

From: NR

General Register Office (GRO)  
NISRA

Date: 10 February 2020

1. Minister

## **DRAFT UK PANDEMIC INFLUENZA BILL**

<b>Issue:</b>	Approval of Clauses in the draft UK Pandemic Flu Bill.
<b>Timing:</b>	<b>1. Priority</b> – Due to Department of Health 6 <sup>th</sup> February request for all NI Executive Departments and public authorities to prepare to respond to any and all potential eventualities arising from the current novel coronavirus outbreak and the UK Government request to urgently progress the Bill.
<b>FOI</b>	S35 – Policy in development.
<b>Presentational/press,</b>	The proposed Pan Flu Bill will contain some provisions which could be regarded as controversial, and which could cause adverse publicity. These are not areas within the proposed DoF/GRO legislation.
<b>Financial</b>	None.
<b>Legislative implications</b>	Drafting of the Clauses for UK Bill is being carried out by the Office of the Legislative Counsel (OLC) with policy instructions provided by GRO.
<b>Recommendation:</b>	That you note and approve the content of draft Clauses (summary at Annex A and full Clauses at Annex B)
	You write to the Minister for Health (draft letter attached) and approve submission of the DoF clauses to the Cabinet Office for inclusion in the draft UK Bill through the Department of Health (NI).

## Detail

1. I am writing to you to seek clearance to submit the draft Clauses from this Department to be included in the UK-wide draft Pandemic Flu Bill. The aim of the draft Bill is to ensure that the UK Government and Devolved Administrations (DAs) have considered and developed, so far as possible, a range of options for relaxing legislative requirements or invoking additional temporary powers which would come into effect to support a swifter and more effective response in the event of a severe influenza pandemic. The Bill would be held in draft and fast-tracked through Parliament only in the event of a future pandemic.
2. As an example, Coronaviruses are a large family of viruses, some of which cause illness in people, ranging from the common cold to more severe diseases such as MERS and SARS. On 30 January 2020 the WHO designated the 2019-nCoV outbreak as a Public Health Emergency of International Concern. In response the UK Chief Medical Officers advised that governments should raise the risk in the UK from low to moderate in order that all governments could plan for all eventualities.
3. Over the past number of years, the UK Government and all of the Devolved Administrations (DAs) have developed plans to respond to an influenza pandemic. A UK-wide strategic approach to planning for, and responding to, the demands of such a pandemic was published in the UK Influenza Pandemic Preparedness Strategy 2011.
4. The General Register Office (GRO) has been part of the Excess Deaths working group along with representatives from across the NICS Departments, the MOD and local council officials. The group has been working on the policies and how in practical terms they would be implemented if the Bill was enacted.

5. Although the Bill is cross-cutting in nature, a number of DoF Legislative requirements have been identified and GRO officials have been writing policy instructions for use in drafting the Bill by the Westminster Office of Parliamentary Counsel (OPC) and the Office of Legislative Counsel (OLC) in Northern Ireland. Annex A contains a summary of the proposed changes to DoF legislation (only to come into force when the Bill is enacted) and Annex B the full draft Clauses for DoF.
6. The Pandemic Influenza Bill will be laid before Parliament in the event of a severe pandemic where streamlined or additional powers are required to support the UK Government's and the Devolved Administrations' (DAs) overall response to managing the pandemic.
7. There is only one Clause which has not been agreed with OLC and that is Clause 10, it is a matter for the Department of Justice and OLC have been working with them to agree a way forward. GRO officials have worked with the OLC and we have agreed our Clauses from a legal viewpoint.

## Conclusion

5. I recommend:
  - i. That you approve content of draft clauses (summary at Annex A and full clauses at Annex B)
  - ii. You write to the Minister for Health (draft letter attached) and approve submission of the DoF clauses to the Cabinet Office for inclusion in the draft UK Bill through the Department of Health (NI).

Name Redacted

Ext: I&S

cc: Eoin Rooney

Sue Gray

Siobhan Carey

NR

**From the Minister of Finance**

*Robin Swann MLA*  
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Your reference: *Insert if appropriate*

Our reference: *Insert PO ref no*

Date: *Insert Month & Year*

Dear Robin

**DRAFT UK PANDEMIC INFLUENZA BILL**

My officials have advised that you will be bringing the NI draft Clauses for inclusion in the UK Pandemic Influenza Bill to the Executive as a matter of priority.

I have considered the changes required for the Birth and Deaths Registration (Northern Ireland) Order 1976 and confirm my support for your Departments role in taking this important piece of legislation forward especially with the current concerns regarding the Coronaviruses 2019-nCoV

Yours sincerely

**CONOR MURPHY MLA**  
**MINISTER OF FINANCE**

## Annex A

Summary of amendments Pandemic Flu on the Births and Deaths Registration (Northern Ireland) Order 1976 and the Civil Registration Regulations (Northern Ireland) 2012

What	Present	Pandemic
Giving certificate of cause of still-birth directly.	Currently this certificate is given to the informant (usually a parent).	The certificate will be sent electronically to GRO and the still-birth automatically registered.
Giving certificate of notice of still-birth directly.	Currently this allows the Registrar to issue a certificate of registration directly to the informant for them to give to the person disposing of the body when notice of the still-birth has been received but the death has not yet been registered. .	When notice of the death and the certificate of still-birth has been received the certificate of registration will be sent electronically to Funeral Director from the Registrar.
Giving information to the Registrar other than in person and dispensing with signing the register.	Currently the informant of a death or a still-birth comes to the local Registration office to register the death.	The still-birth certificate or the Medical Certificate of Cause of Death (MCCD) can be sent to GRO electronically from the Hospital or GP or the information can be given on the telephone. No signature is required from the informant.
Signing of certificates of cause of death.	Currently the Medical Certificate of Cause of Death (MCCD) has to be signed by a doctor that has seen the deceased within the last 28 days or refer the case to the coroner.	In the pandemic situation <b>all</b> natural causes of death MCCDs can be signed by <ol style="list-style-type: none"> <li>1. Medical practitioner (MP) if seen within 28 days or</li> <li>2. Another MP in the same hospital or GP practice if seen within 28 days or</li> <li>3. Any MP if natural causes and not seen within 28 days or</li> <li>4. Coroners cases will still be treated as they are currently are.</li> </ol>
Giving certificate of cause of death directly.	Currently this is given directly to the informant to give to the Registrar	The certificate will be sent electronically to GRO and the death automatically registered.

Giving certificate of registration, or written notice, of death directly.	Currently this is given directly to the informant to give to the person disposing of the body.	The certificate will be sent electronically to Funeral Director from the Registrar.
After the end of the emergency period: transitional provision.		Any documents in progress under the emergency legislation will continue to be processed in that means.

## **Annex B**

### **DoF DRAFT CLAUSES FOR THE DRAFT UK PANDEMIC INFLUENZA BILL**



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07.02.20.pdf