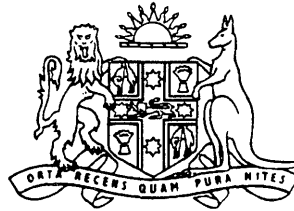


[Act 1997 No 130]



New South Wales

Coroners Amendment Bill 1997

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.*

Overview of Bill

The objects of this Bill are:

- (a) to make further provision (in addition to that made by the *Coroners (Amendment) Act 1993*) with respect to the functions of assistant coroners and, in particular, with respect to the delegation of various functions to them by the State Coroner and to make a consequential amendment to the *Coroners (Amendment) Act 1993*, and
- (b) to enable a coroner to prohibit the publication of matter that may identify a suicide victim from the time the coroner becomes aware of the victim's death rather than, as is presently the case, from the commencement of the inquest into the victim's death, and
- (c) to enable the relatives of a deceased person to request that a post mortem examination of the remains of the deceased person not be performed and, if the request is declined, to apply to the Supreme Court for an order that the post mortem examination not be performed, and

* Amended in committee—see table at end of volume.

- (d) to make it clear that the existing entitlement of other persons to object to the performance of post mortem examinations is not affected, and
- (e) to make it clear that existing coroners are not automatically removed from office when the provisions of the *Coroners (Amendment) Act 1993*, providing for the appointment of assistant coroners, are commenced.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act (other than proposed section 4) on the commencement of an uncommenced item of the *Coroners (Amendment) Act 1993* dealing with assistant coroners. Proposed section 4, which repeals a provision of the *Coroners (Amendment) Act 1993* the subject matter of which is to be dealt with by the proposed Act, commences on the date of assent.

Clause 3 is a formal provision giving effect to the amendments to the *Coroners Act 1980* set out in Schedule 1.

Clause 4 amends the *Coroners (Amendment) Act 1993* in consequence of the amendment referred to in Schedule 1 [2] below.

Schedule 1 Amendments

Schedule 1 [2] amends the *Coroners Act 1980* so as to give effect to the object referred to in paragraph (a) above.

Schedule 1 [3] amends the *Coroners Act 1980* so as to give effect to the object referred to in paragraph (b) above. **Schedule 1 [4]** makes a consequential amendment.

Schedule 1 [5] amends the *Coroners Act 1980* so as to give effect to the objects referred to in paragraphs (c) and (d) above. **Schedule 1 [1]** makes a consequential amendment.

Schedule 1 [6] amends the *Coroners Act 1980* so as to give effect to the object referred to in paragraph (e) above.