

## **PRESS RELEASE**

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### **Government amends Births and Deaths Registration Act**

The Government has published a Bill to amend the Births and Deaths Registration Act and related legislation in order to correct an anomaly related to premature births.

The amendments contained in the Bill harmonise the position between the legislation that governs the registration of still-births and the legislation defining a still-birth for the purpose of employment rights. The current position is that there is a discrepancy as to when a still-birth is legally defined.

Under the Births and Deaths Registration Act, a still-birth can only be registered if it occurred after 28 weeks of pregnancy, whereas under the Employment (Maternity and Parental Leave, and Health and Safety) Regulations a woman is deemed to have given birth if she is delivered of a still-born child after 24 weeks of pregnancy. This creates the situation that although a mother may be deemed to have given birth under one piece of legislation, she cannot register the still-birth under the other. This can cause distress for parents at a difficult time. The Bill remedies this by harmonising the definition of still-birth to refer to 24 weeks of pregnancy consistently throughout the different laws.

The Bill also contains certain transitional provisions to allow for the voluntary registration of still-births which occurred during the time the discrepancy was in effect and which fell within that window (i.e. still-births which occurred between 24 and 28 weeks of pregnancy and between the 1st January 1996 and the coming into force of the provisions of this Bill late this year). There is no obligation to register such still-births.

Minister for Health John Cortes said, "The Ministry has been working with the Charity BabySTEPPs to correct a long-standing contradiction that has existed in the law with respect to the registration of stillborn babies. I acknowledge and thank "BabySTEPPs" and "Hope" for their assistance in this regard. I am very pleased that we have been able to respond to their concerns in a short space of time, and hope that this rectification will go some way to comforting those families devastated by the loss of a baby."