

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 29 October, 1970.*

## New South Wales



ANNO UNDEVICESIMO

## ELIZABETHÆ II REGINÆ

\*\*\*\*\*

Act No. , 1970.

An Act to enable stipendiary magistrates to delegate certain of their coronial jurisdiction, powers and duties; to provide for the entry into certain places for the purposes of inquests, inquiries or magisterial inquiries; for these purposes to amend the Coroners Act, 1960, and to repeal the Coroners (Amendment) Act, 1969; and for purposes connected therewith.

BE

*Coroners (Amendment).*

5 **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Coroners (Amendment) Act, 1970". Short title.

2. (1) The Coroners Act, 1960, is amended—

Amendment  
of Act No.  
2, 1960.

10 (a) by inserting next after section eight the following new section:—

New sec.  
8A.

8A. (1) A stipendiary magistrate may, by instrument in writing, delegate his jurisdiction, powers and duties—

Delegation  
by  
stipendiary  
magistrates.

15 (a) to issue burial and cremation orders;

(b) to dispense with the holding of an inquest where death results from natural causes; or

20 (c) in respect of any prescribed matters relative to his jurisdiction, powers and duties as a coroner,

to an officer of the court at which he acts as coroner and may in like manner revoke wholly or in part any such delegation.

25 (2) Any jurisdiction, power or duty delegated under this section may, while the delegation remains unrevoked, be exercised or performed from time to time by the delegate.

30 (3) Notwithstanding any delegation made under this section, the stipendiary magistrate may continue to exercise or perform any jurisdiction, power or duty delegated.

(4)

*Coroners (Amendment).*

5 (4) Any act or thing done or suffered by the delegate when acting in pursuance of a delegation made under this section shall have the like force or effect as if the act or thing had been done or suffered by the stipendiary magistrate who made the delegation.

10 (b) (i) by omitting from subsection two of section nine the words "Except as hereinafter provided a person" and by inserting in lieu thereof the words "Except as provided in section 8A of this Act a person"; (Stipendiary magistrates to act as coroners in certain police districts.)  
(ii) by omitting subsection three of the same section;

15 (c) by inserting next after section thirty-eight the following new section :— New sec. 38A.

20 38A. (1) Where a coroner, justice or justices considers or consider that an examination should, for the purposes of an inquest, inquiry or magisterial inquiry, be made in relation to any place or that any measurements or photographs should, for those purposes, be taken in relation to any place, he or they may issue an order in writing to a specified person authorising him to enter any specified place during a specified period and to— Order authorising entry of certain places.

25 (a) make such examination of—  
(i) the nature and condition of the place or any equipment or machinery therein or thereon; or  
(ii) any other matter or thing; or

30 (b) take such measurements or photographs, as is or are specified or referred to in the order.

(2) An order may be made under subsection one of this section—

(a) before the commencement; or

(b)

---

*Coroners (Amendment).*

---

(b) after the commencement and before the completion,

of the inquest, inquiry or magisterial inquiry referred to in that subsection.

5 (3) A person to whom an order is issued under subsection one of this section may, during the specified period enter the specified place and—

(a) make the examination; or

10 (b) take the measurements or photographs, specified or referred to in the order.

(4) A person who, upon production to him of an order issued under subsection one of this section, obstructs or hinders the person to whom the order was issued in the exercise of his powers under this section arising by virtue of the order shall be guilty of an offence against this Act.

15 (5) In this section—  
“place” includes—

(a) land;

20 (b) premises or a mine; and

(c) a ship, aeroplane or other vessel or vehicle;

25 “specified”, in relation to an order issued under subsection one of this section, means specified in the order.

(2) The Coroners (Amendment) Act, 1969, is hereby repealed.

Repeal of  
Act No. 1,  
1969.  
(Conse-  
quential.)

---

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970

[5c]

No. , 1970.

# A BILL

To enable stipendiary magistrates to delegate certain of their coronial jurisdiction, powers and duties; to provide for the entry into certain places for the purposes of inquests, inquiries or magisterial inquiries; for these purposes to amend the Coroners Act, 1960, and to repeal the Coroners (Amendment) Act, 1969; and for purposes connected therewith.

[MR MADDISON —27 October, 1970.]

BE

*Coroners (Amendment).*

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Coroners (Amendment) Act, 1970". Short title.

2. (1) The Coroners Act, 1960, is amended—

Amendment of Act No. 2, 1960.

(a) by inserting next after section eight the following new section:— New sec. 8A.

8A. (1) A stipendiary magistrate may, by instrument in writing, delegate his jurisdiction, powers and duties— Delegation by stipendiary magistrates.

(a) to issue burial and cremation orders;

(b) to dispense with the holding of an inquest where death results from natural causes; or

(c) in respect of any prescribed matters relative to his jurisdiction, powers and duties as a coroner,

to an officer of the court at which he acts as coroner and may in like manner revoke wholly or in part any such delegation.

(2) Any jurisdiction, power or duty delegated under this section may, while the delegation remains unrevoked, be exercised or performed from time to time by the delegate.

(3) Notwithstanding any delegation made under this section, the stipendiary magistrate may continue to exercise or perform any jurisdiction, power or duty delegated.

(4)

*Coroners (Amendment).*

5 (4) Any act or thing done or suffered by the delegate when acting in pursuance of a delegation made under this section shall have the like force or effect as if the act or thing had been done or suffered by the stipendiary magistrate who made the delegation.

- 10 (b) (i) by omitting from subsection two of section nine the words "Except as hereinafter provided a person" and by inserting in lieu thereof the words "Except as provided in section 8A of this Act a person"; Sec. 9. (Stipendiary magistrates to act as coroners in certain police districts.)
- (ii) by omitting subsection three of the same section;

15 (c) by inserting next after section thirty-eight the following new section :— New sec. 38A.

20 38A. (1) Where a coroner, justice or justices considers or consider that an examination should, for the purposes of an inquest, inquiry or magisterial inquiry, be made in relation to any place or that any measurements or photographs should, for those purposes, be taken in relation to any place, he or they may issue an order in writing to a specified person authorising him to enter any specified place during a specified period and to— Order authorising entry of certain places.

- 25 (a) make such examination of—
  - (i) the nature and condition of the place or any equipment or machinery therein or thereon; or
  - (ii) any other matter or thing; or
- 30 (b) take such measurements or photographs, as is or are specified or referred to in the order.

(2) An order may be made under subsection one of this section—

- (a) before the commencement; or
- (b)

---

*Coroners (Amendment).*

---

(b) after the commencement and before the completion,

of the inquest, inquiry or magisterial inquiry referred to in that subsection.

5 (3) A person to whom an order is issued under subsection one of this section may, during the specified period enter the specified place and—

(a) make the examination; or

10 (b) take the measurements or photographs, specified or referred to in the order.

(4) A person who, upon production to him of an order issued under subsection one of this section, obstructs or hinders the person to whom the order was issued in the exercise of his powers under this section arising by virtue of the order shall be guilty of an offence against this Act.

15 (5) In this section—

“place” includes—

20 (a) land;

(b) premises or a mine; and

(c) a ship, aeroplane or other vessel or vehicle;

25 “specified”, in relation to an order issued under subsection one of this section, means specified in the order.

(2) The Coroners (Amendment) Act, 1969, is hereby repealed.

Repeal of Act No. 1, 1969. (Consequential.)

---

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970  
[5c]



*PROOF*

## **CORONERS (AMENDMENT) BILL, 1970**

---

### **EXPLANATORY NOTE**

THE objects of this Bill are—

- (a) to enable any stipendiary magistrate to delegate his jurisdiction, powers and duties as to—
  - (i) issuing burial and cremation orders;
  - (ii) dispensing with the holding of an inquest; or
  - (iii) such other matters as are prescribed by the regulations;
- (b) to enable a coroner, justice or justices to issue an order authorising a person to enter a place and to make an examination, or take measurements and photographs, for the purposes of an inquest, inquiry or magisterial inquiry; and
- (c) to make other provisions of a consequential or ancillary character.

1000

No. , 1970.

# A BILL

To enable stipendiary magistrates to delegate certain of their coronial jurisdiction, powers and duties; to provide for the entry into certain places for the purposes of inquests, inquiries or magisterial inquiries; for these purposes to amend the Coroners Act, 1960, and to repeal the Coroners (Amendment) Act, 1969; and for purposes connected therewith.

[MR MADDISON —27 October, 1970.]

BE

*Coroners (Amendment).*

5 **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Coroners (Amendment) Act, 1970". Short title.

2. (1) The Coroners Act, 1960, is amended—

Amendment  
of Act No.  
2, 1960.

10 (a) by inserting next after section eight the following new section:—

New sec.  
8A.

8A. (1) A stipendiary magistrate may, by instrument in writing, delegate his jurisdiction, powers and duties—

Delegation  
by  
stipendiary  
magistrates.

- 15 (a) to issue burial and cremation orders;
- (b) to dispense with the holding of an inquest where death results from natural causes; or
- 20 (c) in respect of any prescribed matters relative to his jurisdiction, powers and duties as a coroner,

to an officer of the court at which he acts as coroner and may in like manner revoke wholly or in part any such delegation.

25 (2) Any jurisdiction, power or duty delegated under this section may, while the delegation remains unrevoked, be exercised or performed from time to time by the delegate.

30 (3) Notwithstanding any delegation made under this section, the stipendiary magistrate may continue to exercise or perform any jurisdiction, power or duty delegated.

(4)

*Coroners (Amendment).*

5 (4) Any act or thing done or suffered by the delegate when acting in pursuance of a delegation made under this section shall have the like force or effect as if the act or thing had been done or suffered by the stipendiary magistrate who made the delegation.

10 (b) (i) by omitting from subsection two of section nine the words "Except as hereinafter provided a person" and by inserting in lieu thereof the words "Except as provided in section 8A of this Act a person"; (Stipendiary magistrates to act as coroners in certain police districts.)  
(ii) by omitting subsection three of the same section;

15 (c) by inserting next after section thirty-eight the following new section :— New sec. 38A.

20 38A. (1) Where a coroner, justice or justices considers or consider that an examination should, for the purposes of an inquest, inquiry or magisterial inquiry, be made in relation to any place or that any measurements or photographs should, for those purposes, be taken in relation to any place, he or they may issue an order in writing to a specified person authorising him to enter any specified place during a specified period and to— Order authorising entry of certain places.

25 (a) make such examination of—  
(i) the nature and condition of the place or any equipment or machinery therein or thereon; or  
(ii) any other matter or thing; or  
30 (b) take such measurements or photographs, as is or are specified or referred to in the order.

(2) An order may be made under subsection one of this section—

(a) before the commencement; or

(b)

---

*Coroners (Amendment).*

---

(b) after the commencement and before the completion,

of the inquest, inquiry or magisterial inquiry referred to in that subsection.

5 (3) A person to whom an order is issued under subsection one of this section may, during the specified period enter the specified place and—

(a) make the examination; or

10 (b) take the measurements or photographs, specified or referred to in the order.

(4) A person who, upon production to him of an order issued under subsection one of this section, obstructs or hinders the person to whom the order was issued in the exercise of his powers under this section arising by virtue of the order shall be guilty of an offence against this Act.

15 (5) In this section—

“place” includes—

20 (a) land;

(b) premises or a mine; and

(c) a ship, aeroplane or other vessel or vehicle;

25 “specified”, in relation to an order issued under subsection one of this section, means specified in the order.

(2) The Coroners (Amendment) Act, 1969, is hereby repealed.

Repeal of Act No. 1, 1969. (Consequential.)

---

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970

# New South Wales



ANNO UNDEVICESIMO

# ELIZABETHÆ II REGINÆ

\*\*\*\*\*

## Act No. 63, 1970.

An Act to enable stipendiary magistrates to delegate certain of their coronial jurisdiction, powers and duties; to provide for the entry into certain places for the purposes of inquests, inquiries or magisterial inquiries; for these purposes to amend the Coroners Act, 1960, and to repeal the Coroners (Amendment) Act, 1969; and for purposes connected therewith. [Assented to, 19th November, 1970.]

BE

*Coroners (Amendment).*

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.      **1.** This Act may be cited as the "Coroners (Amendment) Act, 1970".

Amendment of Act No. 2, 1960.

**2.** (1) The Coroners Act, 1960, is amended—

New sec. 8A.

(a) by inserting next after section eight the following new section :—

Delegation by stipendiary magistrates.

8A. (1) A stipendiary magistrate may, by instrument in writing, delegate his jurisdiction, powers and duties—

(a) to issue burial and cremation orders;

(b) to dispense with the holding of an inquest where death results from natural causes; or

(c) in respect of any prescribed matters relative to his jurisdiction, powers and duties as a coroner,

to an officer of the court at which he acts as coroner and may in like manner revoke wholly or in part any such delegation.

(2) Any jurisdiction, power or duty delegated under this section may, while the delegation remains unrevoked, be exercised or performed from time to time by the delegate.

(3) Notwithstanding any delegation made under this section, the stipendiary magistrate may continue to exercise or perform any jurisdiction, power or duty delegated.

(4)



---

*Coroners (Amendment).*

---

(4) Any act or thing done or suffered by the delegate when acting in pursuance of a delegation made under this section shall have the like force or effect as if the act or thing had been done or suffered by the stipendiary magistrate who made the delegation.

- (b) (i) by omitting from subsection two of section nine the words "Except as hereinafter provided a person" and by inserting in lieu thereof the words "Except as provided in section 8A of this Act a person";
- Sec. 9.  
(Stipendiary magistrates to act as coroners in certain police districts.)
- (ii) by omitting subsection three of the same section;
- (c) by inserting next after section thirty-eight the following new section :—
- New sec.  
38A.

38A. (1) Where a coroner, justice or justices considers or consider that an examination should, for the purposes of an inquest, inquiry or magisterial inquiry, be made in relation to any place or that any measurements or photographs should, for those purposes, be taken in relation to any place, he or they may issue an order in writing to a specified person authorising him to enter any specified place during a specified period and to—

Order authorising entry of certain places.

(a) make such examination of—

- (i) the nature and condition of the place or any equipment or machinery therein or thereon; or
- (ii) any other matter or thing; or

(b) take such measurements or photographs, as is or are specified or referred to in the order.

(2) An order may be made under subsection one of this section—

(a) before the commencement; or

(b)

---

*Coroners (Amendment).*

---

(b) after the commencement and before the completion,  
of the inquest, inquiry or magisterial inquiry referred to in that subsection.

(3) A person to whom an order is issued under subsection one of this section may, during the specified period enter the specified place and—

- (a) make the examination; or
- (b) take the measurements or photographs, specified or referred to in the order.

(4) A person who, upon production to him of an order issued under subsection one of this section, obstructs or hinders the person to whom the order was issued in the exercise of his powers under this section arising by virtue of the order shall be guilty of an offence against this Act.

(5) In this section—

“place” includes—

- (a) land;
- (b) premises or a mine; and
- (c) a ship, aeroplane or other vessel or vehicle;

“specified”, in relation to an order issued under subsection one of this section, means specified in the order.

(2) The Coroners (Amendment) Act, 1969, is hereby repealed.

Repeal of  
Act No. 1,  
1969.  
(Conse-  
quential.)

---

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970

*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 12 November, 1970.*

## New South Wales



ANNO UNDEVICESIMO

**ELIZABETHÆ II REGINÆ**

\*\*\*\*\*

**Act No. 63, 1970.**

An Act to enable stipendiary magistrates to delegate certain of their coronial jurisdiction, powers and duties; to provide for the entry into certain places for the purposes of inquests, inquiries or magisterial inquiries; for these purposes to amend the Coroners Act, 1960, and to repeal the Coroners (Amendment) Act, 1969; and for purposes connected therewith. [Assented to, 19th November, 1970.]

BE

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

L. A. PUNCH,  
*Chairman of Committees of the Legislative Assembly.*

*Coroners (Amendment).*

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title. **1.** This Act may be cited as the "Coroners (Amendment) Act, 1970".

Amendment  
of Act No.  
2, 1960.

New sec.  
8A.

Delegation  
by  
stipendiary  
magistrates.

**2.** (1) The Coroners Act, 1960, is amended—

(a) by inserting next after section eight the following new section:—

8A. (1) A stipendiary magistrate may, by instrument in writing, delegate his jurisdiction, powers and duties—

- (a) to issue burial and cremation orders;
- (b) to dispense with the holding of an inquest where death results from natural causes; or
- (c) in respect of any prescribed matters relative to his jurisdiction, powers and duties as a coroner,

to an officer of the court at which he acts as coroner and may in like manner revoke wholly or in part any such delegation.

(2) Any jurisdiction, power or duty delegated under this section may, while the delegation remains unrevoked, be exercised or performed from time to time by the delegate.

(3) Notwithstanding any delegation made under this section, the stipendiary magistrate may continue to exercise or perform any jurisdiction, power or duty delegated.

(4)

---

*Coroners (Amendment).*

---

(4) Any act or thing done or suffered by the delegate when acting in pursuance of a delegation made under this section shall have the like force or effect as if the act or thing had been done or suffered by the stipendiary magistrate who made the delegation.

- (b) (i) by omitting from subsection two of section 9. nine the words "Except as hereinafter provided a person" and by inserting in lieu thereof the words "Except as provided in section 8A of this Act a person"; (Stipendiary magistrates to act as coroners in certain police districts.)
- (ii) by omitting subsection three of the same section;

- (c) by inserting next after section thirty-eight the following new section :— New sec. 38A.

38A. (1) Where a coroner, justice or justices considers or consider that an examination should, for the purposes of an inquest, inquiry or magisterial inquiry, be made in relation to any place or that any measurements or photographs should, for those purposes, be taken in relation to any place, he or they may issue an order in writing to a specified person authorising him to enter any specified place during a specified period and to— Order authorising entry of certain places.

(a) make such examination of—

- (i) the nature and condition of the place or any equipment or machinery therein or thereon; or
- (ii) any other matter or thing; or

(b) take such measurements or photographs, as is or are specified or referred to in the order.

(2) An order may be made under subsection one of this section—

(a) before the commencement; or

(b)

---

*Coroners (Amendment).*


---

(b) after the commencement and before the completion,  
of the inquest, inquiry or magisterial inquiry referred to in that subsection.

(3) A person to whom an order is issued under subsection one of this section may, during the specified period enter the specified place and—

(a) make the examination; or

(b) take the measurements or photographs, specified or referred to in the order.

(4) A person who, upon production to him of an order issued under subsection one of this section, obstructs or hinders the person to whom the order was issued in the exercise of his powers under this section arising by virtue of the order shall be guilty of an offence against this Act.

(5) In this section—

“place” includes—

(a) land;

(b) premises or a mine; and

(c) a ship, aeroplane or other vessel or vehicle;

“specified”, in relation to an order issued under subsection one of this section, means specified in the order.

Repeal of  
Act No. 1,  
1969.  
(Conse-  
quential.)

(2) The Coroners (Amendment) Act, 1969, is hereby repealed.

*In the name and on behalf of Her Majesty I assent to this Act.*

A. R. CUTLER,  
*Governor*

*Government House,  
Sydney, 19th November, 1970.*