

# CORONERS AND JUSTICE ACT 2009

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## EXPLANATORY NOTES

### THE ACT

#### *Commentary on Sections*

#### **Part 1 - Coroners etc**

#### *Chapter 3: Coroner areas, appointments etc*

#### *Section 22 and Schedule 2: Coroner areas*

203. This section gives effect to Schedule 2 which provides for England and Wales to be divided into coroner areas and gives the Lord Chancellor the power to set and alter the boundaries of these areas (by order subject to the negative resolution procedure) after consultation with the relevant local authorities, Welsh Ministers, and any other persons the Lord Chancellor thinks appropriate. Each coroner area will cover either the whole of one local authority area or the whole of two or more local authority areas (although this provision will not apply in relation to coroner areas specified in the transitional order made under paragraph 1(1) of Schedule 22).
204. Where the area includes two or more local authorities (*paragraph 3 of Schedule 2*), one of them will be the lead authority for the area, known as the “relevant authority”. If the local authorities cannot agree which of them should be the relevant authority, the Lord Chancellor will decide on their behalf, consulting the Secretary of State for Communities and Local Government in respect of local authorities in England, and Welsh Ministers in respect of local authorities in Wales.
205. The Lord Chancellor may alter, by order subject to the negative resolution procedure, and change the names of, coroner areas using a similar consultation procedure.
206. The Schedule also makes provision in *paragraph 4* in relation to bodies which are situated outside the senior coroner’s area. Once a senior coroner is responsible for conducting an investigation into a death, the fact that the body is outside that coroner’s area does not change his or her functions in relation to the death or give another senior coroner any functions in relation to the death. This is broadly equivalent to the provision in section 22(3) of the 1988 Act.