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OF CAUSE OF DEATH	LOCATION / WARD									
	COMPLETE ALL DETAILS OR AFFIX PATIENT LABEL HERE									

# New South Wales

Births, Deaths and Marriages Registration Act, 1995 Medical Certificate of Cause of Death

### **General Information:**

This form is required under Section 39 of the Births Deaths and Marriages Registration Act 1995 and forms the basis for the registration of a death and the issue of a Medical Certificate of Cause of Death (MCCD). A penalty may apply if a death is not reported within 48 hours of death.

The purpose of this form is to notify the Registrar, Registry of Births Deaths & Marriages ('the Registry') of a death and the cause of that death. This form must be

- · completed by a registered medical practitioner
- submitted to the Registry within 48 hours of the death
- used in relation to a death of a person
- used in relation to a death that is not reviewable or reportable to a coroner, as specified in Sections 6 and 38 of the Coroners Act 2009. Statutory requirements can be found on page 4 of this form.

If you need assistance or are unsure whether you are required to report this death to the Coroner contact the NSW State Coroners Court during business hours on 8584 7777. Otherwise contact the Sydney Department of Forensic Medicine on 8584 7800, or the Newcastle Department of Forensic Medicine 4922 3700 to speak with a Duty Pathologist. You can also refer to the Coroners website at http://www.coroners.lawlink.nsw.gov.au/coroners/ for health professionals.html

If under section 39 (1)(b) of the BD&M Act, the issue of a MCCD must be deferred, a notice of intention to sign such a certificate must be advised to the Registry by emailing BDM-Deathcertificate@agd.nsw.gov.au. The email must contain the name of the deceased in the subject line. The body of the email must contain the date of death, place of death, any notifiable diseases, the cause of death together with the full name, address and AHPRA number of the doctor.

# The importance of the Cause of Death

The cause of death is the basis on which statistics of cause of death are compiled. It is defined as the disease or injury which initiated the chain of events leading directly to death.

# Was the deceased of Aboriginal or Torres Strait Island origin?

Please ensure that question 20 is completed as accurately as possible. Accurate identification and reporting of deaths of Aboriginal and Torres Strait Islander people is crucial to accurate ongoing measuring of the prime causes of mortality and morbidity for this population and measuring the impact of strategies to improve their health outcomes.

# Correct procedure for reporting the Cause of Death – Part Three

Where a chain of events is in evidence, certification is made by listing the disease or condition leading directly to the death in line (a) of Part Three of the certificate, followed by, on lines (b) (c) (d), the antecedent causes. If a certificate is completed correctly, the underlying causes should appear alone on the lowest used line of Part Three, and the conditions, if any, which arose as a consequence of this underlying condition, should appear above it, one condition on each line, in ascending order of causal sequence.

Other significant conditions are to be stated. These should not directly be part of the chain of diseases or conditions which have caused death but have unfavourably influenced the course of the morbid process. In the case of an accident which led to the condition(s) recorded in (a) to (d), the circumstances of the accident should be stated here.

# Section 38(2) - Deaths over 72 years of age - Part one

Notwithstanding that the death may be reportable to the Coroner, if the person was aged 72 years or older and death resulted, directly or indirectly, from an accident resulting in complications such as a fractured neck of femur or subdural haemorrhage, you may certify the cause of death if you are comfortably satisfied that the fall was attributable to the person's age (unless relatives object). See Section 38(2) of the Coroner's Act 2009.

# Privacy and disclosure of information

Information collected in this form and held in the Register may be used for statistical purposes. See the Registry's website for more information. www.bdm.nsw.gov.au

MEDICAL CERTIFICATE

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CAUSE

OF DEATH

**SMR010**.

# STATUTORY REQUIREMENTS

# **BIRTHS DEATHS AND MARRIAGES REGISTRATION ACT 1995**

## Section 39 Notification of deaths by doctors

- (1) A doctor who was responsible for a person's medical care immediately before death, or who examines the body of a deceased person after death, must, within 48 hours after the death:
  - (a) give the Registrar notice of the death and of the cause of death in a form and manner required by the Registrar, or
  - If the doctor is of the opinion that it is impracticable or undesirable to give notice of the cause of death of the person within that time, give the Registrar notice of the death, and of the doctor's intention to give notice of the cause of death, in a form and manner required by the Registrar.

Maximum penalty: 5 penalty units.

- (2) However, a doctor need not give a notice under this section if: (a) another doctor has given the required notice, or
- the death has been reported to a coroner under the Coroners Act 2009. A doctor must not give a notice under this section if the doctor is prevented from giving a certificate as to the cause of death of the person by section 38 of the Coroners Act 2009.

### **CORONERS ACT 2009**

### Section 6 Meaning of "reportable death"

- For the purposes of this Act, a person's death is a reportable death if the death occurs in any of the following circumstances: (1) (a) the person died a violent or unnatural death,
  - the person died a sudden death the cause of which is unknown,
  - the person died under suspicious or unusual circumstances
  - the person died in circumstances where the person had not been attended by a medical practitioner during the period of (d) 6 months immediately before the person's death,
  - (e) the person died in circumstances where the person's death was not the reasonably expected outcome of a health-related procedure carried out in relation to the person,
  - the person died while in or temporarily absent from a declared mental health facility within the meaning of the Mental (f) Health Act 2007 and while the person was a patient at the facility for the purpose of receiving care, treatment or assistance under the Mental Health Act 2007 or Mental Health (Forensic Provisions) Act 1990
- A reference to a medical practitioner in subsection (1) includes a reference to a person authorised to practise as a medical (2) practitioner under a law of another State or a Territory.
- (3) In this section:

health-related procedure means a medical, surgical, dental or other health-related procedure (including the administration of an anaesthetic, sedative or other drug), but does not include any procedure of a kind prescribed by the regulations as being an excluded procedure.

### Section 23 Jurisdiction concerning deaths in custody or as a result of police operations

A senior coroner has jurisdiction to hold an inquest concerning the death or suspected death of a person if it appears to the coroner that the person has died (or that there is reasonable cause to suspect that the person has died): (a) while in the custody of a police officer or in other lawful custody, or

- while escaping, or attempting to escape, from the custody of a police officer or other lawful custody, or (b)
  - as a result of, or in the course of, police operations, or
  - while in, or temporarily absent from, any of the following institutions or places of which the person was an inmate: (d) a detention centre within the meaning of the Children (Detention Centres) Act 1987, (ii) a correctional centre within the meaning of the Crimes (Administration of Sentences) Act 1999, (iii) a lock-up. or
  - (e) while proceeding to an institution or place referred to in paragraph (d), for the purpose of being admitted as an inmate of the institution or place and while in the company of a police officer or other official charged with the person's care or custody.

### Section 24 Jurisdiction concerning deaths of children and disabled persons

- (1) A senior coroner has jurisdiction to hold an inquest concerning the death or suspected death of a person if it appears to the coroner that the person was (or that there is reasonable cause to suspect that the person was): (a) a child in care, or
  - a child in respect of whom a report was made under Part 2 of Chapter 3 of the Children and Young Persons (Care (b) and Protection) Act 1998 within the period of 3 years immediately preceding the child's death, or
  - a child who is a sibling of a child in respect of whom a report was made under Part 2 of Chapter 3 of the Children and Young Persons (Care and Protection) Act 1998 within the period of 3 years immediately preceding the child's death, or
  - (d) a child whose death is or may be due to abuse or neglect or that occurs in suspicious circumstances, or
  - a person (whether or not a child) who, at the time of the person's death, was living in, or was temporarily absent (e) from, residential care provided by a service provider and authorised or funded under the Disability Services Act 1993 or an assisted boarding house, or
  - (f) a person (other than a child in care) who is in a target group within the meaning of the Disability Services Act 1993 who receives from a service provider assistance (of a kind prescribed by the regulations) to enable the person to live independently in the community.

### Section 38 Medical practitioner must not certify cause of death if death is reportable

- (1) A medical practitioner must not give a certificate as to the cause of death of a person for the purposes of notification of the cause of death under the Births, Deaths and Marriages Registration Act 1995 if the medical practitioner is of the opinion that: (a) the person's death is a reportable death, or
- the person died in circumstances that would be examinable under Division 2 of Part 3.2. Despite subsection (1), a medical practitioner may give a certificate as to the cause of death of a person if the medical (2) practitioner is of the opinion that the person:
  - (a) was aged 72 years old or older, and
  - died in circumstances other than in any of the circumstances referred to in paragraphs (b)-(f) of the definition of reportable death in section 6 (1) or in section 23 or 24 (1), and
  - died after sustaining an injury from an accident, being an accident that was attributable to the age of that person, (c) contributed substantially to the death of the person and was not caused by an act or omission by any other person.
- A medical practitioner may not certify the cause of death of a person in accordance with subsection (2) if, before the certificate (3) is given, a relative of the deceased person indicates to the medical practitioner that he or she objects to the giving of the certificate
- If a medical practitioner certifies the cause of death of a person in accordance with subsection (2), the certificate must state (4)that it is given in pursuance of that subsection.
- A medical practitioner who is prevented from certifying the cause of death of a person because of this section must, as soon (5) as practicable after the death, report that death to a police officer.
- (6) A police officer to whom a death is reported under this section is required to report the death to a coroner or assistant coroner as soon as possible after the report is made.
- An assistant coroner to whom a death is reported under this section is required to report the death to a coroner as soon as (7) possible after the report is made

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**BINDING MARGIN - NO WRITING** Holes punched as per AS2828.1:2012

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# PART ONE – ELIGIBILITY AND SCREENING

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18. Place of death	Y or between	DD				and		M / Y Y	YY		99	28. What is your Austra
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	Y Ye	'ears 🛛 🕹	Male		Ken	male						29. Did you acquire or o pecuniary or other bene
											LOLD	
Name of place/institution												🗙 Yes 🔛 No
Street no. and name									<u>     </u>		9	<ul><li>31. I hereby certify that:</li><li>a) I am a currently register</li></ul>
Suburb/Town				State		Count	ry		Postcod	le		<ul> <li>b) I believe this individua</li> </ul>
19. Address of usual res	d	I 🖄 as abov	ve								1010	as indicated in part two c) I was responsible for p
Name of place/institution	aence of deceased											deceased after death a d) The particulars and ca
Street no. and name											FOLD	e) I am not related to the
Suburb/Town				State		Count	ry		Postcod	le		Doctor's signature

PART THREE – CAUS PLEASE PRINT CLEARLY, DO N					SE B	LOC	ΚL	ETTI	ERS	6 O N	ILY																
21.1		Desc	criptio	on o	f dis	eas	e o	r co	ndi	itior	ı														dui et 8		
Disease or condition directly leading to death. Do not only state the mode of dying such as cardiac or respiratory failure without also stating antecedent causes.																	[	Due	e to								
Antecedent causes Note. If the direct cause of death as described in line a) was due to, or arose as a consequence	b)																	Due	e to								
of another disease, injury or condition, this should be reported in line b). Similarly, if the condition on line b) was due to another condition, report this on line c) and so forth.	c)																[	Due	e to								
	d)																								<u> </u>		
21.2		Desc	criptio	on o	f dis	eas	e o	r co	ndi	itior	<b>ו</b>														dui et 8		
Other significant conditions contributing to the death but not related to the disease, injury or condition causing it.																											
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PART FOUR - DOCTO	PR'S	S DE	TAI	LS	AN	D	DE	CL	A.	RA	TIC	DN	US	SE BL	_OC	K LE	TT	ERS	6 01	NLY							
22. Family name																											
23. Given name(s)																											
24. Business address																											
Business Name																											
Street no. and name												<u> </u>									_						
Suburb/Town														State	e [						Po	stco	ode				
25. Daytime telephone number		1			26.	Мо	bile	e tel	epł	non	e nu	ımk	ber														
27. Email address																											
28. What is your Australian Hea	lth P	ractiti	oner	Reg	ulati	ion A	٩ge	ency	/ (A	HP	RA)	Re	gis	trati	on	Nun	nbe	r?									
M E D 0 0 0																											
29. Did you acquire or do you a pecuniary or other benefit(s) by						prop	ber	ty,			80. H deat		e y	ou n	otif	ied	the	A	мо	an	d d	isc	uss	ed 1	the	cau	se of
Yes No											×	/es		X	No		X	N/A	1								
<ul> <li>31. I hereby certify that:</li> <li>a) I am a currently registered mediates</li> <li>b) I believe this individual is decensional and the second sec</li></ul>	ased med e ref f dea	and th ical ca erence th reco	ne de are to ed the orded	ath i the me l in tl	dece dical his c	ease l rec ertifi	d ir ord cat	nme I, ie are	edia e tri	ately ue t	bef o th	<sup>i</sup> ore e b	de	ath c	or if	not,	, I h	ave	e ex	am	ine	d th		dec	eas	ed i	S
Doctor's signature								D	esi	gna	tior	ו															
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PART FIVE - LODGEN	IEN	Т																									

X Aboriginal

Torres Strait Islander

Both

× Neither

Not known

9HN

11/14

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Original white copy to be sent within 48 hours of the death to the NSW Registry of Births Deaths & Marriages Duplicate white copy for the health care record

Triplicate yellow copy to be provided to the funeral director or person arranging disposal of the body