



THE CORONERS REGULATIONS 1989

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 29th day of May 1989

Present:

THE RIGHT HON. G. W. R. PALMER PRESIDING IN COUNCIL

PURSUANT to section 45 of the Coroners Act 1988, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ol style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Authority to conduct post-mortem examination 4. Notice of decision not to hold inquest 5. Order for disposal of body 6. Appointment to take evidence at distance | <ol style="list-style-type: none"> 7. Summons to Witness 8. Oath of Witness 9. Finding of a coroner 10. Notice of decision not to open or resume inquest 11. Certain coroners may be paid salaries 12. Revocations Schedules |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Coroners Regulations 1989.

(2) These regulations shall come into force on the 1st day of July 1989.

2. Interpretation—(1) In these regulations, unless the context otherwise requires,—

“The Act” means the Coroners Act 1988:

“Minister” means the Minister of Justice.

(2) In these regulations, reference to any form by number is a reference to the form of that number set out in the First Schedule to these regulations.

3. Authority to conduct post-mortem examination—Where a coroner or Justice authorises a post-mortem examination, the authority may be in Form 1.

4. Notice of decision not to hold inquest—(1) A coroner who decides not to hold an inquest in respect of any death shall notify the Secretary in Form 2, and send 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 coroner shall send a copy of every notification of a decision not to hold an inquest to the Registrar of Births and Deaths required to register the death (if any), and to the funeral director or other person in charge of the disposal of the body (if any).

5. Order for disposal of body—An order for the disposal of the body of any person whose death has been reported to a coroner shall be in Form 3; and the coroner concerned shall send a copy of the order to the Registrar of Births and Deaths required to register the death (if any).

6. Appointment to take evidence at distance—(1) A coroner who wants evidence taken at a place other than that of the inquest shall send to the coroner or Justice who is to take the evidence an appointment in Form 4, together with any documents or exhibits that the coroner holding the inquest thinks should be available when the witnesses' evidence is taken, and send a copy to the senior member of the Police in the place where the inquest is to be held.

(2) All depositions taken at a place other than that of the inquest, 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.

7. Summons to Witness—A summons to give evidence at an inquest shall be in Form 5.

8. Oath of Witness—Subject to the Oaths and Declarations Act 1959, the oath administered to any person giving evidence at an inquest may be in Form 6.

9. Finding of a coroner—(1) On completing an inquest, a coroner shall notify the Secretary in Form 7 of the finding made, and of any recommendations or comments made under section 15 (1) (b) of the Act.

(2) The coroner shall forward with the finding a list in Form 8 of all depositions taken by a Justice or another coroner; and—

(a) A certificate of the registration of the death where applicable; and

(b) Where the inquest was held pursuant to the authority of the Solicitor-General under section 16 (c) of the Act, a copy of the authority.

10. Notice of decision not to open or resume inquest—A coroner who decides not to open or resume an inquest shall notify the Secretary in

Form 9 and send with the notification a certificate of registration of the death (if available) and, (where an inquest had been opened), any depositions taken.

11. Certain coroners may be paid salaries—(1) The Minister may from time to time specify coroners who are to be paid by salary rather than fee.

(2) These shall be paid to coroners for the time being specified under subclause (1) of this regulation salaries for the time being agreed by the Minister and the Minister of Finance; and different salaries may be agreed for different coroners, coroners of different classes or description, or both.

12. Revocations—The regulations specified in the Second Schedule to these regulations are hereby revoked.

SCHEDULES

FIRST SCHEDULE

FORMS

Reg. 3

Form 1

AUTHORITY TO PERFORM POST MORTEM EXAMINATION UNDER CORONERS ACT 1988

To *[Name and address of doctor]*.

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

Dated at this day of 19....

..... Coroner

FIRST SCHEDULE—continued
FORMS—continued

Form 2

Reg. 4

NOTIFICATION UNDER CORONERS ACT 1988 OF DECISION THAT INQUEST
UNNECESSARY

To the Secretary for Justice

PURSUANT to Part IV of the Coroners Act 1988, I hereby notify you that I have decided not to hold an inquest into the death of [*Name, Address, and occupation*].

Inquiries made by me and the post-mortem examination (if any) show the cause of death to have been [*include date, place, and cause of death*].

Dated at this day of 19....

..... Coroner

NOTES—(1) This form must be accompanied by a written statement as to the identity of the person concerned required by section 20 (2) (b) of the Coroners Act 1988.

(2) Any written medical report held by the coroner must be forwarded with this form to the Secretary for Justice.

(3) Copies of this form shall be sent to:

- (a) The Registrar of Births and Deaths required to register the death (if any);
- (b) The funeral director or other person in charge of the disposal of the body (if any); and
- (c) The senior member of the Police in the place where the inquest would otherwise have been held.



FIRST SCHEDULE—continued

FORMS—continued

Reg. 5

Form 3

ORDER FOR DISPOSAL OF BODY UNDER CORONERS ACT 1988

To [Funeral Director or other person having charge of the disposal]

And to the Registrar of Births and Deaths at

I HEREBY authorise the disposal (after post-mortem examination*) of the body of late of whose death has been reported to me, and who died at on the day of 19..... the cause of death being and in respect of which

*an inquest will be held

*an inquest will not be held

*it has not been decided whether or not an inquest will be held

(If it is decided that an inquest will not be held, you will be notified*)

*Delete where not applicable

(A coroner who knows that the deceased was suffering from an infectious disease should state so for the information of the funeral director)

Dated at this day of 19.....

..... Coroner

NOTE—If an inquest is being held, any certified copy of the entry of the death must be endorsed with the words "SUBJECT TO CORONER'S FINDING".

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

FIRST SCHEDULE—continued

FORMS—continued

Form 4

Reg. 6

APPOINTMENT UNDER CORONERS ACT 1988 TO TAKE EVIDENCE AT A PLACE OTHER THAN WHERE AN INQUEST IS HELD

To the coroner at

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

I wish for the purpose of the inquest to have the evidence of the following persons taken at a place other than that of the inquest: [Names, addresses, and occupations of persons whose evidence is to be taken]

Pursuant to section 27 of the Coroners Act 1988, 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 to you for taking the evidence should be given to [State names and addresses of persons to whom notice should be given].

Dated at this day of 19....

..... Coroner

Coroner at

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

The coroner holding the inquest must forward a copy of this form to the police.

Form 5

Reg. 7

SUMMONS TO WITNESS UNDER CORONERS ACT 1988

To Mr/Mrs/Ms/Miss [Name, address, and occupation]

You are hereby summoned to appear before me at o'clock in the morning/afternoon, on day the day of 19..... to give evidence at an inquest into the death of

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

Dated at this day of 19....

..... Coroner

FIRST SCHEDULE—continued

FORMS—continued

Reg. 8

Form 6

OATH OF WITNESS AT INQUEST UNDER CORONERS ACT 1988

You swear by Almighty God that the evidence that you shall give to this inquest into the death of [Name of person concerned] will be the truth, the whole truth, and nothing but the truth.



Reg. 9

Form 7

FINDING OF CORONER UNDER CORONERS ACT 1988

I, coroner at hereby certify that at an inquest completed on the day of 19....., at the [Building in which inquest completed] having enquired into the time, place, causes and circumstances of how [Name, address, occupation] died, I found:

and pursuant to section 15 (1) (b) of the Coroners Act 1988 I make the following recommendations or comments (if any):

and pursuant to the Coroners Act 1988 I have prohibited publication of certain evidence given at the inquest.*

Dated at this day of 19.....

..... Coroner

*delete if not applicable

NOTE—This form, together with the depositions, the prohibitions on publication and, where applicable, a certificate of registration of death, must be forwarded to the Secretary for Justice by the coroner completing the inquest.



FIRST SCHEDULE—*continued*
 FORMS—*continued*

Form 8

Reg. 9

DEPOSITIONS OF WITNESSES AND PROHIBITIONS ON PUBLISHING OF
 EVIDENCE AT INQUEST UNDER CORONERS ACT 1988

INQUEST into the death of

The attached depositions, written on pages of paper numbered consecutively from 1 to were taken, and sworn or affirmed, before me or the below-mentioned persons at the places and on the dates shown below. I have adopted the evidence not taken before me as evidence at the inquest.

(Full names of witness)	(Coroner or Justice before whom taken)	Place	Date
.....
.....
.....
.....
.....
.....
.....
.....

The following persons appeared or were represented at the proceedings
 [Include names of Counsel]:

..... Coroner

Pursuant to section 25 (2) (b) section 29* of the Coroners Act 1988, I prohibit publication of the following evidence given at the inquest:

..... Coroner

*Omit one provision

FIRST SCHEDULE—continued

FORMS—continued

Reg. 10

Form 9

NOTIFICATION THAT INQUEST UNDER CORONERS ACT 1988 WILL NOT BE OPENED OR RESUMED

To the Secretary for Justice
Wellington

I HEREBY notify you that, pursuant to section 28 (6) of the Coroners Act 1988 I have decided that the inquest in respect of [*Name, address, and occupation*] will not be opened, resumed*.

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

*Omit one provision

Dated at this day of 19.....

..... Coroner

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

If the decision not to open or resume an inquest arises because of another inquiry (other than criminal proceedings), sufficient information to show the reasons for the Coroner's decision not to open or resume the inquest should be forwarded with this notification.



SECOND SCHEDULE
REGULATIONS REVOKED

Reg. 13

Title	Statutory Regulations Serial Number
The Coroners Regulations 1952	1952/71
The Coroners Regulations 1952, Amendment No. 3	1961/58
The Coroners Regulations 1952, Amendment No. 4	1964/78
The Coroners Regulations 1952, Amendment No. 5	1966/201
The Coroners Regulations 1952, Amendment No. 6	1967/19
The Coroners Regulations 1952, Amendment No. 8	1974/152
The Coroners Regulations 1952, Amendment No. 9	1976/188
The Coroners Regulations 1952, Amendment No. 10	1977/181
The Coroners Regulations 1952, Amendment No. 13	1985/83
The Coroners Regulations 1952, Amendment No. 15	1987/139
The Coroners Regulations 1952, Amendment No. 16	1987/263

Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations but is intended to indicate their general effect.

These regulations, which come into force on 1 July 1989, prescribe forms and other things for the purposes of the Coroners Act 1988 and replace the Coroners Regulations 1952.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 1 June 1989.

These regulations are administered in the Department of Justice.