

# CORONERS ORDINANCE 1975

565

No. 6 of 1975

## An Ordinance to amend the *Coroners Ordinance 1974*

[Assented to 12 March 1975]

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Coroners Ordinance 1975*. Short title
2. The *Coroners Ordinance 1974* is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. Section 20 of the Principal Ordinance is amended by omitting "A warrant" and substituting "Subject to this Ordinance, a warrant". Form of warrant for exhumation
4. The Principal Ordinance is amended by inserting after section 48 the following section:

"48A.(1) A person may make application to a Coroner for a warrant authorizing that person to exhume remains and remove those remains from the Territory or to another place in the Territory. Application for exhumation and removal of remains

"(2) Subject to sub-section (3) a Coroner may issue a warrant to the applicant for the exhumation and removal of those remains setting out the conditions under which the exhumation and removal may take place.

"(3) A Coroner shall not issue a warrant under sub-section (2) unless he is satisfied that—

  - (a) the applicant is a relative of the deceased person or otherwise has a special reason for wishing to remove the remains;
  - (b) no relative of the deceased person has reasonable grounds for objecting to the exhumation and removal applied for, and that all reasonable steps have been taken by the applicant to trace and notify relatives of his intended applica-

tion in sufficient time to enable relatives to make their objections known;

- (c) the person for the time being occupying the position or performing the duties of the Director of Health in the Territory has no objections to the exhumation or transportation on health grounds;
- (d) the applicant has the necessary authority to bury the remains in the place to which he intends to remove them; and
- (e) the applicant has arranged adequate means of transporting those remains to that place.

“(4) For the purposes of this section “relative” means, in relation to a deceased person—

- (a) his spouse;
- (b) either of his parents;
- (c) a child of his who has attained the age of 18 years; or
- (d) if he is not survived by a child who has attained the age of 18 years, any brother or sister of his who has attained that age.”.