

Bill No. 41 of 1936.

A BILL TO AMEND THE CORONERS ACT, 1927.

NOTE.

The amendment made by section 2 restates the circumstances respecting a death under which it must be reported to the coroner and the circumstances under which an inquest must be held, the object being to avoid the holding of unnecessary inquests.

Section 3 corrects an error.

Sections 4 and 5 amend the forms in the schedule affected by the amendments made by section 2 hereof.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 41 of 1936.

An Act to amend The Coroners Act, 1927.

(Assented to _____, 1936.)

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

1. This Act may be cited as "*The Coroners Act, 1927, Amendment Act, 1936.*"

2. *The Coroners Act, 1927*, being chapter 32 of the Statutes of Alberta, 1927, is hereby amended as to section 4 thereof,—

(a) by striking out subsection (1) thereof and by substituting therefor the following:

"(1) Where upon the death of any person any medical practitioner, any undertaker, any embalmer, any inmate of the house in which the deceased resided immediately before his death, and any peace officer has reason to suspect or believe that such person died either,—

"(a) an unnatural death; or

"(b) a sudden death of which the cause is unknown; or

"(c) as a result of violence; or

"(d) as the result of any wrongful act or omission on the part of any other person; or

"(e) in such place or under such circumstances that the holding of an investigation is necessary pursuant to the provisions of any statute of the Province,—

"he shall immediately notify the Coroner having jurisdiction in the place where the body of the deceased person is, of the facts and circumstances relating to the death.";

(b) by striking out subsection (2) thereof;

(c) by striking out the words "as the result of violence or misadventure or by unfair means in custody or from any cause other than disease, or as a result of negligence or misconduct or malpractice on the part of others, or under such circumstances as require investigation, he shall issue his warrant to take possession of the body, and shall view the body", where the same occur in subsection (3) thereof, and by substituting therefor the words "either,—

"(a) an unnatural death; or

"(b) a sudden death of which the cause is unknown; or

- “(c) as a result of violence; or
 - “(d) as the result of any wrongful act or omission on the part of any other person;
 - “(e) in such place or under such circumstances that the holding of an investigation is necessary pursuant to the provisions of any statute of the Province;
- “he shall issue his warrant to take possession of the body in Form A”;

- (d) by striking out the words “by unfair means, or as a result of negligence or misconduct or malpractice on the part of others, or through violence or misadventure, under circumstances requiring investigation by a Coroner’s inquest”, where the same occur in subsection (4) thereof and by substituting therefor the words “as the result of any wrongful act or omission on the part of any other person, or in such place or under such circumstances that the holding of an investigation is necessary pursuant to the provisions of any statute of the Province”; and
- (e) by striking out the word “mother”, where the same occurs in subsection (5) thereof, and by substituting therefor the words “mother, husband or wife”.

3. The said Act is further amended as to section 14 thereof by striking out the words “the affidavit in Form A”, where the same occur therein, and by substituting therefor the words “the warrant in Form A”.

4. The said Act is further amended as to Form A in the schedule thereto by striking out the words “as a result of violence or misadventure or by unfair means or from some cause other than disease, or as a result of negligence or misconduct or malpractice on the part of others, or under such circumstances as require investigation”, where the same occur therein, and by substituting therefor the following: “either,—

- “(a) an unnatural death; or
- “(b) a sudden death of which the cause is unknown; or
- “(c) as a result of violence; or
- “(d) as the result of any wrongful act or omission on the part of any other person; or
- “(e) in such place or under such circumstances that the holding of an investigation is necessary pursuant to the provisions of any statute of the Province”.

5. The said Act is further amended as to Form B in the schedule thereto,—

- (a) by striking out the words “as a result of violence or misadventure or by unfair means or from some cause other than disease, or as a result of negligence or misconduct or malpractice on the part of others, or under such circumstances as required investigation”, where the same occur in paragraph 1 thereof, and by substituting therefor the following: “either,—

- “(a) an unnatural death; or
- “(b) a sudden death of which the cause is unknown; or
- “(c) as a result of violence; or
- “(d) as the result of any wrongful act or omission on the part of any other person; or
- “(e) in such place or under such circumstances that the holding of an investigation is necessary pursuant to the provisions of any statute of the Province”;

(b) by striking out the words “I am satisfied”, where the same occur in paragraph 2 thereof, and by substituting therefor the words “I am satisfied that the death was not the result of any wrongful act or omission on the part of any other person and”.

6. This Act shall come into force on the day upon which it is assented to.

No. 41.

FIRST SESSION
EIGHTH LEGISLATURE
1 EDWARD VIII
1936

BILL

An Act to amend The Coroners Act,
1927.

Received and read the

First time

Second time

Third time

HON. MR. HUGILL.

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