

# PROJET DE LOI

ENTITLED

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

*[CONSOLIDATED TEXT]*

### **NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* Ordres en Conseil Vol. XXVII, p. 40; as amended by the Births, Deaths, Marriages and Legitimacy (Bailiwick of Guernsey) (Amendment) Law, 1991 (No. XVIII of 1991); the Marriage (Bailiwick of Guernsey) Law, 2020 (No. XVI of 2020).

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### ARRANGEMENT OF SECTIONS

1. Amendment to Law of 1935.
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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.
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SCHEDULE Form E: Medical Certificate of Cause of Death after Post Mortem Examination.

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## **The Registration of 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.

### **Amendment to Law of 1935.**

1. In Article nine of the Law entitled "Loi relative à l'Enregistrement des Naissances et Décès dans le Bailliage de l'Île 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 (hereinafter referred to as "**the Law of 1935**") the words "Avant les quarante-huit heures expirées" are hereby repealed and the words "Avant l'expiration de cinq jours" are hereby substituted therefor.

### **Amendment to Law of 1951.**

2. ...

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#### **NOTE**

*Section 2 was repealed by the Marriage (Bailiwick of Guernsey) Law, 2020, section 67, Schedule, with effect from 1st March, 2021.<sup>1</sup>*

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<sup>a</sup> Ordres en Conseil Vol. X, p. 20; Vol. XX, p. 267; Vol. XXII, p. 48.

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**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.

**Amendment to Alderney Law of 1910.**

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<sup>c</sup>, (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.

**Alternative form of certificate of cause of death.**

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,

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<sup>c</sup> Ordres en Conseil Vol. IV, p. 328; Vol. XXII, p. 501.

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.

(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<sup>d</sup>, (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<sup>e</sup>, shall apply to the interpretation of this Law throughout the Bailiwick.

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<sup>d</sup> Ordres en Conseil Vol. XXII, p. 501.

<sup>e</sup> Ordres en Conseil Vol. XIII, p. 355.

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

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**NOTE**

*The Interpretation (Guernsey) Law, 1948 has since been repealed by the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, section 28(a), with effect from 1st October, 2018.*

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**Extent.**

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.

(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.

**Citation.**

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

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**NOTE**

*The Law received Royal Sanction on 14th March, 1979 and was registered on the Records of the Island of Guernsey and came into force on 23rd April, 1979.*

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## 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.  
p.m.

Place of death .....

CAUSE OF DEATH		For Statistical purposes only
I	I	Approximate interval between onset and death
Disease or condition directly leading to death (see Note)	(a) ..... due to (or as a consequence of)	(a) .....
Antecedent causes	(b) ..... due to (or as a consequence of)	(b) .....
Morbid conditions, if any, giving rise to the above cause stating the underlying condition last	(c) .....	(c) .....

II	II	II
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 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.

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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



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<sup>1</sup> Prior to its repeal, section 2 was amended by the Births, Deaths, Marriages and Legitimacy (Bailiwick of Guernsey) (Amendment) Law, 1991, section 5, with effect from 3rd December, 1991.