



Coroners Act (Northern Ireland) 1959

1959 CHAPTER 15

36 Rules and fees.

^{F1}(1) [^{F2}Rules under this section may]—

- (a) ^{F3} . . . make provision with respect to the records, accounts and returns which the [^{F4}relevant authority] may require coroners to keep and submit to [^{F5}it] and with respect to information to be supplied by coroners;]
- (b) ^{F6} . . . regulate the practice and procedure at or in connection with inquests . . . ^{F7} and, in particular (without prejudice to the generality of the foregoing provisions), such rules may contain provisions—
 - (i) as to the procedure at inquests held with a jury;
 - (ii) as to the procedure at inquests held without a jury;
 - (iii) as to the issue by coroners of orders authorising exhumations or burials;
 - (iv) for empowering a coroner to alter the date fixed for the holding of any adjourned inquest within the jurisdiction of the coroner;
 - (v) as to the procedure to be followed where a coroner decides not to resume an adjourned inquest;
 - (vi) as to the notices to be given to jurymen or witnesses where the date fixed for an adjourned inquest is altered or where a coroner decides not to resume an adjourned inquest; and
 - (vii) for prescribing forms of verdicts for use at inquests.

^{F8}(1ZA) For the purposes of this section, “ relevant authority ” means—

- (a) in relation to rules which deal (or would deal) with an excepted matter, the Lord Chancellor; and
- (b) otherwise, the Department of Justice.]

^{F9}(1A) It is for the [^{F4}relevant authority] to make rules under subsection (1)(a), after consultation with the Treasury [^{F10}or, in relation to rules falling to be made by the Department of Justice, the Department of Finance and Personnel].

(1B) It is for the Lord Chief Justice to make rules under subsection (1)(b), in accordance with subsections (1C) to (1G).

Changes to legislation: There are currently no known outstanding effects for the Coroners Act (Northern Ireland) 1959, Section 36. (See end of Document for details)

[^{F11}(1C) After making rules under subsection (1)(b) the Lord Chief Justice must submit them to the relevant authority.

(1CA) The relevant authority must allow or disallow rules submitted to it.

(1CB) Rules made under subsection (1)(b) have effect only if the relevant authority allows them.

(1D) If the relevant authority disallows rules submitted to it, it must give the Lord Chief Justice written reasons why it has disallowed them.]

(1E) Subsection (1F) applies if the [^{F4}relevant authority] gives the Lord Chief Justice written notice that [^{F12}it] thinks it is expedient for rules under subsection (1)(b) to include provision that would achieve a purpose specified in the notice.

(1F) The Lord Chief Justice must make such rules under subsection (1)(b) as he considers necessary to achieve the specified purpose.

(1G) Those rules must be—

- (a) made within a reasonable period after the [^{F4}relevant authority] gives notice under subsection (1E);
- (b) made in accordance with the relevant provisions of this section.

[^{F13}(1H)]

(2) [^{F14}

[^{F15}(3) The Department of Justice may with the consent of the Department of Finance and Personnel determine the allowances payable to witnesses under this Act.

(4) For the purposes of this section “ deal with ” and “ excepted matter ” have the same meanings as in the Northern Ireland Act 1998.]

F1 1978 c.23

F2 Words in s. 36(1) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c.4\)](#), ss. 15(2), 148(1), [Sch. 5 para. 6\(2\)\(a\)](#); S.I. 2006/1014, [art. 2\(a\)](#), [Sch. 1 para. 12\(a\)](#)

F3 Words in s. 36(1)(a) repealed (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(2), 146, 148(1), [Sch. 5 para. 6\(2\)\(b\)](#), [Sch. 18 Pt. 3](#); S.I. 2006/1014, [art. 2\(a\)](#), [Sch. 1 para. 12\(a\)](#), 30(c)

F4 Words in s. 36(1)(1A)(1C) to (1E) and (1G) substituted (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 15(5), [Sch. 18 para. 102\(a\)](#) (with arts. 28-31); S.I. 2010/977, [art. 1\(2\)](#)

F5 Word in s. 36(1)(a) substituted (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 15(5), [Sch. 18 para. 102\(b\)](#) (with arts. 28-31); S.I. 2010/977, [art. 1\(2\)](#)

F6 Words in s. 36(1)(b) repealed (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(2), 146, 148(1), [Sch. 5 para. 6\(2\)\(c\)](#), [Sch. 18 Pt. 3](#); S.I. 2006/1014, [art. 2\(a\)](#), [Sch. 1 para. 12\(a\)](#), 30(c)

F7 1980 NI 6

F8 S. 36(1ZA) inserted (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 15(5), [Sch. 18 para. 102\(c\)](#) (with arts. 28-31); S.I. 2010/977, [art. 1\(2\)](#)

F9 S. 36(1A)-(1H) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c.4\)](#), ss. 15(2), 148(1), [Sch. 5 para. 6\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#), [Sch. 1 para. 12\(a\)](#)

F10 Words in s. 36(1A) inserted (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 15(5), [Sch. 18 para. 102\(d\)](#) (with arts. 28-31); S.I. 2010/977, [art. 1\(2\)](#)

Changes to legislation: There are currently no known outstanding effects for the Coroners Act (Northern Ireland) 1959, Section 36. (See end of Document for details)

- F11** S. 36(1C)-(1CB) (1D) substituted for s. 36(1C)(1D) (13.5.2014) by Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13), s. 28(4), **Sch. para. 5(1)**
- F12** Word in s. 36(1D)(1E) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 102(e)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F13** S. 36(1H) repealed (1.11.2015) by Legal Aid and Coroners' Courts Act (Northern Ireland) 2014 (c. 11), ss. 8(3)(a), 12(1), **Sch. 3 Pts. 2** (with ss. 2(3), 9, Sch. 1 paras. 3(3)); S.R. 2015/359, art. 2(b)(d)
- F14** S. 36(2) omitted (12.4.2010) by virtue of Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 102(f)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F15** S. 36(3)(4) inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 102(g)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

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