

3. Interpretation

In this Act, unless the contrary intention appears —

“**agency**” has the same meaning as it has for the purposes of the *Public Sector Management Act 1994*;

“**coroner**” includes the State Coroner;

“**coroner’s clerk**” means a person referred to in section 12;

“**coroner’s investigator**” means a person referred to in section 14;

“**court**” means the Coroner’s Court of Western Australia established under section 5;

“**death**” includes suspected death;

“**Director of Public Prosecutions**” means the Director of Public Prosecutions appointed under the *Director of Public Prosecutions Act 1991*;

“**doctor**” means a medical practitioner registered under the *Medical Act 1894*;

“**guidelines**” means guidelines issued under section 58;

“**inquest**” means a formal hearing by the court;

“**investigation**” includes an inquest;

“**pathologist**” means a doctor with a prescribed qualification in pathology, or a doctor recognized by a prescribed professional body as a pathologist;

“**person held in care**” means —

- (a) a person under, or escaping from, the control, care or custody of —
 - (i) the department of the Public Service principally assisting the Minister administering the *Child Welfare Act 1947* in its administration;
 - (ii) the Chief Executive Officer of the department of the Public Service principally assisting the Minister administering the *Prisons Act 1981* in its administration; or
 - (iii) a member of the Police Force;
- (aa) a person for whom the CEO as defined in the *Court Security and Custodial Services Act 1999* is responsible under section 10, 13, 15 or 16 of that Act, whether that person is at a custodial place as defined in that Act, is being moved between custodial places or escapes, or becomes absent, from a custodial place or during movement between custodial places;
- (b) a person admitted to a centre under the *Alcohol and Drug Authority Act 1974*;
- (c) a person admitted, or received, into an approved hospital under the *Mental Health Act 1962*; or
- (d) a person detained under the *Young Offenders Act 1994*;

“**post mortem examination**” means an examination of the body of a person who has died, for the purpose of investigating the death;

“prescribed” means prescribed by regulation;

“reportable death” means a Western Australian death —

- (a) that appears to have been unexpected, unnatural or violent or to have resulted, directly or indirectly, from injury;
- (b) that occurs during an anaesthetic;
- (c) that occurs as a result of an anaesthetic and is not due to natural causes;
- (d) that occurs in prescribed circumstances;
- (e) of a person who immediately before death was a person held in care;
- (f) that appears to have been caused or contributed to while the person was held in care;
- (g) that appears to have been caused or contributed to by any action of a member of the Police Force;
- (h) of a person whose identity is unknown;
- (i) that occurs in Western Australia where the cause of death has not been certified under section 44 of the *Births, Deaths and Marriages Registration Act 1998*; or
- (j) that occurred outside Western Australia where the cause of death is not certified to by a person who, under the law in force in that place, is a legally qualified medical practitioner;

“senior next of kin” has the meaning given under section 37 (5);

“State Coroner” means the person appointed under section 6;

“tissue” includes an organ or part of the human body or a substance extracted from, or from a part of, the human body;

“Western Australian death” means a death —

- (a) that occurred in Western Australia;
- (b) where the body is in Western Australia;
- (c) the cause of which occurred in Western Australia;
- (d) of a person who was ordinarily residing in Western Australia at the time of death; or
- (e) of a person who, at the time of death, was in an industry to and in relation to which the *Industrial Relations Act 1979* applies due to the operation of section 3 of that Act.

[Section 3 amended by No. 40 of 1998 s.8(2); No. 47 of 1999 s.9.]