

**First Session Fifth Parliament Republic of Trinidad
and Tobago**



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 17 of 1996

[L.S.]

AN ACT to amend the Coroners Act, Chap. 6:04

[Assented to 8th July, 1996]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:—

1. This Act may be cited as the Coroners Short title
(Amendment) Act, 1996.

Interpretation
Chap. 6:04

2. In this Act “the Act” means the Coroners Act.

Section 2 amended

2A. Section 2 of the Act is amended by inserting after the definition of “District Medical Officer” the following new definition:

“preliminary investigation” means the examination of the report of the District Medical Officer and of any other relevant documents submitted to the Coroner.

Section 3A inserted

3. The following section is inserted after section 3 of the Act:

“Appointment
of persons
other than
Magistrates
as Coroners

3A. (1) Notwithstanding section 3, the Judicial and Legal Service Commission may appoint persons other than Magistrates as Coroners.

Chap. 4:20

(2) Every person appointed under subsection (1) shall, before he performs the functions of a Coroner, take and subscribe to the oath of office with suitable amendments set out in the Seventh Schedule of the Summary Courts Act.

(3) A Coroner appointed under this section shall have all the powers, privileges, rights and jurisdiction of a Magistrate and Justice as are necessary for the performance of his duties.

(4) The Chief Justice may assign any number of Coroners to one magisterial district or one Coroner to any number of districts.”

Section 10 repealed

4. The Act is amended by repealing section 10 and substituting the following new section:

“Preliminary
investigation

10. (1) A Coroner having received the report of the District Medical Officer as to the cause of death of any person, shall carry out a preliminary investigation as to the cause and circumstances of the death.

(2) Where upon the completion of the preliminary investigation the Coroner finds that the circumstances of the case warrant no further enquiry he shall deliver his findings in open Court on such date, time and place to be fixed by the Clerk of the Peace of the district to which the Coroner has been assigned.

(3) The Clerk of the Peace shall cause written notice to be given to the investigating officer, and any parties interested therein, of the date, time and place for the delivery of the findings.

Inquest

10A. Where upon the completion of the preliminary investigation the Coroner finds that the circumstances of the case warrant further enquiry he shall hold an inquest in accordance with this Act.”.

5. Section 14 of the Act is repealed and the following Section 14 repealed substituted:

“Fees

14. There shall be paid for the viewing of the body of any deceased person and for the autopsy thereon the fees set out hereunder—

- (a) for viewing the body of a deceased person—\$50.00;
- (b) for an autopsy performed by a District Medical Officer or his substitute (not being a pathologist)—\$100.00;
- (c) for an autopsy performed by a pathologist—\$300.00.”.

6. Section 15 of the Act is amended by inserting after the Section 15 amended word “hold” the words “a preliminary investigation or”.

Heading amended

7. The heading "PROCEEDINGS AT INQUEST" immediately before section 20 of the Act is repealed, and the heading "PROCEEDINGS AT INQUEST AND PRELIMINARY INVESTIGATION" substituted.

Sections 30A and 30B,
inserted

8. The Act is amended by inserting after section 30 the following sections:

"Where no
further
enquiry
warranted

30A. If upon the completion of a preliminary investigation the Coroner is of opinion that the circumstances of the case warrant no further enquiry, he shall certify his opinion to that effect and transmit the proceedings to the Director of Public Prosecutions.

Director of
Public
Prosecutions
may require
inquest to be
held

30B. Where on receipt of the proceedings under section 30A it appears to the Director of Public Prosecutions that further enquiry is necessary he may, by direction under his hand, require a Coroner to hold an inquest, whereupon the Coroner shall hold the inquest in accordance with this Act."

Section 34 amended

9. Section 34 of the Act is amended by inserting after the word "all" the words "preliminary investigations and".

Passed in the House of Representatives this 10th day of May, 1996.

J. SAMPSON

Clerk of the House

Passed in the Senate this 18th day of June, 1996.

N. COX

Clerk of the Senate

Senate amendment agreed to in the House of Representatives this 21st day of June, 1996.

J. SAMPSON

Clerk of the House