

JU307*

Coroners Act 1996

Coroners Amendment Regulations 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Coroners Amendment Regulations 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Coroners Regulations 1997*.

4. Regulation 3A inserted

After regulation 2 insert:

3A. Terms used

In these regulations —

approved form means a form approved by the State Coroner;

fee, except in regulation 21, means a fee set out in Schedule 3.

5. Regulation 21 amended

In regulation 21(1) delete “fees” and insert:

fee

Note: The heading to amended regulation 21 is to read:

Fees for post mortem services

6. Regulations 22 to 25 inserted

After regulation 21 insert:

22. Other fees

The fees set out in Schedule 3 are to be charged in respect of the matters referred to in that Schedule.

23. Coroner's registrar may remit fees

- (1) A coroner's registrar may on an application in an approved form, in a particular case, on the ground of financial hardship or if it is in the interests of justice to do so, direct —
 - (a) that payment of a fee be waived; or
 - (b) that a fee be reduced or that the whole or a part of a fee be refunded; or
 - (c) that the payment of the whole or a part of a fee be postponed until such time, and upon such conditions, if any, as the registrar thinks fit.
- (2) Before determining an application under subregulation (1), a coroner's registrar may require the applicant to provide the registrar with such further information as the registrar requires either in writing or orally.

24. Resolution of disputes as to fees

- (1) If a question arises as to the fee payable or applicable in a particular case, the question is to be determined by the State Coroner.
- (2) An application for a determination under subregulation (1) is to be in an approved form.

25. Recovery of unpaid fees

Any unpaid fee is a debt due to the State and may be recovered by action in a court of competent jurisdiction.

7. Schedule 2 heading replaced

In Schedule 2 delete:

Schedule 2 — Fees

and insert:

Schedule 2 — Fees for post mortem services

[r. 21]

8. Schedule 3 inserted

After Schedule 2 insert:

Schedule 3 — Other fees

[r. 22]

Item	Matter	\$
1.	Copy of document or exhibit, for each page or part of a page	1.50
2.	Copy of record of investigation into a death —	
	(a) for one copy on the request of a person who is an interested person under regulation 17(a) or (b)	Nil
	(b) for each additional copy on the request of a person who is an interested person under regulation 17(a) or (b), for each page or part of a page	1.15
	(c) for each copy on the request of any other person, for each page or part of a page	1.15
3.	Certifying under seal that a document is a true copy	12.50
4.	Copy of transcript or notes of evidence, for each page or part of a page (minimum fee — \$17.95)	5.05
5.	Copy of transcript or notes of evidence in electronic format if a fee has been paid under item 4 by the applicant for a copy of the transcript or notes of evidence, for each day of transcript or notes of evidence	12.50
6.	Copy of transcript or notes of evidence not in electronic format if a fee has been paid under item 4 by the applicant for a copy of the transcript or notes of evidence, for each page or part of a page	1.50

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.