

**Unvalidated References:**  
*Coroners Act*

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel  
Dated 25 November 2006

## **INDEPENDENT STATE OF PAPUA NEW GUINEA.**

### Chapter 32.

#### ***Coroners Regulation 1955***



## ARRANGEMENT OF SECTIONS.

1. Prescribed forms.
2. Expenses of medical witness.

### SCHEDULE 1

#### *Coroners Regulation 1955*

MADE under the *Coroners Act*.

Dated                    200 .

#### 1. **PRESCRIBED FORMS.**

For the purposes of the Act—

- (a) a summons to a witness to attend an inquest and give evidence and be examined shall be in Form 1; and
- (b) a summons to a medical practitioner as a witness shall be in Form 2; and
- (c) a warrant for the arrest of a witness for contempt of a summons shall be in Form 3; and
- (d) a warrant of commitment for trial of a person charged by a Coroner's inquisition under Section 19 of the Act shall be in Form 4; and
- (e) a warrant of commitment for contempt shall be in Form 5; and
- (f) the deposition of a witness taken under Section 23 of the Act shall be in Form 6; and
- (g) a recognizance under Section 19(3) of the Act shall be in Form 7; and
- (h) a decision of a Coroner on an inquest under the Act shall be in Form 8; and
- (i) a warrant by a Coroner for the burial of a person shall be in Form 9; and
- (j) a warrant for the exhumation of a dead body for the purpose of holding an inquest on that body shall be in Form 10; and
- (k) a Coroner's certificate under Section 7(4) of the Act that an inquest on death is unnecessary shall be in Form 11; and
- (l) a certificate under Section 17(2) of the Act that an inquest on fire is unnecessary shall be in Form 12.

**2. EXPENSES OF MEDICAL WITNESS.**

The amount of the expenses to be paid under Section 31(2) of the Act, to a medical practitioner not in the Public Service, is K6.30.

**SCHEDULE 1**

***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 1 – Summons to witness.***

Reg., Sec. 1(a).      Form 1.

**SUMMONS TO WITNESS.**

To ... of ... .

WHEREAS I am informed that you can give evidence concerning the death of ... (or a certain fire, or the disappearance of ... formerly of ...): By virtue of my office as a Coroner, I direct you to attend personally before me at ... at ... a.m./p.m.\* ... 20.. , to be examined and give evidence concerning the matter.

Dated ... 20 ..

Coroner.

\*Strike out whichever is inapplicable.



***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 2 – Summons for the attendance of a medical witness.***

Reg., Sec. 1(b).

Form 2.

**SUMMONS FOR THE ATTENDANCE OF A MEDICAL WITNESS.**

Coroners Inquest at ... on the body of ...

You are required to appear before me at ... on ... 20.., at ... a.m./p.m.,\* to give evidence concerning the death of ... (*add the following if necessary*: and make or assist in making a post-mortem examination of that body and report on the examination at the inquest).

Dated ... 20 ..

Coroner.

\*Strike out whichever is inapplicable.

***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 3 – Warrant against witness for contempt of summons.***

Reg., Sec. 1(c).

Form 3.

**WARRANT AGAINST WITNESS FOR CONTEMPT OF SUMMONS.**

To all members of the Police Force and to all others whom it may concern.

WHEREAS I have received credible information that ... of ... can give evidence concerning the death of ... (or a certain fire or the disappearance of ... formerly of ...):

AND WHEREAS ... having been duly summoned to appear and give evidence before me concerning the matter at the time and place specified in the summons and oath having been duly made before me of that summons has refused and neglected to do so to the hindrance and delay of justice:

I direct you or any of you without delay to apprehend, and bring before me at ..., ... of ... , that he may be dealt with according to law.

Dated ... 20 ..

Coroner.

***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 4 – Warrant of commitment for trial.***

Act, Sec. 19(1)(c). Form 4.Reg., Sec. 1(d).

**WARRANT OF COMMITMENT FOR TRIAL.**

To all members of the Police Force and to the Officer-in-Charge of the Corrective Institution (*or as the case may be*) at ... .

WHEREAS by inquisition taken before me a Colonel on the death of ... (*or as to the cause and origin of a certain fire*) ... stands charged that on ... 20.., he ... .

AND WHEREAS I have committed him to take his trial for that offence:

By virtue of my office as a Colonel I direct you or any of you to convey him safely to the Corrective Institution (*or as the case may be*) at ... without delay; and require you the Officer-in-Charge of that Corrective Institution (*or as the case may be*) to receive him into your custody and keep him safely until he is discharged in accordance with law.

Dated ... 20...

Colonel.

***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 5 – Warrant of commitment for contempt of court.***

Reg., Sec. 1(e).

Form 5.

**WARRANT OF COMMITMENT FOR CONTEMPT OF COURT.**

To all members of the Police Force and to the Officer-in-Charge of the Collective Institution *(or as the case may be)* at ...

WHEREAS on inquiry made this day before me a Coroner at ... on the body of ... as to how and by what means he came to his death *(or concerning the cause and origin of a certain fire or concerning the disappearance of ... formerly of ...)* ... did wilfully insult me during the holding of my inquest *(or did wilfully interrupt the proceedings of my inquest (or otherwise))* and I therefore ordered ... to be imprisoned for his offence in the Collective Institution *(or as the case may be)* at ... for ... days:

I direct you or any of you to take ... and to convey him safely to the Collective Institution *(or as the case may be)* at ... and deliver him to the officer-in-charge together with this warrant:

AND I direct you the Officer-in-Charge of that Collective Institution *(or as the case may be)* to receive ... into the Institution *(or as the case may be)* and imprison him there for ... days.

Dated ... 20...

Coroner.



***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 6 – Deposition of witness.***

Act, Sec. 23.Reg., Sec. 1(f).

Form 6.

**DEPOSITION OF WITNESS.**

The examination of ... of ... taken ... 20.. at... before me, a Coroner, on an inquisition concerning the death of ... (or the cause and origin of a certain fire or the disappearance of ... formerly of ... ).

This deponent says as follows:—

.....

***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 7 – Recognizance where a person committed by the coroner is  
admitted to bail.***

Act, Sec. 19(3).      Form 7.Reg., Sec. 1(g).

**RECOGNIZANCE WHERE A PERSON COMMITTED BY THE CORONER IS  
ADMITTED TO BAIL.**

WHEREAS on ... 20.. A.B. of ... and C.D. of ... and E.F. of ... personally came before me a Coroner and acknowledged that A.B. owed the sum of ... and C.D. owed the sum of ... and E.F. owed the sum of ... to the State, to be made and levied of their goods and chattels, lands and tenements respectively to the use of the State if A.B. fail in the condition endorsed on this recognizance.

Taken and acknowledged the day and year first above mentioned at ... before me ...

Coroner.

***Condition Endorsed.***

Whereas on an inquiry made by me as to how and by what means ... came to his death (or concerning the cause and origin of a certain fire) I committed A.B. for trial on a charge of ... : IF A.B. appears at the next ordinary sittings of the National Court to be held at ... and surrenders himself to the Officer-in-Charge of the Corrective Institution there and pleads to the charge or to any other charge that is then filed against him concerning the matter and takes his trial on it and does not depart the Court without leave, then the recognizance is void, but otherwise it remains in full force.

***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 8 – Form of inquisition.***

Reg., Sec. 1(h).      Form 8.

AN INQUISITION taken at ... on ... 20.. (and by adjournment on ... *(as the case requires)*) before me ... a Coroner as to when, how and by what means ... came to his death *(or as to the cause and origin of a certain fire at ... by which the dwelling-house of ... was destroyed or concerning the disappearance of ... formerly of ...)*: I FIND *(Set out the circumstances of the death, fire or disappearance, as for example—*

- (a) That ... died at approximately *(if known)* on ... 20.., at ... *(the place should be as specific as possible, e.g. Port Moresby General Hospital)*;
- (b) That the cause of his death was ... ; and
- (c) *(State the Coroner's conclusions as to death)*.

*Another example is—*

- (a) That a fire occurred on the ... , 20.. , at the dwelling-house of ... at ...; and
- (b) That the fire was caused by ... wilfully and unlawfully setting fire to the dwelling-house; or
- (c) That the fire was caused by the accidental overturning of a kerosene lamp by ...).

***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 9 – Warrant to bury.***

Reg., Sec. 1(i)

Form 9.

**WARRANT TO BURY.**

To all members of the Police Force and to all others whom it may concern.

WHEREAS I have this day taken a view of the body of ... who now lies dead in ... and have proceeded on the matter according to law;

You may lawfully permit the body of ... to be buried.

Dated ... 20.. .

Coroner.



***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 10 – Warrant to take up body interred.***

Reg., Sec. 1(j).

Form 10.

**WARRANT TO TAKE UP BODY INTERRED.**

To all members of the Police Force and to all others whom it may concern.

WHEREAS complaint has been made to me ... a Coroner that ... whose body was buried in ... on ... 20.. died not of a natural but of a violent death;

AND WHEREAS no notice of the violent death has been given to a Coroner by which an inquisition might have been taken on view of the body of ... before his burial;

By virtue of my office as a Coroner I order you to cause the body of ... to be immediately taken up and safely conveyed to ... so that I may view it and proceed according to law.

Dated ... 20...

Coroner.

***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 11 – Coroner’s certificate where inquest on death will serve no  
good purpose.***

Act, Sec. 7(4).

Form 11.Reg., Sec. 1(k).

**CORONER'S CERTIFICATE WHERE INQUEST ON DEATH WILL SERVE  
NO GOOD PURPOSE.**

Attorney-General

and

to all members of the Police Force and to all others to whom it may concern.

Having made inquiries respecting the death of ... who died at ... on ... 20..., by virtue of my office as a Coroner I certify that no good purpose will be served by holding an inquest on the body of ..., and that his body may be buried.

My reasons for coming to this decision are ... .

Dated ... 20... .

Coroner.

***PAPUA NEW GUINEA.***

***Coroners Act 1953.***

***Form 12 – Coroner’s certificate where inquest on fire will serve no good purpose.***

Act, Sec. 17(2).      Form 12.Reg, Sec. 1(1).

**CORONER'S CERTIFICATE WHERE INQUEST ON FIRE WILL SERVE NO  
GOOD PURPOSE.**

Attorney-General

and

to all members of the Police Force and to all others whom it may concern.

Having made inquiries regarding the cause and origin of a certain fire which occurred at ... on ... 20.., by virtue of my office as a Coroner I certify that no good purpose will be served by holding an inquest on the fire.

My reasons for coming to this decision are ... .

Dated ... 20...

Coroner.

*Coroners Regulation 1955*