

STATES OF JERSEY



DRAFT MARRIAGE AND CIVIL STATUS (AMENDMENT OF LAW No. 2) (COVID-19 – TEMPORARY AMENDMENT) (JERSEY) REGULATIONS 202- (P.36/2020): COMMENTS

**Presented to the States on 1st April 2020
by the Education and Home Affairs Scrutiny Panel**

STATES GREFFE

COMMENTS

1. [P.36/2020](#) – Draft Marriage and Civil Status (Amendment of Law No. 2) (Covid-19 – Temporary Amendment) (Jersey) Regulations 202- (hereafter ‘P.36/2020’) has been lodged by the Minister for Home Affairs in relation to the ongoing Covid-19 outbreak.
2. On Tuesday 24th March 2020, the States Assembly adopted [P.23/2020](#) – Draft Marriage and Civil Status (Amendment of Law) (Covid-19 – Temporary Amendment) (Jersey) Regulations 202- (hereafter ‘the Regulations’) which created the following temporary amendments to the Marriage and Civil Status (Jersey) Law 2001 in light of the Covid-19 outbreak –
 - When providing the particulars of a birth, stillbirth or death an informant (usually a parent, family member or funeral director) is required to sign the appropriate register in the presence of the registrar. The changes would allow the Superintendent or Deputy Superintendent Registrar to sign to appropriate register as an informant having been provided the particulars by electronic communication. This is intended to reduce the requirement for human contact in light of the current pandemic.
 - At present a medical practitioner is required to complete the Certificate of Fact and cause of death if they have attended the deceased within 14 days preceding the date of death and have viewed the body after death. Where this is not met under the current Law, the Viscount is able to carry out this duty; however, the current capacity of the Viscount’s Department could lead to delays in the authorisation of the certificate given the current situation. The amendment therefore increases the time period required to 28 days in order to reduce the burden on both the Viscount and registered medical practitioners.
3. The purpose of P.36/2020 is to amend the Regulations in order to further reduce the burden on medical practitioners. The Panel received Officers from the Department of Strategic Policy, Planning and Performance via video conference on the morning of Wednesday 1st April for a briefing to discuss the additional amendment being proposed.
4. The previous amendment to the Regulations raised the period of time in which a medical practitioner was required to have seen a patient prior to their death from 14 days to 28 days. This was intended to increase the ability for medical practitioners to respond to any resultant deaths from the Covid-19 outbreak. As a result of further consideration and discussion in the Department for Health and Community Services, emergency procedures have been put in place and agreed by the Excess Death Bronze Group to increase capacity for registering deaths in the community.
5. The Panel understands that a team of 5 dedicated doctors is currently being trained to carry out this function for all deaths in the community. The Panel was informed during the briefing that this group would likely be in place and operational as of Thursday 2nd April. P.36/2020 therefore removes the time limit (currently 28 days) preceding death to allow a member of this dedicated team to establish the certificate

of fact and cause of death. It should be noted that this is required as those practitioners will not have had contact with any patients in the previous 28 days. The changes would therefore free up a majority of front-line staff from having to undertake this process. This would also prevent the scenario whereby this process was unable to be completed in as quick a time as possible and the deceased would not be able to be managed in as respectful a manner as expected.

6. The Panel discussed the proposed amendment and notes that, as with most legislation related specifically to Covid-19, that it is also time-limited to 30th September 2020. Provisions also exist to remove this requirement, or extend it past that deadline, if required.
7. The Panel would like to place on record its thanks to the Officers for providing it with a briefing at short notice, and, given the rationale and circumstances, it will be supporting the proposition.