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Legislation incorporated in this Consolidation	Ordinance	Date in Force
Coroners (Consolidation and Extension) Ordinance 1989	21/89	15/11/1989
Coroners (Consolidation and Extension)(Amendment) Ordinance 2002	38/02	16/12/2002
Coroners (Consolidation and Extension)(Amendment) Ordinance 2013	24/13	01/09/2013

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SCHEDULE 1
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**CORONERS (CONSOLIDATION AND EXTENSION)
ORDINANCE 1989**

Be it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follow:—

**PART 1
Preliminary**

Short title

1. This Ordinance may be cited as the Coroners (Consolidation and Extension) Ordinance, 1989.

Interpretation

2. In this Ordinance unless the context otherwise requires—

“the 2007 Ordinance” means the Courts(Constitution and Jurisdiction) Ordinance 2007(a);(b)

“Coroner” means any person empowered to hold inquests under this Ordinance;

“Coroner’s Officer” means the authorized police officer acting as Coroner’s Officer under section 11.

~~*“Judge” means a Judge appointed as a Judge or to act as a Judge under Section 7 or 9(a) of the Courts Ordinance or the Senior Judge or a Deputy Senior Judge appointed as a Senior Judge or to act as a Senior Judge under Section E or Section 9(a) of the said Ordinance when any such Senior Judge, Deputy Senior Judge or acting Senior Judge or acting Deputy Senior Judge is present in the Areas for the purpose of exercising the powers of a Judge under subsection (1) of Section 10A of the said Ordinance. (c)*~~

“Judge” means the Presiding Judge, the Resident Judge, a Senior Judge or a judge appointed in accordance with section 8(1) of the 2007 Ordinance (Associate Judge);

~~*“medical practitioner” means a practitioner as defined in the Medical Practitioners Ordinance, 1964 (d) (e) any person who is qualified as a medical practitioner in any country. (f)*~~

“Presiding Judge” has the same meaning as in section 2(1) of the 2007 Ordinance; (g)

“Resident Judge” has the same meaning as in section 2(1) of the 2007 Ordinance; (h)

“Senior Judge” has the same meaning as in section 2(1) of the 2007 Ordinance. (i)

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- (a) Ordinance 5/2007
 - (b) Definition inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (c) Definition repealed and replaced by Ordinance 24/2013 – came into force on 01 September 2013
 - (d) Ordinance 10/1964
 - (e) Text deleted by Ordinance 38/2002 – came into force on 16 December 2002
 - (f) Text inserted by Ordinance 38/2002 – came into force on 16 December 2002
 - (g) Definition inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (h) Definition inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (i) Definition inserted by Ordinance 24/2013 – came into force on 01 September 2013

PART 2

General Provisions

Who may hold inquests

3.—(1) Every Judge may hold inquests under this Ordinance in any place in the Areas.

(2) The Administrator may, by notice in the Gazette, empower any other fit person *to* hold inquests under this Ordinance.

(3) Any inquest commenced by a Coroner may be continued, resumed, or re-opened in the manner provided by this Ordinance by such Coroner or by his successor in office or by such other Coroner, empowered to hold this inquest.

~~(4) The Senior Judge may regulate the duties of Coroners either generally or in relation to specific instances and may delegate such power of regulation to any Deputy Senior Judge or Judge either generally or subject to conditions or restrictions:~~

~~Provided that where no general or specific Regulation has been made under this subsection, the Judge appointed under Section 7 of the Courts Ordinance if present in the Areas and not for any reason prevented from holding any inquest with reasonable despatch, shall hold all inquests in the Areas. (a)~~

(4) Subject to any directions issued under subsection (5), the Resident Judge must hold all inquests.

(5) The Presiding Judge may issue directions to Coroners in relation to the exercise of any of their functions under this Ordinance. (b)

(6) The Presiding Judge may delegate the power under subsection (5) to a Senior Judge and may impose conditions or limitations on the exercise of any power so delegated.

(7) Directions issued under this section may make different provision for different purposes including directions that apply in relation to a particular case or a particular function.

(8) A Coroner must comply with any directions issued in accordance with this section.

When inquest to be held

4.—(1) Whenever a Coroner is informed that the body of a deceased person is lying within the Areas, and that there is reasonable cause to suspect that such person—

- (a) has died either a violent or an unnatural death; or
- (b) has died a sudden death of which the cause is unknown; or
- (c) has died in circumstances the continuance or possible recurrence of which is prejudicial to the health or safety of the public or any section thereof ; or
- (d) has died whilst confined in a mental hospital, or in any place or circumstances which, in the opinion of the Coroner, makes the holding of an inquest necessary or desirable,

such Coroner shall, subject as hereinafter in this Section provided, hold an inquest on such body as soon as is practicable:

Provided that -

- (i) whenever it shall appear to the Coroner, either from the report of a medical practitioner rendered under Section 12 or otherwise. that the death is due to natural causes, and that the body shows no appearance of death being attributable to or of having been accelerated by violence or by any culpable or negligent conduct either on the part of the deceased or of any other person, it shall thereupon be lawful for the

(a) Section 3(4) repealed and replaced by Ordinance 24/2013 – came into force on 01 September 2013

(b) Sections 3(5) to 3(8) inserted by Ordinance 24/2013 – came into force on 01 September 2013

Coroner at his discretion (except in the cases specified in Section 6) to dispense with the holding of an inquest;

- (ii) where the Coroner is informed that criminal proceedings either civil or military have been or are about to be instituted against any person under the law of any country or territory for an offence which is based on alleged facts which in any way relate to the apparent or suspected cause of such death (whether or not the alleged offence specifies that the accused is in any way responsible for such death), the Coroner shall not be obliged to commence or continue or resume the inquest and may, upon the conclusion of such criminal proceedings, either:—
 - (a) certify that the public interest will not be served by commencing, continuing or resuming such inquest; or
 - (b) commence, continue or resume such inquest and in such case may adopt as evidence any of the evidence recorded in such criminal proceedings and in addition or in the alternative, may adopt the findings of the Court or other Tribunal deciding such criminal proceedings as his findings at the said inquest, and in any such case may commence, continue or resume such inquest either in open Court or in Chambers in the presence only of a member of his staff and the Coroner's Officer or may record his findings and verdict solely in writing.

(2) Notwithstanding the provisions of subsection (1) of this Section, unless Section 7 is applicable, where the body of a deceased person has at any time lain within the Areas and subsection (1) would otherwise apply, the Coroner shall not hold an inquest if he considers it would not be in the public interest to do so where the death has apparently not been caused or contributed to by any act or omission which has occurred in the Areas.

(3) Subject to Section 6 and notwithstanding Section 9, where the death of a person whose body is lying in the Areas has apparently been caused or contributed to by an act or omission which has occurred in the Republic and the Coroner is informed that a Coroner of the Republic considers that he has power to hold an inquest under the law of the Republic or would have such power if such body were removed to the Republic and in either such case wishes to hold such an inquest, the Coroner may, whether or not he has decided also to hold an inquest in the Areas, permit the conveyance of such body to the Republic.

Coroner may adopt evidence or findings of an inquest or similar enquiry outside the Areas

5. In any case where the Coroner holds an inquest under the provisions of this Ordinance and without prejudice to proviso (ii) to subsection (1) of Section 4, he may if an inquest or other lawful enquiry whether civil or military has been held on the body of a person which at some time had been lying dead in the Areas in any other country or territory outside the Areas :-

- (a) Without further formality adopt the findings at such other inquest or enquiry; or
- (b) adopt as evidence at the inquest in the Areas the record of any evidence heard at the other inquest or enquiry.

Power to order exhumation

6.—(1) Notwithstanding any Ordinance or custom to the contrary enacted or obtaining, whenever it shall appear to any Coroner that the body of any person who has died in circumstances requiring the holding of an inquest thereon, has been buried without being viewed or without such inquest having been held, or where such inquest, although held, has been quashed or re-opened, it shall be lawful for such Coroner by his warrant, as in Form A set out in the First Schedule, to order the exhumation of such body; and he shall after such exhumation either proceed to hold an inquest on such body or make an order under the provisions of subsection (2) of Section 4 and the expenses of such exhumation and re-interment shall be paid, upon the Coroner's order, out of the general revenue:

Provided that such exhumation shall not be ordered in any case where in the opinion of the Coroner there is no reasonable probability of material information being obtained thereby.

(2) Where the Coroner proceeds to hold an inquest under the provisions of subsection (1) of this Section or where the body has been conveyed to the appropriate authorities in the Republic under the provisions of subsection (4) of Section 4 and has been returned by such authorities to the Areas, the Coroner shall thereupon direct the re-interment thereof.

Inquest on all prisoners and on persons in police custody

7. Whenever any prisoner or person under punishment in military custody or any person in police custody either civil or military, shall die from any cause whatsoever, a Coroner shall hold an inquest ~~and, where such death is in execution of a judgement of death, the inquest shall be held within four hours thereafter.~~ (a)

Inquest where body destroyed or irrecoverable

8. Where a Coroner has reason to believe that a death has occurred within his jurisdiction in such circumstances that an inquest ought to be held, and that owing to the destruction of the body by fire or otherwise or to the fact that the body is lying in a place from which it cannot be recovered, an inquest cannot be held except by virtue of the provisions of this Section, he may, if he considers it desirable so to do, hold an inquest touching the death, and this Ordinance shall apply with such modifications as may be necessary in consequence of the inquest being held otherwise than on or after view of a body lying within the Coroner's jurisdiction.

Coroner may postpone burial till after inquest

9. A Coroner may prohibit the burial of any body lying within his jurisdiction until an inquest shall have been held.

Notice of death

10.—(1) When any body is found or a person has died in such circumstances as to make the holding of an inquest under this Ordinance necessary or desirable, it shall be the duty of any person finding the body or becoming aware of the death forthwith to inform the Officer for the time being in charge of the police station and upon receiving any such information such police officer shall if he is not himself the authorised police officer, notify the authorised police officer as soon as practicable and in any case the authorised police officer shall as soon as practicable notify the Coroner empowered to hold the inquest. Any person who fails without good cause to inform the police as required by this Section shall be liable to a fine not exceeding one hundred pounds.

(2) In the case of a death occurring, to which the provisions of paragraph (d) of Section 4 or of Section 6 apply, it shall be the duty of the person in charge of the premises or authorised police officer in charge of the dead body forthwith to notify the Coroner. Any such person who fails so to notify the said Coroner shall be liable to a fine not exceeding one hundred pounds.

Duty of the authorised Police Officer

11.—(1) On information being given to the Police in pursuance of subsection (1) of Section 10, the authorised police officer shall inform the Coroner of any known particulars concerning the cause of death and giving an opinion as to whether or not the death was due to any unlawful act or omission.

(2) In any case where the death is believed by the authorised police officer not to be due to any unlawful act or omission, such authorised police officer shall, if the dead body is not already buried, view the body and authorise its interment, but in all other cases the authorised police officer shall cause the body to be taken to the nearest hospital or other place appointed for the reception of dead bodies unless the authorised police officer certifies to the Coroner that the

(a) Text deleted by Ordinance 24/2013 – came into force on 01 September 2013

requirements of this subsection cannot reasonably be complied with, having regard to the condition of the body, the weather and the distance to be travelled.

(3) For the purposes of this Ordinance, ~~the Deputy Chief Police Officer Chief Constable (a) of each area, shall be authorised police officers~~ *the Deputy Chief Constable is an authorised police officer for the purposes of this Ordinance (b)* and the ~~Chief Police Officer Chief Constable~~ *Chief Constable* may, after consultation with the ~~Senior Judge Presiding Judge (c)~~ or any other Judge designated by the ~~Senior Judge Presiding Judge~~ for the purpose of such consultation, appoint any other police officer either by name, rank or office not being below the rank of Inspector, who may act as authorised police officer for the purposes of this Ordinance either on the instructions of the ~~Chief Police Officer Chief Constable~~ or a ~~Deputy Chief Police Officer Chief Constable~~ *the Deputy Chief Constable (d)* or on their own initiative in such circumstances as the ~~Chief Police Officer Chief Constable~~ may by instructions direct. An authorised Police Officer shall act as Coroner's Officer and shall attend all inquests and in addition to performing the duties specified in this Section, shall assist the Coroner subject to his general OR special directions in the manner in which Coroner's Officers by law OR custom assist Coroners in England.

Exercise of powers from outside the Areas (e)

11A. *A Coroner may, from outside the Areas, exercise functions falling within the following provisions—*

- (a) section 4(3) (power to permit a body to be conveyed to the Republic);*
- (b) section 6 (power to order exhumation);*
- (c) section 9 (Coroner may prohibit burial till after inquest);*
- (d) section 12 (Coroner may direct post-mortem examination);*
- (e) section 15(2) (power to order burial or other disposal of body).*

PART 3

Post – Mortem Examination

Coroner may direct post-mortem examinations

12. If any Coroner considers it necessary with a view to investigating the circumstances of the death of any person, to obtain a medical report of the appearance of the body of such person, and as to the conclusions to be drawn there from, he may, by written order as in Form B set out in the First Schedule, require ~~any Medical Officer or~~ **(f)** any other **(g)** medical practitioner ~~within his jurisdiction~~ **(h)** to make an examination of the body and to report thereon.

Medical practitioner to make an examination and report

13. Every medical practitioner upon the receipt of such order shall, unless he procures the services of some other medical practitioner approved by the Coroner to perform the duty, immediately make an examination of the body, with a view to determining there from the cause of death, and to ascertaining the- circumstances connected therewith, and shall make a report in

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- (a) Delete Chief Police Officer and substitute Chief Constable wherever it appears in this section by Ordinance 24/2013 – came into force on 01 September 2013
 - (b) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (c) Omit Senior Judge and substitute with Presiding Judge wherever it appears in this section by Ordinance 24/2003 – came into force on 01 September 2013
 - (d) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (e) Section 11A inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (f) Text deleted by Ordinance 38/2002 – came into force on 16 December 2002
 - (g) Word omitted by Ordinance 24/2013 – came into force on 01 September 2013
 - (h) Text deleted by Ordinance 38/2002 – came into force on 16 December 2002

writing to the Coroner describing the appearance of the body, and the conclusions which he draws there from touching the death of such person. The examination shall extend, when the medical practitioner considers it necessary but not otherwise, to such dissection of the body, with or without an analysis of any part thereof, as he may think requisite. The report shall be as in Form C set out in the First Schedule, and shall state the cause of death, and shall be signed and dated by the medical practitioner. Such report on being read at the inquest by the Coroner shall be prima facie evidence of the facts therein stated without further proof, unless it is proved that the medical practitioner purporting to sign the report did not in fact sign it.

PART 4

Procedure at Inquest

Inquiries by Coroner, etc.

14. At every inquest-

- (a) the coroner shall take on oath such evidence as is procurable as to the identity of the deceased and the time, place and manner of his death;
- (b) every interested party may appear either by advocate or in person and examine, cross-examine or re-examine, as the case may be, any witness.

Provided that the coroner may admit at an inquest documentary evidence relevant to the purposes of the inquest from any living person where in his opinion:

- (i) the evidence is unlikely to be disputed, or
- (ii) the maker of the document is unable to give oral evidence within a reasonable period, or
- (iii) the maker of the document is unlikely to attend to give oral evidence by reason of his residence outside the jurisdiction of the court. **(a)**

Provisions regarding the viewing of body

15.—(1) At or before the first sitting of an inquest on a body, the Coroner shall view the body or shall satisfy himself that the body has been viewed by a police officer, medical practitioner or local authority:

Provided that, when an inquest on the body has been previously opened, it shall not be necessary upon a resumed, continued, or subsequent inquest for the body to be viewed a second time.

(2) An order authorising the burial or other disposal of a body upon which it has been decided to hold an inquest may be issued by the Coroner at any time after the body has been viewed.

(3) If the body has been buried and has not been viewed in the manner provided in subsection (1), the Coroner shall order the exhumation of the body for the purpose of a view in the manner provided by ~~Section 5~~ *Section 6* **(b)** unless he certifies that in his opinion no material information would be obtained thereby.

(4) In any case in which the Coroner himself has viewed the body he shall certify the fact upon the record of the inquest, and in other cases he shall record evidence, if any, of the view of the body by a medical practitioner.

(a) Proviso inserted by Ordinance 38/2002 – came into force on 16 December 2002

(b) Reference to Section amended by Ordinance 24/2013 – came into force on 01 September 2013

Coroner may summon witnesses

16.—(1) A Coroner holding an inquest shall have and may exercise all the powers of a Judge with regard to summoning and compelling the attendance of witnesses and requiring them to give evidence, and with regard to the production of any document or thing at such inquest.

(2) Every summons and warrant of arrest and summons to produce shall be in writing signed by the Coroner.

(3) Where the inquest concerns the death of a person executed in pursuance of a death warrant the medical practitioner who was present at the execution shall be an essential witness at such inquest.

(4) The provisions of any Law in force relating to summonses, warrants and summonses to produce, issued by a Judge shall apply to summonses, warrants and summonses to produce issued by a Coroner.

Coroner not bound by rules of evidence

17. A Coroner holding an inquest shall not be bound by any rules of evidence which may pertain to civil or criminal proceedings, but if any witness objects to answer any question on the grounds that it will tend to incriminate him, he shall not be required to answer the question nor be liable to any penalty for refusing so to answer.

Evidence how recorded

18.—(1) The Coroner shall take down in writing the minutes of the proceedings and the notes of the evidence which shall be signed by him and shall be preserved as a record of the inquest :

Provided that, if the Coroner so directs, such minutes and notes may be taken in shorthand and a transcript of such shorthand notes shall be deemed to be the record of the inquest.

(2) In any criminal proceedings taken before any Court in which any person is charged with having caused the death of a person, into the cause of whose death an inquest has been held, the notes of the evidence of any witness constituting a part of the record of the inquest, as in this Section provided, or a copy thereof purporting to be signed and certified as a true copy by the registrar of the Court having custody of such record may be put in evidence, unless otherwise legally inadmissible, if it is proved that the witness is absent from the Areas or is dead or insane.

Power to take evidence of witness unable to attend

19. Where any person within the Coroner's jurisdiction who is able to give material evidence in respect of any inquest is, owing to illness or other cause which appears satisfactory to the Coroner, unable to attend at the place where the Coroner usually sits, it shall be lawful for the Coroner to take the evidence of such person in the place where such person is.

Inquest on Sunday or public holiday or in private

20.—(1) A Coroner may lawfully hold inquests on any Sunday or public holiday.

(2) If the Coroner thinks it expedient in the interests of justice that any inquest should be held in private, he shall hold the same in private.

(3) Whenever an inquest is held in private, the Coroner shall record his reasons for so holding it.

Adjournment of inquest

21. A Coroner holding an inquest at any place may adjourn the inquest to another day and may order the adjourned inquest to be held at the same or any other place.

Staying of inquest and its presumption

22.—(1) If in the course of an inquest, the Coroner is of opinion that sufficient grounds have been disclosed for instituting criminal proceedings in connection with the death against any person already in custody or whose arrest is contemplated, the Coroner shall stay the inquest until the criminal proceedings against the person to be charged are concluded.

(2) Where an inquest is stayed in pursuance of subsection (1), the Coroner may resume and conclude the inquest after the conclusion of the criminal proceedings if he is of opinion that public benefit is likely to result from his so doing; but, if he is of opinion that no public benefit is likely to result from his so doing, he shall certify his opinion to that effect and transmit to the ~~(a) Legal Adviser~~ **(b) Attorney-General and Legal Adviser** **(c)** a copy of the inquest proceedings:

Provided that, if in the course of the criminal proceedings any person has been charged upon information, then upon the resumed inquest no inquisition shall charge that person with an offence of which he could have been convicted on such information or contain any findings which is inconsistent with the determination of any matter by the result of those proceedings.

(3) Notwithstanding the provisions of subsection (2) where an inquest is stayed in pursuance of subsection (1), and it is ascertained that the person to be charged cannot be found, the Coroner shall resume and conclude the inquest.

(4) For the purposes of this Section, the expression “the criminal proceedings” means the proceedings before the Court of the Aras in which the accused person is tried or before which an appeal from the conviction of that person is heard, and criminal proceedings shall not be deemed to be concluded until no further appeal can, without an extension of time being granted by any court to which an appeal lies, be made in the course thereof.

Issue of summons or warrant

23. If, during the course or at the close of any inquest, the Coroner is of opinion that sufficient grounds are disclosed for making a charge against any person in connection with the death, he may issue a summons or warrant to secure the attendance of such person before any Court having jurisdiction, and may bind over any witness who has been examined by or before him on a recognisance with or without surety to appear and give evidence before such Court.

The inquisition

24. After the view, if any, of the body and hearing the evidence, the Coroner holding the inquest shall give his verdict and certify it by an inquisition in writing as in Form D set out in the First Schedule, showing, so far as such particulars have been proved to him, who the deceased was and how, when and where the deceased came by his death:

Provided that, where the inquest concerns the death of a person executed in pursuance of a death warrant, the verdict and inquisition shall include a finding as to whether the death was instantaneous and the person executed was the person mentioned in such warrant. Such inquisition and verdict shall be made and signed in duplicate and one of the originals shall be delivered to the Commissioner of the district within which the execution has been carried out.

Where guilty party known

25. If, at the close of any inquest, the Coroner is of opinion that there is ground for suspecting that some person is guilty of an offence in respect of the matter inquired into, but cannot ascertain who such person is, he shall certify his opinion to that effect and transmit a copy of the

(a) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013

(b) In accordance with section 35(3)(d) of the Interpretation Ordinance 2012 (Ordinance 8/12), the reference to “Legal Adviser” is to be construed as a reference to the Attorney-General and Legal Adviser

(c) “Attorney-General and Legal Adviser” is defined in section 35(1) of and Schedule 1 to the Interpretation Ordinance 2012 (Ordinance 8/12)

proceedings to the ~~Deputy Chief Police Officer in charge of the area in which the inquest is held.~~ *the Deputy Chief Constable.* (a)

Where guilty party cannot be found

26. Where a copy of the proceedings upon any inquest has been transmitted to ~~the Deputy Chief Police Officer in charge of the area under Section 25~~ *the Deputy Chief Constable* (b) and the guilty person remains undiscovered, and if, in the opinion of the police officer in charge of the district, there is no probability that such person will be discovered, such police officer shall certify his opinion to that effect and transmit the copy of the proceedings to the ~~Legal Adviser.~~ *Attorney-General and Legal Adviser.* (c)

Powers of Senior Judge on application by or under authority of Legal Adviser (d)

Powers of Presiding Judge on application by or under authority of Attorney-General and Legal Adviser

27.—(1) Subject to the provisions of subsection (4) of this Section, where the ~~Senior Judge, Presiding Judge,~~(e) upon application made by or under the authority of the ~~Legal Adviser, Attorney-General and Legal Adviser,~~ (f) is satisfied that, it is necessary or desirable to do so, he may-

- (a) order an inquest to be held touching the death of any person;
- (b) direct any inquest to be re-opened for the taking of further evidence, or for the inclusion in the proceedings thereof and consideration with the evidence, already taken, of any evidence taken in any judicial proceeding which may be relevant to any issue determinable at such inquest, and the recording of a fresh verdict upon the proceedings as a whole;
- (c) quash the verdict in any inquest substituting there for some other verdict which appears to be lawful and in accordance with the evidence recorded or included as hereinbefore in this Section provided; or
- (d) quash any inquest, with or without ordering a new inquest to be held.

(2) The provisions of this Section shall apply to all inquests and the verdicts therein, whether or not such inquests and verdicts are in pursuance of the provisions of this Ordinance.

(3) For the purposes of this Section the expression “judicial proceeding” means a proceeding before any Court, tribunal or person having by law power to hear, receive and examine evidence on oath.

(4) Where the ~~Senior Judge~~ *Presiding Judge* (g) exercising the powers of a Judge has himself held an inquest, the powers conferred upon the ~~Senior Judge~~ *Presiding Judge* (h) under this Section shall be exercised by a ~~Deputy Senior Judge—(i) or Acting Deputy Senior Judge~~ *a member of the Senior Judges’ Court (within the meaning of section 3(b) of the 2007 Ordinance)*(j) appointed by the Administrator under this subsection for the purpose of exercising powers under this Section in relation to such inquest.

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- (a) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (b) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (c) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (d) Heading replaced by Ordinance 24/2013 – came into force on 01 September 2013
 - (e) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (f) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (g) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (h) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013
 - (i) In accordance with section 35(3)(b) of the Interpretation Ordinance 2012 (Ordinance 8/12), the reference to “Deputy Senior Judge” is construed as a reference to a Senior Judge.
 - (j) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013

PART 5

Miscellaneous Provisions

The Coroner to transmit particulars of death and his finding thereon to Registrar

28. Where a death is required by Law to be registered and an inquest is held, the Coroner shall inquire of the particulars required to be registered concerning the death and his finding thereon shall be attached to and form part of the inquisition; and the Coroner shall send to ~~registration authority~~, **(a)** *the Registrar of births and deaths for the area in which the death occurred (within the meaning of section 2 of the Births and Deaths Registration Ordinance 1975)***(b)** within five days after the finding is given, a certificate under his hand, giving information concerning the death and specifying his finding with regard to the said particulars and to the cause of death, and stating also the time and place at which the inquest was held.

Penalty where body is buried without authority

29.—(1) Any person who without lawful authority or excuse interrs or otherwise disposes of any body the burial of which has been prohibited under Section 9, or the body of any person who has died in police custody or in any prison, or of any person who has died in any of the circumstances mentioned in Section 4, shall be liable to a fine not exceeding two hundred and fifty pounds.

(2) Where any person is charged with having committed an offence under this Section the onus of proving that he had lawful authority or excuse shall be on the person charged.

Obstructing medical practitioner or authority

30. Any person who obstructs a medical practitioner, a police officer or a local authority in the execution of any duty imposed upon him by this Ordinance shall be liable to a fine not exceeding one hundred and twenty-five pounds.

~~Discretionary power of Senior Judge (c)~~

~~31. Without prejudice to the provisions of Section 27 of this Ordinance, the Senior Judge may issue to Coroners practice directions or policy guidance in any manner he sees fit as to the circumstances in which he may or ought not to use his discretionary powers under the provisions of this Ordinance not to hold an inquest in any circumstances in which a body of a person has at any time lain in the Areas and in inquest would otherwise be appropriate under the provisions of subsection (1) of Section 4.~~

Guidance to Coroners

31.—(1) *Without limit to the powers in section 3(5) (directions to coroners) and section 27 (power to re-open an inquest, quash verdict, etc), the Presiding Judge may issue guidance to Coroners in relation to the exercise of any of their functions under this Ordinance.*

(2) *A Coroner must have regard to any guidance issued under subsection (1) when exercising functions under this Ordinance.*

(a) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013
(b) Ordinance 8/1975
(c) Section 31 repealed and replaced by Ordinance 24/2013 – came into force on 01 September 2013

Forms

32. The Forms set out in the First Schedule shall be used for the several matters to which they relate with such variations as circumstances may require. The Administrator may from time to time by Order published in the Gazette amend, revoke or add to the said Schedule.

Power to make Rules

33. The Administrator with the assistance and advice of the ~~Senior Judge~~ *Resident Judge* (a) may make Rules regulating the procedure at the inquest and prescribing the scale of fees to be paid, in relation thereto and generally for the better carrying out of the provisions of this Ordinance, to medical practitioners for any examination, autopsy or other service required of them under this Ordinance:

Provided that until such Rules are made, the Rules in the Second Schedule prescribing the fees to be paid to the medical practitioners for any examination, autopsy or other service required of them under this Ordinance, shall be deemed to have been made under the power herein conferred.

Repeals and Saving

34.—(1) Subject to the provisions of subsection (2) of this Section the Coroners Ordinance (b) is hereby repealed.

(2) Any inquest commenced before a Coroner under the Ordinance hereby repealed, shall continue before such Coroner and be completed by him as if this Ordinance had not been enacted.

(a) Text deleted and new text inserted by Ordinance 24/2013 – came into force on 01 September 2013
(b) Cap 153, Ordinances 7/64, 11/67, 1/72 and 1/80

SCHEDULE 1

<p>Form A The Coroners (Consolidation) Ordinance , 1989 (Ordinance 21 of 1989) (Section 6)</p>
<p>ORDER FOR EXHUMATION</p>
<p style="text-align: right;">.....District</p> <p>To</p> <p>Whereas it appears that has died in circumstances requiring the holding of an inquest upon his body and that the body of the said has been buried at without such inquest being held (or without the said body being viewed) (or that the inquest held at on theday of was insufficient):</p> <p>These are to charge and command you that you forthwith cause the said body to be taken up (and viewed) (or, and safely conveyed to in the above-named district) that I may proceed to inquire into the cause of the death of the said (or as the case may be).</p> <p>Herein fail not.</p> <p>Given under my hand at this day of 19</p> <p style="text-align: right;">..... Coroner</p>

Form B
The Coroners (Consolidation) Ordinance , 1989
(Ordinance 21 of 1989)
(Section 12)

ORDER FOR POST-MORTEM EXAMINIATION

To Dr

Whereas I am credibly informed that one

has died in circumstances which may require the holding of an inquest under the Coroners Ordinance,

you are hereby authorised and required to make a post-mortem examination of the body of the said

..... which will be delivered to you at

..... by and to make a report to me thereon.

Given under my hand at this
day of 19.....

.....
Coroner

Form C
The Coroners (Consolidation) Ordinance , 1989
(Ordinance 21 of 1989)
(Section 13)

REPORT OF MEDICAL PRACTITIONER

1. Date, hour and place of receipt of corpse
-
2. Condition of corpse on arrival
3. Mode in which packed
4. Date and hour of holding examination
-
5. Name of deceased (if known)
6. By whom identified
7. Approximate age
8. Sex
9. Height, colour of hair, eyes, peculiar clothing and any other marks or means of identity
-
10. Probable date of death
11. Medical Report
-
-

I certify the cause of death in my opinion to be

.....

(Signed)

.....
(Qualification)

Date

Form D
The Coroners (Consolidation) Ordinance , 1989
(Ordinance 21 of 1989)
(Section 24)

THE INQUISITION

An inquisition taken at
in the district of the day of
19 before
on the view of the body of one
then and there lying dead.

Now, I,
charged to inquire when, how and after what manner the said
came to his/her death say that the following particulars have been disclosed:—

1. Name of deceased
2. Residence and occupation
3. Means of identity
4. Where found, when, and under what circumstances
5. Date of death
6. Cause of death
7. Offence (if any) to which death is attributable

And **I**, the said, do say that my verdict is

In witness whereof I have to this inquisition set my hand the day of..
19.....

(Station)

.....
Coroner.

SCHEDULE 2

(Section 33)

Short title

1. These Rules may be cited as the Coroners (Post-Mortem Fees) Rules.

Coroner may assess fees

2. A medical practitioner, who is not in the service of the Crown or the Government of the Republic and who is required or requested by the Coroner to examine and report upon a body or who appears to give evidence at any inquest in support of his examination and report, shall be entitled to such fees for such examination, report or attendance as the Coroner considers fair and appropriate.

Special arrangements in relation to services rendered by Medical Officers

3. Where arrangements have been made with the appropriate Authorities of the Republic for a Medical Officer of the Republic to examine and report upon a body or to give evidence at an inquest in support of his examination and report, the Establishment Officer may pay to the Republican Authorities such fees as may be agreed as being appropriate.