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Our reference:

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Dear Peter,

The Department of Finance proposes to make a Statutory Rule, the Deaths and Still-Births (Signing of Certificates) Regulations (Northern Ireland) 2026 under powers conferred by the Articles 15(4)(za) and 25(2A) of the Births and Deaths Registration (Northern Ireland) Order 1976. The Statutory Rule is subject to the negative resolution procedure before the Assembly.

Purpose of the Statutory Rule

The Regulations are secondary legislation as a result of the Deaths, Still-Births and Baby Loss Bill, which is currently awaiting Royal Assent.

The Bill amends provisions in civil registration legislation to place the provisions for the registration of deaths and still-births, currently operated under Coronavirus Act 2020 provisions, on a permanent footing. The Bill provides the majority of the provisions to enable the remote registration of deaths and still-births, without the signature of an informant and the electronic transfer of documents between stakeholders. However, secondary legislation is required to prescribe the framework for the signing of Medical Certificates of Cause of Death (MCCD) and Certificates of Still-Birth by registered medical practitioners and midwives.

The regulations provide for the MCCD to be signed by a registered medical practitioner and for the Certificate of Still-Birth to be signed by a registered medical practitioner or registered midwife. These can be signed by means as approved by the Registrar General for Northern Ireland. This will include an electronic signature, printed name etc or signed in ink.

The registration of births, deaths and still-births is governed by the Births & Deaths Registration (Northern Ireland) Order 1976 (the “1976 Order”) and the Civil Registration Regulations (Northern Ireland) 2012 (the “2012 Regulations”).

The 1976 Order requires that an informant attends in person at the registration office to provide the particulars for the registration of a death or still-birth and provides a Medical Certificate of Cause of Death (MCCD), which they receive directly from a medical practitioner, to the registrar. Once the registration is complete, they are required to confirm the registration details are correct and sign the entry. The informant is then given a certificate of disposal form to give to the funeral director to enable the disposal of the body to proceed.

As a result of the Coronavirus pandemic, provisions were introduced, by Section 18 of Schedule 13 to the Coronavirus Act 2020, to enable the remote registration of deaths and still-births without the signature of the informant and the electronic transfer of documents between stakeholders. This enables the electronic transfer of the MCCD or Certificate of Still-Birth from the doctor/ midwife to the registrar and the Certificate of Disposal from the registrar to the funeral director. These provisions are maintained by six monthly extension orders approved by the Assembly.

The death and still-birth registration process introduced through the Coronavirus Act 2020 has been in use for almost 6 years and has become the normal registration process alongside the option to attend in person if that is the informant’s wish. The provisions have enabled the continuation of a modern death and still-birth registration process, which is supported by funeral directors and ease the burden on grieving members of the public who must register a death or still-birth.

As the Committee will be aware, the Deaths, Still-Births and Baby Loss Bill completed its Final Stage in the Assembly on 2 December 2025 and is currently awaiting Royal Assent. The regulations are required, along with a Commencement Order, to commence the provisions in Sections 2 to 7 and 10 of the Bill. Once the provisions are commenced and the regulations are in place the remote registration process for deaths and still-births will have a permanent statutory footing.

Consultation

No public consultation has been undertaken in relation to the regulations, but GRO have previously sought feedback from the main stakeholders on the provisions in the Coronavirus Act 2020 provisions and these indicated that:

- The public response is positive regarding the swiftness of the contact from the registrar to enable the death registration to take place promptly.
- Telephone registration has been less traumatic for the next of kin, they usually have family to provide support rather than attending the registration office on their own.

- The public have appreciated not having to attend at the registration office.
- Registrars having the MCCD in advance has meant that they have been able to sort out issues with the MCCD before the next of kin is contacted.
- Funeral directors have been positive about the burial form being sent electronically to them as it is a more effective transfer means and ensures there are no delays to funerals.
- Both hospitals and GPs have moved to electronic MCCDs and these are forwarded to GRO quickly after a death.

Position in Great Britain

England and Wales

E&W no longer use the powers in the CA and have made or are in the process of making the provisions which were contained in the Act, for death and still-birth registrations, permanent. They have introduced electronic transfer of documents through the Births and Deaths Registration (Electronic Communications and Electronic Storage) Order 2021 ([The Births and Deaths Registration \(Electronic Communications and Electronic Storage\) Order 2021 \(legislation.gov.uk\)](#)) which used the powers in Sections 8 & 9 of the Electronics Communications Act 2000.

The 2021 Order was supplemented by the introduction of the Registration of Births and Deaths (Amendment) (England and Wales) Regulations 2021 ([The Registration of Births and Deaths \(Amendment\) \(England and Wales\) Regulations 2021 \(legislation.gov.uk\)](#)). The Regulations enable forms such as the MCCD, the Certificate of Still-Birth and the certificate of registration for deaths and still-births to be in an electronic form.

While E&W have brought forward powers to enable the electronic transfer of documents between the various parties, they were unable to bring forward powers to enable remote registration and had to revert to registration in person in March 2022. The Government is planning to bring forward a Bill, in the current parliamentary session, to include provisions for remote registration of births and deaths.

Scotland

Like E&W, Scotland have made the powers in the CA permanent. The Scottish Government brought forward the Coronavirus (Recovery and Reform) (Scotland) Act 2022 ([Coronavirus \(Recovery and Reform\) \(Scotland\) Act 2022 \(legislation.gov.uk\)](#)) which included powers to make the provisions that were included in the Coronavirus Act permanent. These included the ability to register the death remotely including the attesting of the death registration form.

Equality Impact

An equality impact assessment has not been carried out as there are no major changes to the registration process.

Regulatory Impact

A Regulatory Impact Assessment has not been carried out as the proposals result in no or negligible costs or savings on businesses, charities, social economy enterprises or voluntary bodies.

Financial Implications

There are no financial implications.

EU Implications

Not applicable.

Section 24 of the Northern Ireland Act 1998

The Statutory Rule has been reviewed against section 24 of the Northern Ireland Act 1998 and the Department is satisfied that the Deaths and Still-Births (Signing of Certificates) Regulations (Northern Ireland) 2026 is not incompatible with Convention Rights; is not incompatible with Article 2(1) of the Windsor Framework; does not discriminate against a person or class of person on the grounds of religious belief or political opinion and does not modify an enactment in breach of Section 7 of the Northern Ireland Act 1998.

Operational Date

It is proposed that the rule will come into operation on or before 24 March 2026.

When the Rule together with the Explanatory Memorandum has been laid at the Assembly Business Office the Business Office will submit copies to the Committee.

You will wish to bring this matter to the attention of Finance Departmental Committee.

Yours sincerely

DEPARTMENTAL ASSEMBLY LIAISON OFFICER

Cc **Legislative Programme Secretariat (Executive Office) (Affirmative
Confirmatory SRs and those requiring Executive approval only)**
Human Rights Commission (All SL1s)