

Births, Deaths and Marriages (Amendment) Bill 2009

Second Reading Speech
H.E. Hon Marcus Stephen MP
13 October 2009

Mr Speaker,

I have introduced to this House today a short Bill for an Act to amend the Births, Deaths and Marriages Ordinance. The Bill contains only three clauses and is very straightforward.

This Bill seeks to make only one amendment to the Births, Deaths and Marriages Ordinance, and that is to amend section 5 in relation to the Registrar of Births, Deaths and Marriages. Under the Ordinance in its present form, section 5 provides that ‘the Official Secretary to the Administration [meaning the Chief Secretary] shall be *ex officio* Registrar of Births, Deaths and Marriages.’ The existing Ordinance also provides for a Deputy Registrar, who has and may exercise all the powers and functions of the Registrar under the Ordinance. In practice, it is the Deputy Registrar who performs the functions of the office.

Earlier this year, as part of a restructuring of the Chief Secretary’s Department, Cabinet resolved to establish the position of Registrar of Births, Deaths and Marriages as a position *separate* to that of the Chief Secretary, and budget provision has been made accordingly. This Bill therefore seeks to amend section 5 to provide that, rather than the Chief Secretary being the *ex officio* Registrar, the Registrar is a public officer appointed by the President. What this means is that the President can appoint a public officer to hold the substantive position of Registrar of Births, Deaths and Marriages, so that the person who actually performs the functions of the office holds the position of Registrar, rather than being designated Deputy Registrar.

Mr Speaker, this Bill is therefore essentially just a minor housekeeping matter, but one that will bring the law into line with the reality of how the Registry of Births, Deaths and Marriages operates in practice.

Mr Speaker, I commend this Bill to the House.

Thank-you Mr Speaker.