CORONERS ACT

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PART 1 — Definitions

Definitions

1. In this Act:

"body" includes a part of the body of a deceased person;

"child" means a person who is under the age of 19 years;

"child death review unit" means the unit established under section 47 to review, on an individual or aggregate basis, or both, the facts and circumstances related to child deaths in British Columbia;

"confidential information" means information, whether written or oral, provided by a person to a member of the child death review unit or a death review panel

(a) for the purpose of a review, and

(b) under an agreement, express or implied, that the information would be kept confidential;

"coroner" means

(a) the chief coroner and the deputy chief coroner, and

(b) a coroner appointed under section 54;

"court" means the Supreme Court;

"death review panel" means a temporary panel established under section 49 to review, on an individual or aggregate basis, or both, the facts and circumstances related to any deaths in British Columbia;

"inquest" means a proceeding under Part 4 before a coroner, with a jury, to determine the particulars of a deceased person and the cause of that person's death;

"investigation" means the gathering of information by a coroner under Part 3 respecting the facts and circumstances related to a death;

"participant" means a person who is entitled or permitted under section 31 to examine, in accordance with section 33, witnesses at an inquest;

"peace officer" means

(a) a sheriff or sheriff's officer, or

(b) a police officer, police constable, constable or other person employed for the preservation and maintenance of the public peace, but does not include a warden, correctional officer, or any other officer or permanent employee of a penitentiary, prison, correctional centre or youth custody centre;

"personal information" means recorded information about an identifiable individual, including information respecting how to contact the individual;

"review" means a review of

(a) a child death by the child death review unit, or

(b) a death by a death review panel;

"verdict" means

(a) the findings of fact made by a jury,

(b) the recommendations made by a jury, and

(c) any comments in respect of an inquest made by the coroner who presided over the inquest.

PART 2 — Reporting Deaths

Deaths that must be reported by anyone

2. (1) A person must immediately report to a coroner or peace officer the facts and circumstances relating to the death of an adult or child who the person has reason to believe has died
   (a) as a result of violence, accident, negligence, misconduct or malpractice,
   (b) as a result of a self-inflicted illness or injury,
   (c) suddenly and unexpectedly, when the person was apparently in good health and not under the care of a medical practitioner or nurse practitioner,
   (d) from disease, sickness or unknown cause, for which the person was not treated by a medical practitioner or nurse practitioner,
   (e) during pregnancy, or following pregnancy in circumstances that might reasonably be attributable to pregnancy,
   (f) if the chief coroner reasonably believes it is in the public interest that a class of deaths be reported and issues a notice in accordance with the regulations, in the circumstances set out in the notice, or
   (g) in any prescribed circumstances.

   (2) If a child died in circumstances other than those described in subsection (1), a person who, by regulation, must report child deaths, must immediately report to the chief coroner, in the form required by the chief coroner,
       (a) the facts and circumstances relating to the child's death, and
       (b) any other information required by the chief coroner.

Deaths that must be reported by peace officers

3. (1) If a peace officer receives a report of a death under section 2 [deaths that must be reported by anyone], the peace officer must immediately report to a coroner the facts and circumstances relating to the death.

   (2) A peace officer must immediately report to a coroner the facts and circumstances relating to the death of a person who dies
       (a) while detained by or in the custody, or in a custodial facility, of a peace officer, or
       (b) as a result, directly or indirectly, of an act of a peace officer performed in the course of his or her duty.

Deaths that must be reported by institutional administrators

4. The person in charge of an institution referred to in this section must immediately report to a coroner the facts and circumstances relating to the death of a person who dies
   (a) while a patient of a designated facility or private mental hospital within the meaning of the Mental Health Act, whether or not on the premises or in actual detention,
   (b) while the person is committed to a correctional centre, youth custody centre or penitentiary or a police prison or lockup, whether or not on the premises or in custody, or
   (c) while a patient of a hospital within the meaning of the Hospital Act, if the patient was transferred to the hospital from a place referred to in paragraph (a) or (b).
**No disturbance of body or wreckage**

5. A person who has reason to believe that a person died in any of the circumstances referred to in this Part must not move, alter or destroy either of the following:
   (a) the body, or its immediate environment, in any way without authorization from a coroner;
   (b) if applicable, any wreckage of a structure, vehicle, device, embankment or other thing in which the body is or may be located, or anything connected with the wreckage,
      (i) without authorization from a coroner, or
      (ii) except to prevent loss of life or to relieve human suffering.


**Removing body from British Columbia**

6. (1) Regardless of whether the death must be reported under this Part, a person must not remove a body from British Columbia without authorization from a coroner.

   (2) If a person has reason to believe that a body will be removed from British Columbia, the person must not embalm or otherwise alter the body, or apply any chemical to the body, internally or externally, until authorization has been given under subsection (1).

   (3) This section does not apply to tissue within the meaning of the *Human Tissue Gift Act* if the tissue
      (a) is the subject of a consent given under that Act, and
      (b) is being removed from British Columbia for a purpose consistent with that consent.

PART 3 — Investigations

Part 3: Division 1 — When Coroner May Investigate

Coroner must investigate reported deaths

7. A coroner must conduct an investigation if the coroner
   (a) receives a report of a death that occurred in British Columbia, and
   (b) is satisfied that the matters reported, if true, suggest that the death was required to be reported under Part 2.


Coroner may investigate deaths outside British Columbia

8. If a death occurred outside British Columbia but the circumstances related to the death
   (a) have a substantial connection to British Columbia, and
   (b) are such that, had the death occurred in British Columbia, it would have had to be reported under Part 2,
   a coroner may, in his or her discretion but subject to any direction of the chief coroner, investigate the death.


Part 3: Division 2 — Investigations

Coroner's jurisdiction not to be taken by another

9. If a coroner begins investigating a death, another coroner must not exercise powers or perform duties under this Part in respect of the death, except as permitted under this Act.


Investigation without body

10. (1) This section applies if a coroner has reason to believe that any of the following circumstances exist:
   (a) a death that must be reported under Part 2 has occurred, but the body
      (i) is missing,
      (ii) has been destroyed by any means,
      (iii) is in a place from which it cannot be recovered, or
      (iv) has been removed from British Columbia without the coroner's authorization;
   (b)
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a death to which section 8 [coroner may investigate deaths outside British Columbia] applies has occurred.

(2) In the circumstances set out in subsection (1), the coroner may begin an investigation into the death but must, before a report is made under Division 3, report the circumstances to the chief coroner.

(3) On receiving a report under subsection (2) or similar information from any source, the chief coroner may
   (a) direct the coroner making the report or any other coroner to investigate, or complete the investigation of, the death, or
   (b) direct the coroner making the report to terminate the investigation without making a report under Division 3.


Powers of investigation

11. (1) If a coroner has reason to believe that a person died in any of the circumstances described in Part 2, the coroner may do one or more of the following as necessary, in the opinion of the coroner, to investigate the facts and circumstances relating to the death:
   (a) take possession of the body;
   (b) examine the body;
   (c) enter and inspect, at any time, any place
      (i) where the body is located,
      (ii) from which the coroner has reason to believe the body was removed, or
      (iii) where the deceased person was, or where the coroner has reason to believe the deceased person was, within a reasonable time before his or her death;
   (d) enter and inspect a cemetery or other place where the body may have been interred, and disinter or exhume the remains of that body;
   (e) inspect, copy and seize any records relating to the deceased person or the circumstances of the death that the coroner has reason to believe are relevant to the investigation, except records
      (i) held by an officer of the Legislature as that term is defined in the Freedom of Information and Protection of Privacy Act, or
      (ii) that are subject to solicitor-client privilege;
   (f) seize anything that the coroner has reason to believe is relevant to the investigation;
   (g) take charge of any wreckage of a structure, vehicle, device, embankment or other thing, including taking charge of anything connected with the wreckage and taking any necessary steps to prevent disturbance of the wreckage;
   (h) require a person to attend before the coroner at a time and place set by the coroner, and provide information on oath or affirmation.

(2) Despite any other enactment and any claim of confidentiality or privilege, other than a claim based on solicitor-client privilege, a person who receives a request for records under subsection (1) (e) must promptly comply with the request.

(3) If the coroner seizes a thing under subsection (1) (f), the coroner must ensure the thing is kept in safe custody until it is no longer required for the investigation or an inquest, at which time the coroner must
   (a) return it to the person from whom it was seized, or
   (b) dispose of it.
(4) A coroner may authorize another person to exercise the powers of the coroner under subsection (1) (a), (b), (c) (i) and (ii) and (d).

(5) A coroner may authorize another person to exercise the powers of the coroner under subsection (1) (c) (iii), (e) and (f), but the belief referred to in those paragraphs must be that of the coroner personally.

(6) A coroner may authorize a peace officer to exercise the powers of the coroner under subsection (1) (g).


If person required to provide information

12. (1) If a coroner requires a person to attend and provide information under section 11 (1) (h) [powers of investigation], the following sections apply as if the person were a witness at an inquest:
   (a) section 32 (1) [power to compel witnesses and order disclosure];
   (b) section 33 (1) [examination of witnesses];
   (c) section 34 (1), (3) and (4) [power to accept information];
   (d) section 35 [rights of witnesses];
   (e) section 36 (4) [legal fees and expenses of witnesses].

(2) A coroner who questions a person under this section must put into writing the person’s sworn statements.


Post-mortem examinations and analyses

13. (1) At any time during an investigation, a coroner may authorize a medical practitioner or any other qualified person to do one or more of the following:
   (a) a post-mortem examination, with or without dissection of the body;
   (b) an analysis of the blood, urine or contents of the stomach and intestines;
   (c) any other examination or analysis the coroner considers necessary for the purposes of the investigation.

(2) A medical practitioner or qualified person must comply with any terms of the authorization given under subsection (1).

(3) A person who performs a post-mortem examination must promptly report his or her findings in writing to the coroner who authorized the post-mortem examination.

(4) A person who performs any examination or analysis under subsection (1) (b) or (c) must promptly report his or her findings in writing to the coroner who authorized the examination or analysis and to the person who performed the post-mortem examination.

(5) For the purposes of carrying out an examination or analysis under this section and establishing the cause of death, a coroner may order the removal of a body to and from a place.

(6) A person who performs any examination or analysis under this section
   (a) may keep a body until the examination or analysis is complete, and
   (b) must not dispose of the body without approval from the coroner.


Additional powers to authorize post-mortem examinations
14. (1) In addition to the power to require a post-mortem examination for the purpose of an investigation, a coroner may authorize a post-mortem examination,
(a) in connection with an inquiry authorized by an Act of Canada into the cause of any aircraft accident, of the body of a person who died in, or as the result of, the aircraft accident, and
(b) on the request and at the expense of the board of management of the hospital or other institution, of the body of a person who has died in the hospital or institution.

(2) A post-mortem examination authorized under subsection (1) (a) may be carried out despite an objection to it made by a person entitled to the custody of the body.


Part 3: Division 3 — Report to Chief Coroner

Report if Act does not apply or no investigation

15. (1) A coroner must promptly make a report to the chief coroner in accordance with subsection (2) if
(a) after an investigation, the coroner determines that the death did not need to be reported under Part 2, or
(b) section 8 [coroner may investigate deaths outside British Columbia] applies, but the coroner decides not to investigate.

(2) A report under subsection (1) must
(a) be in writing and signed by the coroner,
(b) include the name of the deceased, if known,
(c) briefly describe the grounds for the decision to terminate the investigation, or not to investigate,
(d) if applicable, briefly describe the result of any investigation that was made, and
(e) if the coroner authorized the body to be removed under section 6 [removing body from British Columbia] or released under section 40 [release of body], a copy of the authorization.


Report after investigation

16. (1) After an investigation, a coroner must promptly provide to the chief coroner a signed, written report describing the result of the investigation and
(a) setting out
   (i) the coroner's determination of who the deceased was, and how, when, where and by what means the deceased died, and
   (ii) any recommendations of the coroner, or
(b) recommending, for a reason described in section 18 [direction to hold inquest], whether an inquest should be held.

(2) A recommendation under subsection (1) (b) to hold an inquest may include a recommendation that a single inquest be held in respect of multiple deaths.

(3) Subsection (1) does not apply if
(a) the coroner makes a report under section 15 (1) (a) [report if Act does not apply], indicating that the death did not need to be reported under Part 2, and
(b)
Direction to make or re-open investigation

17. (1) A person may apply to the chief coroner to have an investigation made or re-opened on the grounds that, after the coroner's report was forwarded to the chief coroner under section 15 [report if Act does not apply or no investigation] or 16 [report after investigation], new evidence has arisen or has been discovered.

(2) The chief coroner may direct a coroner to make or re-open an investigation if the chief coroner considers that the new evidence
(a) is substantial and material to the investigation, and
(b) did not exist at the time of the investigation, or did exist at that time but was not discovered and could not have been discovered through the exercise of due diligence.

(3) The chief coroner may direct a coroner to make or re-open an investigation if the chief coroner considers it would be in the public interest.

(4) Following an investigation made or re-opened under this section, the coroner must make a report under section 15 or 16, as applicable.

PART 4 — Inquests

Part 4: Division 1 — When Inquest to be Held

Direction to hold inquest

18. (1) A coroner must hold an inquest if directed to do so
(a) under this Division, by the chief coroner, or
(b) under section 19, by the minister.

(2) If a deceased person died in a circumstance described in section 3 (2) (a) [death while in custody of peace officer], the chief coroner must direct a coroner to hold an inquest unless any of the following apply, in which case the chief coroner may direct a coroner to hold an inquest:
(a) the chief coroner is satisfied that
   (i) the deceased person’s death was due to natural causes and was not preventable, or
   (ii) there was no meaningful connection between the deceased person’s death and the nature of the care or supervision received by the person while detained or in custody;
(b) the circumstances of the deceased person’s death are or will be the subject of a commission of inquiry established under the Public Inquiry Act or under section 2 of the Inquiries Act (Canada).

(2.1) If the chief coroner decides under subsection (2) of this section that an inquest is not required, the chief coroner must
(a) report the decision to the minister and include with the report
   (i) the authority on which the decision is based, and
   (ii) the reasons for the decision,
(b) subject to subsection (2.2), make the report public, and
(c) direct a coroner to make a report in accordance with section 16 (1) (a) respecting the deceased person's death.

(2.2) Section 69 (2) [disclosure to the public or interested persons] applies for the purposes of a report made under subsection (2.1) (b).

(2.3) The chief coroner may reconsider a decision under subsection (2) that an inquest is not required and direct an inquest to be held if any of the following circumstances apply:
(a) in the case of a decision based on a reason set out in subsection (2) (a), if new evidence has arisen or has been discovered that
   (i) is substantial and material to the deceased person's death, and
   (ii) did not exist at the time of the investigation of the deceased person's death, or did exist at that time but was not discovered and could not have been discovered through the exercise of due diligence;
(b) in any case, if the chief coroner considers it would be in the public interest.

(3) The chief coroner may direct a coroner to hold an inquest if the chief coroner has reason to believe that
(a) the public has an interest in being informed of the circumstances surrounding the death, or
(b) the death resulted from a dangerous practice or circumstance, and similar deaths could be prevented if recommendations were made to the public or an authority.
(4) The chief coroner may direct a coroner to hold a single inquest in respect of more than one death if the chief coroner
(a) directs a coroner to hold an inquest under this Division, and
(b) has reason to believe that the facts or circumstances relating to more than one death are sufficiently similar that separate inquests are not necessary.

Minister may require inquest

19. (1) The minister may order a coroner to hold an inquest if
(a) the coroner has not held an inquest but the minister is satisfied that it is necessary or desirable in the public interest that an inquest be held, or
(b) an inquest has been held already in respect of a death but the minister is satisfied that a second inquest is necessary or desirable in the public interest.
(2) On receiving an order under subsection (1), the coroner must hold the inquest.
(3) If a coroner holds an inquest in respect of a death for which an inquest has already been held, the coroner directed to hold the second inquest has the same powers and jurisdiction as the coroner who held the first inquest.

Attorney General may direct that inquest not be held

20. (1) If a person is charged with any criminal offence in relation to a death, the Attorney General may direct that an inquest concerning the death
(a) must not be held, or
(b) if an inquest has already begun, must be suspended.
(2) Despite a direction under subsection (1), the chief coroner may direct a coroner to hold an inquest into the death if
(a) the criminal charge is withdrawn or stayed, or
(b) a final verdict has been rendered in respect of the criminal charge.

Part 4: Division 2 — Notice of Inquest and Summoning Jurors

Notice of inquest

21. (1) Before holding an inquest, a coroner must give notice of the time and place at which the inquest is to be held to
(a) the minister,
(b) the regional Crown counsel,
(c) a member of the deceased's immediate family, if known to the coroner, and
(d) any person who has requested notice.
(2) If the inquest is into the death of a worker to whom Part 1 of the Workers Compensation Act [Compensation to Workers and Dependents] applies, and the death arose out of the...
worker's work, a coroner must, before holding an inquest, give notice of the time and place at which the inquest is to be held to

(a) a representative of the worker's employer, and

(b) a representative of any trade union certified as the bargaining agent for the worker.

(3) If the inquest is into the death of a person who died while carrying out a mining activity under the Mines Act, a coroner must, before holding an inquest, give notice of the time and place at which the inquest is to be held to the chief inspector under that Act.


Summoning of jury

22. (1) Every inquest must be held with a jury.

(2) The coroner must send notice of an inquest to a sheriff, directing the sheriff to summon a jury and advising the sheriff of

(a) the date the inquest is to start, and

(b) the number of persons to serve as jurors, being no fewer than 5 and no more than 7.

(3) A sheriff must summon the jury at least 30 days before the start of the inquest and, for this purpose, the following provisions of the Jury Act apply:

(a) Part 1 [Jurors];

(b) section 11 [summoning of jurors];

(c) section 13 [exemption from jury service].

(4) If the inquest is into the death of a worker to whom Part 1 of the Workers Compensation Act applies, and the death arose out of the worker's work, reasonable effort must be made to ensure that all or part of the jury summoned is composed of persons familiar with the type of work the deceased was doing.

(5) The coroner, or if directed by the coroner a sheriff, must administer to each juror an oath to give a true verdict according to the evidence.


Payment of jurors

23. (1) A person summoned as a juror under section 22 is entitled to be paid for service, and, for this purpose, sections 24, 25 and 29 of the Jury Act apply.

(2) For the purposes of applying section 29 (2) [jurors not attending to be fined] of the Jury Act,

(a) the coroner may apply to the court to impose a fine on a juror, and

(b) the court may impose a fine as if the juror were a juror of a civil trial.


Discharge of jurors

24. (1) A coroner may discharge a juror if, before or during the inquest, the coroner considers that the juror should not, because of illness or other reasonable cause, act or continue to act.

(2) If

(a) during an inquest a juror dies or is discharged, or otherwise fails to attend, and

(b) at least 3 jurors remain,
the jury is, unless the coroner directs otherwise, properly constituted for all purposes of the
inquest and the inquest may continue.


Part 4: Division 3 — General Conduct of Inquest

Power to control inquest

25. (1) Subject to this Act and the regulations, a coroner has the power to control an inquest.

(2) For the purpose of facilitating justice and timeliness, the coroner may make decisions and
orders respecting
(a) timetables for the conduct of the inquest,
(b) adjournments,
(c) who may act as a participant under section 31 (2),
(d) the examination of witnesses,
(e) the exclusion of witnesses, and
(f) the admissibility of evidence.


Disclosure of records

26. (1) At any time before or during an inquest, a coroner may
(a) determine which records are relevant to and admissible in the inquest, and
(b) in his or her discretion, provide copies of those records to one or more participants.

(2) The coroner may require any participant who receives a record under subsection (1), and
the participant's counsel, if any, to sign a written undertaking to preserve the confidentiality
of the records as a condition of receiving the records.

(3) A person who signs an undertaking under subsection (2)
(a) must not disclose the records to any other person, and
(b) must use and store the records in a manner that will preserve the confidentiality of
the records.


Inquest open to public

27. (1) Subject to subsection (2), a coroner must make an inquest open to the public.

(2) A coroner may prohibit or restrict a person or class of persons, or the public, from attending
all or part of an inquest, and may prohibit publication of all or part of the proceedings of an
inquest, if the coroner has reason to believe that doing so is necessary
(a) for the effective and efficient fulfillment of the purpose of the inquest, or
(b) to protect
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(i) a person from undue interference with the person's privacy,
(ii) a person's personal security,
(iii) a person's right to a fair trial in a criminal proceeding,
(iv) national security, or
(v) the security or well-being of a child.

(3) A coroner may act under subsection (2)
(a) on request of a witness,
(b) on request of a participant, or
(c) on his or her own initiative.


Power to maintain order

28. (1) At an inquest, a coroner may make orders or give directions that he or she considers necessary for the maintenance of order at an inquest, and, if any person disobeys or fails to comply with any order, the coroner may call on the assistance of a peace officer to enforce the order.

(2) A peace officer called on under subsection (1) may take any action that is necessary to enforce the order and may use such force as is reasonably required for that purpose.


Failure to comply with orders

29. Without limiting any other power of enforcement, if a participant does not comply with a coroner's order,
(a) the coroner, after giving notice to the participant, may
   (i) order that the person is no longer entitled or permitted to act as a participant, and
   (ii) continue the inquest without that person's further participation, and
(b) a finding or recommendation may be made without the evidence that person intended to present.


Power to record inquest

30. (1) A coroner may transcribe or record an inquest.

(2) If a coroner transcribes or records an inquest, the transcription or recording must be considered to be correct and to constitute part of the record of the inquest.

(3) If, by a mechanical or human failure or other accident, the transcription or recording of an inquest is destroyed, interrupted or incomplete, the validity of the inquest is not affected.


Part 4: Division 4 — Evidence at Inquest
Who may participate in inquest

31. (1) A person may act as a participant only if the person
(a) is given notice of the inquest under section 21 (1) (a), (2) or (3), or
(b) is permitted to participate under subsection (2) of this section.
(2) On the request of a person other than a person given notice under section 21 (1) (a), (2) or (3), the coroner may permit the person to act as a participant after considering whether that person's interests may be directly and substantially affected by the findings of the jury.
(3) A participant may be represented by counsel or, with the approval of the coroner, by an agent.
(4) A participant is responsible for paying fees and expenses the participant incurs in respect of legal representation or advice in relation to the inquest.


Power to compel witnesses and order disclosure

32. (1) A coroner may serve a summons requiring a person to do either or both of the following:
(a) attend an inquest, in person or by electronic means, to give evidence on oath or affirmation or in any other manner;
(b) produce for the coroner information or a thing in the person's possession or control.
(2) A participant may request the coroner to summon a person to appear as a witness.


Examination of witnesses

33. (1) The coroner may examine on oath or affirmation all persons
(a) who submit evidence or have knowledge about the facts concerning the death, and
(b) whom the coroner thinks it advisable to examine.
(2) Subject to subsection (4), the jurors may ask relevant questions of witnesses.
(3) Subject to subsection (4), a participant may
(a) cross-examine and re-examine witnesses, and
(b) with permission of the coroner, lead evidence and examine witnesses.
(4) The coroner may reasonably limit the questioning of a witness if satisfied that the questioning has been sufficient to disclose fully and fairly the facts in relation to which the witness has given evidence.


Power to accept information

34. (1) Subject to subsections (3) and (4), a coroner may receive and admit as evidence information that he or she considers relevant, necessary and appropriate, whether or not the information would be admissible in a court of law, and may comment on the weight that ought to be given to any particular evidence.
(2) A coroner may exclude anything that, in the opinion of the coroner, is unduly repetitious, irrelevant or unnecessary to the inquest.
(3) Nothing is admissible in evidence at an inquest that would be inadmissible in a court because of any privilege under the law of evidence.

(4) Nothing in subsection (1) overrides the provisions of any Act expressly limiting the extent to which or purposes for which any oral testimony, records or things may be admitted or used in evidence.


Rights of witnesses

35. (1) While giving evidence at an inquest, a witness may receive advice from counsel.

(2) A witness is considered to have objected to answering, but must still answer, any question that may
(a) incriminate the witness in a criminal proceeding, or
(b) establish the witness's liability in a civil proceeding.

(3) Any answer provided by a witness before a coroner must not be used or admitted in evidence against the witness in any trial or other proceedings, other than a prosecution for perjury in respect of the answer provided.


Fees and expenses of witnesses

36. (1) Subject to subsection (4) and the regulations, a coroner,
(a) if a witness, including an expert witness, was summoned at the request of a participant, may require the participant to pay appearance fees and expenses reasonably and necessarily incurred by the witness, and
(b) in any case, may include appearance fees and expenses reasonably and necessarily incurred by a witness, including an expert witness, as part of the expenses of the inquest.

(2) A coroner may apportion fees and expenses under subsection (1) between one or more persons, and between one or more persons and as part of the expenses of the inquest.

(3) Subject to the regulations, a coroner may give directions respecting appearance fees and expenses reasonably and necessarily incurred by a person summoned to appear as a witness.

(4) A witness, including an expert witness, is responsible for paying fees and expenses the witness incurs in respect of legal representation or advice in relation to the inquest.


Part 4: Division 5 — Findings of Jury

No communication with jury

37. (1) If the jurors retire to consider their verdict, the coroner may
(a) keep the jurors in a private place under the charge of a person designated by the coroner, or
(b) excuse the jurors from the place described in paragraph (a), with or without conditions.

(2)
A person, including the person in charge of the jurors, must not communicate with any of
the jurors about the subject matter of the inquest without permission from the coroner.

(3) A violation of this section does not affect the validity of the proceedings, except that the
coroner may discharge the jury and direct a new jury to be sworn if
(a) a violation of this section is discovered before the verdict of the jury is returned, and
(b) the coroner reasonably believes that the violation might lead to a miscarriage of
justice.


Jury’s verdict

38. (1) After hearing the evidence, the jury must certify in writing, so far it has been proved to
them, any findings of fact respecting
(a) who the deceased was,
(b) how, when, where and by what means the deceased died, and
(c) any other matter concerning the deceased that the coroner is required to report under
section 17 (2) (f) [particulars of deaths] of the Vital Statistics Act.
(2) A finding of the jury need not be unanimous, but may be returned by a majority of the
jurors.
(3) The jury must not make, and the coroner must not accept, any finding of legal
responsibility or express any conclusion of law.
(4) If a jury does not deliver a proper finding, the jury must be discharged.
(5) The jury may make recommendations about any matter arising out of the inquest.
(6) If a majority of the jurors cannot agree on a verdict,
   (a) the coroner may record the findings of those facts, if any, that a majority of the jurors
   have been able to agree on, and may discharge the jury,
   (b) the coroner must submit to the minister and the chief coroner the evidence taken at
   the inquest, together with the findings of fact, if any, recorded under paragraph (a),
   and
   (c) the minister or chief coroner may order a coroner to summon another jury to hold a
   further inquest, or may take other action that the minister considers proper.


Report of jury's verdict

39. The coroner must promptly report a jury's verdict to the chief coroner.

PART 5 — Additional Matters Respecting Investigations and Inquests

Release of body

40. A coroner who has possession of a body may release the body if the coroner determines that the body is no longer required for an investigation or inquest.


Service of notice or records

41. (1) A notice or record that must be served on a person under this Act may be served by personal service of a copy of the notice or record or by sending the copy to the person by any of the following means:
   (a) ordinary mail;
   (b) electronic transmission, including fax;
   (c) another method, approved by the chief coroner, that allows proof of receipt.

(2) If a notice or record is not served on a person in accordance with this section, an inquest is not invalidated if
   (a) the contents of the notice or record were known by the person within a reasonable time,
   (b) the person waives the requirements of service, or
   (c) the failure to serve does not result in prejudice to the person, or any resulting prejudice can be satisfactorily addressed by an adjournment of the inquest or by other means.


Oaths and affirmations

42. (1) For the purposes of an investigation or inquest, the coroner, or if directed by the coroner a sheriff or court reporter, may administer oaths and affirmations.

(2) Instead of being sworn in the usual form, a person summoned
   (a) to appear before a coroner to answer questions, or
   (b) to act as a witness or as a juror at an inquest

may make a solemn affirmation or declaration in accordance with the Evidence Act and may answer questions or act as a witness or juror as if the person had been sworn.

(3) In any record or proceeding, it may be stated that a person, witness or juror was sworn or affirmed, or made a declaration.


Power to apply to court

43. A coroner may apply to the court for any of the following:

   (a) an order directing a person to do anything necessary to permit the coroner to exercise a power of investigation;

(b) an order directing a person to refrain from doing something that prevents or obstructs
the coroner from exercising a power of investigation;
(c) an order directing a person to comply, or directing any directors and officers of a
person to cause the person to comply, with a summons served by the coroner under
section 32 [power to compel witnesses and order disclosure];
(d) an order finding a person to be in contempt, as if in breach of an order or a judgment
of the court, for failing or refusing to comply with a summons or direction given by
(i) the sheriff under section 22 [summoning of jury], or
(ii) the coroner for the purpose of controlling an inquest;
(e) an order finding a person to be in contempt, as if in breach of an order or a judgment
of the court, for a reason other than as set out in paragraph (d).


When investigative powers end

44. (1) A coroner may continue to exercise powers under Division 2 of Part 3 [Investigations] in
respect of a death until
(a) the coroner has reported to the chief coroner under Division 3 of Part 3 [Report to
the Chief Coroner] or, if an inquest was held, under section 39 [report of jury's
verdict], and
(b) the chief coroner indicates to the coroner that the chief coroner has no further
directions in respect of the death.
(2) A coroner must forward all records to the chief coroner after the coroner has reported to the
chief coroner under Division 3 of Part 3 or, if an inquest was held, under section 39.


Disqualification of coroners

45. (1) A coroner must not exercise powers or perform duties under Part 3 [Investigations] or 4
[Inquests] in respect of a deceased person
(a) whom the coroner has attended, in his or her professional capacity as a medical
practitioner, at any time within one year immediately before the death,
(b) on whose body the coroner has performed a post-mortem examination, or
(c) whose death has been caused at or on an undertaking
   (i) owned in whole or in part by the coroner,
   (ii) owned or operated by a company in which the coroner is a shareholder, or
   (iii) in respect of which the coroner is employed in any capacity, or otherwise
        receives fees for services.
(2) The chief coroner may require a coroner not to act under Part 3 or 4 in respect of a
deceased person if the chief coroner has reason to believe that
(a) the coroner may be disqualified under subsection (1), or
(b) any other circumstances exist that may call into question the impartiality of the
    coroner or the ability of the coroner to carry out the investigation or inquest.


Chief coroner may act or issue directions

46. (1)
CORONERS ACT

Despite any other provision of this Act, if the chief coroner has reason to believe that a coroner has not exercised a power or performed a duty under this Act that the coroner should have exercised or performed, the chief coroner may
(a) order the coroner or another coroner to exercise the power or perform the duty, or
(b) exercise the power or perform the duty personally.

(2) If directed by the minister or chief coroner, a coroner must assume jurisdiction in place of another coroner over an investigation or inquest.

(3) A coroner who assumes jurisdiction under subsection (2)
(a) has exclusive jurisdiction in respect of the investigation or inquest, and
(b) may, in his or her discretion, continue the investigation or inquest or begin a new investigation or inquest.

(4) If a coroner continues an investigation or inquest under subsection (3), the coroner may rely on all decisions made and information received by the former coroner.

PART 6 — Death Reviews

Child death review unit

47. (1) The chief coroner must establish a child death review unit to review the facts and circumstances of child deaths in British Columbia for the purposes of
(a) discovering and monitoring trends in child deaths, and
(b) determining whether further evaluation of the death of a child is necessary or desirable in the public interest.
(2) The chief coroner may appoint, in accordance with the Public Service Act, one or more persons to the child death review unit to exercise the powers and perform the duties of the child death review unit.
(3) The chief coroner must appoint one member of the child death review unit to act as chair of the child death review unit.

Powers of child death review unit

48. (1) A member of the child death review unit may review one or more deaths during a review.
(2) A member of the child death review unit must not begin a review until a coroner has completed,
(a) if no inquest is held, the coroner's investigation, or
(b) if an inquest is held, the inquest and the conditions of section 44 (1) [when investigative powers end] have been met.
(3) For the purposes of conducting a review, a member of the child death review unit may
(a) use any information acquired through an investigation or inquest conducted under this Act, whether or not the investigation or inquest was completed, and
(b) exercise the powers of investigation set out in section 11 as if the member were a coroner conducting an investigation.

Death review panels

49. (1) The chief coroner may, and at the direction of the minister must, establish panels to review the facts and circumstances of deaths, including child deaths, in British Columbia for the purposes of providing advice to the chief coroner respecting
(a) medical, legal, social welfare and other matters that may impact public health and safety, and
(b) the prevention of deaths.
(2) If the chief coroner establishes a death review panel, the chief coroner may
(a) appoint a person to act as chair of the death review panel,
(b) appoint one or more persons to the death review panel and set the terms of the appointment, including remuneration, if any, and
(c) set the terms of reference for the death review panel.
Powers of death review panels

50.  (1) A member of a death review panel may review one or more deaths during a review.
     (2) A member of a death review panel may begin a review
         (a) before, during or after an investigation or inquest, or a review conducted by the child
dehth review unit, and
         (b) regardless of any decision made by a coroner or a member of the child death review
         unit.
     (3) For the purposes of conducting a review, a member of a death review panel may use any
     information disclosed to the member by the chief coroner.

Report of review

51.  (1) Following each review by the child death review unit or a death review panel, a member of
     the child death review unit or the death review panel, as applicable, must
     (a) report to the chief coroner
         (i) any findings respecting the circumstances surrounding deaths that were the
         subject of a review, and
         (ii) any recommendations respecting the prevention of similar deaths, and
     (b) submit to the chief coroner all records relevant to the review.
     (2) A member of the child death review unit or a death review panel may base his or her report
     on an aggregate and multidisciplinary analysis of the deaths reviewed.
     (3) A member of the child death review unit may make recommendations to the chief coroner
     respecting the protection of the health, safety and well-being of children generally.
     (4) A member of the child death review unit or a death review panel must not, in his or her
     report, make any finding of legal responsibility or express any conclusion of law.
PART 7 — Administrative and General Matters

Part 7: Division 1 — Appointment of Coroners and Other Persons

Appointment of chief coroner and deputy

52. (1) The Lieutenant Governor in Council may appoint, by order, after a merit-based process, a chief coroner of British Columbia to hold office for an initial term of 3 to 5 years.

(2) The Lieutenant Governor in Council may appoint, by order, after a merit-based process and in consultation with the chief coroner, a deputy chief coroner of British Columbia to hold office for an initial term of 2 to 4 years.

(3) The Lieutenant Governor in Council may reappoint the chief coroner or the deputy chief coroner for additional terms of up to 5 years.

(4) If the chief coroner or the deputy chief coroner is or expects to be absent, or is unwilling or unable to act, the minister may appoint, by order, a person who is qualified to act as a coroner to act in place of the chief coroner or deputy chief coroner.

(5) An appointment made under subsection (4) terminates on the earliest of the following:
   (a) when the chief coroner or the deputy chief coroner resumes his or her duties;
   (b) when a new appointment is made under subsection (1) or (2), as applicable;
   (c) on the first anniversary of the appointment under subsection (4).

(6) The Public Service Pension Plan, continued under the Public Sector Pension Plans Act, applies to persons appointed under this section.


Duties of chief coroner

53. (1) The chief coroner must
   (a) administer this Act and the regulations, and
   (b) perform other duties that are assigned to the chief coroner under any other Act or by the minister.

(2) The chief coroner may do any of the following:
   (a) supervise and direct coroners in the performance of their duties, including creating rules of procedure in respect of investigations and inquests;
   (b) conduct programs to instruct coroners in their duties;
   (c) bring the findings and recommendations of coroners, juries and review panels to the attention of appropriate persons, public authorities or the public;
   (d) prepare, publish and distribute manuals and a code of ethics to guide coroners;
   (e) prepare, in accordance with the regulations, forms to be used in the administration of this Act, including the form of a report, summons or notice, or an undertaking or authorization to do a thing;
   (f) prepare, publish and distribute materials for the purpose of informing the public respecting prevention of deaths.

Appointment of coroners

54. (1) The chief coroner may appoint, in accordance with the Public Service Act, one or more persons to exercise the powers and perform the duties of coroners under this Act.

(2) The chief coroner may delegate to a coroner any of the chief coroner's powers or duties under this Act or another enactment.


Persons retained to act as coroners

55. (1) Despite section 54 [appointment of coroners], the chief coroner may retain persons as necessary to act as coroners, and, for this purpose, delegate to those persons any power or duty of a coroner.

(2) A person retained under subsection (1) may be remunerated for acting as a coroner in accordance with the prescribed fees.

(3) The Public Service Act does not apply to a person retained under this section.


Designation of regional coroners

56. (1) The chief coroner may divide the Province into regions and may at any time limit or expand the jurisdiction of a coroner to one or more regions.

(2) For each region, the chief coroner may designate a coroner as the regional coroner.

(3) A regional coroner has, subject to the direction of the chief coroner,

(a) general supervision of the coroners in the region for which he or she is designated, and

(b) other powers and duties as may be determined by the chief coroner.

(4) A regional coroner may act as the regional coroner in a region for which he or she is not designated at the request of the regional coroner designated for that region or the chief coroner.


Judge may act as coroner

57. (1) A judge of the Provincial Court may perform any of the duties and exercise any of the powers of a coroner at the request of the Attorney General.

(2) A judge who has acted under subsection (1) in respect of the death of any person must not preside at a preliminary hearing, or at a trial, of a person

(a) who is charged with an offence arising out of the acts that may have caused the death, or

(b) against whom a claim of action has been filed in relation to the death.


Hiring staff

58. The chief coroner may appoint, in accordance with the Public Service Act, employees necessary for the administration of this Act.

Retaining other persons

59. (1) The chief coroner or the chair of the child death review unit may retain consultants or other persons that the chief coroner or chair considers necessary to assist with all or part of an investigation, an inquest or a review.

(2) The Public Service Act does not apply to a person retained under this section.


Part 7: Division 2 — Duty and Protections

General duty

60. A coroner and a member of the child death review unit or a death review panel must faithfully, honestly and impartially perform his or her duties.


Compulsion protection

61. A coroner or a member of the child death review unit, or a person acting on behalf of or under the direction of a coroner or member,

(a) must not be required to testify or produce evidence in any proceeding about the reasons for which he or she reached a conclusion or made a decision in the performance of duties under this Act, and

(b) may be required to testify or produce evidence in any proceeding about observations made during the exercise of investigative powers under section 11 [powers of investigation] or 48 (3) (b) [powers of child death review unit].


Immunity protection

62. (1) Subject to subsection (2), no legal proceeding for damages lies or may be commenced or maintained against the government, a coroner, a member of the child death review unit or a person acting on behalf of or under the direction of any of these, because of anything done or omitted

(a) in the performance or intended performance of any duty under this Act, or

(b) in the exercise or intended exercise of any power under this Act.

(2) Subsection (1) does not apply to a person referred to in that subsection in relation to anything done or omitted by that person in bad faith.


Part 7: Division 3 — Disclosure of Information

General prohibition against disclosure
63. (1) Except as provided for under this Act or another enactment, a coroner or a member of the child death review unit or a death review panel, or a person acting on behalf of or under the direction of any of these, must not disclose or publish
(a) any information in respect of a deceased person or a person related to or otherwise connected with a deceased person, and
(b) any information provided, or a record compiled, made, used or submitted, in the course of, or that arose out of, an investigation, an inquest or a review.

(2) A coroner or a member of the child death review unit, or a person acting on behalf of or under the direction of either of these, may disclose information or a record as necessary or incidental to the carrying out of an investigation, an inquest or a review under this Act.


Application of Freedom of Information and Protection of Privacy Act

64. (1) Despite the Freedom of Information and Protection of Privacy Act,
(a) if no inquest is held, a coroner may refuse to disclose any information collected in the course of an investigation until the investigation is completed,
(b) if an inquest is held, a coroner may refuse to disclose any information collected in the course of an investigation or inquest until the inquest is completed, and
(c) a member of the child death review unit or a death review panel may refuse to disclose any information collected in the course of a review until the review is completed.

(2) The Freedom of Information and Protection of Privacy Act, other than section 44 (1) (b), (2), (2.1) and (3) [powers of commissioner in conducting investigations, audits or inquiries], does not apply to any of the following:
(a) a draft report of a coroner, made under Division 3 of Part 3 [Report to Chief Coroner], including any personal note or communication made in relation to the draft report;
(b) a draft report of a member of the child death review unit, made under section 51 [report of review], including any personal note or communication made in relation to the draft report;
(c) a personal note, communication or draft report of a coroner, made in the exercise of any power under Part 4 [Inquests];
(d) a draft jury’s verdict, made under Part 4 [Inquests];
(e) a transcription or recording of an inquest;
(f) a record
   (i) submitted in an inquest for which public access is provided by the chief coroner, or
   (ii) that, if disclosed, would reveal the subject matter of a review conducted by a death review panel;
(g) a finding of a jury for which public access is provided by the chief coroner.

(3) The chief coroner may refuse to disclose any part of a record that contains confidential information to a person who has a right of access under the Freedom of Information and Protection of Privacy Act to the record.

(4) Subsection (2) does not apply to personal information that has been in existence for at least 100 years or to other information that has been in existence for at least 50 years.


Protection of information and records
65. (1) In this section, "legal proceeding" includes an inquiry, an inquest, an arbitration, a disciplinary proceeding, and a criminal or civil proceeding in which evidence is or may be given, and includes a proceeding before a tribunal, board or commission, but does not include a review under Part 4 [Reviews and Investigations of Critical Injuries and Deaths] of the Representative for Children and Youth Act.

(2) For the purposes of a legal proceeding, a person, whether a party to the legal proceeding or not, must not be asked nor be permitted to answer a question, or to produce a record, that would require or cause the person to reveal
(a) confidential information, or
(b) the subject matter of a review conducted by a death review panel.

(3) A coroner or a member of the child death review unit or a death review panel must not be compelled to produce or permit inspection of any record for the purposes of a legal proceeding in which the coroner or member is not a party.


Protection of identity of persons reporting children in need of protection

66. (1) Despite the Freedom of Information and Protection of Privacy Act, a person must not disclose, and must not be compelled to disclose, any information obtained under this Act that could identify a person who made a report under section 14 [duty to report need for protection] of the Child, Family and Community Service Act, unless the person who made the report consents to the disclosure.

(2) Subsection (1) applies to information received from the Children's Commission on the repeal of the Children's Commission Act.


Information-sharing agreements

67. (1) The chief coroner may enter into an information-sharing agreement under which information, including personal information, that is necessary and relevant to an investigation, an inquest or a review may be collected, used and disclosed.

(2) An information-sharing agreement under subsection (1) must identify all of the following:
(a) the nature and type of information that is to be collected, used or disclosed under the agreement;
(b) the persons, by name, title or position, who may have access to the information under the agreement;
(c) the limits or conditions, if any, on the use or disclosure of the information being shared;
(d) the term of the agreement and the circumstances in which the agreement may be renewed, suspended or terminated.


Disclosure to Representative for Children and Youth

68. Regardless of whether or not a demand for information has been made under section 10 of the Representative for Children and Youth Act, the chief coroner or the chair of the child
69. (1) Subject to subsection (2), the chief coroner may disclose any report, or part of a report, made to the chief coroner under section 16 [report after investigation], 39 [report of jury's verdict] or 51 [report of review] to
   (a) the public, or
   (b) a person who, in the opinion of the chief coroner, has a valid interest in the findings and recommendations contained in the report.

   (2) In determining whether or not to disclose personal information from a report, the chief coroner must consider
   (a) whether the disclosure is necessary to support the findings and recommendations contained in the report, and
   (b) whether the public interest in the disclosure outweighs the personal privacy of the individual whose personal information is disclosed in the report.

Part 7: Division 4 — General Matters

Protection of persons giving information

70. A person, including a witness in an inquest, who discloses information or submits a record to a coroner or a member of the child death review unit or a death review panel for the purpose of the information or record being used in the course of an investigation, an inquest or a review
   (a) is not liable for the disclosure or submission if the disclosure or submission is made in good faith, and
   (b) has the same privileges in relation to the disclosure or submission as the person would have with respect to a proceeding in a court.

Obstruction of coroner or reviewer

71. A person must not
   (a) knowingly hinder, obstruct or interfere with, or attempt to hinder, obstruct or interfere with,
   (b) supply false information to, or
   (c) refuse or neglect to supply information to
   a coroner or member of the child death review unit or a death review panel in the performance of his or her duties, or a person acting under the direction of any of these.
72. (1) Section 5 [general offence] of the Offence Act does not apply to this Act or the regulations.

(2) A person who contravenes any of the following sections commits an offence:

   (a) section 2, 3 or 4 [deaths that must be reported];
   (b) section 5 [no disturbance of body or wreckage];
   (c) section 6 [removing body from British Columbia];
   (d) section 26 [disclosure of records];
   (e) section 37 (2) [no communication with jury];
   (f) section 71 [obstruction of coroner or reviewer].


Power to make regulations

73. (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the Interpretation Act.

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:

   (a) respecting notices of the chief coroner issued under section 2 (1) (f) [deaths that must be reported by anyone];
   (b) requiring a person to report the death of an adult in circumstances other than those described in Part 2;
   (c) prescribing persons who must report child deaths for the purposes of section 2 (2);
   (d) prescribing additional rules of procedure for inquests;
   (e) respecting fees and expenses to be paid to a witness under section 36 [fees and expenses of witnesses], including limiting or excluding fees and expenses, and respecting directions that may be made by a coroner under that section;
   (f) respecting the content of forms prepared by the chief coroner under section 53 (2) (e) [duties of chief coroner] for use under this Act;
   (g) respecting oaths of coroners, including prescribing the form of oaths;
   (h) prescribing fees that may or must be paid to persons retained to act as coroners under section 55;
   (i) prescribing fees for coroners for services performed under any other Act;
   (j) respecting the service of a notice or any other record.

PART 8 — Transition, Repeal and Consequential Amendments

Transition — Coroners and coroners’ orders

74. (1) In this section, "former Act" means the Coroners Act, R.S.B.C. 1996, c. 72, as it read immediately before its repeal.

(2) Effective on the date this section comes into force, each coroner appointed under section 1 (1) of the former Act and remunerated in accordance with section 6 (2) of that Act is deemed to have been appointed as a coroner under section 54 of this Act.

(3) Effective on the date this section comes into force, each coroner appointed under section 1 (1) of the former Act and remunerated in accordance with section 6 (1) of that Act is deemed to have been retained as a coroner under section 55 of this Act.

(4) A coroner described in subsection (2) or (3) is deemed to have been appointed or retained

(a) for a term ending on the date his or her appointment under section 1 (1) of the former Act would otherwise have terminated, and

(b) subject to any conditions of the person's appointment under section 1 (1) of the former Act.

(5) Within 3 months of the date this section comes into force, the Lieutenant Governor in Council may appoint a person described in subsection (2) as the deputy chief coroner under section 52, for the same or a greater term, and on the same conditions, as referred to in subsection (4).

(6) Subsections (2) to (5) of this section must not be construed as

(a) a termination for the purposes of section 14.9 (3) of the Public Sector Employers Act, or

(b) a breach of the contract related to the appointment of a person to whom any of subsections (2) to (5) of this section applies.

(7) An order of a coroner made before the date this section comes into force is deemed to be an order of the coroner made under this Act.

Repeal

To view details of the status of these sections, see 2007 Bill 8, c. 15, Coroners Act.

Repeal

75 The Coroners Act, R.S.B.C. 1996, c. 72, is repealed.
Consequential Amendments

To view details of the status of these sections, see 2007 Bill 8, c. 15, Coroners Act.

Anatomy Act

76 Section 2 (b) of the Anatomy Act, R.S.B.C. 1996, c. 13, is repealed and the following substituted:
   (b) a coroner authorizes the release of the body under the Coroners Act.

Creditor Assistance Act

77 Section 1 of the Creditor Assistance Act, R.S.B.C. 1996, c. 83, is amended by repealing the definition of "sheriff".

Freedom of Information and Protection of Privacy Act

78 Section 33.1 (1) (h) of the Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165, is amended by striking out "section 36" and substituting "section 31 (1)".

Human Tissue Gift Act

79 Section 6 of the Human Tissue Gift Act, R.S.B.C. 1996, c. 211, is amended
   (a) by striking out "section 9" and substituting "section 2, 3 or 4", and
   (b) by striking out "section 38 (3)" and substituting "section 13".

Mines Act

80 Section 20 of the Mines Act, R.S.B.C. 1996, c. 293, is repealed.

Public Sector Employers Act

81 Section 14.9 (1) (a) of the Public Sector Employers Act, R.S.B.C. 1996, c. 384, is repealed and the following substituted:
   (a) the chief coroner and deputy chief coroner under the Coroners Act.
Public Service Benefit Plan Act

82 Section 1 (2) of the Public Service Benefit Plan Act, R.S.B.C. 1996, c. 386, is amended by striking out "a coroner" and substituting "the chief coroner and deputy chief coroner under the Coroners Act, ".

Public Service Labour Relations Act

83 Section 1 (1) of the Public Service Labour Relations Act, R.S.B.C. 1996, c. 388, is amended in the definition of "employee" by adding the following paragraph:

(f.4) a person appointed under section 54 of the Coroners Act or retained under section 55 of that Act to perform the duties of a coroner; 

Representative for Children and Youth Act

84 Section 13 (b) of the Representative for Children and Youth Act, S.B.C. 2006, c. 29, is repealed and the following substituted:

(b) if a coroner investigates the death of the child, until the earlier of

(i) the date on which a coroner has

(A) reported to the chief coroner under section 15 or 16 of the Coroners Act, and

(B) the chief coroner indicates to the coroner, under section 44 (1) (b) of the Coroners Act, that the chief coroner has no further directions in respect of the death,

(ii) the date on which a coroner sends, under section 22 (2) of the Coroners Act, notice of an inquest to a sheriff, directing the sheriff to summon a jury for that purpose, and

(iii) one year after the death, and 

Vital Statistics Act

85 Sections 17 (2) (f) and 18 (1) (a) (iii) and (c), (4) and (5) of the Vital Statistics Act, R.S.B.C. 1996, c. 479, are amended by striking out "inquiry" wherever it appears and substituting "investigation".

86 Section 18 (5) (b) is amended by striking out "section 20 (4) (b) or 25 (2)" and substituting "section 13 (3) or 16".
Commencement

The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

<table>
<thead>
<tr>
<th>Item</th>
<th>Column 1 Provisions of Act</th>
<th>Column 2 Commencement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Anything not elsewhere covered by this table</td>
<td>The date of Royal Assent</td>
</tr>
<tr>
<td>2</td>
<td>Sections 1 to 66</td>
<td>By regulation of the Lieutenant Governor in Council</td>
</tr>
<tr>
<td>3</td>
<td>Sections 67</td>
<td>November 20, 1990</td>
</tr>
<tr>
<td>4</td>
<td>Sections 68 to 86</td>
<td>By regulation of the Lieutenant Governor in Council</td>
</tr>
</tbody>
</table>