

TASMANIA

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**CORONERS AMENDMENT BILL 2005**

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# **CORONERS AMENDMENT BILL 2005**

*(Brought in by the Minister for Justice and Industrial Relations, the Honourable Judith Louise Jackson)*

## **A BILL FOR**

### **An Act to amend the *Coroners Act 1995***

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

#### **1. Short title**

This Act may be cited as the *Coroners Amendment Act 2005*.

#### **2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent.

#### **3. Principal Act**

In this Act, the *Coroners Act 1995*\* is referred to as the Principal Act.

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\*No. 73 of 1995

**4. Section 3 amended (Interpretation)**

Section 3 of the Principal Act is amended by inserting after subparagraph (x) in paragraph (a) of the definition of “reportable death” the following subparagraph:

- (xi) that occurs at, or as a result of an accident or injury that occurs at, the deceased person’s place of work, and does not appear to be due to natural causes; or

**5. Section 24 amended (Jurisdiction of coroner to hold inquest into a death)**

Section 24(1) of the Principal Act is amended by inserting after paragraph (e) the following paragraph:

- (ea) the deceased died at, or as a result of an accident or injury that occurred at, his or her place of work and the coroner is not satisfied that the death was due to natural causes; or

**6. Section 26A inserted**

After section 26 of the Principal Act, the following section is inserted in Part 5:

**26A. Decision by coroner to hold an inquest into a workplace death**

- (1) A coroner who decides to hold an inquest pursuant to section 24(1)(ea) must –

- (a) record the decision in writing; and
  - (b) specify the reasons for the decision; and
  - (c) as soon as practicable after making the decision, notify the senior next of kin of the deceased person, in writing, of the decision, including the reasons for the decision.
- (2) Within 14 days after receiving notice of a decision under subsection (1), the senior next of kin of the deceased person may, in writing, request the coroner not to hold the inquest.
- (3) If the senior next of kin makes that request, the coroner, despite section 24(1)(ea), may decline to hold the inquest if he or she is satisfied that it would not be contrary to the public interest or the interests of justice if the inquest were not held.