

Western Australia

Coroners Amendment Bill 2017

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Western Australia

LEGISLATIVE ASSEMBLY

Coroners Amendment Bill 2017

A Bill for

An Act to amend the *Coroners Act 1996*.

The Parliament of Western Australia enacts as follows:

s. 1

1 **1. Short title**

2 This is the *Coroners Amendment Act 2017*.

3 **2. Commencement**

4 This Act comes into operation as follows —

5 (a) sections 1 and 2 — on the day on which this Act
6 receives the Royal Assent;

7 (b) the rest of the Act — on the day after that day.

8 **3. Act amended**

9 This Act amends the *Coroners Act 1996*.

10 **4. Section 19A inserted**

11 After section 19 insert:

12

13 **19A. Certain reportable deaths do not require**
14 **investigation**

15 (1) A coroner is not required to investigate, or continue to
16 investigate, a reportable death if the coroner determines
17 that —

18 (a) the death is due to natural causes; and

19 (b) the death is a reportable death solely because it
20 appears to have been unexpected.

21 (2) For the purposes of subsection (1)(a), a coroner may
22 determine that a death is due to natural causes if a
23 pathologist informs the coroner in writing that, in the
24 pathologist's opinion, the death is due to natural causes
25 or consistent with natural causes.

- 1 (3) However, a determination cannot be made under
2 subsection (1) about a reportable death if —
3 (a) there is a duty to hold an inquest into the death
4 under this Act; or
5 (b) the death occurred during an anaesthetic.
- 6 (4) If a determination is made under subsection (1), the
7 coroner must notify the Registrar of Births, Deaths and
8 Marriages as soon as possible of the particulars (if any)
9 found by the coroner which are needed to register the
10 death.
11

12 **5. Section 25 amended**

13 After section 25(1) insert:
14

- 15 (1A) However, a coroner is not under a duty to make a
16 finding under subsection (1)(b) as to how death
17 occurred, even if it is possible to do so, if —
18 (a) there is no duty to hold an inquest into the
19 death under this Act; and
20 (b) the coroner determines that there is no public
21 interest to be served in making a finding as to
22 how the death occurred.
23

24 **6. Section 28 amended**

25 In section 28(1) after “particulars” insert:
26

27 (if any)
28

29
