

BERMUDA STATUTORY INSTRUMENT

BR 7/1980

**MERCHANT SHIPPING (RETURNS OF BIRTHS AND DEATHS)
REGULATIONS 1980**

*[made under section 66 of the Merchant Shipping Act 1979 [title 31 item 16]
and brought into operation on 1 April 1980]*

ARRANGEMENT OF REGULATIONS

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Citation

1 These Regulations may be cited as the Merchant Shipping (Returns of Births and Deaths) Regulations 1980.

Birth in ship registered in Bermuda

2 Where a child is born in a ship registered in Bermuda the master of the ship shall make a return of the birth in accordance with regulations 4 and 5.

Death in ship registered in Bermuda

3 Where—

(a) any person dies in a ship registered in Bermuda; or

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(b) any person employed in any such ship dies outside Bermuda,
the master of the ship shall—

- (i) make a return of the death in accordance with regulations 4 and 5; and
- (ii) as soon as practicable but not more than 3 days after the death, notify the death to such person (if any) as the deceased may have named to him as his next of kin.

Returns of births and deaths

4 (1) Any return of a birth or of a death required to be made under regulation 2 or 3 shall be made by the master of the ship as soon as practicable after (but within 6 months after) the birth or death to which it relates and—

- (a) in the case of a birth or of a death which occurs in the ship, shall be made to a superintendent or proper officer for the place where the ship is at the time of the birth or of the death, as the case may be, or at which it next calls thereafter; and
- (b) in the case of a death which occurs elsewhere than in the ship, shall be made to a superintendent or proper officer for the place where the ship is when the master first becomes aware of the death or at which it next calls thereafter.

(2) Without prejudice to paragraph (1) and regulation 7, a return of a birth or of a death required to be made under regulation 2 or 3 which is not made within the period prescribed for the making thereof by paragraph (1) shall not be invalid by reason only that it is not made within that period.

Contents of returns

5 A return of a birth or of a death required to be made under these Regulations shall—

- (a) be in writing
- (b) be signed by the master of the ship as informant: and
- (c) contain—
 - (i) (in the case of a birth) the particulars specified in the First Schedule; or
 - (ii) (in the case of a death) the particulars specified in the Second Schedule,

or so many of those particulars as the master may reasonably be able to obtain, having regard to the circumstances of the birth or of the death.

Copies for Registrar General

6 (1) When a return made in accordance with regulations 4 and 5 has been transmitted to him, the Registrar shall send a copy, certified by him or by a person authorized by him for that purpose to be a true copy of that return, to the Registrar General.

(2) The Registrar shall also send to the Registrar of Shipping and Seamen in the United Kingdom a copy of the return made in accordance with regulations 4 and 5, of births and deaths of United Kingdom citizens occurring in ships registered in Bermuda,

Offences

7 The master of a ship who fails to comply with any provision of regulation 2, 3, 4 or 5 commits an offence:

Punishment on summary conviction: a fine of \$50.

Commencement

8 [omitted]

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FIRST SCHEDULE

Reg. 5 (c) (i)

Particulars required to be contained in returns of births under regulations 2, 4 and 5.

1 Ship in which birth occurred

- (a) name of the ship
- (b) wherever it is registered, its port of registry and official number.

2 Child

- (a) date of birth;
- (b) (i) if the birth takes place at sea, the position of the ship by latitude and longitude at the time of birth; and
- (ii) in any other case, the place of birth;
- (c) name (if any) and surname; and
- (d) sex.

3 Father

- (a) name and surname;
- (b) usual residence;
- (c) nationality; and
- (d) occupation, rank or profession;

but, if the child is born outside marriage, no particulars of the father shall be given except at the joint request of the mother and of the person acknowledging himself to be the father, given to the informant in writing and signed by both the mother and that person.

4 Mother

- (a) name and surname;
- (b) (i) maiden surname (being the name under which she contracted her marriage or, where she has been married more than once, her first marriage);
- (ii) surname at marriage, if different from maiden surname;
- (c) usual residence; and
- (d) nationality.

5 Informant

name and surname of master.

[First Schedule para 3 amended by 2002:36 s.8 & Sch effective 19 January 2004]

SECOND SCHEDULE

Reg. 5 (c) (ii)

Particulars required to be contained in returns of deaths under regulations 3, 4 and 5.

1 Ship in which death occurred or in which the deceased was employed

- (a) name of ship;
- (b) wherever it is registered, its port of registry and official number.

2 The deceased

- (a) date of death or loss;
- (b) (i) if the death takes place in the ship or in a ship's boat or if the deceased is lost from the ship or a ship's boat, the place of death or, if at sea, the position of the ship or ship's boat by latitude and longitude at the time of the death or loss (as the case may require); and
 - (ii) in any other case, the place of death;
- (c) name and surname;
- (d) sex;
- (e) date of birth (if known) or age;
- (f) (if known) maiden surname of woman who has been married (being the name under which she contracted her marriage or, where she has been married more than once, her first marriage);
- (g) occupation, rank or profession;
- (h) usual residence at time of death or loss;
- (i) nationality; and
- (j) cause of death or loss (certified if possible by ship's doctor or other medical practitioner).

3 Informant

name and surname of master.

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[Amended by:

2002 : 36]