

No. 5702.

An Act to amend the Law relating to Coroners, and
for other purposes.

[4th November, 1953.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the *Coroners Act 1953* and shall be read and construed as one with the *Coroners Act 1928* (hereinafter called the Principal Act) and the Act and enactment amending the same which Acts and enactment and this Act may be cited together as the Coroners Acts.

Short title
construction
and citation.
Nos. 3661,
4356 s. 4,
5275.

2. Section nine of the Principal Act is hereby amended as follows :—

Amendment of
No. 3661 s. 9
Proceedings
at Inquest.

(a) For sub-section (1) there shall be substituted the following sub-section :—

Comp. (Tas.)
1913 No. 38
ss. 13, 14.

“(1) Subject to the next succeeding section, where an inquest concerning the death of any person is held by a coroner without a jury the coroner, and where such inquest is held by a coroner with a jury the coroner and jury, shall, if the coroner deems it advisable, view the body; and the coroner shall examine on oath touching the death all persons who tender their evidence respecting the facts whom he thinks it expedient to examine”;

(b) In sub-section (2) after the word “body” there shall be inserted the expression “(if a view is had)”.

3. At

Amendment of
No. 3661 s. 33.
Disposal of
body before
coroner has
opportunity
of viewing
the body.
Nos. 3721, &c.

3. At the end of section thirty-three of the Principal Act there shall be inserted the following sub-section:—

“(2) When any person is slain or drowned or dies suddenly or in prison or while detained in any mental hospital within the meaning of the Mental Hygiene Acts any person who buries cremates or otherwise disposes of the body of such person before the coroner has had an opportunity of viewing the body shall be guilty of a misdemeanour and be liable to imprisonment for a term of not more than five years.”

Amendment of
No. 3764 s. 17.
Order for
burial, &c., of
body by
coroner justice
or police
officer.

4. The *Registration of Births Deaths and Marriages Act 1928* is hereby amended as follows:—

(a) In section seventeen—

(i) for sub-section (2) there shall be substituted the following sub-section:—

“(2) Provided that the coroner or justice upon holding or deciding to hold any inquest or inquiry may if he thinks fit order, or authorize a police officer in charge of a station on his behalf to order, the body to be cremated or buried before the registration of the death, and the coroner or justice or police officer (as the case may be) shall forthwith sign and deliver a certificate of the order in the form set forth in the Eighth Schedule to the person having charge of the funeral”;

(ii) in sub-section (4) after the word “justice” there shall be inserted the words “or police officer in charge of a station”;

(b) In the Eighth Schedule—

(i) for the expression “now shown to the Inquest Jury [or to me]” there shall be substituted the expression “upon which an inquest is now being held [or is about to be held] by me [or by me with a Jury]”;

(ii) for

Consequential
amendment of
No. 3764
Eighth
Schedule.
Certificate
of order for
burial of
body.

