
STATUTORY INSTRUMENTS

1998 No. 355

CORONERS

The Devon (Coroners) Order 1998

Made - - - - *19th February 1998*

Laid before Parliament *27th February 1998*

Coming into force - - *1st April 1998*

The Secretary of State in exercise of the powers conferred on him by sections 17 and 26 of the Local Government Act 1992⁽¹⁾ hereby makes the following Order:

1.—(1) This Order may be cited as the Devon (Coroners) Order 1998 and shall come into force on 1st April 1998.

(2) In this Order—

“the 1988 Act” means the Coroners Act 1988⁽²⁾;

“the 1996 Order” means the Devon (City of Plymouth and Borough of Torbay) (Structural Change) Order 1996⁽³⁾.

2.—(1) There shall be a single coroner’s district for the county of Plymouth (which county comes into existence on 1st April 1998 by virtue of article 6(2) of the 1996 Order) and for so much of the county of Devon as is included in the existing Plymouth and South West Devon Coroner’s District.

(2) The council of the city of Plymouth shall be the relevant council for the purposes of the 1988 Act for the coroner’s district constituted by paragraph (1) above.

3.—(1) There shall be a single coroner’s district for the county of Torbay (which county comes into existence on 1st April 1998 by virtue of article 6(3) of the 1996 Order) and for so much of the county of Devon as is included in the existing Torbay and South Devon Coroner’s District.

(2) The council of the borough of Torbay shall be the relevant council for the purposes of the 1988 Act for the coroner’s district constituted by paragraph (1) above.

(3) The person who, on 31st March 1998, is the coroner for the existing Torbay and South Devon Coroner’s District by virtue of having been appointed for or assigned to that district shall be deemed to have been appointed coroner for the coroner’s district constituted by paragraph (1) above by the council of the borough of Torbay.

(1) 1992 c. 19.

(2) 1988 c. 13.

(3) S.I. 1996/1865.

(4) Any agreement between the person to whom paragraph (3) above applies and Devon County Council (as the relevant council for the purposes of the 1988 Act prior to 1st April 1998) as to his salary and pension as a coroner shall have effect as if made between him and the council of the borough of Torbay.

(5) Any person who, on 31st March 1998, is a deputy or assistant deputy coroner for the existing Torbay and South Devon Coroner's District shall be deemed to have been appointed deputy or, as the case may be, assistant deputy coroner for the coroner's district constituted by paragraph (1) above with the approval of the chairman of the council of the borough of Torbay.

4.—(1) Any process issued, order made, direction given, inquest begun or other thing done by or to the coroner for an existing coroner's district shall be deemed to have been issued, made, given, begun or done by or to the coroner for the relevant new coroner's district.

(2) All documents, exhibits, registers and other things in the custody of the coroner for an existing coroner's district in connection with inquests or post-mortem investigations shall be transferred to the coroner for the relevant new coroner's district.

(3) In this article—

- (a) the coroner's district constituted by article 2(1) above is the relevant new coroner's district for the existing Plymouth and South West Devon Coroner's District;
- (b) the coroner's district constituted by article 3(1) above is the relevant new coroner's district for the existing Torbay and South Devon Coroner's District; and
- (c) "coroner" includes any deputy or assistant deputy coroner.

Home Office
19th February 1998

Gareth Williams
Parliamentary Under-Secretary of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision about coroners in consequence of the provisions of the Devon (City of Plymouth and Borough of Torbay) (Structural Change) Order 1996 (S.I. [1996/1865](#)) which creates new counties of Plymouth and Torbay on 1st April 1998.

Article 2(1) of this Order combines the county of Plymouth with part of the county of Devon to form a single coroner's district. Article 2(2) makes the council of the city of Plymouth the relevant council for the purposes of the Coroners Act 1988. The relevant council is responsible for the appointment of coroners and has other functions in connection with coroners under that Act.

Article 3 of this Order makes similar provision for the county of Torbay. Article 3(3) provides for the person who, on 31st March 1998, holds the office of coroner for Torbay and South Devon to continue as coroner for the new coroner's district.

Article 4 makes transitional arrangements to ensure continuity as respects the coroners for the new coroners' districts.