

**CORONERS (AMENDMENT) ACT.**

**New South Wales**



ANNO UNDEVICESIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 63, 1970.**

An Act to enable stipendiary magistrates to delegate certain of their coronial jurisdiction, powers and duties; to provide for the entry into certain places for the purposes of inquests, inquiries or magisterial inquiries; for these purposes to amend the Coroners Act, 1960, and to repeal the Coroners (Amendment) Act, 1969; and for purposes connected therewith. [Assented to, 19th November, 1970.]

**BE**

*Coroners (Amendment).*

**B**E it enacted by the Queen's Most Excellent Majesty, by **No. 63, 1970**  
 and with the advice and consent of the Legislative  
 Council and Legislative Assembly of New South Wales in  
 Parliament assembled, and by the authority of the same, as  
 follows:—

1. This Act may be cited as the "Coroners (Amendment) Short title.  
 Act, 1970".

2. (1) The Coroners Act, 1960, is amended—

Amendment  
 of Act No.  
 2, 1960.

(a) by inserting next after section eight the following New sec.  
 8A.  
 new section :—

8A. (1) A stipendiary magistrate may, by Delegation  
 by  
 stipendiary  
 magistrates.  
 instrument in writing, delegate his jurisdiction,  
 powers and duties—

- (a) to issue burial and cremation orders;
- (b) to dispense with the holding of an inquest  
 where death results from natural causes;  
 or
- (c) in respect of any prescribed matters relative  
 to his jurisdiction, powers and duties as a  
 coroner,

to an officer of the court at which he acts as coroner  
 and may in like manner revoke wholly or in part  
 any such delegation.

(2) Any jurisdiction, power or duty dele-  
 gated under this section may, while the delegation  
 remains unrevoked, be exercised or performed from  
 time to time by the delegate.

(3) Notwithstanding any delegation made  
 under this section, the stipendiary magistrate may  
 continue to exercise or perform any jurisdiction,  
 power or duty delegated.

(4)

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(4) Any act or thing done or suffered by the delegate when acting in pursuance of a delegation made under this section shall have the like force or effect as if the act or thing had been done or suffered by the stipendiary magistrate who made the delegation.

Sec. 9.  
(Stipendiary magistrates to act as coroners in certain police districts.)

- (b) (i) by omitting from subsection two of section nine the words "Except as hereinafter provided a person" and by inserting in lieu thereof the words "Except as provided in section 8A of this Act a person";
- (ii) by omitting subsection three of the same section;

New sec. 38A.

Order authorising entry of certain places.

- (c) by inserting next after section thirty-eight the following new section :—

38A. (1) Where a coroner, justice or justices considers or consider that an examination should, for the purposes of an inquest, inquiry or magisterial inquiry, be made in relation to any place or that any measurements or photographs should, for those purposes, be taken in relation to any place, he or they may issue an order in writing to a specified person authorising him to enter any specified place during a specified period and to—

- (a) make such examination of—
- (i) the nature and condition of the place or any equipment or machinery therein or thereon; or
- (ii) any other matter or thing; or
- (b) take such measurements or photographs, as is or are specified or referred to in the order.

(2) An order may be made under subsection one of this section—

- (a) before the commencement; or

(b)

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(b) after the commencement and before the No. 63, 1970 completion, of the inquest, inquiry or magisterial inquiry referred to in that subsection.

(3) A person to whom an order is issued under subsection one of this section may, during the specified period enter the specified place and—

- (a) make the examination; or
- (b) take the measurements or photographs, specified or referred to in the order.

(4) A person who, upon production to him of an order issued under subsection one of this section, obstructs or hinders the person to whom the order was issued in the exercise of his powers under this section arising by virtue of the order shall be guilty of an offence against this Act.

(5) In this section—  
“place” includes—

- (a) land;
- (b) premises or a mine; and
- (c) a ship, aeroplane or other vessel or vehicle;

“specified”, in relation to an order issued under subsection one of this section, means specified in the order.

(2) The Coroners (Amendment) Act, 1969, is hereby repealed.

Repeal of  
Act No. 1,  
1969.  
(Conse-  
quential.)

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