



Coroners Act (Northern Ireland) 1959

1959 CHAPTER 15

An Act to amend and consolidate the law relating to coroners. [8th December 1959]

Modifications etc. (not altering text)

- C1** Functions of Lord Chancellor are transferred to the Department of Justice (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 15(1), [Sch. 17 para. 25](#) (with arts. 15(6), 28-31); S.I. 2010/977, [art. 1\(2\)](#)

1 Administration of matters relating to coroners.

[^{F1F2} The Lord Chancellor shall be responsible] for the administration of all matters relating to coroners.

- F1** [1978 c.23](#)
F2 prosp. subst., [2002 c.26](#)

2 Appointment of coroners, etc.

[^{F3}(1) The Northern Ireland Judicial Appointments Commission may appoint one, or more than one, coroner and deputy coroner for a district or districts on such conditions as to remuneration, superannuation or otherwise as the Lord Chancellor may determine after consultation with the Treasury.]

[^{F4}Salaries and other amounts payable under this subsection shall be paid by the Department of Justice.]

[^{F5}(1A) The Lord Chief Justice must [^{F6}be consulted before a determination (or a revision of a determination) is made under Part 3 of Schedule 3 to the Justice (Northern Ireland) Act 2002 in relation to] coroners or deputy coroners.

[^{F7}(1B)]

(2) ^{F8}

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- (3) No person, other than a person who is a coroner in Northern Ireland immediately before the coming into force of this Act, shall be appointed a coroner unless^{F9} he—
- (a) a member of the Bar of Northern Ireland of at least five years' standing; or
 - (b) a solicitor of the^{F10} Court of Judicature] of at least five years' standing.]
- (4) Any person who is a coroner immediately before the commencement of this Act shall be deemed to have been appointed a coroner under this Act and to have been appointed for the same district and on the same conditions as immediately before the commencement of this Act.
- (5) A coroner shall not act as solicitor or barrister in proceedings arising out of any matter which may have come before him as coroner^{F11}^{F12}.
- (6) A solicitor or barrister appointed as coroner or deputy coroner under this Act shall not conduct any inquest upon the body of, or hold any inquiry into the death of, any person, if he has drawn up, or assisted in the drawing up of, and is a beneficiary under, any testamentary disposition made by such person.
- (7) A coroner who is a registered medical practitioner shall not conduct any inquest upon the body of, or hold any inquiry into the death of, any person on whom he had, within one month prior to the death of such person, attended in his capacity as such practitioner.

F3	S. 2(1) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3) , ss. 2(3), 5(7)(a), Sch. 4 para. 2(2) (with Sch. 5 para. 16); S.I. 2010/812, art. 2
F4	Words in s. 2(1) inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976) , arts. 1(2), 15(5), Sch. 18 para. 100 (with arts. 28-31); S.I. 2010/977, art. 1(2)
F5	S. 2(1A)(1B) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4) , ss. 15(2), 148(1), Sch. 5 para. 3 ; S.I. 2006/1014, art. 2(a) , Sch. 1 para. 12(a)
F6	Words in s. 2(1A) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3) , ss. 2(3), 5(7)(a), Sch. 4 para. 2(3) (with Sch. 5 para. 16); S.I. 2010/812, art. 2
F7	S. 2(1B) repealed (1.11.2015) by Legal Aid and Coroners' Courts Act (Northern Ireland) 2014 (c. 11) , ss. 8(3)(a), 12(1), Sch. 3 Pt. 2 (with ss. 2(3), 9, Sch. 1 paras. 3(3)); S.R. 2015/359, art. 2(b)(d)
F8	S. 2(2) repealed (3.4.2006) by Justice (Northern Ireland) Act 2002 (c. 26) , ss. 86, 87(1), Sch. 13 ; S.R. 2006/124, art. 2 , Sch. para. 11(a)
F9	2002 c.26
F10	Words in s. 2(3)(b) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4) , ss. 59(5), 148(1), Sch. 11 para. 6(1) ; S.I. 2009/1604, art. 2(d)
F11	SR 1982/192
F12	1974 NI 6

^{F13}2A Appointment of Presiding coroner

- (1) The Lord Chief Justice must appoint one of the coroners to be the Presiding coroner with responsibility for the coroners' courts and the other coroners.
- (2) The person appointed as Presiding coroner holds that office in accordance with the terms of the appointment.
- (3) If the office of Presiding coroner becomes vacant, the Lord Chief Justice may appoint a coroner to act as Presiding coroner, pending a new appointment.

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(4) The Lord Chief Justice may delegate any functions of the Lord Chief Justice relating to coroners' courts, other than functions under section 36, to the Presiding coroner.]

F13 S. 2A inserted (1.11.2015) by [Legal Aid and Coroners' Courts Act \(Northern Ireland\) 2014 \(c. 11\)](#), ss. [8\(2\)](#), [12\(1\)](#) (with ss. [2\(3\)](#), [9](#), [Sch. 1 paras. 3\(3\)](#)); S.R. 2015/359, art. 2(b)

3 Power to amalgamate districts.

[^{F14}(1)] Upon the death or resignation or removal from office of a coroner, the [^{F15} Lord Chancellor], as from such date he may appoint, may by order amalgamate his district or part of his district with the district of any other coroner, and as from that date such other coroner shall be deemed to have been appointed coroner for the first-mentioned district or part (as the case may be).

[^{F16}(2) The Lord Chief Justice must be consulted before any date is appointed and before any order is made under subsection (1).

[^{F17}(3)]

F14 S. 3 renumbered (3.4.2006) as subsection (1) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. [15\(2\)](#), [148\(1\)](#), [Sch. 5 para. 4\(1\)\(2\)](#); S.I. 2006/1014, art. [2\(a\)](#), [Sch. 1 para. 12\(a\)](#)

F15 1978 c.23

F16 S. 3(2)(3) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. [15\(2\)](#), [148\(1\)](#), [Sch. 5 para. 4\(3\)](#); S.I. 2006/1014, art. [2\(a\)](#), [Sch. 1 para. 12\(a\)](#)

F17 S. 3(3) repealed (1.11.2015) by [Legal Aid and Coroners' Courts Act \(Northern Ireland\) 2014 \(c. 11\)](#), ss. [8\(3\)\(a\)](#), [12\(1\)](#), [Sch. 3 Pt. 2](#) (with ss. [2\(3\)](#), [9](#), [Sch. 1 paras. 3\(3\)](#)); S.R. 2015/359, art. 2(b)(d)

S. 4 rep. by 1978 c. 23

5 Administrative expenses.

All expenses reasonably and properly incurred in connection with coroners and in relation to the holding of coroners' courts (including expenses so incurred by coroners in the course of their duties) shall be defrayed out of [^{F18} moneys provided by the [^{F19} Assembly]].

F18 1978 c.23

F19 Words in s. 5 substituted (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. [1\(2\)](#), [15\(5\)](#), [Sch. 18 para. 101](#) (with arts. 28-31); S.I. 2010/977, art. [1\(2\)](#)

Modifications etc. (not altering text)

C2 S. 5 applied by 1959 c. 15, s. 36A(1) (as inserted (13.5.2014) by [Northern Ireland \(Miscellaneous Provisions\) Act 2014 \(c. 13\)](#), s. [28\(4\)](#), [Sch. para. 5\(2\)](#))

[^{F20}5A Indemnity.

(1) A coroner shall indemnified by the Lord Chancellor in respect of—

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- (a) any costs which he reasonably incurs in or in connection with proceedings in respect of anything done or omitted in the exercise (or purported exercise) of his duty as a coroner;
 - (b) any costs which he reasonably incurs in taking steps to dispute any claim which might be made in such proceedings;
 - (c) any damages awarded against him or costs ordered to be paid by him in any such proceedings; and
 - (d) any sums payable by him in connection with a reasonable settlement of any such proceedings or claim.
- (2) Sub#section (1) applies in relation to proceedings by a coroner only if and to the extent that the Lord Chancellor agrees in advance to indemnify him.]

F20 1999 c. 22

6 Coroner to hold inquests in district to which he is appointed.

- (1) Subject to the provisions of sub-section (2) and of section fourteen a coroner shall hold inquests only within the district for which he is, or is deemed to have been, appointed under this Act.
- (2) Where the coroner for any district is unable owing to illness, absence or for any other cause to discharge his duties as such or neglects or fails to discharge those duties the^{F21}Lord Chief Justice may, after consultation with the Lord Chancellor,] in writing direct any coroner or other person possessing the qualifications referred to in sub-section (3) of section two to act, during such period or periods as the^{F21}Lord Chief Justice may, after consultation with the Lord Chancellor,] specify, in that district, and such coroner or other person shall during that period or periods have the same powers and perform the same duties within that district as the coroner appointed therefor.

^{F22}(3)

F21 Words in s. 6(2) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(2), 148(1), Sch 5 para. 5(2); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 12(a)

F22 S. 6(3) repealed (1.11.2015) by [Legal Aid and Coroners' Courts Act \(Northern Ireland\) 2014 \(c. 11\)](#), ss. 8(3)(a), 12(1), [Sch. 3 Pt. 2](#) (with ss. 2(3), 9, Sch. 1 paras. 3(3)); S.R. 2015/359, art. 2(b)(d)

7 Duty to give information to coroner.

Every medical practitioner, registrar of deaths or funeral undertaker and every occupier of a house or mobile dwelling and every person in charge of any institution or premises in which a deceased person was residing, who has reason to believe that the deceased person died, either directly or indirectly, as a result of violence or misadventure or by unfair means, or as a result of negligence or misconduct or malpractice on the part of others, or from any cause other than natural illness or disease ^{F23}for which he had been seen and treated by a registered medical practitioner within twenty-eight days prior to his death], or in such circumstances as may require investigation (including death as the result of the administration of an anaesthetic), shall immediately notify the coroner within whose district the body of such deceased person is of the facts and circumstances relating to the death.

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F23 Words in s. 7 omitted (temp.) (26.3.2020) by virtue of [Coronavirus Act 2020 \(c. 7\)](#), s. 87(2), [Sch. 13 para. 26](#) (with [ss. 88-90](#), [Sch. 13 para. 30](#)); [S.I. 2020/361](#), reg. 2(a)

8 Police to inform coroner.

Whenever a dead body is found, or an unexpected or unexplained death, or a death attended by suspicious circumstances, occurs, the district inspector^{F24} within whose district the body is found, or the death occurs, shall give or cause to be given immediate notice in writing thereof to the coroner within whose district the body is found or the death occurs, together with such information also in writing as he is able to obtain concerning the finding of the body or concerning the death.

F24 Now superintendent or chief superintendent, SRO (NI) 1970/111

9 Cremation, etc., prohibited.

Where there is reason to believe that a deceased person died in any of the circumstances mentioned in section seven, the body of the deceased person shall not be cremated or buried and no chemical shall be applied to it externally or internally and no alteration of any kind shall be made thereto until the coroner so authorises.

10 Enforcement of ss.7 and 9.

- (1) Every person who contravenes section seven shall be guilty of an offence and be liable on summary conviction to a fine not exceeding^{F25} level 2 on the standard scale].
- (2) Every person who contravenes section nine shall be guilty of an offence and be liable on summary conviction to a fine not exceeding^{F25} level 3 on the standard scale].

F25 1984 NI 3

11 Coroner may take possession of body.

- (1) Where a coroner is informed that there is within his district the body of a deceased person and that there is reason to believe that the deceased person died in any of the circumstances mentioned in section seven or section eight he shall instruct a constable to take possession of the body and shall make such investigation as may be required to enable him to determine whether or not an inquest is necessary.
- (2) For the purposes of an investigation under sub-section (1) the coroner may view the body but shall not be obliged to do so.
- (3) The coroner may, with the consent of the [^{F26} Lord Chancellor], employ such persons as he considers necessary to assist him in such investigation.
- (4) For the purposes of exercising his powers under this section, a coroner may direct the exhumation of any body which has been buried within his district and the consent of any other authority or person to any exhumation so directed shall not be required by any^{F27}. . . regulations under section one hundred and eighty-one of the Public Health (Ireland) Act, 1878 .