

# Civil Aviation (Births, Deaths and Missing persons) Regulations, 1948 (made pursuant to Section 83 of the Civil Aviation Act, 1982): Explanatory notes

CAA Document 208

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Published by the Civil Aviation Authority, 2022

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**NOTE:** These explanatory notes are issued with the sole object of assisting owners of aircraft and others who may be concerned in complying with the requirements laid down in the Civil Aviation (Births, Deaths and Missing Persons) Regulations, 1948, as amended. It should not necessarily be regarded as authoritative nor as prejudicing such legal interpretation of any matter relating to the said Regulations as hereafter may have occasion to be referred to a court of justice or to some other competent legal tribunal for adjudication.

The Regulations regarding the registration of Births, Deaths and Missing Persons are laid down in the Civil Aviation (Births, Deaths and Missing. Persons) Regulations, 1948, as amended, made pursuant to Section 83 of the Civil Aviation Act, 1982.

The owner of an aircraft registered in the United Kingdom shall, as soon as practicable but not later than six months after the occurrence in any part of the world of a birth or death in the aircraft, or a death outside the United Kingdom of a traveller on the aircraft who is killed on the journey in consequence of an accident, transmit to the CAA a return of such birth or death on the appropriate form.

Copies of the following forms of return for use by owners of aircraft can be obtained by application to the Civil Aviation Authority, Aircraft Registration Department, Aviation House Beehive Ring Road, Gatwick RH6 0YR. Tel: 0330 022 1917 Email [aircraft.reg@caa.co.uk](mailto:aircraft.reg@caa.co.uk)

- a) Birth Form CA 680
- b) Death Form CA 681
- c) Missing Person Form CA 682

On completion and receipt of the appropriate form to register a Death, Birth or Missing Person, the return is entered into the relevant register maintained by the CAA. A copy of the register entry is then made and sent to the appropriate Registrars Office for any relevant Certificates to be issued. The following notes on the subject of returns may be useful. to owners or other persons who may have occasion to render a return:

#### **(a) Births**

Section 83 of the Civil Aviation Act 1982, makes no provision for still births. Particulars of still births are not therefore required to be made the subject of a return under these Regulations.

If a birth does not actually occur in the aircraft but occurs elsewhere, after the mother has been removed from the aircraft for treatment and attention, any eventual birth succeeding such removal of the mother from the aircraft need not be the subject of a return under these Regulations.

A birth that occurs in the aircraft and so becomes the subject of a return under these Regulations may, under other Statutes, require to be separately recorded. This fact, however, should not be regarded as in any way precluding or rendering unnecessary the completion of any return required to be furnished under these Regulations.

In the case of the birth of an illegitimate child, the name of any person as father of such child shall not be entered in any return or record of particulars of the birth of such child unless the mother of the child and the person acknowledging himself to be the father of the child shall have signed a completed form of return as informants.

#### **(b) Deaths**

If the death occurs when the aircraft is in or over the United Kingdom, a return of such a death will be necessary only if such death actually occurs in the aircraft (i.e. a return would not be necessary for a person overtaken by illness who is carried in the aircraft but who, following removal from the aircraft to hospital or to some other place, eventually succumbs to such illness, nor if the deceased is killed in consequence of an accident whilst the aircraft is in or over the United Kingdom).

If the death occurs when the aircraft is outside the United Kingdom, return of such a death will be necessary both when death occurs in the aircraft and also when the deceased is a traveller in the aircraft and is killed on the journey in consequence of an accident.

The cause of death to be entered on a return should, where possible, be in agreement with the cause as medically assessed in a death certificate given by a doctor who, having previously attended the deceased, is able to furnish a death certificate or, alternatively, should an inquest be necessary to dispose of the case, with the cause as found by the Coroner or other officer charged with the official investigation of the cause of death.

'Traveller' in relation to an aircraft, includes any member of the crew of the aircraft.

'Journey' is deemed to commence when a traveller enters an aircraft registered in the United Kingdom for the purpose of the journey and to continue until that traveller alights therefrom on completion of the journey notwithstanding any intermediate stop or break in the journey.

### **Recording of Births and Deaths in the Aircraft Documents**

Apart from the returns to be rendered by the owners of the aircraft in respect of a birth or death, it is important to note that the Regulations impose on the person in command of the aircraft an obligation to record any such event in the aircraft documents.

The record of the event so made by the person in command of the aircraft should contain all of the particulars required to be furnished in the return rendered by the owners. It is however not expected that the person in command of the aircraft should needlessly hold up the departure or scheduled movements of the aircraft to obtain some particulars which cannot become immediately available, e.g. cause of death.

'Person in command' of an aircraft means, in a case where a person other than the pilot is in command of the aircraft, that person, and in any other case, the pilot.

It is recommended that, if the person ordinarily designated as 'in command' should become incapacitated by death, injury or illness or other cause, so that they are unable to act, the recording in the aircraft documents of a birth or death should be undertaken by such a member of the aircraft crew as in such a contingency would ordinarily assume command of the aircraft.