
STATUTORY INSTRUMENTS

1996 No. 655

LOCAL GOVERNMENT, ENGLAND AND WALES
CORONERS

**The Local Government Reorganisation (Amendment
of Coroners Act 1988) Regulations 1996**

Made - - - - 7th March 1996

Laid before Parliament 11th March 1996

Coming into force in accordance with regulation 1

The Secretary of State in exercise of the powers conferred on him by sections 19 and 26 of the Local Government Act 1992⁽¹⁾ hereby makes the following Regulations:

1. These Regulations may be cited as the Local Government Reorganisation (Amendment of Coroners Act 1988) Regulations 1996 and shall come into force immediately after the coming into force in full of paragraph 82 of Schedule 16 to the Local Government (Wales) Act 1994⁽²⁾.

2.—(1) The Coroners Act 1988⁽³⁾ is amended as follows.

(2) For section 1(1) there is substituted:

“(1) Coroners shall be appointed—

- (a) for each coroner’s district in a metropolitan county, Greater London or Wales;
- (b) for each coroner’s district constituted by an order under section 17 of the Local Government Act 1992 which lies partly in each of two or more non-metropolitan counties;
- (c) for each non-metropolitan county in England none of which is included in such a coroner’s district as is mentioned in paragraph (b) above;
- (d) in the case of a non-metropolitan county in England part of which is included in such a coroner’s district as is mentioned in paragraph (b) above, for so much of that county as is not so included; and
- (e) for the City.

(1A) Coroners shall be appointed by the relevant council, that is to say—

⁽¹⁾ 1992 c. 19.

⁽²⁾ 1994 c. 19; S.I. 1994/396 brings into force on 1st April 1996 those parts of paragraph 82 of Schedule 16 not already in force.

⁽³⁾ 1988 c. 13; section 1 was amended by paragraph 82 of Schedule 16 to the Local Government (Wales) Act 1994.

- (a) in the case of a coroner’s district consisting of or included in a metropolitan district or London borough, the council of that district or borough;
- (b) in the case of a coroner’s district consisting of two or more metropolitan districts or London boroughs, such one of the councils of those districts or boroughs as may be designated by an order made by the Secretary of State by statutory instrument;
- (c) in the case of a coroner’s district consisting of or included in a Welsh principal area, the council of that area;
- (d) in the case of a coroner’s district lying partly in each of two or more Welsh principal areas, such one of the councils of those areas as may be designated by an order made by the Secretary of State by statutory instrument;
- (e) in a case falling within subsection (1)(b) above, such one of the councils of the non-metropolitan counties in question as may be designated by an order under section 17 of the Local Government Act 1992;
- (f) in a case falling within subsection (1)(c) or (d) above, the council of the non-metropolitan county in question; and
- (g) in the case of the City, the Common Council.”

(3) In subsection (2) of that section, for the words “subsection (1)” there is substituted “subsection (1A)” and for the words “or (b)” there is substituted “(d) or (e)”.

(4) In subsection (3) of section 2, for the words “for being a coroner for that county” there is substituted—

- “(a) in the case of a county none of which is included in such a coroner’s district as is mentioned in section 1(1)(b) above, for being a coroner for that county;
- (b) in the case of a county the whole or part of which is included in such a coroner’s district as is mentioned in section 1(1)(b) above, for being a coroner for that coroner’s district and for so much of that county (if any) as is not so included.”

(5) After subsection (5) of section 4(4) there is inserted—

“(5A) Subsections (2) to (5) above shall not apply to a non-metropolitan county the whole of which is included in such a coroner’s district as is mentioned in section 1(1)(b) above.

(5B) In the application of this section to a non-metropolitan county part of which is included in such a coroner’s district as is mentioned in section 1(1)(b) above, any reference in subsections (2)(a) and (b), (3) and (4) to a county shall be construed as a reference to so much of that county as is not so included.”

(6) In subsection (3) of section 27, after paragraph (a) there is inserted—

- “(aa) in the case of a non-metropolitan district council, out of the general fund”.

(7) In subsection (4)(5) of that section—

- (a) after paragraph (b) there is inserted

“or

- (b) which lies partly in each of two or more non-metropolitan counties in England,”;

- (b) for the words “or areas” there is substituted “areas or counties”.

(8) In section 31(6), for the words “The council of a metropolitan district, London borough or Welsh principal area (whether or not a relevant council)” there is substituted—

(4) Section 4(2) was amended by paragraph 82(4) of Schedule 16 to the Local Government (Wales) Act 1994.

(5) Section 27(4) was amended by paragraph 82(8) of Schedule 16 to the Local Government (Wales) Act 1994.

(6) Section 31 was amended by paragraph 82(2) of Schedule 16 to the Local Government (Wales) Act 1994.

“The council (whether or not a relevant council) of any of the following, that is to say—

- (a) a metropolitan district,
- (b) a London borough,
- (c) a Welsh principal area, or
- (d) in the case of such a coroner’s district as is mentioned in section 1(1)(b) above, a non-metropolitan county the whole or part of which is included in that coroner’s district.”

(9) In subsection (1) of section 35—

- (a) in the definition of “administrative area”, after the word “means” there is inserted “, subject to subsection (1B) below,”;
- (b) in the definition of “relevant council”, for the words “section 1(1)” there is substituted “section 1(1A)”.

(10) After that subsection there is inserted—

“(1A) In this Act any reference to a council of a non-metropolitan county includes in relation to an area for which there is a district council but no county council a reference to a district council, and any reference to a councillor of a non-metropolitan county shall be construed accordingly.

(1B) In the application of sections 4(5), 5(3) and 13(2) above to a non-metropolitan county part of which is included in such a coroner’s district as is mentioned in section 1(1)(b) above, any reference in those provisions to an administrative area shall be construed as a reference to so much of that county as is not so included.”

3. Sub-paragraphs (1), (2) and (9) of paragraph 82 of Schedule 16 to the Local Government (Wales) Act 1994 are hereby repealed.

Home Office
7th March 1996

Tom Sackville
Parliamentary Under Secretary of State

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend various provisions in the Coroners Act 1988 (“the 1988 Act”) by exercise of powers contained in the Local Government Act 1992 (“the 1992 Act”). These amendments ensure that the provisions of the 1988 Act are consistent with various provisions about coroners which it is proposed to include in orders under section 17 of the 1992 Act in consequence of changes to local government in England under the 1992 Act.