

SCHEDULES

SCHEDULE 1

Section 3(1).

SALARIES AND PENSIONS

Coroners' salaries

- 1 (1) Subject to the provisions of this paragraph, a coroner shall be paid by the relevant council an annual salary at such rate as may be fixed by agreement between the coroner and that council.
- (2) If at any time a coroner and the relevant council cannot agree with respect to any proposed alteration of the rate of his salary—
- (a) the Secretary of State may, on the application of either party, fix the rate of that salary at such rate as he thinks proper; and
 - (b) subject to sub-paragraph (4) below, the rate so fixed shall come into force as from such date as he may determine.
- (3) In fixing the rate of the salary payable to a coroner under this paragraph, regard shall be had to the nature and extent of his duties and to all the circumstances of the case.
- (4) A date determined under sub-paragraph (2) above shall be not less than three years from the date when the rate of the coroner's salary as last fixed came into force, unless in the opinion of the Secretary of State the coroner's district has in the meantime been materially altered.

Coroners' pensions

- 2 (1) On the retirement, after not less than five years' service, of a coroner—
- (a) who held office as a coroner immediately before 6th April 1978; and
 - (b) who did not elect in accordance with article 3(b) of the Social Security (Modification of Coroners (Amendment) Act 1926) Order 1978 that the provisions of the Coroners (Amendment) Act 1926 relating to pensions should not apply to him,
- (that is to say, a coroner who is not a pensionable employee for the purposes of the Local Government Superannuation Regulations 1986) the relevant council may, if either of the conditions mentioned in sub-paragraph (2) below is satisfied, grant to him a pension of such amount as may be agreed between him and the council not exceeding the scale contained in paragraph 3 below.
- (2) The said conditions are—
- (a) that the coroner has attained the age of sixty five years;
 - (b) that the relevant council is satisfied by means of a medical certificate that the coroner is incapable of discharging his duties whether on mental or physical grounds and that such incapacity is likely to be permanent.
- (3) A coroner to whom this paragraph applies—

Status: This is the original version (as it was originally enacted).

- (a) shall, at any time after he has completed fifteen years' service and has attained the age of sixty-five years, vacate his office if required to do so by the relevant council; but
 - (b) shall, in that case and in the absence of any agreement to the contrary, be entitled to receive the maximum pension which the council is empowered to grant him under this paragraph having regard to the length of his service.
- (4) A pension payable to a coroner under this paragraph shall be reduced by the amount of any additional component of his retirement pension (within the meaning of section 6(1)(b) of the Social Security Pensions Act 1975) which is payable to him.
- (5) In this paragraph “service” means service, whether before or after the commencement of this Act, as a coroner in the same administrative area; and for this purpose “administrative area” includes the City.
- (6) Notwithstanding the reproduction of article 3 of the Social Security (Modification of Coroners (Amendment) Act 1926) Order 1978 as paragraphs (a) and (b) of sub-paragraph (1) above and of article 4 of that Order as sub-paragraph (4) above—
- (a) those provisions may be amended or repealed; and
 - (b) any question as to the validity of those provisions may be determined, as though they were contained in an order made under section 65 of the Social Security Act 1973.

Scale of pensions

- 3 (1) An annual pension not exceeding ten sixtieths of the last annual salary may be granted after the completion of five years' service.
- (2) Where the completed service exceeds five years, there may be granted an annual pension not exceeding the aggregate of—
- (a) ten-sixtieths of the last annual salary; and
 - (b) an amount not exceeding one-fortieth of that salary for each completed year's service after five years,
- so however that no such pension shall be of an amount exceeding two-thirds of that salary.
- (3) For the purposes of this paragraph the last annual salary of a coroner shall be taken to be the salary paid to him in his last completed year of service as coroner, after deducting so much (if any) of that salary as was paid to him with a view to his providing at his own expense for any necessary expenditure in connection with his duties as coroner.
- (4) If any dispute arises as to the amount to be deducted under sub-paragraph (3) above in computing the last annual salary of a coroner, the dispute shall be referred to the Secretary of State, whose decision shall be final.

Payment of salaries and pensions

- 4 The salary of a coroner and any pension payable to a person in respect of his service as coroner shall be deemed to accrue from day to day and, in the absence of agreement to the contrary, shall be payable quarterly.