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STATUTORY INSTRUMENTS

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**1998 No. 466**

**CORONERS**

**The Berkshire (Coroners) Order 1998**

*Made* - - - - 26th February 1998

*Laid before Parliament* 6th March 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 Berkshire (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>.

**2.—**(1) Without prejudice to the power to make orders under section 4(1) of the 1988 Act<sup>(3)</sup>, the three coroners' districts in the County of Berkshire (as constituted by orders having effect under section 4(2) of that Act and described in paragraph (2) below) shall continue in existence, subject to the provisions of this Order, as if made under section 4(1) of that Act.

(2) The three coroners' districts are—

- (a) the one consisting of the Borough of Reading;
- (b) the one consisting of the District of Newbury; and
- (c) the one consisting of the Boroughs of Bracknell Forest, Slough and Windsor and Maidenhead and the District of Wokingham.

(3) Without prejudice to the power to make orders under section 1(1A)(b) of the 1988 Act<sup>(4)</sup>, the Council of the Borough of Windsor and Maidenhead shall be the relevant council for the purposes of the 1988 Act for the coroner’s district referred to in paragraph (2)(c) above.

**3.—**(1) Any person who on 31st March 1998 is the coroner for any of the districts referred to in article 2(2) above by virtue of being appointed by Berkshire County Council and assigned to

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(1) 1992 c. 19.

(2) 1988 c. 13.

(3) Section 4(1) is amended by regulation 2(7) of the Local Government Reorganisation (Amendment of Coroners Act 1988) Regulations 1998 (S.I. 1998/465).

(4) Section 1(1A) was substituted by the Local Government Reorganisation (Amendment of Coroners Act 1988) Regulations 1996 (S.I. 1996/655) and amended by S.I. 1998/465).

the district in question shall be deemed to have been appointed for that coroner's district by the appropriate new relevant council.

(2) Any agreement between a person to whom paragraph (1) applies and Berkshire County Council (as the relevant council for the purposes of the 1988 Act prior to 1st April 1998) as to his salary and pension shall have effect as if made between him and the appropriate new relevant council.

(3) Any person who, on 31st March 1998, is a deputy or assistant deputy coroner for each of the districts referred to in article 2(2) above shall be deemed to have been appointed deputy or, as the case may be, assistant deputy coroner for the district in question with the approval of the chairman of the appropriate new relevant council.

(4) In this article and article 4 below "the appropriate new relevant council" means, in the case of the coroner's district referred to in—

- (a) article 2(2)(a) above, Reading Borough Council;
- (b) article 2(2)(b) above, Newbury District Council; and
- (c) article 2(2)(c) above, Windsor and Maidenhead Borough Council.

4. All rights and liabilities to which Berkshire County Council is entitled or subject immediately before 1st April 1998 as the relevant council for the purposes of the 1998 Act shall on that date become the rights and liabilities of the appropriate new relevant council.

Home Office  
26th 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 abolition of Berkshire County Council by article 3 of the Berkshire (Structural Change) Order 1996 (S.I.1996/1879) on that date. The County of Berkshire continues to exist.

Under section 1(1)(a) of the Coroners Act 1988 (as substituted by the Local Government Reorganisation (Amendment of Coroners Act 1988) Regulations 1996, as amended by the Local Government Reorganisation (Amendment of Coroners Act 1988) Regulations 1998) coroners are appointed for each coroner's district in a non-metropolitan county in which there is more than one local government district and for which there is no county council. Those coroners' districts are established by order of the Secretary of State under section 4(1) of the 1988 Act, as amended by the 1998 Regulations.

Article 2(1) of this Order provides for the existing coroners' districts for the County of Berkshire to continue to have effect as if made by order under section 4(1) of the 1988 Act, as amended. Article 2(3) provides for the Borough of Windsor and Maidenhead to be the relevant council for the purposes of section 1(1A)(b) of the 1988 Act (as substituted and amended) in respect of the coroner's district described in article 2(2)(c).

Article 3 makes transitional provision in respect of the appointment, pay and pensions of coroners and article 4 makes similar provision in respect of the rights and liabilities relating to coroners of Berkshire County Council.