



# Visiting Forces Act 1952

1952 CHAPTER 67 15 and 16 Geo 6 and 1 Eliz 2

## PART I

### VISITING FORCES

#### **7 Provisions as to coroners' inquests and as to removal of bodies of deceased persons.**

[<sup>F1</sup>(1) Subsections (1A) and (1B) of this section apply if a coroner who has jurisdiction to conduct an investigation under Part 1 of the Coroners and Justice Act 2009 into a person's death is satisfied that the deceased person, at the time of the death, had a relevant association with a visiting force.

(1A) If no investigation into the person's death has begun, the coroner shall not begin an investigation unless directed to do so by the Lord Chancellor.

(1B) If an investigation into the person's death has begun but has not been completed, the coroner shall suspend the investigation unless directed not to do so by the Lord Chancellor.]

(2) Subject to [<sup>F2</sup> subsections (1) to (1B) of this section, if in the course of an investigation under Part 1 of the Coroners and Justice Act 2009 into a person's death ] the coroner is satisfied—

(a) that a person who in accordance with section two of this Act is subject to the jurisdiction of the service courts of a country to which this section applies has been charged before a court of that country with the homicide of the deceased person, whether or not that charge has been dealt with, or

(b) that such a person is being detained by an authority of that country with a view to being so charged,

then unless the [<sup>F3</sup> Lord Chancellor ] otherwise directs the coroner shall [<sup>F4</sup> suspend the investigation ] and shall furnish the registrar of deaths with a certificate stating the particulars necessary for the registration of the death so far as they have been ascertained [<sup>F5</sup> in the course of the investigation ].

[<sup>F6</sup>(2A) A coroner who suspends an investigation under this section shall—

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- (a) adjourn any inquest being held as part of the investigation, and
  - (b) discharge any jury that has been summoned.
- (2B) The suspension of an investigation under this section does not prevent its suspension under Schedule 1 to the Coroners and Justice Act 2009; and *vice versa*.]
- [<sup>F7</sup>(3) Where an investigation is suspended under this section, the coroner shall not resume it except on the direction of the Lord Chancellor.
- (3A) Where the investigation is resumed, the coroner must resume any inquest that was adjourned under subsection (2A).
- (3B) A resumed inquest may be held with a jury if the coroner thinks that there is sufficient reason for it to be held with one.]
- (4) Section four of the <sup>M1</sup>Births and Deaths Registration Act, 1926 (which restricts the removal out of England of the body of a deceased person) shall not apply to the body of a person who at the time of his death had a relevant association with a visiting force: Provided that this subsection shall not apply as respects the body of a person concerning whose death, by virtue of a direction of the [<sup>F8</sup> the Lord Chancellor under subsection (1A) or (3) of this section, an investigation is required to be conducted ] or, if begun, is required to be resumed.
- (5) Notwithstanding subsection (1) of [<sup>F9</sup> section 24 of the Births and Deaths Registration Act 1953 ] (which relates to certificates to be given to persons giving information concerning deaths), the registrar shall not give a certificate under that subsection to the person giving information concerning a death if that person informs the registrar that the body is one as respects which the last foregoing subsection has effect and that it is proposed to remove the body out of England.
- (6) In this section the expression “homicide” includes [<sup>F10</sup>—
- (a) murder, manslaughter or infanticide,
  - (b) any offence under the law of the country in question which is analogous to any of the offences within paragraph (a), and
  - (c) any offence under the law of the country in question which is analogous to an offence under section 2(1) of the Suicide Act 1961 or section 13(1) of the Criminal Justice Act (Northern Ireland) 1966 (encouraging or assisting suicide).]

[<sup>F11</sup>(7) In the application of this section to Northern Ireland—

    - (a) in subsection (1), for “a coroner who has jurisdiction to conduct an investigation under Part 1 of the Coroners and Justice Act 2009 into a person's death” there is substituted “ a coroner who has jurisdiction under the Coroners Act (Northern Ireland) 1959 to hold an inquest into a person's death ”;
    - (b) in subsection (1A), for “no investigation” there is substituted “ no inquest ” and for “an investigation” there is substituted “ an inquest ”;
    - (c) in subsection (1B), for “an investigation” there is substituted “ an inquest ”, and for “suspend the investigation” there is substituted “ adjourn the inquest ”;
    - (d) in subsection (2)—
      - (i) for “in the course of an investigation under Part 1 of the Coroners and Justice Act 2009” there is substituted “ on an inquest ”;
      - (ii) for “suspend the investigation” there is substituted “ adjourn the inquest ”;

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- (iii) for “in the course of the investigation” there is substituted “ at the inquest ”;
- (e) in subsection (2A), for the words from “suspends an investigation” to the end there is substituted “ adjourns an inquest under this section shall discharge any jury that has been summoned ”;
- (f) in subsection (3), for “investigation is suspended” there is substituted “ inquest is adjourned ”;
- (g) subsection (3A) is omitted;
- (h) in subsection (3B), for “A resumed inquest” there is substituted “ An inquest resumed under this section ”;
- (i) subsections (4) and (5) are omitted.]

#### Textual Amendments

- F1** substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), **Sch. 21 para. 5(2)** (with s. 180); S.I. 2013/1869, art. 2(o)(i)
- F2** Words in s. 7(2) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), **Sch. 21 para. 5(3)(a)** (with s. 180); S.I. 2013/1869, art. 2(o)(i)
- F3** Words in s. 7(2) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), **Sch. 21 para. 5(3)(b)** (with s. 180); S.I. 2013/1869, art. 2(o)(i)
- F4** Words in s. 7(2) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), **Sch. 21 para. 5(3)(c)** (with s. 180); S.I. 2013/1869, art. 2(o)(i)
- F5** Words in s. 7(2) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), **Sch. 21 para. 5(3)(d)** (with s. 180); S.I. 2013/1869, art. 2(o)(i)
- F6** S. 7(2A) - S. 7(2B) inserted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), **Sch. 21 para. 5(4)** (with s. 180); S.I. 2013/1869, art. 2(o)(i)
- F7** substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), **Sch. 21 para. 5(5)** (with s. 180); S.I. 2013/1869, art. 2(o)(i)
- F8** Words in s. 7(4) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), **Sch. 21 para. 5(6)** (with s. 180); S.I. 2013/1869, art. 2(o)(i)
- F9** Words in s. 7(5) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), **Sch. 21 para. 5(7)** (with s. 180); S.I. 2013/1869, art. 2(o)(i)
- F10** Words in s. 7(6) substituted (1.2.2010) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(5), **Sch. 21 para. 54(a)** (with s. 180); S.I. 2010/145, art. 2(2), Sch. para. 25(a)
- F11** S. 7(7) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(4)(e), **Sch. 21 para. 5(8)** (with s. 180); S.I. 2013/1869, art. 2(o)(i)

#### Marginal Citations

- M1** 1926 c. 48.

**Changes to legislation:**

There are currently no known outstanding effects for the Visiting Forces Act 1952, Section 7.