

2009 No. 364

REGISTRATION OF VITAL EVENTS

The Presumption of Death Regulations (Northern Ireland) 2009

Made - - - - *10th November 2009*

Coming into operation - *7th December 2009*

The Department of Finance and Personnel, in exercise of the powers conferred by section 16(1) (a) of and paragraphs 1(1), 1(2), and 2(1) of Schedule 1 to the Presumption of Death Act (Northern Ireland) 2009(b), makes the following Regulations:

Citation, commencement and interpretation

1. These regulations may be cited as the Presumption of Death Regulations (Northern Ireland) 2009 and shall come into operation on 7th December 2009.

2. In these regulations —

“the Act” means the Presumption of Death Act (Northern Ireland) 2009.

“declaration” in relation to any person means a declaration under section 1 of the Act that that person is presumed to be dead.

Prescribed particulars

3. The particulars, so far as such particulars are known, which the High Court must send to the Registrar General under paragraphs 1(1) (Entries in Register of Presumed Deaths) and 2(1) (Amendment and cancellation of entries in Register) of Schedule 1 to the Act are set out in Schedule 1.

4. The particulars, so far as such particulars are known, in respect of which the Registrar General must make an entry under paragraph 1(2)(a) (Entries in Register of Presumed Deaths) of Schedule 1 to the Act are set out in Schedule 2.

(a) see the definitions of “the Department” and “prescribed” in section 17 of the Presumption of Death Act (Northern Ireland) 2009

(b) 2009 c.6 (N.I.)



T. N. Caven

A senior officer of the Department of Finance and Personnel

SCHEDULES

SCHEDULE 1

Regulation 3

Particulars to be sent by the High Court to the Registrar General for entry in Register of Presumed Deaths under Regulation 3.

- a) The date of the declaration or variation order;
- b) The full name, sex, last known usual residence and last known occupation of the person to whom a declaration relates;
- c) The date of birth, or age, and place of birth of the person to whom a declaration relates;
- d) The date of death and place of death as determined by the court;
- e) The status of the person to whom a declaration relates and if a woman, her maiden name.

SCHEDULE 2

Regulation 4

Particulars to be entered in Register of Presumed Deaths under Regulation 4.

- a) Name and surname;
- b) Sex;
- c) Date of presumed death;
- d) Place of presumed death;
- e) Last known address (if different from place of death);
- f) Cause of death;
- g) The date on which declaration of presumed death was issued by the High Court.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the particulars to be sent by the High Court to the Registrar General following the making of a declaration under section 1 or a variation order under section 5 of the Presumption of Death Act (Northern Ireland) 2009.

The Regulations also prescribe the particulars to be entered in the Register of Presumed Deaths after a copy of a declaration of presumed death is received by the Registrar General.

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