

**L.N. 161 of 2023**

**Births and Deaths Registration Ordinance (Amendment  
of Second Schedule) Notice 2023**

(Made by the Chief Executive in Council under section 29(3) of the  
Births and Deaths Registration Ordinance (Cap. 174))

**1. Commencement**

This Notice comes into operation on a day to be appointed by  
the Secretary for Health by notice published in the Gazette.

**2. Births and Deaths Registration Ordinance amended**

The Births and Deaths Registration Ordinance (Cap. 174) is  
amended as set out in section 3.

**3. Second Schedule amended**

Second Schedule, Form 18, Part III, paragraph 2—

**Repeal subparagraph (16)**

**Substitute**

“(16) Any death of a person (*deceased*) that occurred in  
any premises in which the care of persons (including  
the deceased immediately before the death) is  
provided for reward, except—

- (a) if the deceased died in a hospital within  
the meaning of the Private Healthcare  
Facilities Ordinance (Cap. 633) (*Cap. 633*)  
in respect of which a licence within the  
meaning of Cap. 633 is in force;

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- (b) if the deceased died in a scheduled nursing home within the meaning of Cap. 633 in respect of which an exemption granted under section 128 of Cap. 633 is in force;
- (c) if the deceased died in a nursing home within the meaning of the Residential Care Homes (Elderly Persons) Regulation (Cap. 459 sub. leg. A) in respect of which a licence within the meaning of the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) (**Cap. 459**) is in force;
- (d) if—
  - (i) the deceased died in a residential care home within the meaning of Cap. 459 (not being a nursing home referred to in sub-subparagraph (c)) in respect of which a licence within the meaning of Cap. 459 is in force;
  - (ii) the deceased was, before the death, diagnosed as having a terminal illness;
  - (iii) a registered medical practitioner has attended the deceased during his or her last illness within 14 days before the death; and
  - (iv) the cause of death stated in the certificate of the cause of death of the deceased is a natural cause; or
- (e) if—
  - (i) the deceased died in a residential care home for PWDs within the meaning of the Residential Care Homes (Persons with Disabilities) Ordinance

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(Cap. 613) in respect of which a licence, or a certificate of exemption, within the meaning of that Ordinance is in force;

- (ii) the deceased was, before the death, diagnosed as having a terminal illness;
- (iii) a registered medical practitioner has attended the deceased during his or her last illness within 14 days before the death; and
- (iv) the cause of death stated in the certificate of the cause of death of the deceased is a natural cause.”.

Carmen KONG  
Clerk to the Executive Council

COUNCIL CHAMBER

21 November 2023

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### **Explanatory Note**

Paragraph 2 of Part III of Form 18 in the Second Schedule to the Births and Deaths Registration Ordinance (Cap. 174) (*paragraph 2*) sets out the various types of reportable deaths specified in Part 1 of Schedule 1 to the Coroners Ordinance (Cap. 504) (*Part 1*).

2. The Coroners Ordinance (Amendment of Schedule 1) Notice 2023 amends paragraph 16 of Part 1. In view of the amendment, this Notice consequentially amends paragraph 2.