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STATUTORY INSTRUMENTS

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**1998 No. 359**

**CORONERS**

**The Hereford and Worcester (Coroners) Order 1998**

*Made* - - - - *19th February 1998*  
*Laid before Parliament* *27th February 1998*  
*Coming into force* - - *1st April 1998*

The Secretary of State in exercise of the powers conferred on him by sections 17 and 26 of the Local Government Act 1992<sup>(1)</sup> hereby makes the following Order:

1.—(1) This Order may be cited as the Hereford and Worcester (Coroners) Order 1998 and shall come into force on 1st April 1998.

(2) In this Order—

“the 1988 Act” means the Coroners Act 1988<sup>(2)</sup>;

“the 1996 Order” means the Hereford and Worcester (Structural, Boundary and Electoral Changes) Order 1996<sup>(3)</sup>.

2.—(1) The person who, on 31st March 1998, is the coroner for the existing Western Coroner’s District of the county of Hereford and Worcester by virtue of having been appointed for or assigned to that district shall be deemed to have been appointed coroner for the county of Herefordshire (which county comes into existence on 1st April 1998 by virtue of article 5(2) of the 1996 Order) by the council of the district of Herefordshire.

(2) Any agreement between the person to whom paragraph (1) above applies and the council of the county of Hereford and Worcester (as the relevant council for the purposes of the 1988 Act prior to 1st April 1998) as to his salary and pension as a coroner shall have effect as if made between him and the council of the district of Herefordshire.

(3) Any person who, on 31st March 1998, is a deputy or assistant deputy coroner for the existing Western Coroner’s District of the county of Hereford and Worcester shall be deemed to have been appointed deputy or, as the case may be, assistant deputy coroner for the county of Herefordshire with the approval of the chairman of the council of the district of Herefordshire.

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(1) 1992 c. 19.

(2) 1988 c. 13.

(3) S.I. 1996/1867.

3.—(1) The person who, on 31st March 1998, is the coroner for the existing Central and North Eastern Coroners' Districts of the county of Hereford and Worcester by virtue of having been appointed for or assigned to those districts shall be deemed to have been appointed coroner for the county of Worcestershire (which county was created by article 4 of the 1996 Order) by the council of that county.

(2) Any agreement between the person to whom paragraph (1) above applies and the council of the county of Hereford and Worcester (as the relevant council for the purposes of the 1988 Act prior to 1st April 1998) as to his salary and pension as a coroner shall have effect as if made between him and the council of the county of Worcestershire.

4.—(1) All rights and liabilities to which the council of the county of Hereford and Worcester is entitled or subject immediately before 1st April 1998 as the relevant council for the purposes of the 1988 Act shall on that date become the rights and liabilities of the appropriate new relevant council.

(2) In this article “the appropriate new relevant council” means—

- (a) in the case of the existing Western Coroner’s District of the county of Hereford and Worcester, the council of the district of Herefordshire; and
- (b) in the case of the existing Central and North Eastern Coroners' Districts of the county of Hereford and Worcester, the council of the county of Worcestershire.

5.—(1) Any process issued, order made, direction given, inquest begun or other thing done by or to the coroner for an existing coroner’s district shall be deemed to have been issued, made, given, begun or done by or to the coroner for the relevant new coroner’s district.

(2) All documents, exhibits, registers and other things in the custody of the coroner for an existing coroner’s district in connection with inquests or post-mortem investigations shall be transferred to the coroner for the relevant new coroner’s district.

(3) In this article—

- (a) the coroner’s district consisting of the county of Herefordshire is the relevant new coroner’s district for the existing Western Coroner’s District of the county of Hereford and Worcester;
- (b) the coroner’s district consisting of the county of Worcestershire is the relevant new coroner’s district for the existing Central and North Eastern Coroners' Districts of the county of Hereford and Worcester; and
- (c) “coroner” includes any deputy or assistant deputy coroner.

Home Office  
19th February 1998

*Gareth Williams*  
Parliamentary Under-Secretary of State

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision about coroners in consequence of the provisions of the Hereford and Worcester (Structural, Boundary and Electoral Changes) Order 1996 (S.I.1996/1867). The effect of those provisions is described below.

Articles 3 and 4 of that Order create new districts of Herefordshire and Malvern Hills and a new county of Worcestershire. Article 5 provides for the abolition, on 1st April 1998, of existing local government areas and the councils of those areas, and for the creation, on that date, of a new county of Herefordshire. On that date the functions of the Hereford and Worcester County Council in relation to the new county of Herefordshire are transferred to the council of the district of Herefordshire. As the relevant councils for the purposes of the Coroners Act 1988, the new council of the district of Herefordshire and the new council for the county of Worcestershire are responsible for the appointment of coroners for their respective areas and also have other functions in connection with coroners under that Act.

Article 2 of this Order provides for the person who, on 31st March 1998, holds the office of coroner for the existing Western Coroner's District of the county of Hereford and Worcester to continue as coroner for the new county of Herefordshire. Article 3 provides for the person who, on 31st March 1998, holds the office of coroner for the existing Central and North Eastern Coroners' Districts of the county of Hereford and Worcester to continue as coroner for the new county of Worcestershire. Article 4 transfers rights and liabilities of Hereford and Worcester County Council as the relevant council for the purposes of the Coroners Act 1988 to the new relevant councils, and article 5 makes transitional arrangements to ensure continuity as respects the coroners for the new counties.