

JU302

Coroners Act 1996

## Coroners Amendment Regulations 2021

SL 2021/150

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Coroners Amendment Regulations 2021*.

### 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 amended

In regulation 3A insert in alphabetical order:

*authorised user*, of the ECMS, means a person who is registered with the court to send documents to the court, and to receive documents from the court, by means of the ECMS;

*ECMS* means the electronic case management system for the management of proceedings in Western Australian courts and tribunals;

### 5. Regulations 5A to 5E inserted

After regulation 5 insert:

#### 5A. Applying court's seal electronically

For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013*

section 10, a document issued by the court in accordance with regulation 5C is authenticated if the electronic document bears a facsimile of the court's seal.

**5B. Applying signatures electronically**

For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10 —

- (a) a document issued by the court in accordance with regulation 5C is authenticated if the electronic document identifies the person who issued it; and
- (b) a document filed with the court in accordance with regulation 5D is authenticated if the name of the person who signed the document is stated in the electronic version of the document at any place where a signature appears in the paper version of the document.

**5C. Documents issued by court in electronic form**

For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 12, if the court is required, permitted or authorised under the Act to issue a person a record, notice, order, report, summons, authorisation or other document that is not required to be served personally, the court may issue the document to the person in electronic form —

- (a) if the person is an authorised user of the ECMS — by means of the ECMS; or
- (b) if the person provides an email address for service — by email.

**5D. Documents filed with court in electronic form**

- (1) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 12, a person who is required or authorised under the Act to file a document with the court may file the document in electronic form —

- (a) if the person is an authorised user of the ECMS — by means of the ECMS; or
- (b) by email to an email address provided by the court.

- (2) A document that does not comply with the requirements of the ECMS is taken —

- (a) not to have been filed with the court; and
- (b) not to be part of the court's record.

- (3) If an authorised user of the ECMS files a document with the court in electronic form by means of the ECMS but does so in error, the court may, with the consent of the authorised user, remove the document from the court's record.

**5E. Time of electronic issue and lodgment**

A document issued in accordance with regulation 5C or filed in accordance with regulation 5D —

- (a) by means of the ECMS, is taken to have been issued or filed on the day and at the time recorded by the ECMS; or
- (b) by email, is taken to have been issued or filed —
  - (i) if the email is sent before 4 pm on a working day — on that day;
  - (ii) otherwise, on the next working day after the day on which the email is sent.

**6. Regulation 23A (1<sup>st</sup> occurrence) renumbered**

Renumber regulation 23A (1<sup>st</sup> occurrence) as regulation 22A.

B. D'SA, Clerk of the Executive Council.

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