

**FIRST SUPPLEMENT TO THE GIBRALTAR
GAZETTE
NO. 2,621 of 18th July 1991**



I ASSENT,

ADREW CARTER;

ACTING GOVERNOR.

18th July, 1991.



GIBRALTAR

No. 19 of 1991

AN ORDINANCE to amend the Births and Deaths Registration Ordinance.

ENACTED by the Legislature of Gibraltar.

Title and commencement

1. This Ordinance may be cited as the Births and Deaths Registration (Amendment) Ordinance, 1991 and shall come into operation on such day as the Governor may by notice in the Gazette appoint and different days may be so appointed for different purposes.

Amendment to section 6.

2. Section 6 of the Births and Deaths Registration Ordinance (hereinafter called "the principal Ordinance") is amended by omitting the expression "of

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£200" and substituting therefor the expression "at level 3 on the standard scale".

Amendment to section 8.

3. Section 8 of the principal Ordinance is amended by omitting the expression "of £400" and substituting therefor the expression "at level 3 on the standard scale".

Amendment to section 10.

4. Section 10 of the principal Ordinance is amended in subsection (2) by omitting the expression "of £150" and substituting therefor the expression "at level 3 on the standard scale".

Amendment to section 11.

5. Section 11 of the principal Ordinance is amended by omitting the expression "of £150" and substituting therefor the expression "at level 3 on the standard scale".

Amendment to section 12.

6. Section 12 of the principal Ordinance is amended by omitting the expression "of £150" and substituting therefor the expression "at level 3 on the standard scale".

Amendment to section 13.

7. Section 13 of the principal Ordinance is amended in subsection (3) by omitting the expression "of £200" and substituting therefor the expression "at level 3 on the standard scale".

Amendment to section 16.

8. Section 16 of the principal Ordinance is amended in subsection (4) by omitting the expression "of £150" and substituting therefor the expression "at level 3 on the standard scale".

Amendment to section 21.

9. Section 21 of the principal Ordinance is amended by omitting the expression "of £200" and substituting therefor the expression "at level 3 on the standard scale".

Repeal and replacement of section 22.

10. Section 22 of the principal Ordinance is repealed and replaced by the following new section

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"22. The Registrar shall, upon receipt of the certificate referred to in section 21 or of a certificate of the Coroner certifying that an inquest is unnecessary, insert in the register the proper number and, in the proper columns, such information as is contained in the certificate and required to be registered touching the death of the person named therein."

Repeal and replacement of section 23.

11. Section 23 of the principal Ordinance is repealed and replaced by the following new section

"23. (1) The following persons shall be qualified to make a declaration concerning the death of any person who shall die in Gibraltar, that is to say

- (a) any relative of the deceased person;
- (b) any person present at the death;
- (c) the occupier of the house if he knew of the happening of the death;
- (d) an inmate of the house who knew of the happening of the death;
- (e) the person causing the burial of the body.

(2) It shall be the duty—

- (a) of the nearest relative of the deceased person;
- (b) if there is no relative, of each such person as is mentioned in paragraph (b) or (c) of subsection (1); or
- (c) if there are no such relatives or persons as aforesaid, of each such person as is mentioned in paragraph (d) or (e) of that subsection,

within eight days after the day of such death, personally to make before and deliver to the Registrar a declaration in writing signed by him in the prescribed form setting forth to the best of his knowledge and belief all the particulars by this Ordinance' required to be registered concerning such death:

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Provided that—

(i) the making of a declaration by any one qualified informant shall act as discharge of any duty under this subsection of every other qualified informant;

(ii) this subsection shall not have effect if an inquest is held touching the death of the deceased person."

Amendment to section 26.

12. Section 26 of the principal Ordinance is amended—

(a) by omitting the words "and place of abode in the proper column, and";

(b) by omitting the expression "of £200" and substituting therefor the expression "at level 3 on the standard scale".

Repeal and replacement of section 27.

13. Section 27 of the principal Ordinance is repealed and replaced by the following new section

"27. The Registrar shall thereupon insert the date of registration and all such other observations as he may think necessary, and sign his name, and thereupon such death shall be deemed to be fully registered."

Repeal and replacement of section 29.

14. Section 29 of the principal Ordinance is repealed and replaced by the following new section

"29. Any person who in accordance with section 23 is required to personally make before and deliver to the Registrar a declaration hereinbefore required within the period hereinbefore mentioned, and who refuses or omits personally to deliver that declaration, and every such person who refuses to answer any such question hereby authorised or prescribed to be put, is guilty of an offence and is liable on summary conviction to a fine at level 3 on the standard scale."

Amendment to section 30.

15. Section 30 of the principal Ordinance is amended by omitting everything after the words "non making thereof," and substituting therefor the words "if

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the Coroner, with or without a jury, shall enquire of and find and record by the verdict (which he, or they, are hereby authorised and required to do) all the particulars required by this Ordinance to be known, enquired into and registered concerning the death of such person and concerning such person, and required to be supplied by a person specified in section 23."

Amendment to section 31.

16. Section 31 of the principal Ordinance is amended by omitting the words "and by this Ordinance required to be supplied by a person present at the death, or in attendance during the last illness of the person who shall so die, or by such occupier as aforesaid, as found by the jury;" and substituting therefor the words "as found by the Coroner or where there was a jury, by the jury,".

Amendment to section 33.

17: Section 33 of the principal Ordinance is amended—

(a) by inserting after the word "registered" the words "or part registered";

(b) by omitting the words "it is necessary" and substituting therefor the words "it may be necessary".

Amendment to section 36.

18. Section 35 of the principal Ordinance is amended—

(a) in subsection (1) by—

(i) omitting the word "Every" and substituting therefor the words "Except in the case of a burial in the cemetery in North Front, every";

(ii) inserting after the words "registered" the words "or part registered";

(iii) omitting the comma after the word "Ordinance";

(iv) omitting the words "or a certificate under the hand of the person in charge of the funeral in the prescribed form, and containing a true statement to the best of his knowledge and belief of the several particulars in the said form mentioned or referred to,";

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(b) in subsection (3) by omitting the expression "of £200" and substituting therefor the expression "at level 3 on the standard scale".

(c) omitting in the proviso thereto the words "either of the certificates" and substituting therefor the words "the certificate";

Amendment to section 36.

19. Section 36 of the principal Ordinance is amended in subsection (3) by omitting the expression "of £200" and substituting therefor the expression "at level 3 on the standard scale".

Amendment to section 37.

20. Section 37 of the principal Ordinance is amended—

(a) by omitting the word "Every" and substituting therefor the following words

"Save in the case of a burial to which section 35(2) applies, every";

(b) by omitting the expression "of £150" and substituting therefor the expression "at level 3 on the standard scale".

Amendment to section 39.

21. Section 39 of the principal Ordinance is amended in subsection (3) by omitting the expression "of £200" and substituting therefor the expression "at level 3 on the standard scale".

Repeal of section 24.

22. Section 24 of the principal Ordinance is repealed.

Passed by the Gibraltar House of Assembly on the 9th day of July, 1991.

C. M. COOM

Clerk to the Assembly.