



ANNO SEPTIMO

EDWARDI VII REGIS.

A.D. 1907.

No. 922.

An Act to Further Amend the Law relating to Coroners.

[*Assented to, November 13th, 1907.*]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as "The Coroners Act Further Amendment Act, 1907," and shall be incorporated and read as one with "The Coroners Act, 1884," hereinafter called "the principal Act."

Short title and incorporation.

2. Notwithstanding anything contained in the principal Act, or any law or custom to the contrary, in any case in which a coroner deems it necessary to hold an inquest upon a dead body, or to hold an inquiry into the cause and origin of any fire, it shall not hereafter be necessary for such coroner to issue his summons or precept to any jurors, or to have any jurors in attendance at such inquest or inquiry unless—

Power to hold inquests without a jury.

Cf. Vic., No. 1828, 1903, sec. 2.

- (a) Such coroner considers it desirable that jurors should be summoned to attend; or
- (b) The Attorney-General directs that jurors shall be so summoned; or
- (c) A request that jurors may be summoned to attend shall be made in writing by—

- 1. Any relative of the deceased person or any sufferer by the fire:
- ii. Any

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- ii. Any person claiming to know any circumstances relative to the death of the deceased person, or concerning the cause of the fire ; or
- iii. Any member of the police force.

Reasons to be stated.

3. Any coroner holding an inquest without jurors shall set forth in writing his reasons for so holding it, and forthwith transmit such reasons to the Attorney-General.

Effect of finding where no jury.

4. Where, pursuant to the provisions of this Act, an inquest is held by a coroner without jurors, the proceedings thereat shall in all respects be as nearly as practicable as if jurors had been summoned and attended, and the finding or decision of such coroner shall for all purposes have the like force and effect as the finding or verdict of jurors would have had thereat, and any reference in any Act to a finding or verdict of a coroner's jury, or of jurors at coroner's inquests or inquiries, shall be deemed to apply also to the finding or decision of a coroner at an inquest without jurors, and such coroner shall have the like powers in reference to such finding or decision by himself alone as coroners now have on the finding or verdict by a jury or jurors at a coroner's inquest ; and in taking recognisances on admitting any person to bail such coroner may vary the form contained in the Schedule to the principal Act as may appear necessary.

View on inquest not compulsory.

Cf. N.Z., No. 60 of 1902, sec. 6.

5. Notwithstanding anything in the principal Act, or any law or custom to the contrary, it shall not be necessary for the jurors on any inquest to view the body of any deceased person unless required to do so by the coroner.

Repeal, sec. 8, Act 332 of 1884.

6. Section 8 of the principal Act is hereby repealed, and the next following section hereof shall be read in lieu thereof.

Mode of summoning jury.

7. (1) Upon receiving a coroner's precept, duly signed and sealed, the constable to whom the same is directed shall summon a jury, either by verbal command and production of such precept or by service of summons.

Qualification of jurors.

(2) The jury to be so summoned shall, where practicable, consist of persons resident within two miles of the place where the inquest is to be held and whose names appear upon the jurors' list for the time being in force in the nearest Local Court ; but otherwise all true and lawful men between the ages of twenty-one and sixty years shall be qualified as jurors, and liable to be commanded or summoned to attend as such, unless exempted by law.

Inquests to be held at police stations or Court buildings.

8. Notwithstanding anything in the principal Act inquests shall, whenever possible and convenient, be held at police stations or Local

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or Police Court buildings where such buildings are the property of the Government.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

GEORGE R. LE HUNTE, Governor.