

## CORONERS.

13 OF 1894.

TO MAKE PROVISION FOR THE HOLDING OF INQUIRIES INTO THE CAUSE  
OF DEATH IN CERTAIN CASES.

WALTER J. SENDALL.]

[May 30, 1894.

## Definitions.

1. In this Law, unless there is something inconsistent in the context:—

“ Inquest ” means an inquiry into the cause of death;

“ Coroner ” includes Deputy Coroner;

“ Jurisdiction ” means the area within which a Coroner or Deputy Coroner is empowered to hold inquests.

Appointment  
of Coroners  
and Deputy  
Coroners.

2. The High Commissioner may, from time to time, by writing under his hand and official seal, appoint fit and proper persons to be Coroners for the purpose of holding inquests, and also fit and proper persons to be Deputy Coroners, to hold inquests during the absence, illness or incapacity of Coroners.

Every such appointment shall define the area within which the Coroner or Deputy Coroner thereby appointed shall be empowered to hold inquests.

Notice of  
death to be  
given to  
police and to  
Coroner.

3. When any person has reason to believe that a person has died from other than natural causes, it shall be his duty to give immediate information of the death to the Police at the nearest Police Station; and it shall be the duty of the Police at such Station to give immediate information of the death to the Coroner, or, in case of his absence or incapacity, to the Deputy Coroner within whose jurisdiction the death has occurred. Any person who fails to perform the duty imposed upon him by this section shall be liable to a fine not exceeding two pounds.

Coroner to  
hold inquest  
in certain  
cases.

4. When it comes to the knowledge of a Coroner that a dead body of a person is lying within his jurisdiction, and there is reasonable cause to suspect that such person has died either a violent or an unnatural death, or has died a sudden death of which the cause is unknown, or has died under such circumstances as to render an inquest desirable, the Coroner shall, as soon as possible, take all necessary steps to hold an inquest into the cause of the death:

Provided that it shall not be necessary for a Coroner to hold an inquest into the cause of the death of any convict who has suffered death under the judgment of a competent Court.

5. In the event of the body having been buried before the Coroner has been enabled to view it, he may order the body to be disinterred and examined, or he may proceed to hold the inquest without having viewed the body, if he is satisfied that no good would result from the viewing or examination of the body.

Coroner may order disinterment, or hold inquest without viewing the body.

6. The Coroner shall take all such evidence as it is possible for him to procure, as to the identity of the deceased, and as to the cause of death, and, for that purpose, may examine all such persons as witnesses as he may think it necessary or desirable to examine.

Coroner to take evidence.

7. Every witness, before being examined, shall be required to take an oath in the form prescribed in Schedule A. or, if he objects to take an oath, to make a promise and declaration in the form prescribed in Schedule B.

Evidence to be taken on oath.

8. A Coroner shall not be bound by any rules of evidence which may pertain to civil or criminal proceedings.

Not bound by rules of evidence.

9. The Coroner shall take down in writing, in the form of a narrative all oral evidence given before him at the inquest, and shall, on the termination of the evidence of each witness, read over the notes of the evidence given by the witness, and the witness shall sign, or make his mark at the foot or end of the notes of the evidence so given by him.

Notes of evidence to be taken and signed.

10. The Coroner may, at any time, adjourn an inquest, at any stage to any future day to be fixed by him, or to any place within his jurisdiction which he may deem to be desirable.

Powers to adjourn inquest.

11. After having taken all the evidence which is desirable or necessary to be taken, the Coroner shall draw up and sign a note, stating his finding as to the cause of death, and whether any and what person has caused it.

Coroner to draw up and sign a note of finding.

12. Should the evidence, in the opinion of the Coroner, warrant a charge of homicide being brought against any person, the Coroner may issue warrants of arrest of any such person or persons, ordering him or them to be brought before a Magisterial Court.

Power to issue warrants of arrest.

Such warrants shall be directed to any Peace Officer, and shall have the same force and effect as warrants of arrest issued by a Magisterial Court.

13. Where the Coroner finds that some person is criminally responsible for having caused the death, he shall forward with all despatch to the Local Commandant of Police of the District his finding, together with the notes of the evidence, unless the Local Commandant of Police shall have held the inquest himself.

Finding to be sent to Local Commandant of Police in cases of homicide.

Finding to be sent to Chief Secretary where there is no charge of homicide involved.

14. Where the finding does not, in the opinion of the Coroner, warrant a charge of homicide being brought against any person, the Coroner shall forward the finding, together with the notes of evidence, to the Chief Secretary to Government.

Persons charged with homicide may be present and put questions to witnesses.

15. Where, before or during the holding of an inquest, any person has been charged with, or arrested upon a charge of, causing the death of the person, the cause of whose death is the subject of the inquest, the Coroner may allow that person to be present at the inquest, and to put any questions either in person or by his Advocate to the witnesses; and if he is desirous of making a statement to the Coroner, it shall be the duty of the Coroner to warn him, before he makes the statement, that he is not bound to say anything, but that anything he may say will be taken down in writing and may be given in evidence against him, if he is subsequently tried upon the said charge.

Persons in custody may be present.

16. Where it seems desirable to a Coroner that any person who is in custody should be present at the inquest, a Magisterial Court of the District may, by its warrant, order that such person be brought up in custody before the Coroner at the inquest.

Power of Coroner to summon witnesses.

17. A Coroner may, either of his own motion, or on the application of any person, summon any person residing in Cyprus to attend any inquest and give evidence, or produce any document in his possession, and may examine him as a witness, or require him to produce any document in his possession, subject to all just exceptions.

Power to compel attendance of witnesses.

18. If the person summoned fails to attend, and does not excuse such failure to the satisfaction of the Coroner, the Coroner may issue a warrant to compel his attendance, and may order him to pay all costs which may have been occasioned in compelling his attendance, or by reason of his refusal to obey the summons, and may also fine him in a sum not exceeding five pounds, or order him to undergo a sentence of imprisonment not exceeding one week.

Penalties for refusal to take oath or answer question.

19. Any person being required to give evidence upon an inquest who refuses to take an oath, or to make a declaration in lieu thereof, or who refuses to answer any question, or to produce any document in his possession, and who does not excuse such refusal to the satisfaction of the Coroner, shall be liable to be committed to prison, under the warrant of the Coroner, there to remain for a period not exceeding one month, and he shall also be liable to be fined by the Coroner in a sum not exceeding five pounds.

Provided always, that if any witness objects to answer any question, on the ground that it will tend to incriminate him, he shall not be required to answer the question, nor be liable to any penalties for refusing so to answer.

20. The Coroner may take, without oath or declaration, the evidence of any person who by reason of immature age ought not, in the opinion of the Coroner, to be admitted to give evidence on oath. Evidence of children.

21. The Coroner may award to any person who has attended an inquest for the purpose of giving evidence such sum or sums, as in the opinion of the Coroner may have been reasonably incurred by him by reason of such attendance. Costs of witnesses may be allowed.

22. All sums awarded by a Coroner under the provisions of the last preceding section shall be paid out of the Treasury of the District within which the Coroner has held the inquest, upon an order signed by the Coroner to that effect. Costs, how paid.

23. Any person who shall give false evidence, upon any material fact, at an inquest, whether on oath or otherwise, or shall make any false declaration upon any material fact at an inquest, shall be liable, on conviction, to the same penalties as if he had been convicted of having given false evidence in a judicial proceeding before a Court of Justice. Punishment for false evidence.

24.—(1.) In any criminal proceedings taken before any Court in which any person is charged with having caused the death of a person, into the cause of whose death an inquest has been held, the notes of evidence of any witness taken at the inquest may be put in evidence, if it is proved that the witness is absent from Cyprus or is dead. When coroner's notes admissible at trial.

(2.) Only so much of such notes of evidence shall be admitted in evidence as is legally admissible in criminal proceedings.

(3.) No such notes of evidence shall be put in evidence in criminal proceedings which shall not purport to have been read over to and signed by the witness, or to have his mark affixed thereto, and also to be signed by the Coroner.

25. Any person charged with homicide of the person into the cause of whose death an inquest has been held shall be entitled to obtain a copy of the notes of evidence taken at the inquest on payment of a reasonable fee for it. Accused may obtain a copy of notes.

26. Where any person has been sentenced to pay a fine under any of the provisions of this Law, the Coroner shall have power to enforce payment thereof, in the same manner as a Court has power to enforce the payment of fines under the provisions of the Fines and Penalties Recovery Law, 1883. Power to enforce payment of fines.

27. Any person who shall in any way obstruct the course of proceedings at an inquest, shall be liable to be sentenced by the Coroner to pay a fine not exceeding forty shillings, or to be imprisoned for a period not exceeding one week. Penalty for obstructing proceedings at inquest.

Power of Queen's Advocate to direct coroner to reopen inquest.

**28.** Where upon a perusal of the notes of evidence taken in any inquest, it appears to the Queen's Advocate that it is desirable that further or more complete inquiry should be made as to the cause of death, he may direct the Coroner to reopen the inquest, and may give such directions as may appear necessary as to the inquiry to be made.

In such case the finding and the notes of evidence shall be remitted to the Coroner.

Duty of Coroners on reopened inquest.

**29.** The Coroner upon the receipt of such instructions, shall reopen the inquest and shall make the further inquiries directed to be made, and may vary or modify his finding in accordance with the evidence taken at such inquiry.

At the close of the inquiry the Coroner shall forward the finding, together with the notes of evidence, to the Chief Secretary to Government.

Powers of Coroners

**30.** The Coroner, in such reopened inquest, shall have the same powers and authorities as in an original inquest, and the provisions herein contained with regard to the attendance of persons charged with homicide, the right of such persons or their Advocates to put questions to the witnesses, and the duty of the Coroner as regards statements made by them shall be applicable thereto.

Power to make rules.

**31.** The High Commissioner, with the advice and assistance of the Chief Justice, may from time to time make rules for regulating the procedure, upon the holding of inquests, and for prescribing the fees to be paid with reference thereto, and generally for the better carrying out of the provisions of this Law.

Power to fix salary of, or fees to be paid to, Coroners.  
Short title.

**32.** The High Commissioner may from time to time assign a salary to any Coroner, or declare that fees shall be paid to any Coroner, and determine the amount of such salary or the sum of such fees.

**33.** This Law may be cited as the Coroners Law, 1894.

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#### SCHEDULE A. (S. 7.)

The evidence which I (A. B.) shall give at this inquest shall be the truth, the whole truth and nothing but the truth. So help me God.

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#### SCHEDULE B. (S. 7.)

I (A. B.) solemnly promise and declare that the evidence given by me at this inquest shall be the truth, the whole truth and nothing but the truth.

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CORPORATE BODIES (IMMOVABLE PROPERTY REGISTRATION),  
*see* IMMOVABLE PROPERTY.

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