

Births and Deaths Registration Ordinance

Second Schedule

S2-30

Cap. 174

(M.D. 854)
Counterfoil
for the use of the
Medical Attendant,
who should in all
cases fill it up.

Form 18

[s. 20(a)]

BIRTHS AND DEATHS REGISTRATION ORDINANCE
(Chapter 174)

No. of correspond-
ing entry in register
form of deaths to
be inserted here by
the registrar.

PART I
**MEDICAL CERTIFICATE OF
THE CAUSE OF DEATH**

Name of
Deceased

To be given by the medical attendant to the person whose
duty it is to give it, with information of the death,
to a registrar and to no other person

Age

Last seen

I HEREBY CERTIFY that I attended
during the last illness; that such person's age was stated to be
..... that I last saw h on the
day of; that
died* on the day of
.....; at and that, to the best of my knowledge and
belief the cause of h death was as hereunder written.

Died on

At

Deceased's
nationality

An anaesthetic, namely was administered
† before the death of (or,
if such was the case: No anaesthetic was administered before the death of
.....)

Deceased's
profession

* Should the medical attendant not feel justified in taking upon himself the
responsibility of certifying the fact of death, he may here insert the words
"as I am informed."

† Insert here how long before death the anaesthetic was administered.

Births and Deaths Registration Ordinance

Second Schedule

S2-32

Cap. 174

<i>Deceased's address</i>	CAUSE OF DEATH		Approximate interval between onset and death
CAUSE OF DEATH	I. <i>Disease or condition directly leading to death. ‡</i> <i>Antecedent causes</i> <i>Morbid conditions, if any giving rise to the above cause, stating the underlying condition last.</i>	(a) <i>due to (or as a consequence of)</i> (b) <i>due to (or as a consequence of)</i> (c)
(a) <i>due to (or as a consequence of)</i> (b) <i>due to (or as a consequence of)</i> (c) <i>Other significant conditions</i>	II. <i>Other significant conditions contributing to the deaths, but not related to the disease or condition causing it.</i>
‡ This does not mean the mode of dying e.g., heart failure, asthenia, etc. It means the disease, injury, or complication which caused death.			

(The Informant should read Parts II and III of this form.)

Deceased's nationality *Dated, the.....day of*.....
 „ *profession*..... *Signature*
 „ *address* *Registered qualification*
 „ *place of birth*..... *Residence*

Signed *N.B.—THIS CERTIFICATE IS INTENDED SOLELY FOR THE USE OF THE REGISTRAR to whom it should be delivered by the person giving information to him of the particulars required by law to be registered concerning the death. Fine at level 1 or 6 months' imprisonment for neglect of informant to deliver this certificate to the registrar or a district registrar.*

Date *The Registrar of Births and Deaths cautions all persons against accepting or using this certificate for any purpose whatever except that of delivering it to himself or a district registrar.*

[OVER]

PART II

NOTICE—DUTIES UNDER THE BIRTHS AND DEATHS REGISTRATION ORDINANCE (CAP. 174)

By section 20 of the Births and Deaths Registration Ordinance, Chapter 174, it is enacted that whenever a registered medical practitioner has been in attendance during the last illness of a deceased person such practitioner shall, subject to the following qualification, sign and give to a *qualified informant of the death* a certificate of the cause of death, and including a statement as to whether any, and if so what, anaesthetic was administered during the said illness. The qualification is that the said practitioner shall not sign the certificate unless he has personally viewed the body of that person and is satisfied that death has occurred or, if the death has occurred in a hospital, he has received a notice from another registered medical practitioner stating that the other practitioner has personally viewed that body and is satisfied that death has occurred. The informant is bound to deliver the certificate to a registrar.

Persons qualified to be informants for the registration of the death, and to whom only this certificate should be given—

1. A RELATIVE of the deceased *present at the death*.
2. A RELATIVE of the deceased *in attendance during the last illness*.
3. A person present at the death.
4. A person in attendance during the last illness.
5. The occupier of the house in which the death occurred.
6. An inmate of the house in which the death occurred.
7. The person causing the body of the deceased to be buried.

Penalty for failing to give information within the 24 hours (in which travelling time and general holidays as defined by the General Holidays Ordinance (Chapter 149) shall not be included) next following death is fine at level 1 or 6 months' imprisonment.

Informants must be prepared to state accurately to the registrar or a district registrar the following particulars—

- (1) the *date* and *place* of death;
- (2) the *surname* and *full names* of deceased;
- (3) the correct *age* of deceased; and
- (4) the *rank, profession, or occupation* of deceased and nationality so far as is known. [If deceased is a *child* or an *unmarried person without occupation or property* the full names and rank or profession of the *father* will be required (except in the case of *illegitimate* children); if a *wife or widow* those of the husband or *deceased husband*.]

PART III

NOTICE—DUTIES UNDER THE CORONERS ORDINANCE (Cap. 504)

1. By section 4 of, and Part 2 of Schedule 1 to, the Coroners Ordinance (Cap. 504), it is enacted that where the death to which a certificate of the cause of death relates is a reportable death within the meaning of that Ordinance, the registered medical practitioner who—
 - (a) signs that certificate;

- (b) if no such certificate is so signed, attended the deceased during his last illness,

comes under a duty to make a report of that death to the coroner as soon as is reasonably practicable after it comes to the knowledge of the practitioner that the death is a reportable death and submit a copy of the report to the Commissioner of Police at the same time.

2. The various types of reportable deaths are specified in Part 1 of Schedule 1 to the Coroners Ordinance (Cap. 504). They are—

- (1) Any death of a person where a registered medical practitioner is unable to accurately state the medical cause of the death in the certificate of the cause of death.
- (2) Any death of a person (excluding a person who, before his death, was diagnosed as having a terminal illness) where no registered medical practitioner has attended the person during his last illness within 14 days prior to his death.
- (3) Any death of a person where an accident or injury (sustained at any time) caused the death.
- (4) Any death of a person where a crime or suspected crime caused the death.
- (5) Any death of a person where—
 - (a) an anaesthetic caused the death;
 - (b) the person was under the influence of a general anaesthetic at the time of the death; or
 - (c) the death occurred within 24 hours after the administering of a general anaesthetic.
- (6) Any death of a person where—
 - (a) an operation, whether or not lawful, caused the death; or

- (b) the death occurred within 48 hours after a major operation (as determined in accordance with prevailing medical practice), whether or not lawful.
- (7) Any death of a person where—
 - (a) the death was caused by—
 - (i) an occupational disease, within the meaning of section 3 of the Employees' Compensation Ordinance (Cap. 282); or
 - (ii) pneumoconiosis, or mesothelioma, within the meaning of section 2(1) of the Pneumoconiosis and Mesothelioma (Compensation) Ordinance (Cap. 360), or both of those diseases; or
 - (b) having regard to the nature of the last illness of the person, the medical cause of the death and the nature of any known occupation or employment, or previous occupation or employment, of the person, it is reasonable to believe that the death may be connected, either directly or indirectly, with any such occupation or employment.
- (8) Any still birth where—
 - (a) there is doubt as whether the still born foetus was alive or dead at the time of birth; or
 - (b) there is a suspicion that the still birth might not have been a still birth but for the wilful act or neglect of any person.
- (9) Any death of a woman where the death occurred within 30 days after—
 - (a) the birth of her child;

- (b) an operation of abortion, whether or not lawful; or
 - (c) a miscarriage.
- (10) Any death of a deceased where—
 - (a) septicaemia caused the death; and
 - (b) the primary cause of the septicaemia is unknown.
- (11) Any death of a person where there is a suspicion the death was caused by suicide.
- (12) Any death of a person where the death occurred whilst the person was in official custody.
- (13) Any death of a person where the death occurred during the course of the discharge of his duty by a person having statutory powers of arrest or detention.
- (14) Any death of a person where the death occurred in the premises of a department of the Government any public officer of which has statutory powers of arrest or detention.
- (15) Any death of a person where the person—
 - (a) is a patient, within the meaning of section 2 of the Mental Health Ordinance (Cap. 136), and the death occurs in a mental hospital within the meaning of that section; or
 - (b) is a patient the subject of an order under section 31 or 36 of that Ordinance and the death occurs in a hospital other than such a mental hospital.
- (16) Any death of a person where the death occurred in any premises in which the care of persons is carried on for reward or other financial consideration (other than in any premises which comprise—

- (a) a hospital within the meaning of the Private Healthcare Facilities Ordinance (Cap. 633) for which a licence under that Ordinance is in force;
 - (b) a scheduled nursing home within the meaning of the Private Healthcare Facilities Ordinance (Cap. 633) for which an exemption granted under section 128 of that Ordinance is in force; or
 - (c) a nursing home within the meaning of the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) for which a licence under that Ordinance is in force).
- (17) Any death of a person where the death was caused by homicide.
- (18) Any death of a person where the death was caused by the administering of a drug or poison by any other person.
- (19) Any death of a person where ill-treatment, starvation or neglect caused the death.
- (20) Any death of a person which occurred outside Hong Kong where the body of the person is brought into Hong Kong.
3. Subject to certain defences, under the Coroners Ordinance (Cap. 504), a registered medical practitioner who fails to discharge the duty referred to in paragraph 1 commits an offence under that Ordinance and may thereby render himself liable to a fine at level 1 and to 14 days imprisonment under that Ordinance.

(Replaced G.N.A. 318 of 1948. Amended 9 of 1957 s. 3; L.N. 214 of 1974; L.N. 497 of 1995; 27 of 1997 s. 74. Part III added 27 of 1997 s. 74. Amended 80 of 1997 s. 68; 35 of 1998 s. 5; 21 of 1999 s. 28; 8 of 2006 s. 18; 6 of 2008 s. 43; 34 of 2018 s. 161 and E.R. 5 of 2018; 21 of 2020 s. 83)