application of the same to Alderney. 3. That the Chief Pleas of the Island of Sark at a meeting held on the 4th day of October 1978 considered the said Bill or “Projet de Loi” when a Resolution was passed agreeing to the application of the same to Sark.

4. That the said Bill or "Projet de Loi" is in the words and figures set forth in the Schedule hereunto annexed, and most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979", and to order that the same shall have force of law in the Bailiwick of Guernsey."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HER MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Bailiwick of Guernsey.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty's Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

*N. E. Leigh*

Projet de Loi referred to in the foregoing  
Order in Council.

## PROJET DE LOI

ENTITLED

### **The Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979**

#### ARRANGEMENT OF SECTIONS

##### Section

1. Amendment to Law of 1935.
2. Amendment to Law of 1951.
3. Deputy Registrar of Births and Deaths for the  
Island of Sark.
4. Amendment to Alderney Law of 1910.
5. Alternative form of certificate of cause of  
death.
6. Validation.
7. Interpretation.
8. Extent.
9. Citation.

Schedule Medical Certificate of Cause of Death  
after Post Mortem Examination.

# PROJET DE LOI

ENTITLED

## **The Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979**

THE STATES, in pursuance of their Resolution of the twenty-seventh day of July, nineteen hundred and seventy-seven, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

1. In Article nine of the Law entitled "Loi relative à l'Enregistrement des Naissances et Décès dans le Bailliage de l'Ile de Guernesey" registered on the ninth day of March, nineteen hundred and thirty-five, as amended<sup>(a)</sup> (hereinafter referred to as "the Law of 1935") the words "Avant les quarante-huit heures expirées" are hereby repealed and the words "Avant l'expiration de cinq jours" are hereby substituted therefor.

Amend-  
ment to  
Law of  
1935.

2. The Births, Deaths and Marriages Certificates (Miscellaneous Provisions) (Guernsey) Law, 1951<sup>(b)</sup>, is hereby amended as follows:

Amend-  
ment to  
Law of  
1951.

(a) in subsection (2) of section one thereof the word "sixpence" is deleted and the words "seventy-five new pence if application therefor is made in person or two pounds and twenty-five new pence if application therefor is made by post" are substituted therefor;

(a) Ordres en Conseil Vol. X, p. 20; Vol. XX, p. 267; Vol. XXII, p. 48.

(b) Ordres en Conseil Vol. XV, p. 46.

- (b) in subsection (3) of section one, in section two and in section three thereof the words "two shillings and sixpence" wherever those words appear are deleted and the words "one pound and fifty new pence if application therefor is made in person or three pounds if application therefor is made by post" are substituted therefor;
- (c) in subsections (2) and (3) of section one, in section two and in section three thereof the words and commas ", inclusive of stamp duty," wherever those words and commas appear, are deleted;
- (d) immediately after section three thereof there is inserted the following section—

"Variation  
of fees.

3A. The States may, from time to time, by Ordinance vary the fees that shall be payable in respect of the issue of a certificate mentioned in the foregoing provisions of this Law and any such Ordinance may provide that different fees shall be payable in respect of the issue of a certificate for which application is made in person and in respect of the issue of a similar certificate for which application is made by post."

Deputy  
Registrar of  
Births and  
Deaths for  
the Island of  
Sark.

3. (1) In addition to any Registrar of Births and Deaths for the Island of Sark appointed in accordance with the provisions of Article one of the Law of 1935, the Royal Court may, on the application of the Registrar-General of Births and Deaths for the Bailiwick of Guernsey, also appoint a Deputy

# Registrar of Births and Deaths for the Island of Sark.

(2) The person so appointed shall, before taking office, take an oath before the Royal Court to discharge his duties well and faithfully.

(3) The said Deputy-Registrar shall, in the absence or incapacity of the Registrar of Births and Deaths for the Island of Sark, exercise the powers and perform the duties conferred or imposed upon the said Registrar by or under the Law of 1935 or any other enactment for the time being in force.

4. In Article one of the Law entitled "Loi relative aux Certificats de Décès et aux Enterrements" registered on the fourteenth day of May, nineteen hundred and ten, as amended(c), (hereinafter referred to as "the Law of 1910") the words "Avant les quarante-huit heures expirées" are hereby repealed and the words "Avant l'expiration de cinq jours" are hereby substituted therefor.

Amend.  
ment to  
Alderney  
Law of 1910.

5. (1) Notwithstanding the provisions of Article two of the Law of 1910, where a medical practitioner has carried out a post mortem examination of the body of a deceased person and a Law Officer of the Crown is satisfied, after scrutiny of the written report of the medical practitioner upon the post mortem examination, that the death of that person was due to natural causes, the death may be registered on production of a certificate made in accordance with the form set out in the Schedule to this Law signed by the medical practitioner and by the Law Officer of the Crown.

Alternative  
form of  
certificate  
of cause of  
death.



(2) Notwithstanding the provisions of Article one of the Law of 1910, a declaration of death made to the Registrar may be accompanied by a certificate in the form contained in the Schedule to this Law instead of a certificate containing the particulars set out in the said Article.

(3) Notwithstanding the provisions of Article four of the Law of 1910, the Registrar may deliver a Death Certificate and permission to bury in accordance with Form "B" of the Schedule to that Law on receipt of a certificate of the cause of death signed by a medical practitioner and a Law Officer of the Crown in accordance with the form set out in the Schedule to this Law.

**Validation.**

6. Any act done or certificate or permission signed or issued for the purposes of the Law of 1910 during the period commencing on the first day of January, nineteen hundred and seventy, and ending on the third day of May, nineteen hundred and seventy-seven, shall be deemed to have been lawfully done, signed or issued, as the case may be, as if the Registration of Deaths (Amendment) (Alderney) Law, 1970(d), (hereinafter referred to as "the Law of 1970") had come into force upon the said first day of January, nineteen hundred and seventy, and as if the said Law of 1910 had been in force throughout the said period as amended by the Law of 1970.

**Interpretation.**

7. (1) The Interpretation (Guernsey) Law, 1948(e), shall apply to the interpretation of this Law throughout the Bailiwick.

(2) Except in so far as the context otherwise requires, any reference in this Law to any other

---

(d) Ordres en Conseil Vol. XXII, p. 501.

(e) Ordres en Conseil Vol. XIII, p. 355.

enactment shall be construed as a reference to that enactment as amended, repealed and replaced, extended or applied by or under any other enactment including this Law.

8. (1) The provisions of this Law other than the provisions of sections three, four, five and six thereof shall have effect throughout the Bailiwick of Guernsey. **Extent.**

(2) The provisions of section three of this Law shall have effect in the Islands of Guernsey, Sark, Herm and Jethou.

(3) The provisions of sections four, five and six of this Law shall have effect in the Island of Alderney.

9. This Law may be cited as the Registration of Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979. **Citation.**

**SCHEDULE**

Section five

**FORM E**

**MEDICAL CERTIFICATE OF CAUSE OF DEATH AFTER POST MORTEM EXAMINATION**

Name of deceased ..... Age as stated to me ..... yrs  
 Deceased identified to me by .....  
 Date and time of death as stated to me ..... day of ..... 19 ....., at ..... a.m.  
 Place of Death ..... p.m.

CAUSE OF DEATH		For Statistical purposes only
<b>I</b>	<b>I</b>	<b>Approximate interval between onset and death</b>
Disease or condition directly leading to death (see Note)	(a) .....	<b>I</b>
Antecedent causes	due to (or as a consequence of)	(a) .....
Morbid conditions, if any, giving rise to the above cause stating the underlying condition last	(b) .....	(b) .....
	due to (or as a consequence of)	(c) .....
	(c) .....	
<b>II</b>	<b>II</b>	<b>II</b>
Other significant conditions contributing to the death, but not related to the disease or condition causing it	.....	.....
	.....	.....

I hereby certify that I have performed a post mortem examination of the body of the above named deceased person and that the particulars and cause of death above written are true to the best of my knowledge and belief. I further certify that the said cause or causes of death were natural.

Signature .....

Qualifications .....

Date .....

NOTE: This does not mean the mode of dying such as e.g. heart failure, asthenia, etc; it means disease or complications which caused death.

---

THIS SECTION FOR USE BY THE LAW OFFICERS OF THE CROWN ONLY:

I am satisfied as to the cause of death above certified and that there is no need for an inquest into the circumstances of this death.

Dated this ..... day of ..... 19

.....  
H.M. Procureur/Comptroller

R. H. VIDELO,  
Her Majesty's Greffier.