

Bill No. 22 of 1951.

A BILL TO AMEND THE CORONERS ACT.

NOTE.

This Bill amends *The Coroners Act*, being chapter 10 of the Statutes of Alberta, 1945.

Section 21a is amended by striking out subsection (2) and substituting a new subsection. The subsection presently provides that a person who has been charged or is likely to be charged with an offence relating to the death is not compellable to give evidence at an inquest. Frequently, evidence that is essential in order to ascertain the cause of death cannot be obtained because a witness who could give the evidence may be charged with some minor offence under a provincial statute that may be related to the death. For instance, in a mine disaster a person who may be charged with an offence under *The Coal Mines Regulation Act* may refuse to testify, or in a traffic death a person involved in the accident who may be charged with some minor offence under *The Vehicles and Highway Traffic Act* may refuse to testify.

The effect of the amendment is that such a person is compellable to give evidence at the inquest in order to ascertain the cause of death but the coroner can give the witness the protection of the *Canada Evidence Act* so that his answers cannot be used in evidence against him in subsequent criminal proceedings.

The Bill comes into force on the 1st day of July, 1951.

KENNETH A. MCKENZIE,
Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 22 of 1951.

An Act to amend The Coroners Act.

(Assented to _____, 1951.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Coroners Act*, being chapter 10 of the Statutes of Alberta, 1945, is hereby amended.

2. Section 21a is amended by striking out subsection (2) and by substituting the following: Section 21a amended

“(2) A person who is suspected of causing the death, or who has been charged or is likely to be charged with an offence relating to the death, shall not be excused from answering any question on the ground that his answer to the question may tend to incriminate him, but if he objects to answering the question on that ground, the coroner shall give him the protection afforded by section 5 of the *Canada Evidence Act*.”. Person suspected of causing death not excused from testifying

3. This Act shall come into force on the first day of July, 1951. Coming into force

No. 22.

FOURTH SESSION
ELEVENTH LEGISLATURE

15 GEORGE VI

1951

BILL

An Act to amend The Coroners Act.

Received and read the

First time

Second time

Third time

HON. MR. MAYNARD.
