

Status: Point in time view as at 31/01/2017.

Changes to legislation: Coroners and Justice Act 2009, Part 4 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3

APPOINTMENT ETC OF SENIOR CORONERS, AREA CORONERS AND ASSISTANT CORONERS

PART 4

TERMS OF OFFICE OF SENIOR, AREA AND ASSISTANT CORONERS

Status of office

- 9 The offices of senior coroner, area coroner and assistant coroner are not to be regarded as freehold offices.

Commencement Information

- II** Sch. 3 para. 9 in force at 25.7.2013 by S.I. 2013/1869, art. 2(j)

Vacation or termination of office

- 10 A senior coroner, area coroner or assistant coroner must vacate office on reaching the age of 70.

Commencement Information

- I2** Sch. 3 para. 10 in force at 25.7.2013 by S.I. 2013/1869, art. 2(j)

- 11 (1) The senior coroner or an area coroner or assistant coroner for an area (“the relevant coroner area”) must vacate office immediately if—
- (a) he or she becomes a councillor for a local authority, and
 - (b) the area of that local authority is the same as or falls within the relevant coroner area.
- (2) In the application of this paragraph to the Common Council, the reference to a councillor is to be read as a reference to an alderman of the City of London or a common councillor.

Commencement Information

- I3** Sch. 3 para. 11 in force at 25.7.2013 by S.I. 2013/1869, art. 2(j)

- 12 The senior coroner or an area coroner or assistant coroner for an area may resign office by giving notice in writing to the relevant authority for the area.

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Commencement Information

I4 Sch. 3 para. 12 in force at 25.7.2013 by S.I. 2013/1869, art. 2(j)

- 13 (1) The Lord Chancellor may, with the agreement of the Lord Chief Justice, remove a senior coroner, area coroner or assistant coroner from office for incapacity or misbehaviour.
- (2) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005 (c. 4)) to exercise the functions of the Lord Chief Justice under sub-paragraph (1).

Commencement Information

I5 Sch. 3 para. 13 in force at 25.7.2013 by S.I. 2013/1869, art. 2(j)

Discipline

- 14 Chapter 3 of Part 4 of the Constitutional Reform Act 2005 (c. 4) (discipline) applies in relation to the offices of senior coroner, area coroner and assistant coroner as it would apply if those offices were listed in Schedule 14 to that Act.

Commencement Information

I6 Sch. 3 para. 14 in force at 25.7.2013 by S.I. 2013/1869, art. 2(j)

Salary of senior and area coroners

- 15 (1) The senior coroner for an area is entitled to a salary.
- (2) The amount of the salary is to be whatever is from time to time agreed by the senior coroner and the relevant authority for the area.
- (3) If the senior coroner and the relevant authority cannot agree about an alteration in the amount of the salary—
- (a) either of them may refer the matter to the Lord Chancellor;
 - (b) the Lord Chancellor may determine the amount of the salary and the date on which it is to become payable.
- Any alteration in the amount of salary is to take effect in accordance with the Lord Chancellor's determination.
- (4) In making a determination under sub-paragraph (3), the Lord Chancellor must have regard—
- (a) to the nature and extent of the coroner's functions, and
 - (b) to all the circumstances of the case.
- (5) The salary to which the senior coroner for an area is entitled under this paragraph is payable by the relevant authority for the area.
- (6) This paragraph applies in relation to an area coroner for an area as it applies in relation to the senior coroner for an area (references to the senior coroner being read as references to an area coroner).

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Commencement Information

I7 Sch. 3 para. 15 in force at 25.7.2013 by S.I. 2013/1869, art. 2(j)

Fees payable to assistants

- 16 (1) An assistant coroner for an area is entitled to fees.
- (2) The amount of the fees is to be whatever is agreed from time to time by the assistant coroner and the relevant authority for the area.
- (3) The fees to which an assistant coroner for an area is entitled under this paragraph are payable by the relevant authority for the area.

Commencement Information

I8 Sch. 3 para. 16 in force at 25.7.2013 by S.I. 2013/1869, art. 2(j)

Pensions for senior and area coroners

- 17 A relevant authority for a coroner area must make provision for the payment of pensions, allowances or gratuities to or in respect of persons who are or have been senior coroners or area coroners for the area.

Commencement Information

I9 Sch. 3 para. 17 in force at 25.7.2013 by S.I. 2013/1869, art. 2(j)

Prohibition on receipt of fees etc

- 18 Except as permitted by or under this or any other Act, a senior coroner, area coroner or assistant coroner may not accept any remuneration or fee in respect of anything done by that coroner in the performance of his or her functions.

Commencement Information

I10 Sch. 3 para. 18 in force at 25.7.2013 by S.I. 2013/1869, art. 2(j)

Other terms of office

- 19 Subject to the preceding provisions of this Part, the senior coroner or an area coroner or assistant coroner for an area holds office on whatever terms are from time to time agreed by that coroner and the relevant authority for the area.

Commencement Information

I11 Sch. 3 para. 19 in force at 25.7.2013 by S.I. 2013/1869, art. 2(j)

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