

AUSTRALIAN CAPITAL TERRITORY

PROPOSED CORONERS ORDINANCE 1965

EXPLANATORY MEMORANDUM

No. 5 of 1965

The Coroners Ordinance 1956 of the Australian Capital Territory makes provision for a single Coroner and such Deputy Coroners as may be appointed. When there was only one stipendiary magistrate, the practice was to appoint him to be the Coroner and to appoint private persons to be Deputy Coroners.

There are now three stipendiary magistrates appointed for the Territory, as well as several special magistrates. It is desired that each of these persons shall, as occasion arises, be able to act as a coroner.

The principal purpose of the amending Ordinance now proposed, therefore, is to alter the Ordinance so that it will provide that each stipendiary magistrate and each special magistrate shall ex officio be a coroner. Power to appoint such Deputy Coroners as may be necessary in the Territory will be retained. The Ordinance is in force in the Australian Antarctic Territory and it is desirable to have Deputy Coroners appointed for that Territory also.

The opportunity is being taken to amend section 34 of the Ordinance. As it stands, the section may require the Coroner, in the circumstances described in the section, to fix the date of the adjourned inquest before the result of the court proceedings is known. This is inconvenient, as it often is not possible to know beforehand when the result of the court proceedings will be known. The amendment proposed will enable the Coroner to adjourn the inquest but to delay fixing the date to which it is adjourned until after the result of the court proceedings is known.

(Sgd,) B. M. SNEDDEN