

**1967/175**



*Reprint under section 7 of the Regulations Act 1936 of the Coroners Regulations 1952 (S.R. 1952/71), as amended by the following amendments:*

- Amendment No. 1, S.R. 1952/188 (*Revoked by regulation 3 (2) of S.R. 1961/58*)
- Amendment No. 2, S.R. 1954/237 (*Revoked by regulation 3 (2) of S.R. 1961/58*)
- Amendment No. 3, S.R. 1961/58
- Amendment No. 4, S.R. 1964/78
- Amendment No. 5, S.R. 1966/201
- Amendment No. 6, S.R. 1967/19

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**THE CORONERS REGULATIONS 1952 (REPRINT)**

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FREYBERG, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 9th day of April 1952

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Coroners Act 1951, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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**REGULATIONS**

1. (1) These regulations may be cited as the Coroners Regulations 1952.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. In these regulations, unless the context otherwise requires,—

“The Act” means the Coroners Act 1951:

“Minister” means the Minister of Justice:

“Secretary” means the Secretary for Justice.

3. The Coroners’ Inquests Fees Regulations 1948 are hereby revoked.

4. (1) There shall be payable in respect of any inspection of any documents relating to proceedings before a Coroner [a fee of [[\$0.50]]], and if a copy of any such document or part thereof is supplied a fee at the rate of [ [[\$0.20]] a page] shall be payable.

(2) Notwithstanding the foregoing provisions of this regulation, the Secretary may, in his discretion, dispense with the payment of any fee under this regulation.

In subclause (1) the references to money in decimal currency were substituted for references to money in the former currency by s. 7 of the Decimal Currency Act 1964.

In subclause (1) the words in the first set of single square brackets (as now amended by s. 7 of the Decimal Currency Act 1964) were substituted for the words "a fee of 3s." by regulation 2 (a) of S.R. 1964/78.

In subclause (1) the words in the second set of single square brackets (as now amended by s. 7 of the Decimal Currency Act 1964) were substituted for the words "8d. a folio" by regulation 2 (b) of S.R. 1964/78.

### Forms

5. Where in accordance with the Act a Coroner or a Justice authorises a post-mortem examination he may give the authority in the form No. 1 in the Schedule hereto.

6. (1) Where pursuant to section 6 of the Act a Coroner decides not to hold [or to discontinue] an inquest in respect of any death, he shall notify the Secretary in the form No. 2 in the Schedule hereto, and shall forward with the notification the report of any post-mortem examination or any other written report of a medical practitioner supplied to the Coroner in respect of the death.

(2) A copy of the notification referred to in subclause (1) of this regulation shall be forwarded by the Coroner to the Registrar of Births and Deaths who is required to register the death and also to the funeral director or other person in charge of the burial.

In subclause (1) the words in square brackets were inserted by regulation 2 of S.R. 1967/19.

7. Where in accordance with the Act a Coroner or a Justice gives an order for the burial of the body of any person whose death has been reported to him, the order shall be in the form No. 3 in the Schedule hereto, and a copy of the order shall be forwarded to the Registrar of Births and Deaths who is required to register the death.

8. (1) A Coroner desiring to have evidence taken at a place other than where he intends to hold or is holding an inquest shall forward to the Coroner or Justice who is to take the evidence an appointment in the form No. 4 in the Schedule hereto, together with any documents or exhibits which the Coroner holding the inquest considers should be available when the examination of witnesses is held.

(2) The Coroner holding the inquest shall forward a copy of the appointment to the police.

(3) All depositions taken by the Coroner or Justice taking any such evidence, together with any exhibits produced at the taking of the evidence and any documents or exhibits sent by the Coroner holding the inquest, shall, when the evidence has been taken, be forwarded to the Coroner holding the inquest.

9. (1) Where in accordance with the Act a Coroner or Justice desires any person to give evidence he may cause to be served on that person a summons in the form No. 5 in the Schedule hereto.

(2) The oath administered to any person giving evidence under the Act before a Coroner or Justice may be in the form No. 6 in the Schedule hereto.

**[10. On the completion of an inquest, all depositions under the Act taken by a Coroner or a Justice shall have attached thereto statements in form No. 7 in the Schedule hereto duly completed and the Coroner shall, on the same form, sign his finding in respect of the inquest.]**

This regulation was substituted for the original regulation 10 by regulation 3 (1) of S.R. 1964/78.

11. Where pursuant to section 20 of the Act a Coroner decides that an inquest will not be resumed he shall notify the Secretary in the form No. 9 in the Schedule hereto, and shall forward with the notification any depositions taken at the inquest and a certificate of registration of the death in respect of which the inquest was opened.

12. *Revoked by regulation 3 (2) of S.R. 1964/78.*

#### *Fees*

13. (1) There shall be payable to such Coroners, not being Stipendiary Magistrates, as the Minister may direct salaries at such rates as may from time to time be fixed by the Minister with the concurrence of the Minister of Finance.

(2) There shall be payable to every Coroner, other than a Stipendiary Magistrate or a Coroner who is in receipt of a salary under subclause (1) of this regulation, the following fees, that is to say:

**[(a) For every inquest held by him, a fee of [[\$3]]:**

(b) Where two or more persons are killed on the one occasion and the circumstances of their death are investigated by him at a single inquest or at several inquests held on the same day or on consecutive working days, in respect of the first person a fee of [[\$8]], and in respect of every other such person a fee of [[\$3]]:

(c) For every case where he decides under section 6 of the Act not to hold or to discontinue an inquest, a fee of [[\$4]].]

(3) Where any Coroner to whom subclause (2) of this regulation applies takes evidence on behalf of another Coroner there shall be payable to the Coroner taking the evidence a fee of [\$1.05].

(4) In addition to any salary or fees payable to a Coroner there shall be payable to him travelling allowances and expenses in respect of time spent when travelling in the performance of his duties as a Coroner at the rates from time to time fixed in that behalf for Stipendiary Magistrates.

In subclause (2), paras. (a)–(c) were substituted for the former paras. (a)–(c) (as substituted for paras. (a) and (b) by regulation 2 of S.R. 1961/58) by regulation 2 (1) of S.R. 1966/201.

In subclauses (2) and (3) the references to money in decimal currency were substituted for references to money in the former currency by s. 7 of the Decimal Currency Act 1964.

**[14. (1)** Where in accordance with the Act a medical practitioner performs a post-mortem examination at the request of a Coroner or a Justice, there shall be payable to the practitioner a fee **[[of \$10]]**, which sum shall be deemed to include payment for any conferences with the Coroner or the police:

Provided that, where the medical practitioner is a pathological specialist whose evidence is necessarily accompanied by a detailed report of his examination, there may be paid for the report an additional sum **[[of \$8]]**:

Provided also that, where any other medical practitioner has performed a post-mortem examination and his evidence is accompanied by a detailed report of the examination, there may be paid for the report such additional sum **[[of \$6]]** as may be certified by the Coroner.

(2) Where a medical practitioner who has performed a post-mortem examination under the Act gives evidence at an inquest, he shall be paid an additional fee equal in amount to the fee for the time being payable to an expert witness under the Witnesses and Interpreters Fees Regulations 1959\*.

(3) Where a pathologist examines specimens at the request of a medical practitioner who is performing a post-mortem under the Act, the pathologist may be paid a fee for that work to be determined in the same manner as the qualifying fee for the time being prescribed for an expert witness by the Witnesses and Interpreters Fees Regulations 1959\*.

**[[ (3A)** Where a medical practitioner, at the request of a Coroner or a Justice, makes an examination which does not amount to a post-mortem examination, or makes a report, whether or not a recent examination has been made by him, there shall be paid to him a fee of **[\$4]. ]]**

(4) A medical practitioner who performs any function under the Act for which no fee is otherwise provided may be paid such fee, **[[not exceeding \$8]]**, as the Secretary, in his discretion, thinks fit.

(5) Notwithstanding anything in this regulation or in regulation 15 hereof, no medical practitioner to whom subclause (1) or subclause (2) of this regulation applies shall be entitled to receive payment of travelling expenses for his attendance at any post-mortem performed in the district in which he resides.

(6) For the purposes of this regulation—

(a) The term “district” means a city, borough, town district, road district, or county town:

(b) Two or more contiguous districts (whether or not of the same kind) shall be deemed to be one district:

(c) Two districts shall be deemed to be contiguous, notwithstanding that they are separated by a road, any river or stream, or any harbour.

In subclauses (1), (3A), and (4) the references to money in decimal currency were substituted for references to money in the former currency by s. 7 of the Decimal Currency Act 1964.

In subclause (1) the words in double square brackets (as now amended by s. 7 of the Decimal Currency Act 1964) were substituted for the words “of £4 4s.” by regulation 3 (1) (a) of S.R. 1966/201.

In subclause (1), in the first proviso, the words in double square brackets (as now amended by s. 7 of the Decimal Currency Act 1964) were substituted for the words “not exceeding £2 2s.” by regulation 3 (1) (b) of S.R. 1966/201.

In subclause (1), in the second proviso, the words in double square brackets (as now amended by s. 7 of the Decimal Currency Act 1964) were substituted for the words "not exceeding £2 2s." by regulation 3 (1) (c) of S.R. 1966/201.

Subclause (3A) was inserted by regulation 3 (2) of S.R. 1966/201.

In subclause (4) the words in double square brackets (as now amended by s. 7 of the Decimal Currency Act 1964) were substituted for the words "not exceeding £2 2s." by regulation 3 (1) (d) of S.R. 1966/201.

**[15. Except as provided by regulation 14 hereof, any witness (including a medical witness) and any interpreter who attends at the instance of the police to give evidence at an inquest or to whom the Coroner authorises payment may be paid fees, allowances, and expenses in accordance with the Witnesses and Interpreters Fees Regulations 1959\*, and the provisions of those regulations shall apply accordingly as if references therein to the Court were references to a Coroner.]**

Regulations 14 and 15 were substituted for the former regulations 14 and 15 (regulation 14 having been amended by regulation 2 of S.R. 1952/188, and regulation 15 having been amended by regulation 3 of S.R. 1952/188 and also having been substituted by regulation 2 (1) of S.R. 1954/237) by regulation 3 (1) of S.R. 1961/58.

**16. Where under section 30 of the Act a dead body is received into any licensed premises for the purposes of any inquest or inquiry under the Act there shall be payable to the licensee in respect of each body so received a fee of [\$2].**

The reference to money in decimal currency was substituted for a reference to money in the former currency by s. 7 of the Decimal Currency Act 1964.

**17. The Secretary, in any case where he considers that exceptional circumstances render any such course advisable, may authorise the payment of a fee or allowance greater than that prescribed by these regulations.**

## SCHEDULE

### Form No. 1

Reg 5

#### AUTHORITY TO MAKE POST-MORTEM EXAMINATION

New Zealand }  
To Wit }

To [Name and address of medical practitioner].

I HEREBY authorise and request you to make a post-mortem examination of the body of ..... now lying at ....., and to send me a report in writing of the result of the examination.

Dated at ....., this ..... day of ..... 19.....

....., Coroner.

NOTE—Where no Coroner is available and the death is reported to a Justice of the Peace, the Justice may authorise a post-mortem examination.

SCHEDULE—continued

[Form No. 2

Reg. 6

NOTIFICATION OF DECISION THAT INQUEST UNNECESSARY OR TO BE DISCONTINUED

PURSUANT to section 6 of the Coroners Act 1951, I hereby notify you that I am satisfied that the death of [Name, address, and occupation of deceased] was due to natural causes and did not take place in such place or in such circumstances as to necessitate [the holding of an inquest] [the continuance of an inquest already begun] [omit provision not applicable] in accordance with the requirements of any enactment, and I have decided [not to hold an inquest] [to discontinue the inquest already begun] [omit provision not applicable].

Inquiries made by me [and a post-mortem examination] showed the cause of death to be [include date, place, and cause of death].

Dated at ....., this ..... day of ..... 19.....

To The Secretary for Justice
The Registrar of Deaths at .....
....., Funeral Director.
....., Coroner.

NOTE—Any written medical report to be forwarded with this form to the Secretary for Justice.]

This Form was substituted for the original Form No. 2 by regulation 3 of S.R. 1967/19.

Form No. 3

Reg. 7

ORDER FOR BURIAL

New Zealand}
To Wit }

I HEREBY authorise the burial\* (after post-mortem examination) of the body of ....., late of ....., whose death has been reported to me, and in respect of which

- \*an inquest is being held.
\*an inquest is not being held.
\*it has not been decided whether an inquest is necessary.
(If no inquest is to be held you will be notified.)

\*Delete where not applicable.

(If the Coroner knows that the deceased was suffering from an infectious disease, he should state so for the information of the funeral director.)

Dated at ....., this ..... day of ..... 19.....

....., Coroner.

To [Funeral director or other person having charge of the burial].
And to the Registrar of Deaths at .....

NOTE—Unless an inquest is held, the duty of the funeral director to register the death is not affected.

Where no Coroner is available and the death is reported to a Justice of the Peace, the Justice may issue an authority for burial.

SCHEDULE—*continued*

## Form No. 4

Reg. 8

APPOINTMENT TO TAKE EVIDENCE AT A PLACE OTHER THAN WHERE AN  
INQUEST IS HELD

New Zealand }  
To Wit }

WHEREAS I am holding an inquest in respect of the death of [*Name, address, and occupation of deceased*]:

And whereas I desire for the purpose of the inquest to have the evidence of the following persons taken at a place other than where the inquest is being held: [*Names, addresses, and occupations of persons whose evidence is to be taken*]:

Now, pursuant to section 18 of the Coroners Act 1951, I appoint you, ....., Coroner, to take the evidence of those witnesses (and I enclose the following documents and exhibits) (*delete if not applicable*).

Notice of the time and place appointed by you for taking the evidence is to be given to [*State names and addresses of persons to whom notice should be given*].

Dated at ....., this ..... day of ..... 19.....

Coroner at .....

To the Coroner at .....

NOTE—Where no Coroner is available, a Justice of the Peace may be appointed to take the evidence.

## Form No. 5

Reg. 9 (1)

## CORONER'S SUMMONS TO WITNESS

New Zealand }  
To Wit }

To Mr [*Name, address, and occupation*].

You are hereby summoned to appear personally before me at the ....., at ..... o'clock in the ..... noon, on the ..... day of ....., 19....., then and there to give evidence at an inquest in respect of the death of .....

If you fail without good and sufficient excuse to obey this summons you will be liable to a fine not exceeding [ \$40 ].

Given under my hand at ....., the ..... day of ..... 19.....

....., Coroner.

The reference to money in decimal currency was substituted for a reference to money in the former currency by s. 7 of the Decimal Currency Act 1964.

SCHEDULE—continued

Form No. 6

Reg. 9 (2)

OATH OF WITNESS

You swear by Almighty God that the evidence which you shall give to this inquest in respect of the death of [Name of deceased] shall be the truth, the whole truth, and nothing but the truth.

[Form No. 7

Reg. 10

DEPOSITIONS OF WITNESSES AND FINDING OF CORONER

INQUEST in respect of the death of .....

The attached depositions of [Full names of witnesses] written on ..... pages of paper numbered consecutively from one to ..... and by me fixed together were taken and sworn/affirmed before me at ..... on the ..... day of ..... 19.....: The following persons appeared personally or were represented at the proceedings [Include names of Counsel].

.....  
Coroner.  
Justice of the Peace.

The evidence referred to herein has been adopted by me as evidence at the inquest.

.....  
Coroner.

(To be signed by the Coroner completing an inquest if the depositions referred to above were taken before another Coroner or Justice of the Peace.)

FINDING OF CORONER

I, ....., Coroner at ....., do hereby certify that an inquest completed on the ..... day of ..... 19..... at the [Building in which inquest completed] having inquired when, where, and how [Name, address, and occupation] came to his/her death I found: .....

Dated at ..... this ..... day of ..... 19.....

.....  
Coroner.

NOTE—This form, together with the depositions and a certificate of registration of the death, is to be forwarded to the Secretary for Justice by the Coroner completing the inquest.]

This Form was substituted for the original Forms Nos 7, 8, and 10 by regulation 4 of S.R. 1964/78.

Form No. 8

This Form was revoked by regulation 4 of S.R. 1964/78.



SCHEDULE—*continued*

## Form No. 9

## Reg. 11

NOTIFICATION OF CORONER THAT INQUEST WILL NOT BE RESUMED  
New Zealand}

To Wit }

I HEREBY notify you that, pursuant to section 20 of the Coroners Act 1951, I have decided that the inquest in respect of the death of [*Name, address, and occupation of deceased*] will not be resumed.

The result of the criminal proceedings in which [*Name of person charged*] was charged with [*State particulars of charge*] was as follows: [*Date and terms of decision*].

Dated at ....., this ..... day of ..... 19.....

....., Coroner.

To the Secretary for Justice,  
Wellington.

NOTE—Any depositions taken and a certificate of registration of the death are to be forwarded with this notification.

## Form No. 10

*This Form was revoked by regulation 4 of S.R. 1964/78.*

T. J. SHERRARD,  
Clerk of the Executive Council.

*Certified for the purposes of section 7 of the Regulations Act 1936, this 10th day of July 1967.*

J. R. HANAN, *Attorney-General.*

Issued under the authority of the Regulations Act 1936.

Date of notification of principal regulations in *Gazette*: 10 April 1952.

These regulations are administered in the Department of Justice.