

---

---

ARRANGEMENT OF SECTIONS.

---

A.D. 1926.

*Qualification, Appointment, and Resignation of Coroners.*

Section.

1. Qualifications and disqualifications.
2. Appointment and resignation of county and borough coroners.
3. Provisions as to coroner for Isle of Wight.
4. Abolition of franchise coronerships.

*Salaries and Pensions.*

5. Salaries of county and borough coroners.
6. Superannuation of county and borough coroners.
7. Payment of salaries and pensions.
8. Expenses of local authorities upon salaries and pensions.

*Deputy Coroners and Assistant Deputy Coroners.*

9. Amendment of 55 & 56 Vict. c. 56. s. 1 (3).
10. Appointment of deputy by coroner of King's Household.
1. Appointment of assistant deputy coroner.

*Coroners' Districts.*

2. Formation and alteration of county coroners' districts.

[CH. 59.] *Coroners (Amendment)* [16 & 17 GEO. 5.  
*Act, 1926.*

A.D. 1926.

*Inquests.*

Section.

13. Power to hold inquest without a jury in certain cases.
14. View of the body and burial order.
15. Failure of jury to agree.
16. Power of coroner to arrange for removal of body out of his jurisdiction.
17. Inquests where several deaths arise from one accident.
18. Inquest where body destroyed or irrecoverable.
19. Effect of 50 & 51 Vict. c. 71. s. 6.
20. Amendments with respect to inquests in cases of murder, manslaughter or infanticide.

*Post-mortem and Special Examinations.*

21. Post-mortem examination without inquest.
22. Power of coroner to request specially qualified persons to make post-mortem and special examinations.
23. Fees to medical witnesses.
24. Power of removal of body for post-mortem examination.

*Miscellaneous and General.*

25. Procedure where person charged on coroner's inquisition.
26. Power to make rules.
27. Prescription of forms.
28. Coroners' returns.
29. Amendments as to payments to or by coroners.
30. Consequential and minor amendments of 50 & 51 Vict. c. 71.
31. Repeals.
32. Application of Coroners Acts to city of London.
33. Application of enactments relating to ridings of Yorkshire and divisions of Lincolnshire.
34. Short title, citation, construction, extent and commencement.

SCHEDULES.



## CHAPTER 59.

An Act to amend the law relating to coroners.

A.D. 1926.

[15th December 1926.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### *Qualification, Appointment, and Resignation of Coroners.*

1.—(1) From and after the commencement of this Act no person shall be qualified to be appointed to be a coroner for a county (in this Act referred to as “a county coroner”) or a coroner of a borough (in this Act referred to as “a borough coroner”), or a deputy assistant deputy to a county or borough coroner, unless he is a barrister, solicitor, or legally qualified medical practitioner, of not less than five years standing in his profession:

Qualifica-  
tions and  
disqualifica-  
tions.

Provided that no person who at the commencement of this Act is, and for a period of not less than five years has been, a franchise coroner or a deputy to a county coroner or to a borough coroner shall by reason of the foregoing provision be disqualified from being appointed to be a county or borough coroner.

(2) A person shall, so long as he is a mayor, alderman or councillor of a county or borough and for six months after he ceases to be a mayor, alderman or councillor thereof, be disqualified for being a coroner appointed by the council of that county or borough or by a joint

[CH. 59.] *Coroners (Amendment)* [16 & 17 GEO. 5  
Act, 1926.

A.D. 1926. committee of which any of the members are appointed  
— by that council and for being a deputy of a coroner so  
appointed.

(3) A person shall, so long as he is coroner for  
county or coroner of a borough or a deputy of such  
coroner, be disqualified for being elected to be and for  
being a mayor, alderman or councillor of that county or  
borough.

50 & 51 Vict.  
c. 71. (4) Section twelve of the Coroners Act, 1887 (which  
requires a county coroner to have land in fee in the  
county), shall cease to have effect.

Appoint-  
ment and  
resignation  
of county  
and borough  
coroners. 2.—(1) On a vacancy occurring in the office of  
coroner for a county or borough, the council having  
power to appoint a person to fill the vacancy shall  
forthwith give notice thereof to the Secretary of State.

(2) Subject to the provisions of this Act relating  
to the formation and alteration of coroners' districts  
within three months after the occurrence of a vacancy in  
the office of coroner for a county or borough or within  
such further time as the Secretary of State may allow  
the council having power to appoint a coroner shall  
appoint a duly qualified person to the office and shall  
forthwith give notice of the appointment to the Secretary  
of State.

(3) A county or borough coroner may resign his  
office by giving notice in writing to the council having  
power to appoint his successor, but the resignation shall  
not take effect unless and until it is accepted by the  
council.

(4) It shall not be necessary to issue a writ of  
coronatore eligendo or a writ de coronatore exonerando  
in respect of the appointment or resignation of a county  
or borough coroner.

(5) Nothing in this section shall prejudice or affect  
the jurisdiction of the Lord Chancellor or of any court  
with respect to the removal of coroners.

Provisions  
as to  
coroner for  
Isle of 3. If His Majesty is pleased to declare in Council  
that it is his will to relinquish his right of appointing  
a person to fill the office of coroner for the Isle of Wight  
then on a vacancy in that office occurring at any

coroners shall apply accordingly to the office of coroner and to the coroner for the Isle of Wight.

4.—(1) The right of any person having power to appoint a franchise coroner shall cease on the next vacancy in the office which occurs after the passing of this Act, and for all purposes relating to coroners the area in which the franchise coroner had jurisdiction shall thereupon, if and so far as it is situated in a borough the council of which have power to appoint a borough coroner, be merged in the borough, and if and so far as it is not situated in such a borough, be merged in the county.

Abolition of franchise coronerships.

(2) Where the area or part of the area in which a franchise coroner had jurisdiction is merged in a county which is divided into coroners' districts, any consequential alteration of the division of the county into coroners' districts shall be effected in manner provided by this Act.

(3) The power of appointing a franchise coroner within the liberties of the Duchy of Lancaster or within any of those liberties may be relinquished by the Chancellor of the Duchy of Lancaster under his hand and seal on behalf of His Majesty, and if so relinquished shall be extinguished, and the foregoing provisions of this section shall apply as respects the area in which any coroner appointed under the power so relinquished had jurisdiction, but save as aforesaid nothing in this section shall apply to His Majesty in right of his Duchy of Lancaster.

(4) If His Majesty is pleased to declare in Council that it is his will to relinquish his right of appointing a person to fill the office of coroner for the jurisdiction of the Admiralty of England, thereupon the office of coroner for the jurisdiction of the Admiralty of England shall be thereby abolished.

(5) The foregoing provisions of this section shall not apply with respect to—

- (a) the King's coroner and attorney; or
- (b) the coroner of the King's Household; or
- (c) the coroner for the City of London; or
- (d) the coroner for the Isles of Scilly.

(6) This section shall come into operation on the passing of this Act.

[CH. 59.]      *Coroners (Amendment)* [16 & 17 GEO. 5.  
Act, 1926.

A.D. 1926.

*Salaries and Pensions.*

Salaries of  
county and  
borough  
coroners.

5.—(1) Subject to the provisions of this section every council having power to appoint a coroner shall pay to every county or borough coroner appointed by them an annual salary at such rate as may be fixed by agreement between them and the coroner.

(2) If at any time a coroner and the council by whom his salary is payable are unable to agree with respect to any proposed alteration of the rate of salary the Secretary of State may, upon the application either of the coroner or of the council, fix the rate of the salary at such rate as he thinks proper, and thereupon the rate so fixed by the Secretary of State shall come into force as from such date as he may determine, not being a date less than three years from the date when the rate of salary came into force as last fixed, unless in the opinion of the Secretary of State the coroner's area or district has in the meantime been materially altered.

(3) In fixing the rate of salary payable to a coroner under this section regard shall be had to the nature and extent of his duties and to all the circumstances of the case.

45 & 46 Vict.  
c. 50.      (4) The salary payable under this section to a borough coroner shall be instead of the fees and allowances specified in the Fourth Schedule to the Municipal Corporations Act, 1882, and the additional payment mentioned in subsection (2) of section twenty seven of the Coroners Act, 1887, or the remuneration payable under any Act or Provisional Order confirmed by an Act, as the case may be, and no such fees and allowances, additional payment or remuneration as aforesaid shall be payable to a borough coroner after the commencement of this Act.

(5) As respects coroners holding office at the commencement of this Act—

(a) every coroner to whom a salary is, at the commencement of this Act, payable by the council of any county shall for the purposes of this section be deemed to have been appointed by

to the rate in force at the commencement of this Act; and

- (c) the salary of a borough coroner shall in default of agreement between him and the council by whom his salary is payable be at a rate fixed by the Secretary of State.

6.—(1) Upon the retirement of any county or borough coroner after not less than five years service, the council by whom his salary is payable shall have power—

Super-annuation of county and borough coroners.

- (a) if he has attained the age of sixty-five years; or

- (b) if they are satisfied by means of a medical certificate that he is incapable from infirmity of mind or body of discharging the duties of his office, and that such incapacity is likely to be permanent,

to grant to him a pension of such amount as may be agreed upon between him and the council not exceeding the scale contained in the First Schedule to this Act :

Provided that the provisions of this section shall not apply with respect to any coroner holding office at the date of the commencement of this Act unless upon his application a resolution applying those provisions to him passed by the council by whom his salary is payable.

(2) A county or borough coroner with respect to whom the provisions of this section apply shall at any time after he has completed fifteen years service and has attained the age of sixty-five years, vacate his office if called upon to do so by the council by whom his salary is payable, but shall, in the absence of agreement to the contrary, in that case be entitled to receive the maximum pension which the council is empowered giving regard to the length of his service to grant to him under this section.

(3) For the purposes of this section the expression "service" means service, whether before or after the commencement of this Act, as a coroner in the county or borough of the council by whom the pension is payable.

[CH. 59.]      *Coroners (Amendment)* [16 & 17 GEO. 5.  
*Act, 1926.*

A.D. 1926.      **7.** The salary of a county or borough coroner and any pension payable to a person in respect of his service as a coroner, shall be deemed to accrue from day to day, and, in the absence of agreement to the contrary shall be payable quarterly.

—  
Payment of salaries and pensions.

Expenses of local authorities upon salaries and pensions.      **8.** All expenses incurred under this Act by a council upon the salary or pension payable in respect of a county coroner shall be defrayed as expenses for special county purposes, and all expenses so incurred upon the salary or pension payable in respect of a borough coroner shall be defrayed out of the borough fund.

*Deputy Coroners and Assistant Deputy Coroners.*

Amendment of 55 & 56 Vict. c. 56. s. 1 (3).      **9.** So much of subsection (3) of section one of the Coroners Act, 1892, as requires the necessity of a deputy coroner's acting for a borough coroner to be certified by a justice of the peace shall cease to have effect.

Appointment of deputy by coroner of King's household.      **10.** The Coroners Act, 1892 (which relates to the appointment and powers of deputy coroners) shall apply with the necessary modifications to the coroner of the King's household as it applies to county and borough coroners, and in particular with the modifications that the appointment of a deputy to the coroner of the King's household shall be subject to the approval of the Lord Steward of the King's household, and duplicates of such appointments shall be sent to and kept by him.

Appointment of assistant deputy coroner.      **11.**—(1) Any county or borough coroner may, in addition to the deputy whom he is required to appoint under section one of the Coroners Act, 1892, appoint an assistant deputy to act for the coroner.

(2) An assistant deputy may act for the coroner on any occasion when the deputy coroner would be entitled to act for the coroner but is unable so to act owing to illness or absence for any reasonable cause, and, in the event of the coroner vacating his office by death or otherwise, may act for the deputy coroner in like manner while the office of coroner is vacant.

(3) The appointment of an assistant deputy shall be made in the like manner and subject to the like approval



who appointed the coroner in like manner as duplicates of the appointment of a deputy coroner.

(4) Subsection (5) of the said section one of the Coroners Act, 1892, shall apply as respects any inquest or act which an assistant deputy of a coroner is authorised to hold or do, with the substitution of a reference to an assistant deputy for the reference to a deputy.

*Coroners' Districts.*

**12.**—(1) A county council may at any time, and shall if directed to do so by the Secretary of State, submit, after complying with such requirements as to notice and consideration of objections as may be prescribed, to the Secretary of State a draft order providing for the division of the county into such coroners' districts as they think expedient, or for such alteration of any existing division of the county into coroners' districts as appears to them to be suitable; and the Secretary of State after taking into consideration any objections to the draft made in the prescribed manner and within the prescribed time, may make the order, either in the terms of the draft submitted to him or with such modifications as he thinks fit.

Formation and alteration of county coroners' districts.

(2) Every order made under this section shall come into force as from such date as may be specified in the order, and may be varied or revoked by any subsequent order made in like manner.

(3) If by reason of any order made under this section it is in the opinion of the Secretary of State necessary that the number of coroners for a county should be increased, the county council shall appoint such number of additional coroners for the county as the Secretary of State may direct, and the provisions of this Act relating to appointments to the office of county coroner shall apply with respect to any such appointment as if a vacancy had occurred in the office of coroner for that county.

(4) Sections five, nineteen and twenty of the Coroners Act, 1844 (which relate to the assignment of districts to county coroners and to the residence and jurisdiction of county coroners within counties assigned to them) shall, as amended by any subsequent enactment, apply to districts formed or altered and to coroners

7 & 8 Vict. c. 92.

[CH. 59.] *Coroners (Amendment)* [16 & 17 GEO. 5  
Act, 1926.

A.D. 1926. — appointed under this Act as they apply to districts formed under that Act and to coroners appointed under writs de coronatore eligendo.

(5) Every order made under this section shall be laid as soon as may be before both Houses of Parliament and shall be published in the London Gazette, and particulars of any order so made shall be published by the county council in such manner as may be prescribed.

56 & 57 Vict.  
c. 66. (6) Section one of the Rules Publication Act, 1891 shall not apply to any order made under this section.

(7) In this section the expression "prescribed" means prescribed by the Secretary of State either by general rules or by directions given as respects any particular occasion.

*Inquests.*

Power to hold inquest without a jury in certain cases.

**13.**—(1) Subject to the provisions of this section a coroner within whose jurisdiction the dead body of a person is lying, may, in lieu of summoning a jury in the manner required by section three of the Coroners Act 1887, for the purpose of inquiring into the death of that person, hold an inquest on the body without a jury.

(2) If it appears to the coroner either before he proceeds to hold an inquest or in the course of an inquest begun without a jury, that there is reasonable suspect—

- (a) that the deceased came by his death by murder, manslaughter or infanticide; or
- (b) that the death occurred in prison or in such place or in such circumstances as to require an inquest under any Act other than the Coroners Act, 1887; or
- (c) that the death was caused by an accident, poisoning or disease notice of which is required to be given to a government department, or to any inspector or other officer of a government department, under or in pursuance of any Act; or

circumstances or possible occurrence of which is prejudicial to the health or safety of the public or any section of the public ;

he shall proceed to summon a jury in the manner required by the Coroners Act, 1887, and in any other case, if it appears to him, either before he proceeds to hold an inquest or in the course of an inquest begun without a jury, that there is any reason for summoning a jury, he may proceed to summon a jury in the manner aforesaid.

(3) The provisions of any enactment relating to the procedure in connection with an inquest shall, as respects an inquest or any part of an inquest which is held without a jury, have effect subject to such modifications as are rendered necessary by the absence of a jury, and where the whole of an inquest is held without a jury the inquisition shall be under the hand of the coroner alone.

(4) Where an inquest or any part of an inquest is held without a jury, anything done at the inquest, or at that part of the inquest, by or before the coroner alone shall be as validly done as if it had been done by or before the coroner and a jury.

**14.**—(1) At or before the first sitting of an inquest on a body, the coroner shall view the body, and if, before the body has been buried, the coroner so directs, or a majority of the jury so desires, the body shall be viewed by the jury also : View of the body and burial order.

Provided that, where a previous inquest on the body has been begun but not completed, it shall not be obligatory upon the coroner holding a subsequent inquest to view the body.

(2) Subject to the provisions of any rules made under this Act an order of a coroner authorising the burial of a body upon which he has decided to hold an inquest may be issued at any time after he has viewed the body.

**15.**—(1) If the jury at an inquest fails to agree on a verdict, and the minority consists of not more than two, the coroner may accept the verdict of the majority, and the majority shall, in that case, certify the verdict in accordance with the requirements Failure of jury to agree.

[CH. 59.] *Coroners (Amendment)* [16 & 17 GEO. 5  
Act, 1926.

A.D. 1926. of subsection (3) of section four of the Coroners Act  
1887.

(2) In any other case of disagreement the coroner may discharge the jury and issue a warrant for summoning another jury, and thereupon the inquest shall proceed in all respects as if the proceedings which terminated in the disagreement had not taken place except that it shall not be obligatory on the coroner to view the body.

Power of coroner to arrange for removal of body out of his jurisdiction.

**16.**—(1) If it appears to a coroner that an inquest ought to be held on a body lying within his jurisdiction but that it is expedient to allow or necessary to order the body to be removed into the jurisdiction of another coroner, he may with the consent of that coroner instead of himself summoning a jury or holding an inquest on the body, allow or order the removal of the body to any place to which that coroner could have allowed or ordered the body to be removed if it had been within his jurisdiction.

(2) An order made by a coroner under this section may provide for the body to be removed back to any place within his jurisdiction at such time as may be directed by the coroner by whom the inquest is to be held after he has viewed the body, and upon such direction being given by that coroner the removal of the body out of his jurisdiction shall not affect his powers and duties in relation to the inquest.

(3) The expenses of any removal ordered by a coroner under this section shall be defrayed as part of the expenses incurred by him in the course of his duties and not as part of the expenses of the coroner to whom the inquest is held.

Inquests where several deaths arise from one accident.

**17.** Where the bodies of two or more persons whose deaths appear to have been caused by the same accident or occurrence are lying within the jurisdiction of different coroners, and it is for any reason impracticable for the coroners to agree as to the removal into the jurisdiction of one coroner of all the bodies or of such of them as seems expedient to remove, the Secretary of State may if in his opinion it is in the public interest so to do

for the adjustment of the expenses of and in connection with the inquests on the bodies removed, and the inquests shall be held and the bodies shall be removed and the expenses shall be defrayed in accordance with those directions.

**18.** Where a coroner has reason to believe that a death has occurred in or near the area within which he has jurisdiction in such circumstances that an inquest ought to be held, and that owing to the destruction of the body by fire or otherwise or to the fact that the body is lying in a place from which it cannot be recovered, an inquest cannot be held except by virtue of the provisions of this section, he may report the facts to the Secretary of State, and the Secretary of State may, if he considers it desirable so to do, direct an inquest to be held touching the death, and an inquest shall be held accordingly by the coroner making the report or such other coroner as the Secretary of State may direct, and the law relating to coroners and coroners' inquests shall apply with such modifications as may be necessary in consequence of the inquest being held otherwise than on or after view of a body lying within the coroner's jurisdiction.

Inquest where body destroyed or irrecoverable.

**19.** For the removal of doubts it is hereby declared, without prejudice to the generality of the provisions of section six of the Coroners Act, 1887, that the powers of the High Court under that section extend to and may be exercised in any case where the Court is satisfied that by reason of the discovery of new facts or evidence it is necessary or desirable in the interests of justice that an inquisition on an inquest previously held concerning a death should be quashed, and that another inquest should be held.

Effect of 50 & 51 Vict. c. 71 s. 6.

**20.**—(1) If on an inquest touching a death the coroner is informed before the jury have given their verdict that some person has been charged before examining justices with the murder, manslaughter or infanticide of the deceased, he shall, in the absence of reason to the contrary, adjourn the inquest until after the conclusion of the criminal proceedings and may if he thinks fit discharge the jury.

Amendments with respect to inquests in cases of murder, manslaughter or infanticide.

[CH. 59.] *Coroners (Amendment)* [16 & 17 GEO. 5  
Act, 1926.

A.D. 1926.

(2) After the conclusion of the criminal proceedings the coroner may, subject as hereinafter provided, resume the adjourned inquest if he is of opinion that there is sufficient cause to do so:

Provided that, if in the course of the criminal proceedings any person has been charged on indictment then upon the resumed inquest no inquisition shall charge that person with an offence of which he could have been convicted on the indictment or contain an finding which is inconsistent with the determination of any matter by the result of those proceedings.

(3) Where a coroner resumes an inquest which has been adjourned in accordance with the requirements of this section and the jury has been discharged, the coroner shall proceed in all respects as if the inquest had not previously been begun, and the provisions of this Act shall apply accordingly as if the resumed inquest were a fresh inquest except that it shall not be obligatory on the coroner to view the body.

(4) If, having regard to the result of the criminal proceedings, the coroner decides not to resume the inquest he shall furnish the registrar of deaths with a certificate stating the result of the criminal proceedings and the particulars necessary for the registration of the death so far as they have been ascertained at the inquest, and the registrar shall enter the death and particulars in the form and manner prescribed by regulations under the Registration Acts.

(5) It shall be the duty of the clerk to the examining justices before whom a person is charged with murder, manslaughter or infanticide to inform the coroner who is responsible for holding an inquest upon the body of the making of the charge, and of the committal for trial or discharge, as the case may be, of the person charged and it shall be the duty of the clerk of any court to which a person charged with murder, manslaughter or infanticide is committed for trial, and of the Registrar of the court before which any appeal from a conviction of murder, manslaughter or infanticide is heard, to inform the coroner of the result of the proceedings.

(6) For the purposes of this section, the expression

concluded until no further appeal can, without an extension of time being granted by the Court of Criminal Appeal, be made in the course thereof.

*Post-mortem and Special Examinations.*

21.—(1) Where a coroner is informed that the dead body of a person is lying within his jurisdiction and there is reasonable cause to suspect that the person has died a sudden death of which the cause is unknown, if the coroner is of opinion that a post-mortem examination may prove an inquest to be unnecessary he may direct any legally qualified medical practitioner whom, if an inquest were held, he would be entitled under section twenty-one of the Coroners Act, 1887, to summon as a medical witness or may request any other legally qualified medical practitioner, to make a post-mortem examination of the body of the deceased and to report the result thereof to him in writing, and for the purposes of the examination the coroner and any person directed or requested by him to make the examination shall have the like powers, authorities and immunities as if the examination were a post-mortem examination directed by the coroner at an inquest upon the body of the deceased.

Post-mortem examination without inquest.

(2) If as a result of such a post-mortem examination as aforesaid the coroner is satisfied that an inquest is unnecessary, he shall send to the registrar of deaths whose duty it is by law to register the death a certificate under his hand stating the cause of death as disclosed by the report, and the registrar shall make an entry in the register or margin thereof accordingly in the form and manner prescribed under the Registration Acts.

(3) Nothing in this section shall be construed as authorising the coroner to dispense with an inquest in any case where there is reasonable cause to suspect that the deceased has died either a violent or an unnatural death, or has died in prison, or in such place or in such circumstances as to necessitate the holding of an inquest in accordance with the requirements of any Act other than the Coroners Act, 1887.

A.D. 1926.  
—  
Power of  
coroner to  
request  
specially  
qualified  
persons to  
make post-  
mortem and  
special ex-  
aminations.

**22.**—(1) Without prejudice to the power of a coroner holding an inquest to direct a medical witness whom he may summon under section twenty-one of the Coroners Act, 1887, to make a post-mortem examination of the body of the deceased, the coroner may, at any time after he has decided to hold an inquest, request any legally qualified medical practitioner to make—

- (a) a post-mortem examination of the body of the deceased; or
- (b) a special examination by way of analysis, test or otherwise of such parts or contents of the body or such other substances or things as ought in the opinion of the coroner to be submitted to analyses, tests or other special examination with a view to ascertaining how the deceased came by his death;

or to make both such examinations, or may request any person whom he considers to possess special qualification for conducting such a special examination as aforesaid (in this Act referred to as a “special examination”) to make the special examination.

(2) If any person who has made such a post mortem or special examination as aforesaid is summoned by the coroner as a witness, he may be asked to give evidence as to his opinion upon any matter arising out of the examination, and as to how in his opinion the deceased came by his death.

(3) The provisions of this Act prescribing the fee payable to medical witnesses shall not apply with respect to any examination made at the request of the coroner under this section, but the fees payable in respect of any such examination shall be such as may be prescribed by the schedule of fees, allowances, and disbursements made by a local authority under section twenty-five of the Coroners Act, 1887, or by rules made by the Secretary of State under this Act.

(4) Where a person states upon oath before the coroner that in his belief the death of the deceased was caused partly or entirely by the improper or negligent treatment of a medical practitioner or other person, the



at any such post-mortem examination.

**23.**—The fees payable to a legally qualified medical practitioner who has made any post-mortem examination by the direction or at the request of a coroner, or who has attended an inquest in obedience to a summons of a coroner under the Coroners Act, 1887, shall (save as in this Act otherwise expressly provided) be as follows, that is to say:—

Fees to  
medical  
witnesses.

- (a) for attending to give evidence at any inquest whereat no post-mortem examination has been made by the practitioner, one-and-a-half guineas for each day on which he is required to attend; and
- (b) for making a post-mortem examination of the body of the deceased and reporting the result thereof to the coroner without attending to give evidence at an inquest, two guineas; and
- (c) for making a post-mortem examination of the body of the deceased (including the making of a report, if any, of the result thereof to the coroner) and for attending to give evidence at an inquest on the body, three guineas for the first day and one-and-a-half guineas for each subsequent day on which the practitioner is required to attend:

Provided that no fee or remuneration shall be paid to a medical practitioner for the purpose of a post-mortem examination instituted without the previous direction or request of the coroner.

**24.**—(1) Where by the direction or at the request of a coroner a post-mortem examination of a body is to be made, the coroner may, subject as hereinafter provided, order the removal of the body to any place which may be provided for the purpose either within his jurisdiction or within any adjoining area in which another coroner has jurisdiction:

Power of  
removal of  
body for  
post-  
mortem ex-  
amination.

Provided that the coroner shall not under this section order the removal of the body to any place other than a place within his jurisdiction provided by a sanitary authority or nuisance authority except with the

[CH. 59.] *Coroners (Amendment)* [16 & 17 GEO. 5.  
*Act, 1926.*

A.D. 1926; consent of the person or authority by whom the place is  
— provided.

(2) Where a coroner orders under this section the removal of a body to any place outside his jurisdiction he may authorise the burial of the body after examination, notwithstanding that it is outside his jurisdiction and if he does not do so he shall order the removal of the body after examination to a place within his jurisdiction.

(3) The removal of a body in pursuance of an order made by a coroner under this section to any place outside his jurisdiction shall not affect his powers and duties in relation to the body or the inquest thereon, nor shall it confer or impose any rights, powers or duties upon any other coroner.

(4) The expenses of any removal ordered by a coroner under this section shall be defrayed as part of the expenses incurred by him in the course of his duties.

*Miscellaneous and General.*

Procedure where person charged on coroner's inquisition. **25.**—(1) Where a coroner's inquisition charges any person with murder, manslaughter or infanticide, the coroner shall, subject to any rules made under this section, have the like powers as to committing that person for trial as might be exercised by examining justices if he were charged before them.

(2) The Lord Chancellor may, subject to the express provisions of this and of any other Act, make rules for regulating the practice and procedure in relation to proceedings in the case of persons charged by a coroner's inquisition with murder, manslaughter or infanticide, and such rules may apply to such proceedings the provisions of sections eleven, thirteen, and fourteen of the Criminal Justice Act, 1925, and of any other enactment relating to venue in indictable offences and to the power of justices to bind over witnesses and to commit to convenient assizes, with such modifications as may be necessary for giving effect to the provisions of this section.

these rules shall apply to coroners' inquests except in so far as they may be applied thereto by rules made under this Act.

**26.** The Lord Chancellor may, with the concurrence of the Secretary of State, make rules for regulating the practice and procedure at or in connection with inquests and post-mortem examinations and, in particular (without prejudice to the generality of the foregoing provision), such rules may provide—

Power to make rules.

- (a) as to the procedure at inquests held without a jury; and
- (b) as to the issue by coroners of orders authorising burials; and
- (c) for empowering a coroner or his deputy or assistant deputy to alter the date fixed for the holding of any adjourned inquest within the jurisdiction of the coroner; and
- (d) as to the procedure to be followed where a coroner decides not to resume an adjourned inquest; and
- (e) as to the notices to be given and as to the variation or discharge of any recognisances entered into by jurymen or witnesses where the date fixed for an adjourned inquest is altered or where a coroner decides not to resume an adjourned inquest.

**27.** The power of the Lord Chancellor under this Act to make rules with respect to any matter shall include power to prescribe by such rules the forms to be used in connection with that matter and to revoke or amend any forms which are directed or authorised by or under any statute to be used in connection with that matter and to substitute new forms for any of such forms.

Prescription of forms.

**28.**—(1) Section twenty-eight of the Coroners Act, 1887, under which borough coroners are required to furnish yearly returns to the Secretary of State shall apply to all other coroners in like manner as it applies to borough coroners.

Coroners' returns.

[CH. 59.] *Coroners (Amendment)* [16 & 17 GEO. 5.  
Act, 1926.

A.D. 1926. — (2) In addition to the yearly returns to be furnished under the said section, every coroner shall, as and when required by the Secretary of State, furnish to the Secretary of State returns in relation to inquests held and deaths inquired into by him in such form and containing such particulars as the Secretary of State may direct.

Amend-  
ments as to  
payments  
to or by  
coroners. **29.**—(1) The power of a local authority under section twenty-five of the Coroners Act, 1887, to make a schedule of fees, allowances and disbursements which may lawfully be paid and made by a coroner on the holding of an inquest, shall be extended so as to permit any schedule so made to include any fees, allowance and disbursements which may lawfully be paid and made by a coroner in the course of his duties.

(2) The Secretary of State may make rules prescribing—

(a) the fees payable to coroners or other persons for furnishing copies of inquisitions, depositions or other documents in their custody relating to an inquest, whether furnished under subsection (5) of section eighteen of the Coroners Act, 1887 or otherwise;

(b) the fees, allowances and disbursements which may lawfully be paid or made by a coroner (other than such fees payable to medical witnesses as are prescribed by section twenty-three of this Act) where in the opinion of the Secretary of State adequate provision is not made therefor by a schedule of fees under section twenty-five of the said Act.

Consequen-  
tial and  
minor  
amendments  
of 50 & 51  
Vict. c. 71. **30.** The amendments in the second column of the Second Schedule to this Act (which relate to consequential matters and to matters of minor detail) shall be made in the provisions of the Coroners Act, 1887 specified in the first column of that schedule.

Repeals. **31.** Subject as hereinafter provided the enactments mentioned in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of

districts or for the alteration of an existing division of a county into coroners' districts, as the case may be, made by the Secretary of State under this Act.

**32.** From and after the occurrence of the next vacancy in the office of coroner for the city of London, the provisions of this Act and of any other enactment relating to the office of borough coroner or to borough coroners shall apply with respect to the city of London as if the common council were the local authority and as if the coroner for the city of London were a borough coroner, and any expenses of the common council under the said enactments shall be defrayed out of the general rate.

Application of Coroners Acts to city of London.

**33.** The provisions of the Yorkshire Coroners Act, 1897, and of the Lincolnshire Coroners Act, 1899, which relate respectively to the constitution of the ridings of Yorkshire and the divisions of Lincolnshire as separate counties for the purposes of the Coroners Acts, 1844, 1887 and 1892, shall apply for the purposes of this Act as they apply for the purposes of those Acts.

Application of enactments relating to ridings of Yorkshire and divisions of Lincolnshire.  
60 & 61 Vict. c. 39.  
62 & 63 Vict. c. 48.

**34.—(1)** This Act may be cited as the Coroners (Amendment) Act, 1926, and this Act and the Coroners Acts, 1887 and 1892, may be cited together as the Coroners Acts, 1887 to 1926.

Short title, citation, construction, extent and commencement.

(2) Except where the context otherwise requires, references in this Act to the Coroners Act, 1887, and to the Coroners Act, 1892, shall be construed as references to those Acts as amended by this Act and this Act shall be construed as one with those Acts.

(3) This Act shall not extend to Scotland or to Northern Ireland.

(4) Save as is in this Act otherwise expressly provided, this Act shall come into operation on the first day of May, nineteen hundred and twenty-seven.

[CH. 59.]      *Coroners (Amendment)* [16 & 17 GEO. 5.  
Act, 1926.

A.D. 1926.

SCHEDULES.

Section 6.

FIRST SCHEDULE.

SCALE OF PENSIONS.

1. An annual pension not exceeding ten-sixtieths of the last annual salary may be granted after the completion of period of service of five years.

2. Where the period of service completed exceeds five years there may be granted an annual pension not exceeding ten sixtieths of the last annual salary, with the addition of an amount not exceeding one-fortieth of the last annual salary for each completed year's service after five years, so, however, that no such annual pension shall be of an amount exceeding two-thirds of the last annual salary.

3. For the purposes of this schedule the last annual salary of a coroner shall be taken to be the salary paid to him in respect of his last completed year of service as coroner, after deducting so much if any of that salary as was paid to the coroner with a view to his providing at his own expense for any necessary expenditure in connection with his duties as coroner, and if an dispute arises as to the amount to be deducted under this paragraph in computing the salary of a coroner the dispute shall be referred to the Secretary of State whose decision thereon shall be final and conclusive.

Section 30.

SECOND SCHEDULE.

CONSEQUENTIAL AND MINOR AMENDMENTS TO  
CORONERS ACT, 1887.

Enactment  
amended.

Amendment.

Section 3      -      In subsection (1) for the words "twelve not more than twenty-three" there shall be substituted

- Section 5 - In subsection (1) the words "against the person so charged" shall cease to have effect.
- Section 7 - In subsection (1) the words "and where a body  
" is found dead in the sea, or any creek,  
" river, or navigable canal within the flowing  
" of the sea where there is no deputy coroner  
" for the jurisdiction of the Admiralty of  
" England, the inquest shall be held only  
" by the coroner having jurisdiction in the  
" place where the body is first brought to  
" land," shall cease to have effect, and in  
subsections (2) and (3) the words "or a  
" coroner or deputy coroner for the jurisdic-  
" tion of the Admiralty of England" shall  
cease to have effect.
- Section 8 - In subsection (2) the words "if he is a coroner  
" for a county, a writ shall issue for an  
" election of another coroner, and if he is a  
" coroner of a borough, the council of the  
" borough, and if he is a coroner for a  
" franchise the lord or other person or persons  
" entitled to the appointment of the coroner,  
" shall forthwith proceed to appoint" shall  
cease to have effect, and there shall be  
inserted after the words "another coroner"  
the words "shall be appointed in like  
" manner".
- Section 18 - In paragraph (1) the words "and in the case of  
" murder or manslaughter also under the  
" seals" shall cease to have effect; in para-  
graph (3) the words "of the finding of the  
" jury" shall cease to have effect; and  
paragraph (6) shall cease to have effect.
- Section 19 - In subsection (2) there shall be substituted for  
the words "forty shillings" the words "five  
" pounds."
- Section 21 - In subsections (2) and (3) the words "with or  
" without an analysis of the contents of the  
" stomach or intestines" shall cease to have  
effect.

[CH. 59.] *Coroners (Amendment)* [16 & 17 GEO. 5.  
Act, 1926.]

A.D. 1926. — 2ND SCH. —cont.	Enactment amended.	Amendment.
	Section 25	- The words "on the holding of an inquest" shall cease to have effect, and there shall be substituted for the words "the coroner holding such inquest" the words "a coroner in the course of his duties."
	Section 26	- The words "not exceeding the fees fixed by this Act" shall cease to have effect, and there shall be substituted for the words "sums set forth in the schedule of fees for the time being in force under this Act, and the sum so paid" the words "fees, allowances and disbursements which may be lawfully paid or made under this Act, and any fees, allowances or disbursements so paid or made."
	Section 27	- In subsection (1) there shall be substituted for the words "holding an inquest, cause a full and true account of all sums paid" the words "paying or making any fees, allowance or disbursements in accordance with the provisions of this Act, cause a full and true account of all fees, allowances, and disbursements so paid or made": in subsection (2) the words "with the addition, in the case of a coroner of a borough, of six shillings and eight pence for each inquest" shall cease to have effect.

Section 31.

THIRD SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
7 & 8 Vict.	The Coroners Act,	Sections two, three, four and



Chapter.		
36 & 37 Vict. c. 81.	The Langbaugh Coroners Act, 1873.	In section three, the third paragraph.
45 & 46 Vict. c. 50.	The Municipal Corporations Act, 1882.	Subsections (3) and (4) of section one hundred and seventy-one; in the Fourth Schedule, paragraph 3; and in the Fifth Schedule the words in paragraph 4 of Part II. thereof “and under this Act to the borough coroner”.
50 & 51 Vict. c. 71.	The Coroners Act, 1887.	In section four in subsection (1) thereof the words “and jury” and the words “view the body, and the coroner shall,” in subsection (3) thereof the words “viewing the body and”, and subsection (5) thereof; in section five in subsection (1) thereof the words “against the person so charged;” in section seven in subsection (1) thereof the words from “and where a body” to the end of the subsection, and in subsections (2) and (3) thereof the words “or a coroner or a deputy coroner for the jurisdiction of the Admiralty of England”; in section eight in subsection (2) thereof the words from “if he is a coroner for a county” to “appoint”; section twelve; in section eighteen in paragraph (1) thereof the words “and in the case of murder or manslaughter also under the seals”, in paragraph (3)

A.D. 1926. — 3RD SCH. —cont.	Session and Chapter.	Short Title.	Extent of Repeal.
	50 & 51 Vict. c. 71—cont.	- . . . .	thereof the words “of “ the finding of the “ jury”, and paragraph (6) thereof; in section twenty-one in subsections (2) and (3) thereof the words “with or without “ an analysis of the con- “ tents of the stomach “ or intestines”; section twenty - two; section twenty-four; in section twenty-five the words “on the holding of an “ inquest”; in section twenty-six the words “not exceeding the fees “ fixed by this Act”; section twenty-seven, in subsection (2) thereof the words from “with the “ addition” to “in- “ quest”; in section twenty-eight the words “of a borough”; in sec- tion thirty-nine, paragraph (2) thereof.
	55 & 56 Vict. c. 56.	The Coroners Act, 1892.	In section one—in sub- section (1) thereof the words “not being an “ alderman or councillor of “ such council”; in sub- section (3) thereof, the words from “In the case of” to the end of the subsection, and, in sub- section (4) thereof, the words “and one certificate “ may extend to the “ period of the vacancy”; and subsection (6).

Chapter.	SHORT TITLE.	EXTENT OF REPEAL.
8 & 9 Geo. 5. c. 23.	The Juries Act, 1918 -	The whole Act so far as in force.
11 & 12 Geo.5. c. 30.	The Coroners Act, 1921	The whole Act so far as it relates to coroners paid out of county or borough rates.

3RD SCH.  
—cont.

Printed by EYRE and SPOTTISWOODE, LTD.,  
FOR  
WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of  
Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:  
Adastral House, Kingsway, London, W.C. 2; 120, George Street, Edinburgh;  
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;  
15, Donegall Square West, Belfast;  
or through any Bookseller.

ISBN 0 10 516689 8