

Coroners Bill

Bill No. 10/2010.

Read the first time on 26th April 2010.

CORONERS ACT 2010

(No. of 2010)

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A BILL

i n t i t u l e d

An Act to consolidate the law relating to Coroners' inquiries and to make consequential and related amendments to certain other written laws.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

PART I

PRELIMINARY

Short title and commencement

1. This Act may be cited as the Coroners Act 2010 and shall come into
5 operation on such date as the Minister may, by notification in the *Gazette*,
appoint.

Interpretation

2.—(1) In this Act, unless the context otherwise requires —

10 “body” means a dead person, and includes any part of a person
(whether or not the identity of the person concerned is known when
the part is discovered or is later determined) —

(a) without which no person can live; or

(b) discovered in such circumstances or such state that it is
probable that the person is dead,

15 but does not include a foetus or a still-born child within the
meaning of the Registration of Births and Deaths Act (Cap. 267);

20 “cause of death” includes not only the apparent cause of death as
ascertainable by inspection or examination of the body, but also all
matters necessary to enable an opinion to be formed as to the
manner in which the deceased came by his death;

“Coroner” means a Coroner appointed under section 3(1), and
includes the State Coroner;

“forensic pathologist” means a pathologist appointed under
section 4(1) as a forensic pathologist;

25 “health-care practitioner” means a person providing any of the
services in the First Schedule, but does not include a medical
practitioner;

30 “Health Sciences Authority” means the Health Sciences Authority
established under section 3 of the Health Sciences Authority Act
(Cap. 122C);

“hospital” means any premises used or intended to be used for the
reception, lodging, treatment and care of persons who require

medical treatment or care or who suffer from any disease, injury or disability of mind or body, and includes a maternity home and a nursing home;

5 “inquiry” means an inquiry into any death held by a Coroner under Part VI;

“investigation” means an investigation into a death conducted by a police officer, a Coroner or a forensic pathologist, and includes any post-mortem examination;

10 “medical clinic” means any premises used or intended to be used by a medical practitioner, a health-care practitioner or any other person —

(a) for the diagnosis or treatment of persons suffering from, or believed to be suffering from, any disease, injury or disability of mind or body; or

15 (b) for curing or alleviating any abnormal condition of the human body by the application of any apparatus, equipment, instrument or device,

but does not include a hospital;

20 “medical practitioner” means a registered medical practitioner under the Medical Registration Act (Cap. 174) who has in force a practising certificate issued under that Act;

“medical treatment or care” includes any operation or any surgical, diagnostic or therapeutic procedure;

25 “pathologist” means a medical practitioner who is registered as a specialist in pathology under the Medical Registration Act;

“place of custody” means any place in which any person may lawfully be held, confined, detained or committed;

“properly interested person” means —

(a) any person who is a spouse or next-of-kin of the deceased;

30 (b) any person who is a personal representative of the deceased; or

(c) any other person who, in the opinion of the Coroner, should be regarded as a properly interested person by reason of any particular interest in an inquiry;

“Registrar-General” means the Registrar-General of Births and Deaths appointed under the Registration of Births and Deaths Act (Cap. 267);

5 “reportable death” means any death the circumstances of which are set out in the Second Schedule;

“Singapore-registered aircraft” means an aircraft registered in Singapore under the Air Navigation Act (Cap. 6);

“Singapore-registered vessel” means a vessel registered in Singapore under the Merchant Shipping Act (Cap. 179);

10 “State Coroner” means the State Coroner appointed under section 3(1).

(2) For the purposes of this Act, a person is in official custody while he is —

15 (a) held, confined, detained or committed under any written law in any place of custody;

(b) proceeding to or from any such place of custody in the company of a police officer or other person charged with the person’s custody; or

(c) being taken into or escaping from such custody.

20 **Appointment of State Coroner and Coroners**

3.—(1) The President may, on the recommendation of the Chief Justice, appoint a State Coroner and such other Coroners as are necessary for the proper administration of this Act.

25 (2) No person shall be appointed a Coroner unless he is a judicial officer appointed under the Subordinate Courts Act (Cap. 321) and, in the case of the State Coroner, unless he is a District Judge appointed under that Act.

(3) The State Coroner shall be charged with the general administration of this Act and the exercise of the functions and duties imposed upon him by this Act.

30 (4) The State Coroner may authorise or appoint any person to assist him in the exercise of his functions and duties under this Act whether generally or in any particular case.

(5) Where the State Coroner is temporarily unable, whether by illness, absence or any other reason, to perform his functions and duties for any

period, the Chief District Judge appointed under the Subordinate Courts Act (Cap. 321) may appoint another Coroner to act as State Coroner for that period.

5 (6) All appointments made under subsection (1) shall be published in the *Gazette*.

Appointment of forensic pathologists

4.—(1) The Chief Executive of the Health Sciences Authority may appoint any pathologist as a forensic pathologist for the purposes of this Act.

10 (2) All appointments made under subsection (1) shall be published in the *Gazette*.

PART II

REPORTING OF DEATHS AND PRESERVING OF RECORDS

Obligation to report death

15 5.—(1) Any person who becomes aware of a death which is, or appears to be, a reportable death shall, as soon as reasonably practicable, make a report of the death to a police officer.

(2) Any person who, without reasonable excuse, the burden of proving which shall be on the accused in a prosecution, contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,500 or to imprisonment for a term not exceeding one month or to both.

20

(3) Nothing in this section or section 6 shall derogate from any other obligation to report a death under any other written law.

Reporting of death occurring in official custody

25

6.—(1) Where a person dies —

(a) in the course of being arrested or detained by any person in the exercise, or purported exercise, of any power of arrest or detention under any written law; or

30 (b) while he is in official custody,

it shall be the duty of —

- (i) the person exercising the power of arrest or detention;
- (ii) the person in charge of the place of custody where the deceased died; or
- 5 (iii) if the deceased was outside the place of custody when he died, the person in whose official custody the deceased was at the time of his death,

as the case may be, to prepare and submit to a police officer a report of the death within 24 hours upon the person becoming aware of that death.

10 (2) A report under subsection (1) shall not be required where the death is the result of the lawful execution of a death sentence.

(3) Any person who, without reasonable excuse, the burden of proving which shall be on the accused in a prosecution, contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not
15 exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

Reporting of death by police officer

7. Every police officer who —

- (a) comes across; or
- 20 (b) receives any information about,

a death which is, or appears to be, a reportable death shall, as soon as reasonably practicable, make a report at a police station giving details of any information which he obtains with regard to the death.

Duty to preserve medical records by persons in charge of hospital, medical clinic and place of custody

25 8.—(1) Where a person dies —

- (a) while in any hospital or medical clinic for medical treatment or care; or
- (b) while he is in official custody,

30 the person in charge of the hospital, medical clinic or place of custody, as the case may be, shall preserve all medical records, health-care records and any other document pertaining to the medical treatment or care of the

deceased as are in the possession of the hospital, medical clinic or place of custody for such period as may be prescribed.

(2) Any person who, without reasonable excuse, the burden of proving which shall be on the accused in a prosecution, fails to comply with subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Body not to be moved

9.—(1) In the case of a reportable death, no person shall remove, or in any manner alter the position of, a body unless the removal or moving of the body is —

(a) authorised by a police officer; or

(b) necessary for the purpose of preventing any destruction or damage to the body.

(2) Any person who, without reasonable excuse, the burden of proving which shall be on the accused in a prosecution, contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 6 months or to both.

PART III

INVESTIGATIONS INTO DEATHS

Investigations into deaths

10.—(1) A police officer who comes across or receives any information about any death which is, or appears to be, a reportable death shall —

(a) if the body is in Singapore, proceed immediately to the spot where the body is lying or the death is believed to have occurred; and

(b) use his best endeavours to investigate the cause of and circumstances connected with the death of the deceased.

(2) If the police officer is unable to comply with subsection (1), he shall immediately inform his superior officer who shall depute some other police officer who shall comply with that subsection.

(3) Any police officer who has seen the body may —

- (a) cause the body to be removed to such place as he may direct, pending an order of a Coroner to release the body; or
- (b) secure and preserve the scene where the body was found, pending further investigations.

Police officer to report to Coroner

11.—(1) After a police officer has started investigations into a death, he shall, as soon as reasonably practicable, inform a Coroner of the death and any particulars concerning the cause of death which have come to his knowledge.

(2) The police officer investigating into the cause of death shall —

- (a) from time to time, furnish the Coroner with such further particulars concerning the death as may subsequently come to his knowledge, together with the name of any person who has been arrested and charged in connection with the death; and
- (b) comply with such directions as the Coroner may give concerning the investigation.

Viewing of body by Coroner

12.—(1) A Coroner shall, as soon as possible after a death is reported to him, view the body if practicable, and make a preliminary investigation —

- (a) at the place where the body is lying, or any other place to which the body has been moved; or
- (b) by a live video link, or by such other means as the State Coroner may approve which reasonably allows the Coroner to view and identify the body.

(2) If the Coroner considers, after viewing the body and making a preliminary investigation, that the death was due to natural causes and that it is unnecessary to hold an inquiry, he may issue an order under section 22 for the release of the body.

Police officer to report to Public Prosecutor in certain cases

13. In any investigation under section 10, where a person has been or may be arrested and charged in connection with the death, the police officer investigating into the cause of death shall —

(a) as soon as reasonably practicable, inform the Public Prosecutor of the particulars concerning the cause of death which have come to his knowledge; and

5 (b) comply with such directions as the Public Prosecutor may give concerning the investigation.

Duty of police officer to investigate cause of death if directed by Public Prosecutor

14. A police officer shall investigate into the cause of any death if directed to do so by the Public Prosecutor.

10 **Power of police officer to investigate**

15. In investigating into any death, a police officer may exercise all or any of the powers conferred on him by the Criminal Procedure Code 2010 or any other written law in relation to investigations into an arrestable offence.

15 **Coroner or Public Prosecutor may direct forensic pathologist to investigate**

16.—(1) When a Coroner or the Public Prosecutor receives information about the death of any person, the Coroner or the Public Prosecutor may, if he considers it appropriate to do so, direct —

20 (a) a forensic pathologist to investigate the cause of and circumstances connected with the death; and

(b) that a copy of all medical records, health-care records and such other documents as may be relevant to the case be furnished by the person in charge of the hospital, medical clinic or place of
25 custody referred to in section 8 or any other person in possession thereof to the forensic pathologist.

(2) The forensic pathologist shall regularly inform the police officer investigating the death, the Coroner and the Public Prosecutor about the progress of his investigations and findings.

30 **Powers of forensic pathologist**

17.—(1) A forensic pathologist making an investigation under section 16 may —

- (a) view the body at the place where the body is lying or order the body to be removed to some more convenient place and view the body at that place;
- (b) require any medical practitioner or health-care practitioner to furnish, within such time as the forensic pathologist may specify —
- (i) a detailed report, to the best of the medical practitioner's or health-care practitioner's knowledge, on the medical treatment or care rendered to the deceased before that person's death;
- (ii) such medical records or health-care records pertaining to the medical treatment or care of the deceased as the forensic pathologist may require; and
- (iii) any other information which the forensic pathologist considers necessary; and
- (c) request the Coroner to direct the police to provide such assistance as the forensic pathologist may require to investigate the cause of and circumstances connected with the death.
- (2) Any medical practitioner or health-care practitioner who is required by a forensic pathologist under subsection (1)(b) to provide any information or records and who —
- (a) fails to provide such information or records;
- (b) provides any information or records which he knows or believes to be false or incomplete; or
- (c) tampers or destroys, or causes or permits the tampering or destruction of, any record pertaining to the medical treatment or care of the deceased,
- shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

PART IV

POST-MORTEM EXAMINATION AND POWERS OF
CORONER TO ORDER BURIAL, CREMATION OR EXHUMATION**When post-mortem examination necessary**

- 5 **18.**—(1) In a case of a death reported to a Coroner under section 11, the Coroner may, after consulting a pathologist, order a post-mortem examination to be conducted if the Coroner is of the opinion that a post-mortem examination is necessary in the circumstances to establish the manner and cause of death.
- 10 (2) Notwithstanding subsection (1), a Coroner shall order a post-mortem examination to be conducted if he is directed to do so by the Public Prosecutor in any particular case.

Conduct of post-mortem examination

- 15 **19.**—(1) A post-mortem examination may only be performed by —
- (a) a pathologist; or
- (b) a medical practitioner under the supervision of a pathologist.
- (2) A pathologist who conducts or supervises a post-mortem examination may —
- 20 (a) perform or cause to be performed any operation on the body that he thinks necessary, including causing any part or contents of the body or any other substance or thing to be retained for the purpose of determining the manner or cause of death; and
- 25 (b) where necessary, appoint any person who in his opinion is qualified to make a special examination by way of an analysis, test or otherwise of any part or contents of the body or of any other substance or thing, and send such part, contents, substance or thing to that person for special examination.
- 30 (3) The Coroner or the forensic pathologist investigating a case, if any, may direct the person performing a post-mortem examination to cause to be retained any part or contents of the body or any other substance or thing which appears to the Coroner or forensic pathologist to be relevant in establishing the manner or cause of death.

Post-mortem examination report and special examination report

20.—(1) A pathologist who has conducted or supervised any post-mortem examination shall —

- 5 (a) draw up, or cause to be drawn up, a report of the findings of the post-mortem examination and of the conclusions which he draws from it;
- (b) certify as to the medical cause of death; and
- (c) date and sign the report and send it to the Coroner who ordered the post-mortem examination.

10 (2) Where a person has been appointed under section 19(2)(b), he shall draw up a report of the findings of his special examination, date and sign the report and send it to the Coroner who ordered the post-mortem examination.

15 (3) The post-mortem examination report made under subsection (1) and any special examination report made under subsection (2) shall be admissible as evidence, and shall be prima facie evidence of the facts stated therein, at any inquiry held under this Act.

20 (4) The pathologist who conducted or supervised the post-mortem examination or any person appointed under section 19(2)(b), if summoned by the Coroner as a witness in an inquiry, may be asked to give evidence as to his opinion upon any matter arising out of the examination conducted or supervised by him and as to how in his opinion the deceased came by his death.

Power of Coroner to order exhumation

25 **21.** A Coroner may, and if directed to do so by the Public Prosecutor under section 26(2) shall, order the exhumation of a body, or the remains of a body, for the purpose of discharging any of his duties, or exercising any of his powers under this Act.

Power of Coroner to order release for burial, cremation, etc.

30 **22.**—(1) Where a death which is, or appears to be, a reportable death has been reported to a Coroner and the body is in Singapore, the Coroner shall have control of the body until such time as he issues an order to release the body under subsection (3).

(2) If a post-mortem examination has been ordered on the body, the Coroner shall issue the order under subsection (3) only after the post-mortem examination has been concluded.

5 (3) The Coroner may, whether or not he considers that an inquiry is necessary, order the release of a body —

- (a) for burial or cremation;
- (b) for the body to be transported out of Singapore; or
- (c) for the retention of the body for use in any manner in accordance with law,

10 and if he so orders, shall issue a certificate of his order to release the body.

(4) Where a reportable death has occurred or is suspected to have occurred and the body is in Singapore, any person who, without reasonable excuse, the burden of proving which shall be on the accused in a prosecution —

- 15 (a) buries, cremates, transports out of Singapore or otherwise uses or disposes of; or
- (b) causes to be buried, cremated, transported out of Singapore or otherwise used or disposed of,

20 that body, without the order of a Coroner under subsection (3), shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both.

Coroner to report to Public Prosecutor if body is released without inquiry

25 **23.** In every case where a body is released by an order of a Coroner under section 22 and no inquiry is held, the Coroner shall report the facts to the Public Prosecutor with his reasons for not holding an inquiry.

PART V

CIRCUMSTANCES UNDER WHICH INQUIRY IS HELD

Jurisdiction of Coroner to hold inquiry

5 **24.**—(1) A Coroner shall have the jurisdiction to hold an inquiry to determine the cause of death of any person where —

- (a) the body of the person is found in Singapore;
- (b) the death occurred in Singapore;
- (c) the cause of the death occurred in Singapore; or
- 10 (d) the death occurred on board, or as a result of an occurrence on board, a Singapore-registered aircraft or Singapore-registered vessel.

(2) The Coroner shall have the jurisdiction under subsection (1)(b), (c) and (d) notwithstanding the absence of a body.

Duty of Coroner to hold inquiry

15 **25.**—(1) A Coroner shall hold an inquiry into any death which occurred in Singapore where —

- (a) a person dies while in official custody;
- (b) the death was the result of the lawful execution of a death sentence, in accordance with section 313(m) of the Criminal Procedure Code 2010;
- 20 (c) the Public Prosecutor so requires under section 26; or
- (d) the death occurred in any of the circumstances set out in the Third Schedule, unless the Coroner is satisfied that the death was due to natural causes.

25 (2) A Coroner may decide not to hold an inquiry, in any other case in which he has jurisdiction, if he is satisfied that —

- (a) the death was due to natural causes and it is unnecessary to do so; or
- (b) in the circumstances, it is not necessary in the public interest to do so.
- 30

(3) In deciding whether to hold an inquiry, a Coroner may have regard to the following matters:

- 5 (a) in the case of a death that appears to have been unnatural or violent, whether or not it appears to have been due to the action or inaction of any other person;
- (b) the extent to which the drawing of attention to the circumstances of the death may be likely to reduce the chances of the occurrence of other deaths in similar circumstances;
- 10 (c) the desire of any member of the immediate family of the deceased that an inquiry should be conducted;
- (d) whether or not the death occurred outside Singapore or was caused by matters arising outside Singapore;
- (e) whether or not an inquiry or investigation into the death has been or will be conducted by a coroner or a corresponding authority of
15 a foreign country; and
- (f) any other matter the Coroner thinks fit.

(4) A Coroner who decides not to hold an inquiry into a death under subsection (2) shall report the facts to the Public Prosecutor with his reasons for not holding an inquiry.

20 **Power of Public Prosecutor to require inquiry**

26.—(1) The Public Prosecutor may, in any case where a Coroner has jurisdiction and the Public Prosecutor is satisfied that an inquiry is necessary or desirable, require the Coroner to hold an inquiry into the death of any person.

25 (2) The Public Prosecutor may direct that a body be exhumed if he is of the opinion that it is necessary to do so for the purposes of the inquiry.

(3) Notwithstanding that proceedings at any inquiry may have been concluded by a Coroner, where it appears to the Public Prosecutor that further investigations are necessary, the Public Prosecutor may direct the
30 Coroner to re-open the inquiry and make further investigations, and the Coroner shall comply with such directions and thereafter proceed in the same manner as if the proceedings at the inquiry had not been concluded.

PART VI

INQUIRIES INTO DEATH

Purpose of inquiry

5 27.—(1) The purpose of an inquiry into the death of any person is to inquire into the cause of and circumstances connected with the death and, for that purpose, the proceedings and evidence at the inquiry must be directed to ascertaining the following matters in so far as they may be ascertained:

(a) the identity of the deceased; and

10 (b) how, when and where the deceased came by his death.

(2) A Coroner at an inquiry shall not frame a finding in such a way as to determine any question of criminal, civil or disciplinary liability but shall not be inhibited in the discharge of his functions by any likelihood of liability being inferred from facts that he determines or recommendations
15 that he makes.

(3) At the conclusion of the inquiry, the Coroner shall record his findings as to the matters referred to in paragraphs (a) and (b) of subsection (1).

Pre-inquiry review

20 28.—(1) A pre-inquiry review may be held by a Coroner before the commencement of an inquiry.

(2) The purpose of a pre-inquiry review is to settle the following matters with a view to expediting the inquiry:

25 (a) the filing of the investigation papers and any post-mortem examination report or special examination report made under section 20 for the inquiry;

(b) any issues of fact or law for the inquiry;

(c) the witnesses to be called to the inquiry;

30 (d) the filing of any conditioned statements to be admitted in evidence in the inquiry;

(e) the date of the inquiry; and

(f) any other application to be made for the inquiry.

(3) A pre-inquiry review and any application made to the Coroner at the pre-inquiry review may be heard by live video link, or by such other means as the State Coroner may approve.

5 **Notice of inquiry**

29.—(1) A Coroner who is to hold a pre-inquiry review or an inquiry may cause a notice to be served on any properly interested person.

(2) Any such notice shall state the date, time and place of the pre-inquiry review or inquiry and shall be served on any properly interested
10 person within a reasonable period.

Summoning of witnesses and production of documents

30.—(1) A Coroner shall have and exercise all the powers of a Magistrate's Court with regard to —

(a) summoning and compelling the attendance of witnesses and
15 requiring them to give evidence; and

(b) the production of any document or thing,

at any inquiry held by him.

(2) Every summons to appear, warrant of arrest or summons to produce shall be in writing signed by the Coroner and shall bear the seal of the
20 court.

(3) Such summons to appear or summons to produce shall ordinarily be served by a police officer, but the Coroner may, if he sees fit, direct it to be served by some other person.

(4) The provisions of section 38, Part VI and section 235 of the
25 Criminal Procedure Code 2010 shall apply, with the necessary modifications, in relation to summonses to appear, warrants of arrest and summonses to produce issued by a Coroner.

Inquiries to be made public

31.—(1) An inquiry shall be held in open court, unless a Coroner is of
30 the opinion that it is in the interests of justice, propriety, public order or public security, or there is other sufficient reason, that the public be excluded from the inquiry or any part of the inquiry.

(2) Whenever an inquiry or part thereof is not held in open court, the Coroner shall report his reasons for not so holding it to the Public Prosecutor.

Assessors

5 **32.**—(1) A Coroner may, if he considers it appropriate to do so, appoint not more than 2 assessors with skill and experience in the matter to which the inquiry relates to assist him in the hearing of any inquiry.

(2) Any assessor appointed under subsection (1) may sit with the Coroner in the hearing of the inquiry and has the power to advise but not
10 to determine any matter relating to the inquiry.

(3) The remuneration of any assessor sitting in an inquiry shall be payable out of moneys provided by Parliament, at such rate as may be prescribed.

Evidence by conditioned statements

15 **33.**—(1) Notwithstanding anything in any written law, a written statement made by any person summoned as a witness in any inquiry is admissible as evidence at the inquiry to the same extent and to the same effect as oral evidence by the person, if the following conditions are satisfied:

20 (a) the statement appears to be signed by the person who made it; and

(b) the statement contains a declaration by the person to the effect that it is true to the best of his knowledge and belief and that he made the statement knowing that, if it were given in evidence, he
25 would be liable to prosecution if he stated in it anything he knew to be false or did not believe to be true.

(2) The following provisions also apply to any written statement given in evidence under this section:

30 (a) if the statement is made by a person below the age of 21 years, it shall state his age;

(b) if it is made by a person who cannot read it, it shall be read to him before he signs it and shall be accompanied by a declaration by the person who read the statement to him, stating that it was so read; and

(c) if it refers to any other document as an exhibit, it shall be accompanied by a copy of that document or by information that will enable the Coroner to inspect that document or a copy of it.

5 (3) Where a written statement made by any witness is admitted in evidence under this section in an inquiry (referred to in this Act as a conditioned statement), the Coroner may call the person to give evidence.

Reading over evidence and correction

34.—(1) The conditioned statement, if any, of a witness in an inquiry shall be read over to him.

10 (2) If the witness denies the correctness of any part of the conditioned statement, the Coroner may, instead of correcting the conditioned statement, make a memorandum on it of the objection made to it by the witness and shall add such remarks as the Coroner thinks necessary.

15 (3) If the witness does not understand English, the conditioned statement shall be interpreted for him into the language in which it was given or in a language which the witness understands.

Questioning of witnesses

20 **35.**—(1) Any properly interested person, and any other person who has the permission of the Coroner to do so, may examine a witness in person or by counsel.

25 (2) Where at any inquiry the report of the pathologist who has conducted or supervised a post-mortem examination of the body or the report of a person who has made a special examination under section 19(2)(b) is received in evidence, any person referred to in subsection (1) who desires to examine the maker of that report may require the Coroner to summon that person as a witness, and the Coroner shall do so.

Manner of recording evidence

30 **36.**—(1) The evidence given in any inquiry shall be recorded by the Coroner in writing or in any other suitable form of recording whereby the evidence can be reduced to a readable form.

(2) Evidence recorded in writing or, if it is not recorded in writing, the transcript of the evidence recorded, must be in English and signed by the Coroner, and shall form part of the record of the inquiry.

(3) Evidence may be recorded in the form of question and answer or in the form of a narrative, as the Coroner thinks fit.

Rules of evidence not applicable

5 **37.** A Coroner holding an inquiry is not bound by the rules of evidence and may conduct an inquiry in any manner he reasonably thinks fit.

Adjournment of inquiry

38. A Coroner holding an inquiry in any place may adjourn the inquiry to another day and order the adjourned inquiry to be held in the same or any other place.

10 **Adjournment of inquiry when criminal proceedings commenced**

39.—(1) If, before the conclusion of an inquiry by a Coroner, any person is charged with any offence under —

(a) Chapter XVI of the Penal Code (Cap. 224);

(b) section 64, 65 or 66 of the Road Traffic Act (Cap. 276); or

15 (c) Part IV of the Workplace Safety and Health Act (Cap. 354A),

in relation to an act which caused or could have caused the death which is the subject of the inquiry, the Coroner shall adjourn the inquiry until after the conclusion of the criminal proceedings.

20 (2) Where a Coroner resumes an inquiry after the conclusion of the criminal proceedings referred to in subsection (1), he shall continue with the inquiry from the stage at which it was adjourned, provided that at the resumed inquiry no finding shall be made which is inconsistent with the result of those criminal proceedings.

25 (3) If, having regard to the result of the criminal proceedings referred to in subsection (1), there has been a finding in those proceedings as to the cause of and circumstances connected with the death, and the Coroner decides not to resume the inquiry, he shall —

(a) endorse his record and the certificate required under section 42 accordingly; and

30 (b) send a copy of the certificate referred to in section 42 each to the Public Prosecutor and the Commissioner of Police.

(4) Where an inquiry is adjourned under subsection (1), it shall be the duty of —

(a) the District Judge or Magistrate before whom the criminal proceedings referred to in subsection (1) are concluded; or

5 (b) the Registrar of the Supreme Court, in the case of any criminal proceedings before the High Court or the Court of Appeal,

to inform the Coroner responsible for holding the inquiry of the result of the criminal proceedings in relation to the subject of the inquiry.

10 (5) In this section, “criminal proceedings” means the proceedings before —

(a) a Magistrate at any committal proceeding;

(b) any court by which a person is tried; or

(c) any court before which an appeal from the decision of the court referred to in paragraph (b) is heard,

15 and criminal proceedings shall not be deemed to be concluded until no further appeal can be made in the course of them.

Adjournment of inquiry when commission or committee appointed under Inquiries Act

20 **40.**—(1) If, before the conclusion of an inquiry by a Coroner, a commission of inquiry or committee of inquiry is appointed under the Inquiries Act (Cap. 139A) to inquire into any matter relating to the cause of or circumstances connected with the death which is the subject of the Coroner’s inquiry, the Coroner shall adjourn his inquiry until after the conclusion of the inquiry by that commission or committee.

25 (2) Where a Coroner resumes his inquiry after the conclusion of the inquiry by the commission or committee referred to in subsection (1), he shall continue with his inquiry from the stage at which it was adjourned, and may have regard to any report or finding by the commission or committee which the Coroner considers relevant to his inquiry.

30 (3) If, having regard to the report of the inquiry by the commission or committee referred to in subsection (1), there has been a finding in that inquiry as to the cause of and circumstances connected with the death, and the Coroner decides not to resume his inquiry, he shall —

- (a) endorse his record and the certificate required under section 42 accordingly; and
- (b) send a copy of the certificate referred to in section 42 each to the Public Prosecutor and the Commissioner of Police.

5 **Change of Coroner**

41. If a Coroner —

- (a) who has viewed a body or has authorised the release of the body is unable to hold the inquiry himself;
- (b) is at any time unable to complete the inquiry himself; or
- 10 (c) is unable to re-open an inquiry previously concluded by himself when so directed by the Public Prosecutor under section 26(3),

another Coroner may hold, continue or re-open the inquiry, as the case may be, and may proceed as if he had viewed the body or recorded all the evidence at the inquiry himself.

15 **Coroner's certificate**

42.—(1) Where an inquiry is held into the death of any person, the Coroner shall complete and sign a certificate setting out the cause of death as found at the inquiry and shall, within 48 hours after the conclusion of the inquiry, forward a copy of the certificate to —

- 20 (a) the Registrar-General, together with such other particulars as are required by the Registrar-General for the purpose of registering the death under the Registration of Births and Deaths Act (Cap. 267); and

(b) the Public Prosecutor.

25 (2) In any case where a reportable death has occurred in Singapore and the Coroner has decided not to hold an inquiry into the death under section 25(2), the Coroner shall, after considering the results of the investigations into the death —

- 30 (a) complete and sign a certificate setting out the cause of death based on the evidence before him; and
- (b) within 48 hours after signing the certificate, forward a copy thereof to the Registrar-General and the Public Prosecutor in accordance with subsection (1).

(3) For the avoidance of doubt, a Coroner may issue a certificate under this section in the absence of a body.

Forwarding transcripts of evidence, etc.

5 **43.** At the conclusion of any inquiry, including an adjourned inquiry which is not resumed, the Coroner shall, at the request of the Public Prosecutor, deliver to him —

- (a) the transcript of the evidence recorded and conditioned statements admitted at the inquiry;
- (b) any exhibit produced in evidence; and
- 10 (c) a list signed by the Coroner of all exhibits produced in evidence.

PART VII

MISCELLANEOUS

Obstruction of Coroner, etc.

15 **44.**—(1) Any person who wilfully obstructs, resists or delays a Coroner or a forensic pathologist in the performance and execution of his duty or of anything which he is empowered or required to do under this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

20 (2) In this section, “Coroner” includes any person authorised or appointed under section 3(4) and any person lawfully assisting a Coroner in the performance and execution of the Coroner’s duties or functions under this Act.

Admissibility of evidence in subsequent judicial proceedings

25 **45.** No oral testimony or conditioned statement admitted under section 33 in the course of an inquiry shall be admissible in any subsequent judicial or disciplinary proceedings as evidence of any fact stated therein, other than proceedings for an offence under this Act or an offence of giving or fabricating false evidence under any written law.

Payment of allowance to witnesses

5 **46.** A Coroner holding an inquiry may, in his discretion, order payment out of the Consolidated Fund to any of the witnesses as he thinks fit, of the expenses incurred by them in attending that inquiry and also compensation for their trouble and loss of time, subject to such rules as may be prescribed under the Criminal Procedure Code 2010 in relation to the payment of witnesses' expenses.

Amendment of Schedules

10 **47.**—(1) The Minister may, from time to time, by order published in the *Gazette*, amend, add to or vary the First, Second and Third Schedules.

(2) The Minister may, in any order made under subsection (1), make such incidental, consequential or supplementary provision as may be necessary or expedient.

15 (3) Any order made under subsection (1) shall be presented to Parliament as soon as possible after publication in the *Gazette*.

Exemption

48. The Minister may, by order published in the *Gazette*, exempt any person or class of persons from all or any of the provisions of this Act, subject to such terms and conditions as may be prescribed.

Regulations

20 **49.**—(1) The Minister may, from time to time, make regulations generally for carrying out or giving effect to the purposes and provisions of this Act.

25 (2) Without prejudice to the generality of subsection (1), the Minister may make regulations for or with respect to all or any of the following matters:

- (a) the procedure or practice for the conduct of any inquiry before a Coroner, including provisions relating to the mode of taking or recording evidence during an inquiry;
- 30 (b) the rate for remuneration of assessors appointed to assist a Coroner;
- (c) the prescribing of anything required or permitted to be prescribed under this Act.

Consequential and related amendments to other written laws

50. The provisions of the Acts specified in the first column of the Fourth Schedule are amended in the manner set out in the second column thereof.

Savings and transitional provisions

5 **51.**—(1) A person who, immediately before the appointed day, was a Coroner appointed under section 10 of the Subordinate Courts Act (Cap. 321) shall be deemed to be a Coroner appointed under section 3(1) of this Act.

10 (2) The provisions of this Act shall apply in relation to any investigation or inquiry into the death of any person conducted on or after the appointed day, whether the death of the person occurred before, on or after the appointed day.

15 (3) For a period of 2 years after the appointed day, the Minister may, by regulations, prescribe such additional provisions of a savings or transitional nature consequent on the enactment of this Act as he may consider necessary or expedient.

(4) In this section, “appointed day” means the date of commencement of this Act.

FIRST SCHEDULE

20

Sections 2(1) and 47(1)

SERVICES PROVIDED BY HEALTH-CARE PRACTITIONER

1. Medical, dental or nursing services.
2. Pharmacy services.
3. Ambulance services.
- 25 4. Services provided by optometrists and opticians.
5. Services provided by traditional chinese medicine practitioners.
6. Services provided by podiatrists, chiropractors, osteopaths, physiotherapists, acupuncturists, naturopaths and services in other alternative health-care fields.

SECOND SCHEDULE

Sections 2(1) and 47(1)

REPORTABLE DEATHS

1. Death in Singapore of a person whose identity is not known.
- 5 2. Any death in Singapore that was unnatural or violent.
3. Any death in Singapore that resulted or is suspected to have resulted, directly or indirectly, from an accident.
4. Any death in Singapore that occurred, directly or indirectly, as a result of any medical treatment or care.
- 10 5. Death in Singapore of a person while the person was in official custody, except death as a result of the lawful execution of a death sentence.
6. Death in Singapore of a person where the person was, before his death, in official custody and where the death was related, or suspected to be related, to that custody.
- 15 7. Any death in Singapore occurring apparently or possibly as a consequence of any law enforcement operation.
8. Any death in Singapore occurring at any workplace, or as a result of any accident or dangerous occurrence at a workplace, to which the Workplace Safety and Health Act (Cap. 354A) applies.
- 20 9. Any death in Singapore involving a public vehicle, commercial transport vehicle, rapid transit system or other mode of public transport.
10. Any death on board a Singapore-registered vessel or a Singapore-registered aircraft while in flight.
- 25 11. Any death in Singapore that was caused or suspected to have been caused by an unlawful act or omission.
12. Any death in Singapore the manner or cause of which is unknown.
13. Any death in Singapore that occurred under suspicious circumstances.

THIRD SCHEDULE

Sections 25(1) and 47(1)

30

DEATHS FOR WHICH INQUIRY MUST BE HELD

1. Death in Singapore of a person whose identity is not known.
2. Any death in Singapore that occurred, directly or indirectly, as a result of any medical treatment or care.

3. Death in Singapore of a person where the person was, before his death, in official custody and where the death was related, or suspected to be related, to that custody.
- 5 4. Any death in Singapore occurring apparently or possibly as a consequence of any law enforcement operation.
5. Any death in Singapore occurring at any workplace, or as a result of any accident or dangerous occurrence at a workplace, to which the Workplace Safety and Health Act (Cap. 354A) applies.
- 10 6. Any death in Singapore involving a public vehicle, commercial transport vehicle, rapid transit system or other mode of public transport.
7. Any death in Singapore that was caused or suspected to have been caused by an unlawful act or omission.
8. Any death in Singapore the manner or cause of which is unknown.
9. Any death in Singapore that occurred under suspicious circumstances.

FOURTH SCHEDULE

Section 50

CONSEQUENTIAL AND RELATED AMENDMENTS TO OTHER WRITTEN LAWS

| <i>First column</i> | <i>Second column</i> |
|---|--|
| <p>1. Human Organ Transplant Act (Chapter 131A, 2005 Ed.)</p> <p>Section 6</p> | <p>Delete subsection (4) and substitute the following subsection:</p> <p style="padding-left: 40px;">“(4) In this section, “Coroner” means the State Coroner or a Coroner appointed under the Coroners Act 2010.”.</p> |
| <p>2. Medical (Therapy, Education and Research) Act (Chapter 175, 1985 Ed.)</p> <p>(a) Section 16</p> | <p>(i) Delete the words “or 4” in subsection (1) and substitute the words “, 4 or 12”.</p> |

*First column**Second column*

- | | |
|--|---|
| <p>(b) Section 17</p> | <p>(ii) Delete the words “with the written consent of the Coroner” in subsection (2)(b) and substitute the words “where the Coroner has ordered the release of the body under section 22(3)(c) of the Coroners Act 2010,”.</p> <p>(i) Delete the words “Criminal Procedure Code” and substitute the words “Coroners Act 2010”.</p> <p>(ii) Delete the marginal reference “Cap. 68.”.</p> |
| <p>3. Prisons Act (Chapter 247, 2000 Ed.)</p> <p>(a) Section 35</p> <p>(b) Section 36</p> | <p>Delete the word “, Coroner,”.</p> <p>Delete the words “, Justice of the Peace or Coroner” in subsections (1) and (2) and substitute in each case the words “or Justice of the Peace”.</p> |
| <p>4. Private Hospitals and Medical Clinics Act (Chapter 248, 1999 Ed.)</p> <p>(a) Section 2</p> <p>(b) Section 11</p> | <p>Insert, immediately after the definition of “healthcare establishment”, the following definition:</p> <p style="padding-left: 40px;">““healthcare institution” means a clinical laboratory, a healthcare establishment, a medical clinic or a private hospital;”.</p> <p>(i) Delete the words “The licensee of a private hospital or a healthcare establishment shall” in subsection (1) and substitute the words “The licensee of a prescribed healthcare institution shall, in accordance with such prescribed requirements as may apply to that healthcare institution,”.</p> |

*First column**Second column*

- (c) Section 22(2)
- (ii) Delete the words “private hospital or healthcare establishment” in subsections (1)(a), (b) and (c) and (2) and substitute in each case the words “prescribed healthcare institution”.
- (iii) Delete the words “private hospital or a healthcare establishment” in subsections (2) and (5) and substitute in each case the words “prescribed healthcare institution”.

Delete paragraph (k) and substitute the following paragraph:

“(k) the healthcare institutions for which quality assurance committees are required to be established, and the composition, procedures, duties and responsibilities which apply to a quality assurance committee of any healthcare institution or class of healthcare institutions.”.

5. Registration of Births and Deaths Act
(Chapter 267, 1985 Ed.)

(a) Section 21

Repeal and substitute the following section:

“When Coroner’s certificate is issued

21.—(1) Where, in relation to the death of any person —

- (a) a Coroner has issued a certificate setting out the cause of death as found at a Coroner’s inquiry, or if no inquiry is held, based on the evidence before the Coroner; or

*First column**Second column*

(b) a Coroner has issued a certificate of his order to release the body and no inquiry is held,

the cause of death as stated in the certificate referred to in paragraph (a) or (b), as the case may be, shall be entered in the register.

(2) The cause of death as stated in any certificate issued by the Coroner under subsection (1) shall, if different from that already registered, be substituted therefor and the alterations duly certified and signed by the registrar.

(3) Nothing in section 3(3) or 8 shall prevent the registration under this section of a death which did not occur in Singapore, or where the body of the deceased person is destroyed, irrecoverable or cannot be found.”.

(b) Section 27(3)

Delete the words “, 20 or 21” and substitute the words “or 20”.

6. Subordinate Courts Act
(Chapter 321, 2007 Ed.)

(a) Section 2

(i) Insert, immediately after the definition of “commissioner for oaths”, the following definition:

“ “Coroner” has the same meaning as in section 2(1) of the Coroners Act 2010;”.

(ii) Delete the word “, Coroner” in the definition of “judicial officer”.

| <i>First column</i> | <i>Second column</i> |
|--|---|
| (b) Section 3 | Insert, immediately after subsection (3), the following subsection: “(4) The Coroners’ Courts shall have such jurisdiction as is conferred by the Coroners Act 2010 and any other written law.”. |
| (c) Section 10 | (i) Delete the words “or a Coroner” in subsections (1) and (2). (ii) Delete the words “and Coroners” in the section heading. |
| (d) Section 56 (including the sub-heading “ <i>Jurisdiction of Coroners’ Courts</i> ”) | Repeal. |

EXPLANATORY STATEMENT

This Bill seeks to establish the coronial process as a separate fact-finding process from criminal proceedings. In particular, the Bill seeks to achieve the following main purposes:

- (a) to provide for the appointment and functions of the State Coroner and Coroners;
- (b) to introduce a general duty to report certain types of deaths (known as “reportable deaths”), as well as a specific duty to report deaths which occur in official custody;
- (c) to provide for the preservation of medical records and health-care records relating to a deceased person;
- (d) to provide for the appointment of forensic pathologists to assist in investigating the cause of death and for the appointment of assessors with the necessary skills and experience to assist a Coroner during an inquiry;
- (e) to provide for the post-mortem examination of a body, including the taking and analysis of samples, and for custody of the body until an order for release is issued by a Coroner;
- (f) to provide for the jurisdiction and procedure of a Coroner’s inquiry; and
- (g) to shift the focus of a Coroner’s inquiry to a factual determination of the cause of and circumstances connected with a death, rather than any determination of criminal or civil liability.

The Bill also makes consequential and related amendments to certain other written laws. In particular, amendments are made to the Private Hospitals and Medical Clinics Act (Cap. 248) to require the licensees of prescribed healthcare institutions, which may include medical clinics, to establish one or more quality assurance committees, and to allow the Minister for Health to prescribe the quality assurance requirements for different healthcare institutions.

PART I

PRELIMINARY

Clause 1 relates to the short title and commencement.

Clause 2 defines certain terms used in the Bill, such as “body”, “health-care practitioner” (to be read with the First Schedule), “reportable death” (to be read with the Second Schedule) and what it means to be in “official custody”.

Clause 3 provides for the appointment of the State Coroner and Coroners, and sets out their qualifications and functions.

Clause 4 provides for the appointment of forensic pathologists by the Chief Executive of the Health Sciences Authority.

PART II

REPORTING OF DEATHS AND PRESERVING OF RECORDS

Clause 5 imposes a general duty on any person who becomes aware of a reportable death to report that death to a police officer. Failure to do so will attract a criminal penalty unless the person has a reasonable excuse, such as if he knows that another person has already reported the same death. The list of deaths which constitute reportable deaths is in the Second Schedule.

Clause 6 imposes a duty to report all deaths which occur in the course of arrest or detention or while the deceased is in official custody, except in cases of the lawful execution of a death sentence. The duty is on the person effecting the arrest or detention or the person in whose custody the deceased was, to report the death. Failure to do so is an offence.

Clause 7 requires a police officer who himself comes across a reportable death, or who receives information about a reportable death from a report made to him, to make a report at a police station.

Clause 8 imposes a duty on persons in charge of hospitals, medical clinics or places of custody to preserve all medical records and health-care records pertaining to the deceased.

Clause 9 preserves the position of a deceased’s body, unless the moving or removal of the body is authorised or is necessary to prevent destruction or damage to the body.

PART III

INVESTIGATIONS INTO DEATHS

Clause 10 requires a police officer who receives information about a reportable death to go to the scene where the body is lying or where the death is believed to have occurred and use his best endeavours to investigate the cause of death. The police officer may also move the body or secure and preserve the scene.

Clause 11 sets out the procedure for the police officer investigating a death under clause 10 to inform a Coroner of the death and particulars concerning the cause of the death.

Clause 12 sets out the procedure for the Coroner to view the body and make preliminary investigations, after which the Coroner may release the body if he is of the view that the death was due to natural causes.

Clause 13 sets out the procedure for the police officer investigating a death under clause 10 to inform the Public Prosecutor in cases where a person may be arrested or charged in connection with that death.

Clause 14 allows the Public Prosecutor to direct a police officer to investigate into the cause of any death, notwithstanding that the death may not appear to be a reportable death.

Clause 15 sets out the powers of a police officer in investigating any death under the Bill. He may exercise all or any of the powers conferred on him under the Criminal Procedure Code 2010 or other written law in relation to arrestable offences, including the power of arrest.

Clause 16 provides for a Coroner or the Public Prosecutor to assign a forensic pathologist from among the panel of forensic pathologists appointed under clause 4, to investigate the cause of and circumstances connected with any death. The forensic pathologist must regularly inform the investigating police officer, the Coroner and the Public Prosecutor about the progress of his investigations and findings.

Clause 17 sets out in more detail the powers of a forensic pathologist, which include calling for further medical reports or health-care records from any medical practitioner or health-care practitioner, who must comply with the request.

PART IV

POST-MORTEM EXAMINATION AND POWERS OF CORONER TO ORDER BURIAL, CREMATION OR EXHUMATION

Clause 18 provides for a Coroner to order a post-mortem examination on a body if he thinks it necessary, and allows the Public Prosecutor to direct a Coroner to so order.

Clause 19 provides for a post-mortem examination to be done either by a pathologist or by another medical practitioner under the supervision of a pathologist. The pathologist may carry out any operation on the body, retain any parts or samples from the body and send for analysis any parts or samples, where necessary.

Clause 20 requires the pathologist who conducted or supervised a post-mortem examination to draw up a report of his findings, certify the medical cause of death and send the report to the Coroner who ordered the post-mortem examination.

Clause 21 allows a Coroner, at any time, to order exhumation of a body, and for the Public Prosecutor to direct a Coroner to so order.

Clause 22 provides that in a reportable death, a Coroner will have control of a body until he issues an order for the release of the body for burial, cremation or retention for use in accordance with law, such as for medical research purposes under the Medical (Therapy, Education and Research) Act (Cap. 175). Until such an order is issued, it is an offence to bury, cremate or otherwise remove, use or dispose of a body.

Clause 23 requires a Coroner to report to the Public Prosecutor if he has ordered the release of a body under clause 22 and no inquiry is held, with his reasons for not holding an inquiry.

PART V

CIRCUMSTANCES UNDER WHICH INQUIRY IS HELD

Clause 24 sets out the jurisdiction of a Coroner to hold an inquiry to determine the cause of death. In particular, the jurisdiction of a Coroner has been extended to deaths which occurred on board, or as a result of an occurrence on board, a Singapore-registered aircraft or vessel, and to deaths where no body has been recovered or found.

Clause 25 obliges a Coroner to hold an inquiry —

- (a) in every case of death in official custody or from the lawful execution of a death sentence;
- (b) where the Public Prosecutor directs him to do so; or
- (c) in one of the circumstances set out in the Third Schedule where an inquiry is mandatory (unless the Coroner is satisfied that the death was due to natural causes).

In all other cases in which the Coroner has jurisdiction (such as a death occurring outside Singapore, or a death occurring in Singapore which is not one of those described in the Third Schedule), the Coroner may exercise his discretion whether or not to hold an inquiry and may decide not to do so if he is satisfied that —

- (a) the death was due to natural causes; or
- (b) it is not necessary in the public interest to hold the inquiry.

The clause also sets out the factors which may be considered by the Coroner in deciding whether or not to hold an inquiry, such as the likelihood of reducing future occurrences of similar deaths, the wishes of the immediate family of the deceased and whether the death is already the subject of an investigation or inquiry outside Singapore.

If the Coroner decides not to hold an inquiry, he is required to report the facts to the Public Prosecutor with his reasons for not holding an inquiry.

Clause 26 empowers the Public Prosecutor, in any case, to require an inquiry to be held into a death within the Coroner's jurisdiction, or to be re-opened, as well as to order exhumation or further investigations for that purpose.

PART VI

INQUIRIES INTO DEATH

Clause 27 sets out the purpose of an inquiry as being to determine the cause of and circumstances connected with the death of any person. In this regard, the Coroner's findings are to be factual as to the identity of the deceased and how, when and where the deceased came by his death. The Coroner conducting an inquiry is not to determine any question of criminal, civil or disciplinary liability. At the conclusion of the inquiry, the Coroner is to record his findings.

Clause 28 provides for a pre-inquiry review to be held to settle preliminary applications and matters with a view to expediting the inquiry.

Clause 29 provides for a notice to be served on any properly interested person, who may be the next-of-kin of the deceased or any person whom the Coroner thinks should have an interest in the inquiry, to inform them of the inquiry or pre-inquiry review.

Clause 30 sets out the powers of the Coroner in relation to the summoning of witnesses and production of evidence during an inquiry.

Clause 31 provides that an inquiry will be held in open court unless the Coroner is of the opinion that, in the interests of justice, propriety, public order or public security, it is not appropriate to do so.

Clause 32 provides for the appointment by the Coroner of not more than 2 assessors with skill and experience in technical, medical or other matters, to assist him in an inquiry.

Clause 33 allows for evidence at an inquiry to be given by conditioned statements under certain conditions.

Clause 34 provides for the reading over and correction, if any, of conditioned statements at an inquiry.

Clause 35 allows a properly interested person, and any other person with the permission of the Coroner, to examine a witness at an inquiry.

Clause 36 sets out the manner in which evidence is to be recorded at an inquiry.

Clause 37 allows a Coroner to conduct an inquiry in any manner he reasonably thinks fit and not to be bound by rules of evidence.

Clause 38 allows a Coroner to adjourn an inquiry at any time.

Clause 39 requires a Coroner to adjourn an inquiry where certain criminal proceedings have been commenced in relation to the same death which is the subject of the inquiry, until after the conclusion of those criminal proceedings. The Coroner may then either resume the inquiry from the stage at which it was adjourned, or decide not to

resume the inquiry if there has been a finding in those criminal proceedings as to the cause of the death.

Clause 40 requires a Coroner to adjourn his inquiry if a commission of inquiry or committee of inquiry is appointed under the Inquiries Act (Cap. 139A) to inquire into matters connected with the same death, until the conclusion of that other inquiry by the commission or committee. The Coroner may then either resume his inquiry from the stage at which it was adjourned, or decide not to resume his inquiry if there has been a finding in that other inquiry as to the cause of the death.

Clause 41 allows another Coroner to take over an inquiry from a Coroner who viewed or released the body or from a Coroner who commenced an inquiry at any stage, or to re-open an earlier inquiry.

Clause 42 sets out the details and procedure relating to a Coroner's certificate on the cause of death as found at an inquiry, or if no inquiry is held, based on the investigations into the death. The Coroner must complete, sign and send the certificate to the Registrar-General of Births and Deaths and the Public Prosecutor.

Clause 43 provides for the transcripts of evidence and the exhibits produced at an inquiry to be made available to the Public Prosecutor.

PART VII

MISCELLANEOUS

Clause 44 provides that obstruction of a Coroner, any person lawfully assisting the Coroner or a forensic pathologist in the performance and execution of his duties under the Bill is an offence.

Clause 45 prevents the admissibility of oral testimony or any conditioned statement of a witness admitted at an inquiry, in subsequent judicial or disciplinary proceedings, other than proceedings for an offence under the Bill or for giving false evidence.

Clause 46 provides that a Coroner holding an inquiry may, in his discretion, grant an allowance to any witness attending the inquiry for expenses incurred by the witness or compensation for trouble and loss of time in attending the inquiry.

Clause 47 allows the Minister to amend the First, Second and Third Schedules by order published in the *Gazette*.

Clause 48 enables the Minister to grant exemptions under the Bill, which may be subject to conditions.

Clause 49 enables the Minister to make regulations under the Bill.

Clause 50 sets out the consequential and related amendments to other written laws in the Fourth Schedule.

Clause 51 sets out the savings and transitional provisions to preserve the appointments of Coroners and to provide for the application of the Bill to any investigation or inquiry into a death conducted on or after the date of commencement of

the Bill, notwithstanding that the death may have occurred before the date of commencement of the Bill.

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
