



Western Australia

Coroners Amendment Act 2018

As at 21 Sep 2018

No. 23 of 2018

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Coroners Amendment Act 2018

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Coroners Amendment Act 2018

No. 23 of 2018

An Act to amend the *Coroners Act 1996*.

[Assented to 21 September 2018]

The Parliament of Western Australia enacts as follows:

s. 1

1. Short title

This is the *Coroners Amendment Act 2018*.

2. Commencement

This Act comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on the day after that day.

3. Act amended

This Act amends the *Coroners Act 1996*.

4. Section 19A inserted

After section 19 insert:

19A. Certain reportable deaths do not require investigation

- (1) A coroner is not required to investigate, or continue to investigate, a reportable death if the coroner determines that —
 - (a) the death is due to natural causes; and
 - (b) the death is a reportable death solely because it appears to have been unexpected.
- (2) For the purposes of subsection (1)(a), a coroner may determine that a death is due to natural causes if a pathologist informs the coroner in writing that, in the pathologist's opinion, the death is due to natural causes or consistent with natural causes.

- (3) However, a determination cannot be made under subsection (1) about a reportable death if —
 - (a) there is a duty to hold an inquest into the death under this Act; or
 - (b) the death occurred during an anaesthetic.
- (4) If a determination is made under subsection (1), the coroner must notify the Registrar of Births, Deaths and Marriages as soon as possible of the particulars (if any) found by the coroner which are needed to register the death.

5. Section 25 amended

After section 25(1) insert:

- (1A) However, a coroner is not under a duty to make a finding under subsection (1)(b) as to how death occurred, even if it is possible to do so, if —
 - (a) there is no duty to hold an inquest into the death under this Act; and
 - (b) the coroner determines that there is no public interest to be served in making a finding as to how the death occurred.

6. Section 28 amended

In section 28(1) after “particulars” insert:

(if any)
