EXPLANATORY MEMORANDUM TO

The Deaths and Still-Births (Signing of Certificates) Regulations (Northern Ireland) 2026

S.R. 2026 No. 30

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Finance to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under Articles 15(4)(za) and 25(2A) of the Births and Deaths Registration (Northern Ireland) Order 1976 and is subject to the negative resolution procedure.

2. Purpose

2.1. The regulations are secondary legislation as a result of the Deaths, Still-Births and Baby Loss Act (Northern Ireland) 2026. The Act amended provisions in civil registration legislation and introduced provisions for a Baby Loss Certificate Scheme. The purpose of the new regulations is to provide the framework for the signing, by registered medical practitioners and midwives, of a Certificate of Still-Birth or a Medical Certificate of Cause of Death.

3. Background

3.1. The General Register Office (GRO) provides registration services in Northern Ireland, providing official recognition for deaths and still-births.

3.2. As a result of the coronavirus pandemic, provisions were introduced, by Section 18 of Schedule 13 to the Coronavirus Act 2020, to enable the registration of deaths and still-births remotely and the electronic transfer of documents between stakeholders. These provisions are maintained by six monthly extension orders approved by the Northern Ireland Assembly.

3.3. One of the changes introduced, enabled the electronic transfer of the Certificate of Still-Birth or the Medical Certificate of Cause of Death (MCCD) from the midwife or registered medical practitioner to the Registrar.

3.4. Prior to the coronavirus pandemic, when a death or still-birth occurred a hospital doctor, GP or registered midwife completed a Certificate of Still-Birth or MCCD, signed it and gave it to the family or next of kin. The family or next of kin took the document to the District Registration Office to register the death or still-birth.

3.5. The Deaths, Still-Births and Baby Loss Act (Northern Ireland) 2026 contains provisions to place the temporary Coronavirus Act provisions on a permanent footing. It also makes provision for secondary legislation to specify the means of signing a Certificate of Still-Birth by a medical practitioner or registered midwife or the MCCD by a medical practitioner.

3.6. The Deaths and Still-Births (Signing of Certificates) Regulations (Northern Ireland) 2026 specify the framework for signing certificates which will include the ability to sign documents in ink or by electronic means approved by the Registrar General for Northern Ireland - this will include an electronic signature or printed name on the document.

4. Consultation

4.1. No public consultation exercise has been undertaken in relation to the regulations as the processes for the signing of Certificates of Still-Births and MCCDs have been in operation almost 6 years and have become part of the normal registration process.

5. Equality Impact

5.1. The Department has screened the policy for equality impacts and a full Equality Impact Assessment (EQIA) is not required as no adverse impacts have been identified.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment is not considered necessary. There will be no impact on businesses, charities, social enterprises or voluntary bodies

7. Financial Implications

7.1. There will be no financial implications for the implementation of the provisions in relation to the signing of Certificates of Still-Births or MCCDs by registered medical practitioners or midwives as these processes have been in operation for several years through the provisions in the Coronavirus Act 2020

8. Section 24 of the Northern Ireland Act 1998

8.1. These provisions are compliant with section 24 of the Northern Ireland Act 1998

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.