



# Factories Act 1961

## 1961 CHAPTER 34

### PART V

#### NOTIFICATION AND INVESTIGATION OF ACCIDENTS AND INDUSTRIAL DISEASES

#### **83 Inquest in case of death by accident or industrial disease**

- (1) Where a coroner holds an inquest on the body of any person whose death may have been caused by any accident or disease of which notice is required by this Act to be given, the coroner shall adjourn the inquest unless an inspector or some person on behalf of the Minister is present to watch the proceedings, and shall, at least four days before holding the adjourned inquest, send to the inspector for the district notice in writing of the time and place of the adjourned inquest; but—
  - (a) the coroner, before the adjournment, may take evidence to identify the body, and may order its interment; and
  - (b) if the inquest relates to the death of not more than one person, and the coroner has sent to the inspector notice of the time and place of the inquest at such time as to reach the inspector not less than twenty-four hours before the time of the inquest, he need not adjourn the inquest if the majority of the jury think the adjournment unnecessary.
- (2) The following provisions shall have effect with respect to any such inquest:—
  - (a) no person having a personal interest in or employed in or about or in the management of the factory in or about which the accident occurred or the disease was contracted shall be qualified to serve on the jury and the constable or other officer shall not summon any person disqualified under this provision and the coroner shall not allow any such person to be sworn or to sit on the jury;
  - (b) the following persons shall, subject to the power of the coroner to disallow any question which in his opinion is not relevant or is otherwise not a proper question, be entitled to examine any witness either in person or by counsel, solicitor or agent, that is to say, an inspector, any relation of the person in respect of whose death the inquest is being held, the occupier of the factory, any person appointed by the order in writing of the majority of the persons

*Status: This is the original version (as it was originally enacted).*

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employed in the factory, and any person appointed in writing by any trade union, friendly society or other association of persons to which the deceased at the time of his death belonged or to which any person employed in the factory belongs, or by any association of employers of which the occupier is a member.

- (3) Where evidence is given at any such inquest at which an inspector is not present of any neglect as having caused or contributed to the accident or disease, or of any defect in or about the factory appearing to the coroner or jury to require a remedy, the coroner shall send to the inspector for the district notice in writing of the neglect or defect.