

No. 80

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5th Session, 14th Legislature, Alberta  
11 Elizabeth II

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## **BILL 80**

A Bill to amend The Coroners Act

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HON. MR. MANNING

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## **Explanatory Note**

**2.** Subsection (3a) of section 3 is added to empower coroners to take affidavits required by the Act in the Province.

**3.** The Schedule to this Act is to be struck out and forms will be prescribed under section 33 of this Act. See clause 14 of this Bill. The Vital Statistics Act was repealed and replaced by The Vital Statistics Act, 1959.

**4.** The Schedule to this Act is to be struck out and forms will be prescribed under section 33. Form C is to be changed from an affidavit to a certificate.

**5.** The Schedule to this Act is to be struck out and forms will be prescribed under section 33 of the Act.

# BILL

No. 80 of 1963

An Act to amend The Coroners Act

(Assented to \_\_\_\_\_, 1963)

**H**ER 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 62 of the Revised Statutes, is hereby amended.

**2.** Section 3 is amended by adding the following subsection immediately after subsection (3):

(3a) A coroner is *ex officio* a commissioner for taking affidavits required by this Act in the Province.

**3.** Section 8 is amended

(a) as to subsection (1) by striking out the words "warrant, in Form A in the Schedule," and by substituting the words "warrant in the prescribed form,"

(b) as to subsection (3) by striking out the words "*The Vital Statistics Act*," and by substituting the words "*The Vital Statistics Act, 1959*,".

**4.** Section 9, subsection (1) is amended

(a) by striking out clause (a) and by substituting the following:

(a) issue his warrant in the prescribed form to bury the body,

(b) as to clause (b) by striking out the words "an affidavit in Form C in the Schedule" and by substituting the words "a certificate in the prescribed form",

(c) as to clause (c) by striking out the words "*The Vital Statistics Act*" and by substituting the words "*The Vital Statistics Act, 1959*".

**5.** Section 10 is amended

(a) as to subsection (1), clause (c) by striking out the words "Form B" and by substituting the words "the prescribed form",

**6.** Form E is changed from an affidavit to a certificate. See note to clause 5 of this Bill.

**7.** See note to clause 5 of this Bill.

**8.** See note to clause 5 of this Bill.

**9.** Section 18 is revised to correct the references to The Vital Statistics Act which was repealed and replaced with The Vital Statistics Act, 1959. Subsection (6) of section 18 presently reads:

“(6) Where a coroner is required to make or is making an investigation into a death other than a death from or in circumstances referred to in subsection (5),

(a) if the cause of death is ill-defined, obscure or unknown,

(b) if the deceased apparently died from disease, conditions resulting from disease, sickness or other natural causes, or

(c) if the Registrar General has, pursuant to section 25 of The Vital Statistics Act, ordered the investigation of the death, the coroner shall obtain the consent of the Registrar General before ordering a post-mortem examination.”.

**10.** See clause 5 of this Bill.

**11.** See clause 5 of this Bill.

**12.** See note to clause 3 of this Bill.

**13.** See note to clause 5 of this Bill.

- (b) as to subsection (3) by striking out the words “make, in Form D in the Schedule, an affidavit” and by substituting the words “swear an affidavit in the prescribed form”.

**6. Section 11 is amended**

- (a) as to subsection (1) by striking out the words “an affidavit in Form E in the Schedule” and by substituting the words “a certificate in the prescribed form”,
- (b) as to subsection (2) by striking out the word “affidavit” and by substituting the word “certificate”.

**7. Section 13, subsection (2) is amended by striking out the words “Form A in the Schedule” and by substituting the words “the prescribed form”.**

**8. Section 14 is amended by striking out the words “Form B in the Schedule,” and by substituting the words “the prescribed form,”.**

**9. Section 18, subsection (6) is amended**

- (a) by striking out clause (c) and by substituting the following:
  - (c) if the Director has ordered a post-mortem examination to be made on the body of the deceased pursuant to section 14 of *The Vital Statistics Act, 1959*,
- (b) by striking out the words following clause (c) and by substituting the following:
 

“the coroner shall obtain the consent of the Attorney General or the Provincial Chief Coroner before ordering a post-mortem examination.”

**10. Section 21, subsections (2) and (3) are amended by striking out the words “Form F in the Schedule” and by substituting the words “the prescribed form”.**

**11. Section 26, subsection (1) is amended by striking out the words “Form G in the Schedule” and by substituting the words “the prescribed form”.**

**12. Section 29 is amended**

- (a) as to subsection (1), clause (a) by striking out the words “Form G in the Schedule,” and by substituting the words “the prescribed form,”,
- (b) as to subsection (2) by striking out the words “*The Vital Statistics Act*” and by substituting the words “*The Vital Statistics Act, 1959*”.

**13. Section 30 is amended by striking out the words “Form H in the Schedule” and by substituting the words “the prescribed form”.**

**14.** The Lieutenant Governor in Council may prescribe fees to be charged under the Act. Clause (c) of section 33 presently reads:

“33. The Lieutenant Governor in Council

.....

(c) may alter forms prescribed by this Act for use thereunder.”.

**15.** The forms contained in the Schedule are to be prescribed under section 33, clause (b) of the Act.

**16.** Commencement of Act.

**14.** Section 33 is amended by striking out clause (c) and by substituting the following:

(c) may prescribe a tariff of fees to be charged for services provided under this Act.

**15.** The Schedule is hereby struck out.

**16.** This Act comes into force on the day upon which it is assented to.

No. 80

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FIFTH SESSION

FOURTEENTH LEGISLATURE

11 ELIZABETH II

1963

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**BILL**

An Act to amend The Coroners Act

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Received and read the

First time .....

Second time .....

Third time .....

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HON. MR. MANNING.

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