
Status: Point in time view as at 01/04/2001.

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SCHEDULES

SCHEDULE 1

Section 3(1).

SALARIES AND PENSIONS

Coroners' salaries

- 1
- (1) Subject to the provisions of this paragraph, a coroner shall be paid by the relevant council an annual salary at such rate as may be fixed by agreement between the coroner and that council.
 - (2) If at any time a coroner and the relevant council cannot agree with respect to any proposed alteration of the rate of his salary—
 - (a) the Secretary of State may, on the application of either party, fix the rate of that salary at such rate as he thinks proper; and
 - (b) subject to sub-paragraph (4) below, the rate so fixed shall come into force as from such date as he may determine.
 - (3) In fixing the rate of the salary payable to a coroner under this paragraph, regard shall be had to the nature and extent of his duties and to all the circumstances of the case.
 - (4) A date determined under sub-paragraph (2) above shall be not less than three years from the date when the rate of the coroner's salary as last fixed came into force, unless in the opinion of the Secretary of State the coroner's district has in the meantime been materially altered.

Coroners' pensions

- 2
- (1) On the retirement, after not less than five years' service, of a coroner—
 - (a) who held office as a coroner immediately before 6th April 1978; and
 - (b) who did not elect in accordance with article 3(b) of the ^{M1}Social Security (Modification of Coroners (Amendment) Act 1926) Order 1978 that the provisions of the ^{M2}Coroners (Amendment) Act 1926 relating to pensions should not apply to him,(that is to say, a coroner who is not a pensionable employee for the purposes of the ^{M3}Local Government Superannuation Regulations 1986) the relevant council may, if either of the conditions mentioned in sub-paragraph (2) below is satisfied, grant to him a pension of such amount as may be agreed between him and the council not exceeding the scale contained in paragraph 3 below.
 - (2) The said conditions are—
 - (a) that the coroner has attained the age of sixty five years;
 - (b) that the relevant council is satisfied by means of a medical certificate that the coroner is incapable of discharging his duties whether on mental or physical grounds and that such incapacity is likely to be permanent.
 - (3) A coroner to whom this paragraph applies—

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- (a) shall, at any time after he has completed fifteen years' service and has attained the age of sixty-five years, vacate his office if required to do so by the relevant council; but
 - (b) shall, in that case and in the absence of any agreement to the contrary, be entitled to receive the maximum pension which the council is empowered to grant him under this paragraph having regard to the length of his service.
- (4) A pension payable to a coroner under this paragraph shall be reduced by the amount of any additional component of his retirement pension (within the meaning of section 6(1)(b) of the ^{M4}Social Security Pensions Act 1975) which is payable to him.
- (5) In this paragraph "service" means service, whether before or after the commencement of this Act, as a coroner in the same administrative area; and for this purpose "administrative area" includes the City.
- (6) Notwithstanding the reproduction of article 3 of the ^{M5}Social Security (Modification of Coroners (Amendment) Act 1926) Order 1978 as paragraphs (a) and (b) of sub-paragraph (1) above and of article 4 of that Order as sub-paragraph (4) above—
- (a) those provisions may be amended or repealed; and
 - (b) any question as to the validity of those provisions may be determined,
- as though they were contained in an order made under section 65 of the ^{M6}Social Security Act 1973.

Marginal Citations

- M1** S.I. 1978/374.
- M2** 1926 c.59.
- M3** S.I. 1986/24.
- M4** 1975 c.60.
- M5** S.I. 1978/374.
- M6** 1973 c.38.

Scale of pensions

- 3 (1) An annual pension not exceeding ten sixtieths of the last annual salary may be granted after the completion of five years' service.
- (2) Where the completed service exceeds five years, there may be granted an annual pension not exceeding the aggregate of—
- (a) ten-sixtieths of the last annual salary; and
 - (b) an amount not exceeding one-fortieth of that salary for each completed year's service after five years,
- so however that no such pension shall be of an amount exceeding two-thirds of that salary.
- (3) For the purposes of this paragraph the last annual salary of a coroner shall be taken to be the salary paid to him in his last completed year of service as coroner, after deducting so much (if any) of that salary as was paid to him with a view to his providing at his own expense for any necessary expenditure in connection with his duties as coroner.

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- (4) If any dispute arises as to the amount to be deducted under sub-paragraph (3) above in computing the last annual salary of a coroner, the dispute shall be referred to the Secretary of State, whose decision shall be final.

Payment of salaries and pensions

- 4 The salary of a coroner and any pension payable to a person in respect of his service as coroner shall be deemed to accrue from day to day and, in the absence of agreement to the contrary, shall be payable quarterly.

SCHEDULE 2

Section 29(7).

CORONER OF THE QUEEN'S HOUSEHOLD

- 1 Sections 1 to 5 of this Act (except subsections (4) to (6) of section 3), sections 6 and 7 of this Act so far as relating to the appointment and functions of assistant deputy coroners and Schedule 1 to this Act shall not apply to the coroner of the Queen's household.
- 2 Sections 6 and 7 of this Act, so far as relating to the appointment and functions of deputy coroners, shall apply with the necessary modifications to the coroner of the Queen's household as they apply to other coroners and, in particular, with the following modifications, namely—
- (a) that the appointment of a deputy to the coroner of the Queen's household shall be subject to the approval of the Lord Steward of the Queen's household; and
 - (b) that copies of such appointments shall be sent to and kept by him.
- 3 Sections 9 and 32(2) of this Act shall not apply in relation to any inquest held by the coroner of the Queen's household.
- 4 Section 25 of this Act shall not apply in relation to service on a jury on an inquest held by the coroner of the Queen's household but that shall not affect any entitlement to payment that might otherwise be enjoyed by a juror for service on such a jury.
- 5 Subject to the provisions of this Schedule and section 29 of this Act, the coroner of the Queen's household shall, within the limits laid down in subsection (3) of that section—
- (a) have the same jurisdiction and powers; and
 - (b) be subject to the same obligations, liabilities and disqualifications; and
 - (c) generally be subject to the provisions of this Act and the law relating to coroners in the same manner,
- as any other coroner.

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SCHEDULE 3

Section 36(1).

CONSEQUENTIAL AMENDMENTS

The City of London Municipal Elections Act 1849 (c.xciv)

- 1 Immediately before section 9 of the City of London Municipal Elections Act 1849 there shall be inserted the following section—

“8A Disqualification by reason of being City coroner.

A person shall, so long as he is a coroner or deputy coroner for the City of London, be disqualified for being elected to or holding any of the following offices in the City, namely, Lord Mayor, alderman and common councilman.”

The Cremation Act 1902 (c.8)

- 2 In section 10 of the Cremation Act 1902, for the words “the Coroners Act 1887, or any Act amending the same” there shall be substituted the words “ the Coroners Act 1988 ”.

The Births and Deaths Registration Act 1953 (c.20)

- 3 In section 22(3) of the 1953 Act, for the words from the beginning to “1926” there shall be substituted the words “ Except where an inquest is held into the death of the deceased person or a post-mortem examination of his body is made under section 19 of the Coroners Act 1988 ”.

- 4 (1) Subsection (1) of section 23 of the 1953 Act shall cease to have effect.
- (2) In subsection (2) of that section, for the words “On receiving a certificate under the foregoing subsection” there shall be substituted the words “Where an inquest is held into a death and the registrar receives under section 11(7) of the Coroners Act 1988 a certificate under the coroner’s hand—
- (a) giving information concerning the death; and
 - (b) specifying the finding with respect to the particulars required to be registered concerning the death and with respect to the cause of death.”.

- (3) After that subsection there shall be inserted the following subsection—

“(2A) Where an inquest into a death is adjourned under section 16 of the Coroners Act 1988 and the registrar receives from the coroner under subsection (4) of that section a certificate under his hand stating, so far as they have been ascertained at the date of the certificate, the particulars required to be registered concerning the death, the registrar shall in the prescribed form and manner register the death and the particulars.”

- (4) In subsection (3) of that section, for the words from the beginning to “examination, and” there shall be substituted the words “ Where a post-mortem examination is made of a body under section 19 of the Coroners Act 1988 and the registrar receives from the coroner under subsection (3) of that section a certificate under his hand stating the cause of death as disclosed by the report of the person making the examination, ”.

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- 5 In section 29(4)(b) of that Act, for the words “section 20(4) of the Coroners (Amendment) Act 1926” there shall be substituted the words “section 16(4) of the Coroners Act 1988 ” and for the words “section 20(1)” there shall be substituted the words “section 16(1) ”.

The Army Act 1955 (c.18)

- 6 In section 128(2) of the Army Act 1955, for the words “The Coroners Acts 1887 to 1926” there shall be substituted the words “The Coroners Act 1988 ”.
- 7 In section 214(4) of that Act, for the words “the Coroners Acts 1887 to 1926” there shall be substituted the words “the Coroners Act 1988 ”.
- 8 In section 215(5) of that Act, for the words “the Coroners Acts 1887 to 1926” there shall be substituted the words “the Coroners Act 1988 ”.

The Air Force Act 1955 (c.19)

- 9 In section 128(2) of the Air Force Act 1955, for the words “The Coroners Acts 1887 to 1926” there shall be substituted the words “The Coroners Act 1988 ”.
- 10 In section 212(5) of that Act, for the words “the Coroners Acts 1887 to 1926” there shall be substituted the words “the Coroners Act 1988 ”.
- 11 In section 213(5) of that Act, for the words “the Coroners Acts 1887 to 1926” there shall be substituted the words “the Coroners Act 1988 ”.

The Naval Discipline Act 1957 (c.53)

- 12 In section 82(1) of the Naval Discipline Act 1957, for the words “the Coroners Acts 1887 to 1926” there shall be substituted the words “the Coroners Act 1988 ”.
- 13 In section 123(5) of that Act, for the words “the Coroners Acts 1887 to 1926” there shall be substituted the words “the Coroners Act 1988 ”.

14 F1

Textual Amendments

F1 Sch. 3 para. 14 repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 123(6), 170(2), Sch. 8 para. 16, [Sch. 16](#)

The Pensions (Increase) Act 1971 (c.56)

- 15 In paragraph 61 of Schedule 2 to the Pensions (Increase) Act 1971, for the words “section 6 of the Coroners (Amendment) Act 1926 (county and borough coroners)” there shall be substituted the words “paragraph 2 of Schedule 1 to the Coroners Act 1988 ”.

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The Juries Act 1974 (c.23)

- 16 (1) In subsection (2) of section 19 of the Juries Act 1974, for the words “the Coroners Act 1887, as amended by this Act” there shall be substituted the words “ the Coroners Act 1988 ”.
- (2) In subsection (5) of that section for the words “the Coroners Act 1887” there shall be substituted the words “ the Coroners Act 1988 ”.

The Magistrates’ Courts Act 1980 (c.43)

- 17 At the end of Schedule 6A to the Magistrates’ Courts Act 1980 there shall be added the following entry—

“CORONERS ACT 1988 (c.13)

Sections 10(1) and (2) and 21(5) (refusal to give evidence etc.). £400”.

The Local Government Act 1985 (c.51)

- 18 In section 60(4) of the Local Government Act 1985, for the words “section 6 of the Coroners (Amendment) Act 1926” there shall be substituted the words “ paragraph 2 of Schedule 1 to the Coroners Act 1988 ”.

SCHEDULE 4

Section 36(2).

REPEALS

Chapter	Short title	Extent of repeal
7 & 8 Vict. c.92.	The Coroners Act 1844.	The whole Act.
36 & 37 Vict. c.76.	The Railway Regulation Act (Returns of Signal Arrangements, Workings &c.) 1873.	The whole Act.
45 & 46 Vict. c.50.	The Municipal Corporations Act 1882.	Section 248(2). Section 255.
50 & 51 Vict. c.71.	The Coroners Act 1887.	The whole Act.
55 & 56 Vict. c. 56.	The Coroners Act 1892.	The whole Act.
16 & 17 Geo.5 c.59.	The Coroners (Amendment) Act 1926.	The whole Act.
1 & 2 Eliz.2 c.20.	The Births and Deaths Registration Act 1953.	Section 23(1).
2 & 3 Eliz.2 c.31.	The Coroners Act 1954.	The whole Act.
1967 c.80.	The Criminal Justice Act 1967.	In Schedule 6, paragraph 3.

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1972 c.20.	The Road Traffic Act 1972.	Section 28.
1972 c.70.	The Local Government Act 1972.	Section 220.
1974 c.23.	The Juries Act 1974.	Schedule 2.
1974 c.37.	The Health and Safety at Work etc. Act 1974.	In Schedule 9, paragraph 1.
1977 c.38.	The Administration of Justice Act 1977.	In Schedule 2, paragraph 1.
1977 c.45.	The Criminal Law Act 1977.	Section 56. Schedule 10.
S.I. 1978/374.	The Social Security (Modification of Coroners (Amendment) Act 1926) Order 1978.	The whole Order.
S.I. 1978/1844.	The Isles of Scilly Order 1978.	In the Schedule, the entry relating to section 220 of the Local Government Act 1972.
1980 c.38.	The Coroners Act 1980.	The whole Act.
1980 c.43.	The Magistrates' Courts Act 1980.	In Schedule 6A, the entry relating to the Coroners Act 1887.
1982 c.53.	The Administration of Justice Act 1982.	Section 62.
1983 c.31.	The Coroners' Juries Act 1983.	The whole Act.
1985 c.51.	The Local Government Act 1985.	Section 13.

Status:

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Changes to legislation:

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