Statutory Rules 1985 No. 1

Registration of Deaths Abroad Regulations

1. THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and pursuant to section 4 of the Acts Interpretation Act 1901, hereby make the following Regulations under the Registration of Deaths Abroad Act 1984.

Dated 15 November 1985.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

B. HAYDEN
Minister of State for Resources and Energy for and on behalf of the Minister of State for Foreign Affairs

Citation

1. These Regulations may be cited as the Registration of Deaths Abroad Regulations.

Interpretation

2. In these Regulations, "the Act" means the Registration of Deaths Abroad Act 1984.

Form of application for registration

3. For the purposes of paragraph 11 (1) (a) of the Act, the prescribed form of application for the registration of the death of a person is—
   (a) Form 1 where the person died otherwise than in circumstances mentioned in paragraph 9 (1) (a) of the Act; or
   (b) Form 2 where the person disappeared as mentioned in that paragraph.
Manner of making an application for registration

4. For the purposes of paragraph 11 (1) (b) of the Act, the prescribed manner of making an application for the registration of the death of a person is—

(a) where the person is a prescribed person in relation to whom paragraph 8 (1) (a) of the Act applies—by furnishing an application in Form 1 to the Registrar or to a registering officer in the country or place where the person died;

(b) where the person died on board an Australian aircraft or on board an Australian ship—by furnishing an application in Form 1 to the Registrar or to a registering officer at the port at which the aircraft or ship first called after that death;

(c) where the person died on board a flying craft (other than an Australian aircraft) on an Australian flight or on board a ship (other than an Australian ship) on an Australian voyage—by furnishing an application in Form 1 to the Registrar or to a registering officer at the port at which the aircraft or ship first called after that death;

(d) where the person disappeared from an Australian aircraft while that aircraft was in flight or from an Australian ship while that ship was at sea—by furnishing an application in Form 2 to the Registrar or to a registering officer at the port at which the aircraft or ship first called after that disappearance became known; or

(e) where the person disappeared from a flying craft (other than an Australian aircraft) while that aircraft was in flight on an Australian flight or from a ship (other than an Australian ship) while that ship was at sea on an Australian voyage—by furnishing an application in Form 2 to the Registrar or to a registering officer at the port at which the aircraft or ship first called after that disappearance became known.

Particulars to be contained in Certificate of Death Abroad

5. For the purposes of sub-section 15 (1) of the Act, in respect of the registration of the death of a person the prescribed particulars relating to the person, death and registering officer are the particulars referred to in Schedule 2.

Certificate of Death Abroad to be entered in the Register

6. For the purposes of sub-section 16 (2) of the Act, all particulars contained in each Certificate of Death Abroad are required to be entered in the Register.

Fees

7. For the purposes of sub-section 19 (3) of the Act, the following fees are prescribed:

(a) for issuing a copy of an entry in the Register $10;

(b) for issuing an extract from an entry in the Register $6;
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(c) for issuing a notification of the result of a search for an entry in the index and the Register—$6.

Form of certificates by Registrar

8. For the purposes of paragraph 19 (3) (b) of the Act—
   (a) Form 3 is the prescribed form of certificate by the Registrar of a copy of an entry in the Register; and
   (b) Form 4 is the prescribed form of certificate by the Registrar of an extract from an entry in the Register.

Manner of giving notices

9. For the purposes of sub-sections 21 (4) and 22 (4) of the Act, a notice required to be given under either of those sub-sections to a person who has made an application for the registration of a death may be given by causing the notice to be posted in a registered letter addressed to the person at the person’s address given in that application.

SCHEDULE 1

FORM 1

COMMONWEALTH OF AUSTRALIA
Registration of Deaths Abroad Regulations
APPLICATION FOR REGISTRATION OF A DEATH ABROAD

PARTICULARS OF DECEASED

1 Surname
2 Christian or given names
3 Date and time of death (as precisely as is known)
4 Place of death
5 If death occurred on board a flying craft or ship
   (a) name or flight number of flying craft or name of ship
   (b) name of carrier or registered owner
   (c) location of craft or ship at time of death
   (d) port of origin of the flight or voyage
   (e) port of destination of the flight or voyage
6 Sex
7 Age at death
8 Place of birth
9 Nationality
10 Conjugal status
11 Name of spouse
12 Names and ages of living children
13 Father’s full name
14 Mother’s full name and maiden surname
15 Usual place of residence
SCHEDULE  continued

16 Where the person resided in a State or Territory of Australia at any time
   (a) the address or addresses at which the person resided in any such State or
       Territory, so far as known to the applicant
   (b) the period or periods during which the person resided at that address, or
       each of those addresses, so far as known to the applicant

17 Grounds (if any) on which the applicant has reason to believe that the person
   (a) was an Australian citizen
   (b) ordinarily resided in Australia or in an external Territory of Australia
   (c) was in receipt of a pension, allowance or benefit under the Social Security
       Act 1947
   (d) was in receipt of a pension, allowance or benefit under the Repatriation
       Act 1920

PARTICULARS OF BENEFITS PAYABLE BY COMMONWEALTH

18 If the deceased was in receipt of a salary, pension, allowance or other benefit
   from the Commonwealth or an authority of the Commonwealth, details of the benefit

MEDICAL PARTICULARS

19 Cause of death (if known).

20 Name of medical practitioner, coroner or other authority furnishing medical
   particulars

PARTICULARS OF BURIAL/CREMATION (omit whichever is not applicable)

21 Date of burial/cremation

22 Place of burial/cremation

PARTICULARS OF APPLICANT

23 Surname

24 Christian or given names

25 Usual place of residence and other address (if any) for correspondence

26 Relationship to deceased

27 If not related, duration of period applicant knew deceased

28 Grounds on which the applicant knows the identity of the deceased

29 Title or rank

30 Occupation

31 Whether an application for registration of the death has been made to any other
   authority

32 Authority to which that application was made

33 Whether that application was refused

34 Signature of applicant certifying correctness of particulars

35 Date of signing

FORM 2

COMMONWEALTH OF AUSTRALIA

Registration of Deaths Abroad Regulations

APPLICATION FOR REGISTRATION OF THE DEATH ABROAD OF A
PERSON WHO HAS DISAPPEARED

PARTICULARS OF PERSON WHO HAS DISAPPEARED

1 Surname

2 Christian or given names
SCHEDULE continued

3 Date and time when person was last seen alive
4 Place where person was last seen alive
5 Names and addresses of persons who last saw that person alive
6 Such particulars of the time at which, the date on which, and the circumstances in which, the person disappeared as are known to the applicant
7 Particulars of the grounds the applicant has for believing that the person has died
8 Particulars of the flying craft or ship from which the person disappeared
   (a) name or flight number of flying craft or name of ship
   (b) name of carrier or registered owner
   (c) location of flying craft or ship at time of disappearance
   (d) port of origin of the flight or voyage
   (e) port of destination of the flight or voyage
9 Sex
10 Age at time of disappearance
11 Place of birth
12 Nationality
13 Conjugal status
14 Name of spouse
15 Names and ages of living children
16 Father's full name
17 Mother's full name and maiden surname
18 Usual place of residence
19 Where the person resided in a State or Territory of Australia at any time
   (a) the address or addresses at which the person resided in any such State or Territory, so far as known to the applicant
   (b) the period or periods during which the person resided at that address, or each of those addresses, so far as known to the applicant
20 Grounds (if any) on which the applicant has reason to believe that the person
   (a) was an Australian citizen
   (b) ordinarily resided in Australia or in an external Territory of Australia
   (c) was in receipt of a pension, allowance or benefit under the Social Security Act 1947
   (d) was in receipt of a pension, allowance or benefit under the Repatriation Act 1920

PARTICULARS OF BENEFITS PAYABLE BY COMMONWEALTH

21 If the person was in receipt of a salary, pension, allowance or other benefit from the Commonwealth or an authority of the Commonwealth, the nature of the benefit

DOCUMENTS IN SUPPORT OF APPLICATION

22 List the documents furnished as evidence that the person is dead

PARTICULARS OF APPLICANT

23 Surname
24 Christian or given names
25 Usual place of residence and other address (if any) for correspondence
26 Relationship to deceased
27 If not related, duration of period applicant knew deceased
28 Grounds on which the applicant knows the identity of the person who has disappeared
SCHEDULE continued

29 Title or rank
30 Occupation
31 Whether an application for registration of the death has been made to any other authority
32 Authority to which that application was made
33 Whether that application was refused
34 Signature of applicant certifying correctness of particulars
35 Date of signing

FORM 3

COMMONWEALTH OF AUSTRALIA
Registration of Deaths Abroad Regulations

CERTIFICATE OF AN ENTRY IN THE REGISTER OF DEATHS ABROAD

1. (insert full name), the Registrar of Deaths Abroad, certify that the above is a true copy of an entry in the Register of Deaths Abroad kept by me under the Registration of Deaths Abroad Act 1984.

Dated

Registrar

FORM 4

COMMONWEALTH OF AUSTRALIA
Registration of Deaths Abroad Regulations

CERTIFICATE OF AN EXTRACT FROM AN ENTRY IN THE REGISTER OF DEATHS ABROAD

1. (insert full name), the Registrar of Deaths Abroad, certify that an entry in the Register of Deaths Abroad kept by me under the Registration of Deaths Abroad Act 1984 gives the following particulars concerning the death of (insert name of person who has died or of person who has disappeared and is deemed to have died)

Date of death or Date on which person was last seen alive*

Place of death or Location of flying craft or ship when person was last seen alive*

Dated

Registrar

* Omit whichever is not applicable

SCHEDULE 2

CERTIFICATE OF A DEATH ABROAD

PARTICULARS OF PERSON WHO HAS DIED OR DISAPPEARED

1 Surname
2 Christian or given names
3 Date of death or date on which person was last seen alive
4 Place of death or location of flying craft or ship when person was last seen alive
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SCHEDULE - continued

5 Sex
6 Age at death or disappearance
7 Place of birth
8 Usual place of residence
9 Nationality
10 Conjugal status
11 Name of spouse
12 Names and ages of living children
13 Father's full name
14 Mother's full name and maiden surname

MEDICAL PARTICULARS
*15 Cause of death
*16 Name of medical practitioner, coroner or authority furnishing particulars

PARTICULARS OF BURIAL/CREMATION (omit whichever is not applicable)
*17 Date of burial/cremation
*18 Place of burial/cremation

PERSON FURNISHING PARTICULARS
19 Surname
20 Christian or given names
21 Usual place of residence and address (if any) for correspondence
22 Relationship to deceased
23 Title or rank
24 Occupation
25 Name of registering officer
26 Place of registration
27 Date of registering officer

*These particulars do not apply in the case of a person who has disappeared

NOTE
1. Notified in the Commonwealth of Australia Gazette on 1985. 21 November