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*Changes to legislation: There are currently no known outstanding effects for the Coroners and Justice Act 2009, Paragraph 5. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 21

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### PART 1

##### CORONERS ETC

###### *Visiting Forces Act 1952 (c. 67)*

- 5 (1) Section 7 of the Visiting Forces Act 1952 (provisions as to coroners' inquests etc) is amended as follows.
- (2) For subsection (1) substitute—
- “(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.”
- (3) In subsection (2)—
- (a) for the words from “the last” to “a death” substitute “ 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 ”,
- (b) for “Secretary of State” substitute “ Lord Chancellor ”,
- (c) for the words from “adjourn the inquest” to “discharge the jury,” substitute “ suspend the investigation ”, and
- (d) for “at the inquest” substitute “ in the course of the investigation ”.
- (4) After subsection (2) insert—
- “(2A) A coroner who suspends an investigation under this section shall—
- (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*.”
- (5) For subsection (3) substitute—

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- “(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.”
- (6) In subsection (4), for the words from “the Secretary of State” to “to be held” substitute “ the Lord Chancellor under subsection (1A) or (3) of this section, an investigation is required to be conducted ”.
- (7) In subsection (5), for “section two of the said Act of 1926” substitute “ section 24 of the Births and Deaths Registration Act 1953 ”.
- (8) For subsection (7) substitute—
- “(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 ”;
    - (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.”

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**Commencement Information**

**II** Sch. 21 para. 5 in force at 25.7.2013 by S.I. 2013/1869, art. 2(o)(i)

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