



THE STATUTES OF THE REPUBLIC OF SINGAPORE

CORONERS ACT

(CHAPTER 63A)

(Original Enactment: Act 14 of 2010)

REVISED EDITION 2012

(31st October 2012)

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT (CHAPTER 275)

PRINTED BY THE GOVERNMENT PRINTER, SINGAPORE

2012

Coroners Act

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title
2. Interpretation
3. Appointment of State Coroner and Coroners
4. Appointment of forensic pathologists

PART II

REPORTING OF DEATHS AND PRESERVING OF RECORDS

5. Obligation to report death
6. Reporting of death occurring in official custody
7. Reporting of death by police officer
8. Duty to preserve medical records by persons in charge of hospital, medical clinic and place of custody
9. Body not to be moved

PART III

INVESTIGATIONS INTO DEATHS

10. Investigations into deaths
11. Police officer to report to Coroner
12. Viewing of body by Coroner
13. Police officer to report to Public Prosecutor in certain cases
14. Duty of police officer to investigate cause of death if directed by Public Prosecutor
15. Power of police officer to investigate
16. Coroner or Public Prosecutor may direct forensic pathologist to investigate
17. Powers of forensic pathologist

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

Section

18. When post-mortem examination necessary
19. Conduct of post-mortem examination
20. Post-mortem examination report and special examination report
21. Power of Coroner to order exhumation
22. Power of Coroner to order release for burial, cremation, etc.
23. Coroner to report to Public Prosecutor if body is released without inquiry

PART V**CIRCUMSTANCES UNDER WHICH INQUIRY IS HELD**

24. Jurisdiction of Coroner to hold inquiry
25. Duty of Coroner to hold inquiry
26. Power of Public Prosecutor to require inquiry

PART VI**INQUIRIES INTO DEATH**

27. Purpose of inquiry
28. Pre-inquiry review
29. Notice of inquiry
30. Summoning of witnesses and production of documents
31. Inquiries to be made public
32. Assessors
33. Evidence by conditioned statements
34. Reading over evidence and correction
35. Questioning of witnesses
36. Manner of recording evidence
37. Rules of evidence not applicable
38. Adjournment of inquiry
39. Adjournment of inquiry when criminal proceedings commenced
40. Adjournment of inquiry when commission or committee appointed under Inquiries Act
41. Change of Coroner
42. Coroner's certificate
43. Forwarding transcripts of evidence, etc.

PART VII
MISCELLANEOUS

Section

- 44. Obstruction of Coroner, etc.
- 45. Admissibility of evidence in subsequent judicial proceedings
- 46. Payment of allowance to witnesses
- 47. Amendment of Schedules
- 48. Exemption
- 49. Regulations
- 50. Savings and transitional provisions
 - First Schedule — Services provided by health-care practitioner
 - Second Schedule — Reportable deaths
 - Third Schedule — Deaths for which inquiry must be held

An Act to consolidate the law relating to Coroners' inquiries.

[2nd January 2011]

PART I
PRELIMINARY

Short title

1. This Act may be cited as the Coroners Act.

Interpretation

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

“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,

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

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

- “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;
- “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;
 - (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);
- “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);
- “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 —
- (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.

[NZ CA, s. 9; Malaysia CPC, s. 328; NSW HCCA, s. 4; PHMCA, s. 2; CPC, s. 271; HK Coroners Ord, s. 2]

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.

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

[Act 5 of 2014]

(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.

(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 ActState Courts Act may appoint another Coroner to act as State Coroner for that period.

[Act 5 of 2014]

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

[SCA, s. 10; NPPA, s. 29]

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.

(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

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.

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

[CPC, s. 22; WA CA, s. 17]

Reporting of death occurring in official custody

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
- (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
- (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.

(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 exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

[CPC, s. 272]

Reporting of death by police officer

7. Every police officer who —

- (a) comes across; or
- (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.

[CPC, s. 23]

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

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,

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.

[QLD CA, s. 22]

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.

[CPC, s. 22]

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.

[CPC, s. 273]

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.

[CPC, s. 273]

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.

[CPC, s. 274]

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
- (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.

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 (Cap. 68) or any other written law in relation to investigations into an arrestable offence.

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 —

- (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 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.

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, substance or thing pertaining to the medical treatment or care of the deceased in the possession of the medical practitioner or health-care practitioner which the forensic pathologist considers necessary for the purposes of the investigation;
- (ba) request the Registrar to furnish, within such time as the forensic pathologist may specify, such information pertaining to the medical history, treatment or care of the deceased in the possession of the Registry as the forensic pathologist considers necessary for the purposes of the investigation; 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.

[2/2012]

(2) Any medical practitioner or health-care practitioner who is required by a forensic pathologist under subsection (1)(b) to provide any report, record, information, substance or thing and who —

- (a) without reasonable excuse, fails to provide the report, record, information, substance or thing;
- (b) provides any report, record or information 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 report, record, substance or thing 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.

[2/2012]

(3) The Registrar, or any Registry officer, agent of the Registry or other person who acts under the direction of the Registrar —

- (a) shall comply with a request under subsection (1)(ba) to furnish information to the forensic pathologist, notwithstanding any restriction on the disclosure of information imposed by section 8 of the National Registry of Diseases Act (Cap. 201B); and
- (b) shall not by so doing be treated as being in breach of any such restriction, notwithstanding anything to the contrary in that section.

[2/2012]

(4) In this section, “agent of the Registry”, “Registrar”, “Registry” and “Registry officer” have the same meanings as in the National Registry of Diseases Act.

[2/2012]

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

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.

(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.

[CPC, s. 282]

Conduct of post-mortem examination

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 —

- (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
- (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.

(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.

[NZ CA, s. 47]

Post-mortem examination report and special examination report

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

- (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.

(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.

(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.

(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.

[CPC, s. 283]

Power of Coroner to order exhumation

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.

[CPC, s. 300]

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

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.

(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,

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 —

- (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,

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.

[CPC, ss. 274, 275 and 301]

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

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.

[CPC, s. 274(5)]

PART V

CIRCUMSTANCES UNDER WHICH INQUIRY IS HELD

Jurisdiction of Coroner to hold inquiry

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
- (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.

[CPC, s. 279; HK Coroners Ord, ss. 14 to 18; Vic CA, s. 52; NSW CA, ss. 18, 21; NZ CA, ss. 59, 60; UK CA, ss. 5, 8, 15]

Duty of Coroner to hold inquiry

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 (Cap. 68);
- (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.

(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.

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

- (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;
- (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 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.

[CPC, ss. 276, 277; WA CA, s. 22; Vic CA, s. 52; QLD CA, s. 28; NZ CA, s. 63]

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.

(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 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.

[CPC, ss. 278, 281]

PART VI**INQUIRIES INTO DEATH****Purpose of inquiry**

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

(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 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).

[CPC, s. 284; NZ CA, s. 57; Ontario CA, s. 31; UK CA, s. 11; QLD CA, s. 46; WA CA, s. 25; HK Coroners Ord, ss. 27, 44]

Pre-inquiry review

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:

- (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;
- (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.

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 person within a reasonable period.

[Ontario CA, s. 41; HK Coroners Ord, ss. 29, 31 and 34]

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 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 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 Criminal Procedure Code (Cap. 68) shall apply, with the necessary modifications, in relation to summonses to appear, warrants of arrest and summonses to produce issued by a Coroner.

[CPC, s. 285]

Inquiries to be made public

31.—(1) An inquiry shall be held in open court, unless a Coroner is of 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.

[HK Coroners Ord, s. 30; NZ CA, s. 74; CPC, s. 298]

Assessors

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 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.

[SCJA, s. 10A]

Evidence by conditioned statements

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:

- (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 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:

- (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.

(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.

(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.

(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

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.

(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.

[CPC, ss. 288, 289; HK Coroners Ord, s. 32]

Manner of recording evidence

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

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.

[CPC, s. 295]

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
- (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.

(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.

(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

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

(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

(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.

(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,

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

[CPC, s. 280; QLD CA, s. 29; Ontario CA, s. 27; UK CA, s. 16; NZ CA, s. 68; HK Coroners Ord, ss. 33, 35, 36 and 37]

Adjournment of inquiry when commission or committee appointed under Inquiries Act

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.

(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.

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

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
- (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.

[CPC, ss. 296, 297]

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 —

- (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.

(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 —

(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.

[RBDA, s. 21 (repealed)]

Forwarding transcripts of evidence, etc.

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

(c) a list signed by the Coroner of all exhibits produced in evidence.

[CPC, s. 299]

PART VII

MISCELLANEOUS

Obstruction of Coroner, etc.

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.

(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.

[*Ontario CA, s. 16; HK Coroners Ord, s. 46*]

Admissibility of evidence in subsequent judicial proceedings

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.

[*CPC, ss. 303, 378; EA, s. 33; QLD CA, s. 39; Ontario CA, s. 42*]

Payment of allowance to witnesses

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 (Cap. 68) in relation to the payment of witnesses’ expenses.

[*CPC, s. 406*]

Amendment of Schedules

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.

(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

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.

(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;
- (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.

Savings and transitional provisions

50.—(1) A person who, immediately before 2nd January 2011, was a Coroner appointed under section 10 of the Subordinate Courts Act (Cap. 321) in force immediately before 2nd January 2011 shall be deemed to be a Coroner appointed under section 3(1) of this Act.

(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 2nd January 2011, whether the death of the person occurred before, on or after 2nd January 2011.

(3) For a period of 2 years after 2nd January 2011, 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.

[Act 5 of 2014]

FIRST SCHEDULE

Sections 2(1) and 47(1)

SERVICES PROVIDED BY HEALTH-CARE PRACTITIONER

1. Medical, dental or nursing services.
2. Pharmacy services.
3. Ambulance services.
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.

*[NSW HCCA, s. 4]***SECOND SCHEDULE**

Sections 2(1) and 47(1)

REPORTABLE DEATHS

1. Death in Singapore of a person whose identity is not known.
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.
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.
7. Any death in Singapore occurring apparently or possibly as a consequence of any law enforcement operation.
8. Any death in Singapore occurring as a result of any accident or dangerous occurrence at a workplace to which the Workplace Safety and Health Act (Cap. 354A) applies.
9. Any death in Singapore involving a public vehicle, commercial transport vehicle, rapid transit system or other mode of public transport.

SECOND SCHEDULE — *continued*

10. Any death on board a Singapore-registered vessel or a Singapore-registered aircraft while in flight.
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.

[S 712/2011]

[HK Coroners Ord, s. 4, Sch. Pt. 2; UK CA, s. 8; Vic CA, s. 4; QLD CA, ss. 7, 8; WA CA, s. 3; Ontario CA, s. 10; NZ CA, ss. 13, 14]

THIRD SCHEDULE

Sections 25(1) and 47(1)

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.
4. Any death in Singapore occurring apparently or possibly as a consequence of any law enforcement operation.
5. Any death in Singapore occurring as a result of any accident or dangerous occurrence at a workplace to which the Workplace Safety and Health Act (Cap. 354A) applies.
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.

[S 712/2011]

LEGISLATIVE SOURCE KEY

CORONERS ACT (CHAPTER 63A)

Unless otherwise stated, the abbreviations used in the references to other statutory provisions are references to the following statutory provisions. The references are provided for convenience and are not part of the Act:

HK Coroners Ord	:	Hong Kong Coroners Ordinance (Chapter 504)
Malaysia CPC	:	Malaysia Criminal Procedure Code
NSW CA	:	New South Wales Coroners Act 2009
NSW HCCA	:	New South Wales Health Care Complaints Act 1993
NZ CA	:	New Zealand Coroners Act 2006
Ontario CA	:	Ontario Coroners Act 1990
QLD CA	:	Queensland Coroners Act 2003
UK CA	:	UK Coroners Act 1988 (Chapter 13)
Vic CA	:	Victoria Coroners Act 2008
WA CA	:	Western Australia Coroners Act 1996
CPC	:	Singapore, Criminal Procedure Code (Chapter 68, 1985 Revised Edition)
EA	:	Singapore, Evidence Act (Chapter 97, 1997 Revised Edition)
NPPA	:	Singapore, Newspaper and Printing Presses Act (Chapter 206, 2002 Revised Edition)
PHMCA	:	Singapore, Private Hospitals and Medical Clinics Act (Chapter 248, 1999 Revised Edition)
RBDA	:	Singapore, Registration of Births and Deaths Act (Chapter 267, 1985 Revised Edition)
SCA	:	Singapore, Subordinate Courts Act (Chapter 321, 2007 Revised Edition)

SCJA

: Singapore, Supreme Court of
Judicature Act (Chapter 322, 2007
Revised Edition)

LEGISLATIVE HISTORY

CORONERS ACT (CHAPTER 63A)

This Legislative History is provided for the convenience of users of the Coroners Act. It is not part of the Act.

1. Act 14 of 2010 — Coroners Act 2010

- Date of First Reading : 26 April 2010
(Bill No. 10/2010 published on
26 April 2010)
- Date of Second and Third Readings : 19 May 2010
- Date of commencement : 2 January 2011

2. G.N. No. S 712/2011 — Coroners Act (Amendment of Second and Third Schedules) Order 2011

- Date of commencement : 1 January 2012

3. Act 2 of 2012 — Statutes (Miscellaneous Amendments) Act 2012

- Date of First Reading : 21 November 2011
(Bill No. 22/2011 published on
21 November 2011)
- Date of Second and Third Readings : 18 January 2012
- Date of commencement : 1 March 2012 (section 19 —
Amendment of Coroners Act
2010)

4. 2012 Revised Edition — Coroners Act (Chapter 63A)

- Date of operation : 31 October 2012

5. Act 5 of 2014 — Subordinate Courts (Amendment) Act 2014

- Date of First Reading : 11 November 2013 (Bill No.
26/2013 published on
26 February 2014)
- Date of Second and Third Readings : 21 January 2014
- Date of commencement : 7 March 2014