

### 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 and the Deputy 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;
- “**Deputy State Coroner**” means the person appointed under section 7;
- “**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 who is an involuntary patient within the meaning of the *Mental Health Act 1996*, or who is apprehended or detained under Part 3 of that Act; 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; No. 8 of 2000 s. 3; No. 15 of 2003 s. 4.]