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Coroners Act 2006

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry of Justice.

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1 Title

This Act is the Coroners Act 2006.

2 Commencement

(1) Sections 1 to 3, 141, and 142, and Schedules 1 and 2 come into force on the day after the date on which this Act receives the Royal assent.

(2) The rest of this Act comes into force on 1 July 2007.

Part 1
General provisions

3 Purpose of this Act

(1) The purpose of this Act is to help to prevent deaths and to promote justice through—

(a) investigations, and the identification of the causes and circumstances, of sudden or unexplained deaths, or deaths in special circumstances; and

(b) the making of recommendations or comments that, if drawn to public attention, may reduce the chances of further deaths occurring in circumstances similar to those in which the deaths occurred.

(2) To help to achieve its purpose, this Act—

(a) identifies deaths that must be reported to a coroner and the process for reporting and investigating those deaths:

(b) recognises both—

(i) the cultural and spiritual needs of family of, and of others who were in a close relationship to, a person who has died; and

(ii) the public good associated with a proper and timely understanding of the causes and circumstances of deaths:

(c) provides for an independent coronial system for investigations of deaths by coroners liaising with other authorities permitted or required by law to investigate those deaths:

(d) repeals and replaces the Coroners Act 1988.

Section 3(1)(b): replaced, on 21 July 2016, by section 4 of the Coroners Amendment Act 2016 (2016 No 29).

4 Coroner's role

(1) A coroner's role in relation to a death is—

(a) to receive a report of the death from the New Zealand Police; and

(b) to decide whether to direct a post-mortem and, if one is directed, to determine whether to authorise certain people (other than the pathologist) to attend; and

(c) to authorise the release of the body (including determining, if a post-mortem has been directed, whether the pathologist wishes and is permitted, on the release of the body, to retain body parts or bodily samples); and

(d) to decide whether to open an inquiry (and, if one is to be conducted, whether an inquest should be held); and

(e) if an inquiry is to be opened and conducted,—

(i) to open and conduct it for the 3 purposes stated in subsection (2) (and in section 57), and not to determine civil, criminal, or disciplinary liability; and

(ii) to determine related matters such as whether to prohibit the making public of evidence and whether to authorise the making public of certain particulars of deaths suspected or found to be self-inflicted deaths; and

(iii) to complete and sign a certificate of findings in relation to the death (if the inquiry is completed and not earlier closed); and

(f) to give members and representatives of the immediate family of the person who is, or of a person who is suspected to be, the dead person concerned, and certain others, notice of significant matters in the carrying out of the duties and processes required by law to be performed or followed in relation to the death.

(2) The 3 purposes referred to in subsection (1)(e)(i) are—

(a) to establish, so far as possible,—

(i) that a person has died; and

(ii) the person's identity; and

(iii) when and where the person died; and

(iv) the causes of the death; and

(v) the circumstances of the death; and

(b) to make recommendations or comments under section 57A that, in the coroner's opinion, may, if drawn to public attention, reduce the chances of the occurrence of other deaths in circumstances similar to those in which the death occurred; and

(c) to determine whether the public interest would be served by the death being investigated by other investigating authorities in the performance or exercise of their functions, powers, or duties, and to refer the death to them if satisfied that the public interest would be served by their investigating it in the performance or exercise of their functions, powers, or duties.

(3) This section is only a general guide to a coroner's role.

Section 4(1)(e)(iii): replaced, on 1 February 2026, by section 16 of the Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85).

Section 4(2)(b): amended, on 21 July 2016, by section 5 of the Coroners Amendment Act 2016 (2016 No 29).

5 Coroners must perform their duties without delay

Every coroner must, so far as it is consistent with justice and practicable to do so, perform or exercise his or her functions, powers, and duties without delay.

6 Coroners must have regard to relevant practice notes

In performing or exercising a function, power, or duty, a coroner must have regard to any practice note issued by the chief coroner under section 132 that is relevant to the performance or exercise of the function, power, or duty.

7 Chief coroner's functions

(1) The chief coroner's main function is to contribute to the integrity and effectiveness of the coronial system provided for by this Act by—

(a) facilitating the orderly and efficient operation of the system; and

(b) overseeing coroners' investigations by—

(i) managing the workloads of coroners; and

(ii) issuing practice notes; and

(iii) monitoring the operation of the system; and

(c) facilitating the provision to coroners of support services and cultural, legal, medical, or other specialist advice.

(2) The chief coroner has the following additional functions (which support the chief coroner's main function):

(a) to establish, and to help maintain, relationships between coroners and other persons carrying out functions or duties within the coronial system:

(b) to help to inform, and to achieve consistency in, coronial decision making and other coronial conduct (for example, by issuing practice notes):

(c) to perform the functions of a Head of Bench under the Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004 in relation to the exercise by coroners (except for those who are District Court Judges) of the judicial authority conferred on them by this Act:

(d) to help to avoid unnecessary duplication in investigations into deaths by liaising, and encouraging co-ordination (for example, through issuing practice notes or developing protocols), with other investigating authorities, official bodies, and statutory officers:

(e) to set up and maintain a register, which must be publicly available, of coroners' recommendations and comments (or summaries of those recommendations and comments) made after the commencement of the Coroners Amendment Act 2016:

(f) to carry out any other function or task conferred or imposed by this Act or any other enactment.

Section 7: replaced, on 21 July 2016, by section 6 of the Coroners Amendment Act 2016 (2016 No 29).

8 Overview of this Act

(1) Part 1 deals with general matters including the purpose and structure of the Act, a coroner's role, the chief coroner's functions, definitions, and the application of the Act.

(2) Part 2 deals with deaths that must be reported and post-mortems and, in particular,—

(a) custody and removal of bodies:

(b) interests of families and other relevant people or organisations:

(c) release of bodies, and retention and return of body parts and bodily samples.

(3) Part 3 deals with—

(a) the opening and conduct of inquiries into the causes and circumstances of deaths and, in particular,—

(i) the holding of inquests and completion of inquiries:

(ii) inquiries or further inquiries ordered by the Solicitor-General or the High Court; and

(b) the closing of inquiries.

(4) Part 4 relates to appointments (including removal of, and complaints about, the chief coroner and other coroners), administration, powers, offences and penalties, and technical matters (including regulations and repeals).

(5) This section is only a guide to the general scheme and effect of this Act.

Section 8(3): replaced, on 1 February 2026, by section 17 of the Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85).

9 Interpretation

In this Act, unless the context otherwise requires,—

approved form means a form approved and issued under section 140B

associate coroner means a person appointed under section 104A

bodily sample, in relation to a body,—

(a) means a sample or specimen (whether of a body part, or of any other thing that is in or on the body, or of both) taken from the body by a pathologist after the death of the person concerned; and so

(b) includes a sample or specimen so taken of blood or tissue, urine or other bodily fluids, or contents of the stomach or bowel, and a sample or specimen so taken that is, or is part of, the following:

(i) any thing that is, or is in or on, an item of clothing on the body:

(ii) a weapon, or other foreign item or substance (for example, a surgical implant, including a cardiac pacemaker or other biomechanical aid), that is in or on the body

body means a dead person, but—

(a) includes a part of a person (whether or not the person's identity is known when the part is discovered or is later determined)—

(i) without which no person can live; or

(ii) discovered in such circumstances or such a state that it is probable that the person is dead; and

(b) does not include a dead foetus or a stillborn child (as those terms are defined in section 4 of the Births, Deaths, Marriages, and Relationships Registration Act 2021); and

(c) for the purposes of an authorisation for release under section 42, does not include any body part or bodily sample retained in accordance with section 48(2)

body part, in relation to a body,—

(a) means any part of the body (whether separated from the body before, on, or after the death concerned); and so

(b) includes a part so received or removed that is an organ, limb, hand, foot, or digit

chief coroner means the person appointed under section 105, and includes either of the following people while he or she is authorised to act for the chief coroner under section 105A or 106:

(a) the deputy chief coroner:

(b) the acting chief coroner

coroner has the meaning given to it by section 10

craft includes any aircraft, ship, boat, or other machine or vessel, used or capable of being used for the carriage or transportation of persons or goods, or both, by air or water or over or under water

death, in relation to reporting to a Police employee or a coroner, includes the finding of a body

death in official custody or care means the death of any of the following:

(a) a patient within the meaning of the Substance Addiction (Compulsory Assessment and Treatment) Act 2017 (whether or not the death occurred in a treatment centre):

(b) a child or young person who has been placed in a residence within the meaning of section 2(1) or 364 of the Oranga Tamariki Act 1989 (whether or not the death occurred in the residence):

(c) a child or young person who—

(i) is in the custody or care of the chief executive, a community service, an iwi social service, a cultural social service, a residential disability care operator, or the director of a child and family support service pursuant to section 43, 78, 101, 102, 110, 139, 140, 141, 142, 234, 238, 307, 311, 320U, 320Z, or 345 of the Oranga Tamariki Act 1989; or

(ii) is in the charge of any person or organisation pursuant to section 362 of that Act:

(d) a patient within the meaning of section 2(1) of the Mental Health (Compulsory Assessment and Treatment) Act 1992 (whether or not the death occurred in the hospital concerned):

(e) a care recipient or proposed care recipient within the meaning of section 5(1) of the Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003 (whether or not the death occurred in the facility concerned):

(f) a prisoner within the meaning of section 3(1) of the Corrections Act 2004 (whether or not the death occurred in the prison concerned):

(g) a person in the custody of the New Zealand Police:

(h) a person under the control of a security officer (as defined in section 3(1) of the Corrections Act 2004):

(i) a resident within the meaning of section 3 of the Public Safety (Public Protection Orders) Act 2014

dentist means a health practitioner who is, or is deemed to be, registered with the Dental Council established by section 114(2) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of dentistry

designated coroner, in relation to a death, means the coroner designated by the chief coroner under section 133 to receive reports of all deaths of that kind

doctor means a health practitioner who is, or is deemed to be, registered with the Medical Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of medicine

expert has the same meaning as in section 4(1) of the Evidence Act 2006

expert evidence has the same meaning as in section 4(1) of the Evidence Act 2006

health practitioner means a person who is or is deemed to be registered with an authority as a practitioner of a particular health profession under the Health Practitioners Competence Assurance Act 2003

immediate family, in relation to a dead person,—

(a) means members of the dead person's family, whānau, or other culturally recognised family group, who—

  (i) were in a close relationship with the person; or

  (ii) had, in accordance with customs or traditions of the community of which the person was part, responsibility for, or an interest in, the person's welfare and best interests; and

(b) to avoid doubt, includes persons whose relationship to the dead person is, or is through 1 or more relationships that are, that or those of—

  (i) spouse, civil union partner, or de facto partner of the dead person:

  (ii) child, parent, guardian, grandparent, brother, or sister of the dead person:

  (iii) stepchild, step-parent, stepbrother, or stepsister of the dead person

inquest means a hearing held by a coroner in connection with an inquiry opened and conducted by a coroner under Part 3

inquiry means an inquiry into a death opened and conducted by a coroner under Part 3; and includes any related inquest held by the coroner

interested party, in relation to the death, or suspected death, of a person means—

(a) a person who is recognised under section 22 as a representative of the immediate family of the person who is, or is suspected to be, dead; and

(b) a member of the immediate family of the person who is, or is suspected to be, dead who has asked to be notified of matters, and has given the responsible coroner contact details for that purpose, because the member considers that the member's interests are not represented by a representative recognised under section 22; and

(c) a person whose conduct is, in the view of the responsible coroner, likely to be called into question during the course of any inquiry in relation to the death or suspected death; and

(d) any other person or organisation that the responsible coroner considers has an interest in the death or suspected death (apart from any interest in common with the public)

investigation, in relation to a death and a coroner, means every function, power, or duty the coroner may or must perform or exercise in relation to the death, including, without limitation, the coroner's functions, powers, or duties relating to—

(a) a post-mortem of the body concerned; and

(b) an inquiry into the death; and

(c) an inquest related to an inquiry into the death

irrecoverable means impossible or impracticable to recover

Justice has the same meaning as in section 2 of the Justices of the Peace Act 1957

marae includes the area of land on which all buildings such as the wharenui (meeting house), the wharekai (dining room), ablution blocks, and any other associated buildings are situated

medical procedure—

(a) means a medical, surgical, or dental treatment or operation, or any procedure of a similar kind; and

(b) includes the administration of a medicine (as defined in section 3 of the Medicines Act 1981) or an anaesthetic

Minister means the Minister of the Crown who, under the authority of a warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

New Zealand—

(a) means the land and the waters enclosed by the outer limits of the territorial sea of New Zealand (as described in section 3 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977); and

(b) includes the Ross Dependency

other investigating authority, in relation to a death, means an authority (other than a coroner) permitted or required by law to investigate the death; and includes, without limitation, any of the following authorities:

(a) *[Repealed]*

(b) the Civil Aviation Authority of New Zealand continued by section 20 of the Civil Aviation Act 2023:

(c) the Corporation as defined in section 39 of the Accident Compensation Act 2001:

(d) the Director or a Deputy Director or a district inspector as defined in section 2(1) of the Mental Health (Compulsory Assessment and Treatment) Act 1992:

(e) a district inspector as defined in section 5(1) of the Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003:

(f) the Health and Disability Commissioner appointed under section 8 of the Health and Disability Commissioner Act 1994:

(g) a food safety officer as defined in section 8(1) of the Food Act 2014:

(h) a regulator as defined in section 16 of the Health and Safety at Work Act 2015 or an inspector appointed under section 163 of that Act:

(i) the New Zealand Transport Agency established by section 93 of the Land Transport Management Act 2003:

(j) a Medical Officer of Health under the Health Act 1956:

(k) the authority known as Maritime New Zealand continued by section 429 of the Maritime Transport Act 1994:

(l) the Independent Police Conduct Authority established under section 4 of the Independent Police Conduct Authority Act 1988:

(m) the Transport Accident Investigation Commission established by section 3 of the Transport Accident Investigation Commission Act 1990:

(n) a Royal Commission, or a commission of inquiry appointed by an Order in Council made under the Commissions of Inquiry Act 1908, or a commission of inquiry or board of inquiry or court of inquiry or committee of inquiry appointed, pursuant to, or by, any provision of an Act:

(o) an inquiry to which section 6 of the Inquiries Act 2013 applies

overseas death means a death that occurs outside New Zealand other than a death on or from—

(a) a New Zealand registered aircraft (as defined in section 5 of the Civil Aviation Act 2023; or

(b) a New Zealand ship (as defined in section 2(1) of the Maritime Transport Act 1994); or

(c) an aircraft or a ship of the Armed Forces (as defined in section 2(1) of the Defence Act 1990)

pathologist—

(a) means a doctor who is competent to perform post-mortems because his or her scope of practice (as defined in section 5(1) of the Health Practitioners Competence Assurance Act 2003) includes the branch of medicine of pathology; and

(b) in relation to a post-mortem directed under section 31, means the pathologist directed to perform the post-mortem; and includes another pathologist who, with a coroner's authorisation under section 38(1)(b), is attending, participating in, and helping with, the post-mortem

pathologist's report means a report given by a pathologist to a coroner under section 31(6)

post-mortem means a post-mortem examination

relief coroner means a person appointed under section 104

Remuneration Authority means the Authority established by section 4(1) of the Remuneration Authority Act 1977

responsible coroner, in relation to a death, means,—

(a) until a replacement coroner is appointed under section 133A(2), the coroner who is—

(i) the designated coroner to whom the death is reported under section 15(2)(a); or

(ii) if the death is reported to another coroner under section 15(2)(b), the responsible coroner appointed by the chief coroner under section 133A(1); and

(b) on and after the date on which the chief coroner appoints a replacement coroner under section 133A(2), the coroner who is the replacement coroner

responsible department means the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

Secretary means the chief executive of the responsible department

vehicle means a conveyance for use on land, whether or not it is also capable of being used on or over water.

Compare: 1988 No 111 s 2

Section 9 **approved form**: inserted, on 5 April 2023, by section 4 of the Coroners Amendment Act 2023 (2023 No 8).

Section 9 **associate coroner**: inserted, on 5 April 2023, by section 4 of the Coroners Amendment Act 2023 (2023 No 8).

Section 9 **body** paragraph (b): amended, on 15 June 2023, by section 147 of the Births, Deaths, Marriages, and Relationships Registration Act 2021 (2021 No 57).

Section 9 **chief coroner**: replaced, on 21 July 2016, by section 7(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **death**: amended, on 21 July 2016, by section 7(2) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **death in official custody or care**: replaced, on 21 July 2016, by section 7(3) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **death in official custody or care** paragraph (a): replaced, on 21 February 2018, by section 122(1) of the Substance Addiction (Compulsory Assessment and Treatment) Act 2017 (2017 No 4).

Section 9 **death in official custody or care** paragraph (b): amended, on 14 July 2017, by section 149 of the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 (2017 No 31).

Section 9 **death in official custody or care** paragraph (c)(i): amended, on 26 September 2026, by section 60 of the Oranga Tamariki (Responding to Serious Youth Offending) Amendment Act 2026 (2026 No 65).

Section 9 **death in official custody or care** paragraph (c)(i): amended, on 14 July 2017, by section 149 of the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 (2017 No 31).

Section 9 **dentist**: inserted, on 21 July 2016, by section 7(6) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **designated coroner**: replaced, on 21 July 2016, by section 7(4) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **expert**: inserted, on 21 July 2016, by section 7(6) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **expert evidence**: inserted, on 21 July 2016, by section 7(6) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **health practitioner**: inserted, on 21 July 2016, by section 7(6) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **interested party**: inserted, on 21 July 2016, by section 7(6) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **Justice**: inserted, on 21 July 2016, by section 7(6) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **listed pathologist**: repealed, on 21 July 2016, by section 7(7) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **medical procedure**: inserted, on 21 July 2016, by section 7(6) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **other investigating authority** paragraph (a): repealed, on 1 July 2023, by section 41 of the Children and Young People's Commission Act 2022 (2022 No 44).

Section 9 **other investigating authority** paragraph (b): amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

Section 9 **other investigating authority** paragraph (c): amended, on 21 July 2016, by section 7(5) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **other investigating authority** paragraph (g): replaced, on 1 March 2016, by section 447 of the Food Act 2014 (2014 No 32).

Section 9 **other investigating authority** paragraph (h): replaced, on 4 April 2016, by section 232 of the Health and Safety at Work Act 2015 (2015 No 70).

Section 9 **other investigating authority** paragraph (i): amended, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Section 9 **other investigating authority** paragraph (l): amended, on 29 November 2007, by section 26 of the Independent Police Conduct Authority Amendment Act 2007 (2007 No 38).

Section 9 **other investigating authority** paragraph (o): inserted, on 27 August 2013, by section 39 of the Inquiries Act 2013 (2013 No 60).

Section 9 **overseas death**: inserted, on 21 July 2016, by section 7(6) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **overseas death** paragraph (a): amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

Section 9 **pathologist's report**: inserted, on 21 July 2016, by section 7(6) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **responsible coroner**: inserted, on 21 July 2016, by section 7(6) of the Coroners Amendment Act 2016 (2016 No 29).

Section 9 **specified recommendations or comments**: repealed, on 21 July 2016, by section 7(7) of the Coroners Amendment Act 2016 (2016 No 29).

10 Coroner defined

(1) In this Act, **coroner** means a person appointed under section 103 and, except as provided in this section, includes—

(a) the chief coroner; and

(ab) the deputy chief coroner; and

(b) a person who (under section 22(a) of the District Court Act 2016) is a coroner by virtue of holding office as a District Court Judge; and

(c) a relief coroner.

(2) In the following sections, **coroner** does not include the chief coroner:

(a) section 105(2) (appointment of chief coroner):

(ab) section 105A(1) (deputy chief coroner):

(b) section 106 (acting chief coroner):

(c) *[Repealed]*

(d) sections 105(5) and 110(4) (resignation as chief coroner but not as coroner):

(e) section 112 (resignation).

(3) In the following sections, **coroner** does not, except as provided in section 109(2)(a), include a person who (under section 22(a) of the District Court Act 2016) is a coroner by virtue of holding office as a District Court Judge:

(a) section 108 (coroners act full-time unless authorised to act part-time):

(b) section 109 (maximum number of coroners):

(c) section 110 (salaries and allowances):

(d) section 112 (resignation):

(e) section 114 (removal).

(4) In the following sections, **coroner** does not include a relief coroner:

(a) section 7 (chief coroner's functions):

(b) section 104 (relief coroners):

(c) *[Repealed]*

(d) section 109 (maximum number of coroners).

Section 10(1)(ab): inserted, on 8 September 2018, by section 27(1) of the Statutes Amendment Act 2018 (2018 No 27).

Section 10(1)(b): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Section 10(2)(ab): inserted, on 8 September 2018, by section 27(2) of the Statutes Amendment Act 2018 (2018 No 27).

Section 10(2)(c): repealed, on 21 July 2016, by section 8 of the Coroners Amendment Act 2016 (2016 No 29).

Section 10(3): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Section 10(4)(c): repealed, on 21 July 2016, by section 8 of the Coroners Amendment Act 2016 (2016 No 29).

11 Application of Act to deaths of members of visiting forces

This Act is subject to section 19 of the Visiting Forces Act 2004, which applies to inquiries relating to members of visiting forces.

Compare: 1988 No 111 s 3A

11A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

Section 11A: inserted, on 5 April 2023, by section 32 of the Coroners Amendment Act 2023 (2023 No 8).

12 Act binds the Crown

This Act binds the Crown.

12A Transitional and savings provisions relating to amendments to this Act

[Repealed]

Section 12A: repealed, on 5 April 2023, by section 33 of the Coroners Amendment Act 2023 (2023 No 8).

Part 2
Deaths to be reported and post-mortems

Reporting of deaths

13 Duty to report deaths

(1) A person who finds a body in New Zealand must report the finding to a Police employee as soon as practicable unless the person believes that the finding is already known to the New Zealand Police, or will be reported to a Police employee by another person.

(2) A person who learns of a death of a kind described in section 14 must report that death to a Police employee as soon as practicable unless the person believes that the death is already known to the New Zealand Police, or will be reported to a Police employee by another person.

(2A) However, subsections (1) and (2) do not apply in any case in which the death was a result of assisted dying under the End of Life Choice Act 2019.

(3) Any person may, but is not required to, report an overseas death to a Police employee if—

(a) the person is concerned that overseas authorities have not established the cause and circumstances of the death, or there is doubt about the accuracy of any conclusion reached by an overseas authority; and

(b) the body of the dead person is in New Zealand.

Section 13: replaced, on 21 July 2016, by section 10 of the Coroners Amendment Act 2016 (2016 No 29).

Section 13(2A): inserted, on 6 November 2021, by section 41 of the End of Life Choice Act 2019 (2019 No 67).

14 Deaths that must be reported under section 13(2)

(1) A death of a kind described in subsection (2) must be reported under section 13(2) if the death occurred in New Zealand or on or from—

(a) a New Zealand registered aircraft (as defined in section 5 of the Civil Aviation Act 2023); or

(b) a New Zealand ship (as defined in section 2(1) of the Maritime Transport Act 1994); or

(c) an aircraft or a ship of the Armed Forces (as defined in section 2(1) of the Defence Act 1990).

(2) The kinds of deaths referred to in subsection (1) are—

(a) a death that appears to have been without known cause, or self-inflicted, unnatural, or violent:

(b) a death—

(i) that occurred during, or appears to have been the result of, a medical procedure; and

(ii) that was medically unexpected:

(c) a death—

(i) that occurred while the person concerned was affected by an anaesthetic; and

(ii) that was medically unexpected:

(d) the death of a woman that occurred while the woman was giving birth, or that appears to have been a result of the woman being pregnant or giving birth:

(e) a death in official custody or care:

(f) a death in relation to which there has not been given a certificate of cause of death (as defined in section 2(1) of the Burial and Cremation Act 1964).

(3) For the purposes of subsection (2)(b) and (c), a death is **medically unexpected** if it would not reasonably have been expected by a health practitioner who—

(a) was competent to carry out the procedure, or administer the anaesthetic, in question; and

(b) had knowledge of the dead person's medical condition before the procedure began.

Section 14: replaced, on 21 July 2016, by section 10 of the Coroners Amendment Act 2016 (2016 No 29).

Section 14(1)(a): amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

Section 14(2)(f): amended, on 27 November 2025, by section 31 of the Statutes Amendment Act 2025 (2025 No 74).

15 Reporting of deaths to coroner by Police

(1) This subsection applies to a Police employee—

(a) who finds a body in New Zealand; or

(b) to whom a report of a death is made under section 13.

(2) A Police employee to whom subsection (1) applies must, unless excused from doing so by subsection (3), cause the death concerned to be reported immediately—

(a) to the appropriate designated coroner; or

(b) if there is no designated coroner, or if that coroner is unavailable, to another coroner.

(3) A Police employee is not required by subsection (2) to cause a death to be reported if he or she believes that the death is already known to, or will be reported by another Police employee to, a coroner.

(4) A coroner (other than the chief coroner) to whom a finding or death is reported under subsection (2)(b) must report it to the chief coroner as soon as practicable.

Section 15: replaced, on 21 July 2016, by section 11 of the Coroners Amendment Act 2016 (2016 No 29).

16 Responsible coroner

(1) The responsible coroner must perform every part of the coroner's role in relation to a death.

(2) However, a duty coroner may from time to time perform or exercise the functions, powers, and duties of the responsible coroner, including (without limitation) deciding not to open an inquiry into a death.

(3) In this section, **duty coroner** means a coroner who is, for the time being, authorised by the chief coroner to perform or exercise any function, duty, or power that—

(a) would ordinarily be performed or exercised by a responsible coroner; but

(b) in the circumstances, is more appropriately performed or exercised by a coroner who is immediately available.

Section 16: replaced, on 21 July 2016, by section 12 of the Coroners Amendment Act 2016 (2016 No 29).

Section 16(2): replaced, on 5 April 2023, by section 5 of the Coroners Amendment Act 2023 (2023 No 8).

17 Investigations by police

(1) If a death has been reported to a coroner under section 15, the Commissioner of Police must cause to be made all investigations—

(a) necessary to help to achieve the purpose of this Act in relation to the death; or

(b) directed by the responsible coroner.

(1A) In making a direction under subsection (1)(b), the responsible coroner must have regard to the principles set out in section 8 of the Policing Act 2008.

(1B) If the Commissioner considers that a coroner's direction under subsection (1)(b) is unreasonable or unnecessary, the Commissioner may refer the direction to the chief coroner.

(1C) If a referral is made under subsection (1B), the Commissioner and the chief coroner must, by agreement, confirm, revoke, or vary the direction.

(2) This section does not limit section 115.

Compare: 1988 No 111 s 5(6)

Section 17(1)(b): amended, on 21 July 2016, by section 13(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 17(1A): inserted, on 21 July 2016, by section 13(2) of the Coroners Amendment Act 2016 (2016 No 29).

Section 17(1B): inserted, on 21 July 2016, by section 13(2) of the Coroners Amendment Act 2016 (2016 No 29).

Section 17(1C): inserted, on 21 July 2016, by section 13(2) of the Coroners Amendment Act 2016 (2016 No 29).

Custody and removal of bodies

18 When New Zealand Police has exclusive right to custody of body

(1) The New Zealand Police has an exclusive right to custody of the body of a person—

(a) from the time when a Police employee first suspects on reasonable grounds that a death to which section 13(2) applies may have occurred; and

(b) until—

(i) the death is reported to the designated coroner under section 15(2)(a); or

(ii) if the death is reported to another coroner under section 15(2)(b), a responsible coroner has been appointed by the chief coroner under section 133A(1).

(2) Despite subsection (1)(b), the New Zealand Police must ensure that the death is reported to the designated coroner, or another coroner, as soon as practicable.

(3) Nothing in this section affects when the exclusive right can be and is exercised by or on behalf of the New Zealand Police, or prevents the New Zealand Police from exercising on behalf of the responsible coroner his or her right under section 19.

Section 18: replaced, on 21 July 2016, by section 14 of the Coroners Amendment Act 2016 (2016 No 29).

19 When responsible coroner has exclusive right to custody of body

The responsible coroner has an exclusive right to custody of the body of a person—

(a) from the time when—

(i) the death of the person is reported to him or her (as the designated coroner) under section 15(2)(a); or

(ii) he or she is appointed as the responsible coroner in relation to the death under section 133A; and

(b) until—

(i) he or she authorises the release of the body under section 42; or

(ii) another coroner is appointed as the responsible coroner in relation to the death under section 133A(2) or (3).

Section 19: replaced, on 21 July 2016, by section 15 of the Coroners Amendment Act 2016 (2016 No 29).

19A Police responsible for co-ordinating extraction of body

(1) This section applies to a body if—

(a) the responsible coroner has an exclusive right to custody of the body; and

(b) the body is in a location from which it can be extracted only with extraordinary effort or the use of special resources.

(2) The New Zealand Police is responsible, on behalf of the coroner, for co-ordinating the extraction of the body from that location.

Section 19A: inserted, on 21 July 2016, by section 15 of the Coroners Amendment Act 2016 (2016 No 29).

20 Directions about removal of body

For the purposes of a post-mortem of a body directed under section 31, a coroner may give any directions the coroner thinks fit about removal of the body (for example, directions about the removal of the body to a mortuary or morgue).

Compare: 1988 No 111 s 13(1)

21 Coroner not required to view body

A coroner is not required to view any body.

Compare: 1988 No 111 s 24(2)

Preliminary inspections

Heading: inserted, on 21 July 2016, by section 16 of the Coroners Amendment Act 2016 (2016 No 29).

21A Coroner may direct preliminary inspection

(1) A coroner may direct a pathologist to perform a preliminary inspection of a body.

(2) The purpose of a preliminary inspection is to enable the pathologist to advise the coroner about whether to direct a post-mortem under section 31.

(3) The pathologist may use medical imaging as part of a preliminary inspection if access to medical imaging technology is readily available.

(4) Nothing in this section limits the coroner's power to direct a post-mortem under section 31.

(5) In this section,—

medical imaging includes, without limitation, X-ray, magnetic resonance imaging, tomography, and ultrasound

preliminary inspection means an inspection of a body consisting of either or both of the following:

(a) an external visual examination:

(b) the use of medical imaging.

Section 21A: inserted, on 21 July 2016, by section 16 of the Coroners Amendment Act 2016 (2016 No 29).

21B Preliminary inspection must include taking of swabs in certain circumstances relating to COVID-19

[Repealed]

Section 21B: repealed, on 20 November 2022, by section 21B(3).

Interests of families and other relevant people or organisations

22 Representative for liaison with immediate family

(1) *[Repealed]*

(2) To facilitate effective liaison with the immediate family on the duties and processes required by law to be performed or followed in relation to the death, the coroner may, on a request by, or on behalf of, the immediate family, recognise and, after recognition, liaise mainly with, 1 or more representatives of the immediate family.

(3) The coroner may recognise under this section only the smallest number of representatives necessary to represent fairly the interests of all the different members of the immediate family.

(4) No recognition under this section is effective until the coroner is given a proposed representative's name and contact details.

(5) Nothing in this section requires the performance or exercise of functions, powers, or duties in relation to the death to be delayed until a representative is recognised, or until his or her details are given to the coroner.

Section 22(1): repealed, on 21 July 2016, by section 17 of the Coroners Amendment Act 2016 (2016 No 29).

23 Coroner must give interested parties notice of significant matters

(1) The responsible coroner must take all reasonable steps to give interested parties notice, as soon as practicable, of significant matters that relate to the carrying out of the duties and processes required by law to be performed or followed in relation to a death.

(2) A failure to comply with this section does not affect the validity of any action taken by or on behalf of the coroner.

Compare: 1988 No 111 s 11(1), (3)

Section 23: replaced, on 21 July 2016, by section 18 of the Coroners Amendment Act 2016 (2016 No 29).

24 Significant matters referred to in section 23(1)

(1) The significant matters referred to in section 23(1) include, without limitation,—

(a) a direction by the coroner that a post-mortem of the body concerned be performed; and

(b) the coroner's reasons for directing that a post-mortem be performed; and

(c) the fact that a copy of the pathologist's report on a post-mortem can be obtained under section 27 or 29; and

(d) the opening of an inquiry; and

(e) the date, time, and place fixed for an inquest; and

(f) the completion of an inquiry.

(2) For representatives recognised under section 22, and any member of the dead person's immediate family who has asked to be notified of matters and has provided contact details to the coroner, the significant matters also include—

(a) the right to object to a proposed post-mortem if, under section 33, immediate family members have that right; and

(b) the receipt or removal of a body part, or the taking of a bodily sample, under section 47; and

(c) the retention of a body part or bodily sample under section 48(2)(a) or (b) (and, in particular, the matters in section 50(4)).

Section 24: replaced, on 21 July 2016, by section 18 of the Coroners Amendment Act 2016 (2016 No 29).

25 Viewing, touching, or remaining with or near body in coroner's custody

(1) This section applies to a body if—

(a) the responsible coroner's exclusive right to custody of the body, under section 19, is being exercised by the responsible coroner or on the responsible coroner's behalf; and

(b) 1 or more people to whom subsection (2) applies wish to view, touch, or remain with or near the body.

(2) This subsection applies to the following people:

(a) members of the immediate family of the person who is, or of a person who is suspected to be, the dead person concerned:

(b) representatives (whether recognised under section 22 or not) of that immediate family:

(c) people chosen by that immediate family and who are, or are performing functions analogous to, ministers of religion or other people providing religious or spiritual advice, benefit, or comfort.

(3) One or more people to whom subsection (2) applies may view, touch, or remain with or near the body, but only—

(a) if authorised to do so by the coroner; and

(b) in accordance with any conditions the coroner imposes.

Section 25(1): replaced, on 21 July 2016, by section 19 of the Coroners Amendment Act 2016 (2016 No 29).

26 Matters to be taken into account under section 25(3)

(1) The coroner must take into account the matters specified in subsection (2) in determining—

(a) whether to authorise a person under section 25(3) to view, touch, or remain with or near the body; and

(b) any conditions imposed under section 25(3)(b) on the person's viewing, touching, or remaining with or near the body.

(2) The matters referred to in subsection (1) are—

(a) any concerns the New Zealand Police or, if a post-mortem of the body has been directed under section 31, the pathologist may have about a pathologist's ability to determine the cause of death being limited by people viewing, touching, or remaining with or near the body:

(b) all risks of contamination of evidence if the death appears to have been, or may appear later to have been, a result of conduct that constitutes a criminal offence:

(c) all risks to the security of the body:

(d) whether suitable staff are available to supervise visitors to the mortuary or morgue where the body is kept:

(e) all risks of visitors to that mortuary or morgue being contaminated, infected, or otherwise harmed by exposure to or contact with the body:

(ea) the ethnic origins, social attitudes or customs, or spiritual beliefs of the person who is, or of a person who is suspected to be, the dead person, or of an immediate family member of that person, that customarily require viewing, touching, or remaining with or near the body (for example, the customary requirement that immediate family members be able to view, touch, or remain with or near the body according to tikanga Māori):

(f) whether suitable rooms and facilities for family or whānau are available at that mortuary or morgue:

(g) the need to ensure compliance with all applicable legal requirements relating to health and safety:

(h) any other matters the coroner considers relevant.

Section 26(2)(ea): inserted, on 21 December 2018, by section 4 of the Coroners (Access to Body of Dead Person) Amendment Act 2018 (2018 No 60).

27 Family may request pathologist's report on post-mortem

(1) The coroner must (without charge) give a member of a dead person's immediate family a copy of the pathologist's report if—

(a) a coroner has, under section 31, directed a pathologist to perform a post-mortem of a person's body; and

(b) the coroner has possession of the pathologist's report on the post-mortem; and

(c) that family member has asked for a copy of the report; and

(d) the copy of the report is not, and does not (because of alterations or deletions) contain in legible form, information that the coroner has been asked by the New Zealand Police to withhold in order to avoid prejudicing the prevention, detection, investigation, prosecution, and punishment of criminal offences relating to the death concerned or its circumstances.

(1A) The coroner may, at the request of a member of the dead person's immediate family, authorise a pathologist to contact the family to explain, or answer questions in relation to, the pathologist's report.

(2) A copy of the report (whether it is, or contains, information withheld under subsection (1)(d), or not) may be requested, and made available, in accordance with section 29.

Compare: 1988 No 111 s 11(2)

Section 27(1): amended, on 21 July 2016, by section 20(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 27(1)(c): replaced, on 21 July 2016, by section 20(2) of the Coroners Amendment Act 2016 (2016 No 29).

Section 27(1A): inserted, on 21 July 2016, by section 20(3) of the Coroners Amendment Act 2016 (2016 No 29).

28 Any person may access specified certificates and notices

(1) On a written request for the purpose made to the responsible department, any person may, without charge, during ordinary office hours inspect and, on payment of the charge (if any) fixed by an officer or employee of the responsible department under section 30, obtain a copy of a certificate or notice given to the Secretary under this Act and that is—

(a) a notice under section 64 of a coroner's decision not to open an inquiry; or

(aa) a notice under section 65A(5) of a coroner's decision to close an inquiry that the coroner has opened; or

(b) a notice under section 70(4) of a coroner's decision not to open or resume a postponed or adjourned inquiry; or

(c) a certificate under section 93 of a coroner's interim findings in relation to a death (which includes a written statement of the reasons for those findings); or

(d) a certificate under section 94 of a coroner's findings in relation to a death (which includes a written statement of the reasons for those findings).

(2) A copy may be obtained under subsection (1) despite a prohibition under section 74 (which empowers the coroner to prohibit the making public of evidence given at any part of inquiry proceedings), but nothing in this section permits a person to make public any information in contravention of section 71 or 74.

(3) Subsections (1) and (2) apply to the following certificates and notices given to the Secretary under the Coroners Act 1988 (but, for the purposes of this subsection, the references in subsection (2) to sections 74 and 71 must be read as references to sections 25(2)(b) and 29 of that Act respectively):

(a) a notice under section 20(2) of that Act of a coroner's decision not to hold an inquest under that Act:

(b) a notice under section 28(7) of that Act of a coroner's decision not to open or resume an inquest under that Act:

(c) a certificate under section 31 of that Act of a coroner's findings in relation to a death.

Compare: 1988 No 111 s 44(1), (5)

Section 28(1)(aa): inserted, on 1 February 2026, by section 18 of the Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85).

Section 28(2): amended, on 21 July 2016, by section 21 of the Coroners Amendment Act 2016 (2016 No 29).

29 Access to other documents given to Secretary

(1) On a written request for the purpose made to the responsible department, any person may, without charge, during ordinary office hours inspect and, on payment of the charge (if any) fixed by an officer or employee of the responsible department under section 30, obtain a copy of any document (for example, a pathologist's report on a post-mortem) that—

(a) is not a certificate or notice specified in section 28(1); and

(b) was given by a coroner to the Secretary under this Act.

(2) The availability of documents requested under subsection (1) must be determined,—

(a) in the case of a request made by the individual to whom the information concerned relates, in accordance with the Privacy Act 2020; or

(b) in any other case, in accordance with the Official Information Act 1982.

(3) Nothing in this section authorises—

(a) the publication of a document contrary to a prohibition under section 74 (which empowers the coroner to prohibit the making public of evidence given at any part of inquiry proceedings); or

(b) the publication of any information in contravention of section 71 (which relates to restrictions on the making public of details of self-inflicted deaths).

(4) Subsections (1) to (3) apply to the following (but, for the purposes of this subsection, the references in subsection (3) to sections 74 and 71 must be read as references to sections 25(2)(b) and 29 of the Coroners Act 1988 respectively):

(a) depositions transmitted to the Secretary under section 24(2) of the Coroners Act 1951; and

(b) any document that is not a certificate or notice specified in section 28(3) but was given by a coroner to the Secretary under the Coroners Act 1988.

Compare: 1988 No 111 s 44(2)–(5)

Section 29(2)(a): amended, on 1 December 2020, by section 217 of the Privacy Act 2020 (2020 No 31).

30 Charges for copies under section 28 or 29

(1) No charge may be fixed under this section for a request under section 28(1) or 29(1) made by the individual to whom the information concerned relates.

(2) This subsection applies to a request under section 28(1) or 29(1) that is not made by the individual to whom the information concerned relates.

(3) An officer or employee of the responsible department must determine under this section what (if any) charge to fix for a request to which subsection (2) applies.

(4) Any charge fixed must be reasonable and regard may be had—

(a) to the cost of the labour and materials involved in making the information available; and

(b) to any costs incurred pursuant to a request that the information be made available urgently.

(5) The responsible department may require that the whole or part of any charge fixed be paid in advance.

Compare: 1982 No 156 s 15(1A)–(3); 1993 No 28 s 35(1)

Post-mortems

31 Coroner may direct post-mortem

(1) A coroner may direct a pathologist to perform a post-mortem of a body—

(a) for the purpose of enabling the coroner to decide whether to open an inquiry into the death concerned; or

(b) if the coroner is to open, or has opened and not completed, an inquiry into the death concerned.

(1A) Where more than 1 death appears to have occurred as a result of a single event or a series of related events, a coroner—

(a) may direct 1 or more pathologists to perform post-mortems of any or all of the bodies (whether found before or after the direction is made) of people whose deaths appear to be a result of that event or series of events; and

(b) may direct 1 or more dentists to attend any or all of those post-mortems.

(2) If a coroner proposes to direct a post-mortem under this section, section 33 (right in some cases to object to post-mortem) may apply to that post-mortem and section 34(1)(d) (procedure for objections under section 33) may prohibit the coroner from directing that the post-mortem be performed.

(3) *[Repealed]*

(4) The pathologist must not be a doctor who, to the coroner's knowledge, was a doctor who attended the person concerned immediately before death.

(5) If, in accordance with section 37, the coroner so directs, the pathologist must perform the post-mortem immediately.

(6) As soon as practicable after completing the post-mortem, the pathologist must give the coroner a written report on the results of the post-mortem.

Compare: 1988 No 111 s 7

Section 31(1A): inserted, on 21 July 2016, by section 22(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 31(3): repealed, on 21 July 2016, by section 22(2) of the Coroners Amendment Act 2016 (2016 No 29).

32 Criteria for decision whether to direct post-mortem

In deciding whether to direct a post-mortem under section 31, a coroner must have regard to the following matters:

(a) the extent to which the matters required by this Act to be established by an inquiry—

(i) are not already disclosed in respect of the death concerned by information available directly to the coroner or from information arising from investigations or examinations the coroner has made or caused to be made; but

(ii) are likely to be disclosed by a post-mortem; and

(b) whether the Director-General of Health has ordered or is likely to order a post-mortem of the body concerned under section 78 of the Health Act 1956; and

(c) whether the death appears to have been unnatural or violent; and

(d) if the death appears to have been unnatural or violent, whether it appears to have been due to the actions or inaction of other people; and

(e) the existence and extent of any allegations, rumours, suspicions, or public concern about the cause of the death; and

(f) the desirability of minimising the causing of distress to people who, by reason of their ethnic origins, social attitudes or customs, or spiritual beliefs, customarily require bodies to be available to family members as soon as possible after death; and

(g) the desirability of minimising the causing of offence to people who, by reason of their ethnic origins, social attitudes or customs, or spiritual beliefs, find post-mortems of bodies offensive; and

(h) the desire of any member of the immediate family of the person concerned that a post-mortem should be performed; and

(i) any other matters the coroner thinks relevant.

Compare: 1988 No 111 s 8

33 Right in some cases to object to post-mortem

(1) This section applies to a post-mortem of a body that a coroner proposes to direct under section 31 be performed unless the coroner proposes to direct that the post-mortem be performed immediately (in accordance with section 37) because (together with any other good reason) any delay would or may limit the pathologist's ability to determine the cause of death.

(2) Every member of the immediate family of the person who is, or of a person who is suspected to be, the dead person concerned has, in the situation specified in subsection (3), a right to object to the post-mortem.

(3) The situation referred to in subsection (2) is that the coroner is, after having made all reasonable investigations, satisfied that, in the particular circumstances,—

(a) the death concerned does not appear to have been, and is unlikely to appear later to have been, a result of conduct that constitutes a criminal offence; and

(b) New Zealand's international legal obligations, and the laws of New Zealand, do not appear to require the post-mortem to be performed.

34 Procedure for objections under section 33

(1) If a coroner determines that members of the immediate family have, under section 33, a right to object to the post-mortem,—

(a) notice of that right must be given in accordance with section 23; and

(b) any exercise of that right must be as soon as practicable and within 24 hours of the coroner's determination; and

(c) that right is exercised by advising the coroner of the fact of and reasons for the objection to the post-mortem; and

(d) the coroner cannot, if that right is exercised within that 24-hour period, direct under section 31 that the post-mortem be performed unless permitted to do so by subsection (3) of this section or by order of the High Court under section 35(6).

(2) If, 24 hours after the coroner determines that members of the immediate family have, under section 33, a right to object to the post-mortem, the coroner has received objections under section 33, he or she must as soon as practicable—

(a) decide whether he or she still wishes to direct under section 31 that the post-mortem be performed; and

(b) advise the objectors accordingly.

(3) The coroner may direct under section 31 that the post-mortem be performed if, 48 hours after the objectors were advised under subsection (2)(b) that the coroner still wishes to direct that the post-mortem be performed, none of them has lodged an objection under this subsection in the High Court.

(4) In calculating the 48-hour period in subsection (3), hours count only if they are hours of working days.

(5) An objection under subsection (3) is lodged by originating application in the manner provided by the High Court Rules 2016.

Section 34(5): amended, on 1 March 2017, by section 183(b) of the Senior Courts Act 2016 (2016 No 48).

Section 34(5): amended, on 18 October 2016, by section 183(c) of the Senior Courts Act 2016 (2016 No 48).

35 Procedure for objection in High Court

(1) Judges of the High Court and employees of the Ministry of Justice must ensure an objection lodged in the High Court under section 34(3) (the **objection**) is disposed of as a matter of priority and urgency.

(2) The Registrar must allocate a date for the hearing of the objection that is no later than 1 working day after the date on which the objection is lodged.

(3) If the objection is lodged at a Registry of the High Court in a place where no High Court Judge is at that time available, the Registrar must ensure that the objection is dealt with in some other place within the time limit referred to in subsection (2); and any other Registrar or employee of the Ministry of Justice whose help is sought by the Registrar in whose Registry the application is filed has a corresponding obligation.

(4) If subsection (3) applies, the Registrar must—

(a) make any urgent enquiries necessary to determine where and by whom the objection can most conveniently and expeditiously be dealt with; and

(b) forward the objection and any other relevant documents without delay to the Registrar at the place where the application is to be dealt with; and

(c) without delay, inform every party to the proceeding of the action taken under this section.

(5) Subsections (3) and (4) apply in substitution for any provision of the High Court Rules 2016 relating to the transfer of notices of application filed at a time when a Judge is not present.

(6) The High Court must either uphold the objection, or dismiss it by ordering that the coroner may direct under section 31 that the post-mortem be performed.

Compare: 2001 No 31 ss 9, 10

Section 35(5): amended, on 18 October 2016, by section 183(c) of the Senior Courts Act 2016 (2016 No 48).

36 Nature of post-mortem

(1) A pathologist who is directed under section 31 to carry out a post-mortem must carry out a full internal and external examination of the body unless the coroner, in the relevant direction under section 31, requires only a lesser examination (in which case the pathologist must comply with the direction).

(1A) The pathologist may otherwise carry out the post-mortem as he or she thinks fit.

(2) Before requiring only a lesser examination in the relevant direction under section 31, the coroner must—

(a) consult the New Zealand Police about any evidential matters that may make a full internal and external examination of the body necessary or desirable; and

(b) consult the pathologist whom the coroner proposes to direct to perform in the examination about whether the lesser examination proposed would or may limit that pathologist's ability to determine the cause of death.

Section 36(1): replaced, on 21 July 2016, by section 23 of the Coroners Amendment Act 2016 (2016 No 29).

Section 36(1A): inserted, on 21 July 2016, by section 23 of the Coroners Amendment Act 2016 (2016 No 29).

37 Post-mortem may be performed early in some cases

(1) If satisfied that there is good reason to do so, a coroner may, under section 31, direct a pathologist to perform a post-mortem immediately.

(2) Good reason may exist for the purposes of subsection (1)—

(a) because any delay would or may limit the pathologist's ability to determine the cause of death; or

(b) because the person concerned is an infant; or

(c) because people having the ethnic origins, social attitudes or customs, or spiritual beliefs of, or of a member of the immediate family of, the person concerned, customarily require bodies to be available to family members as soon as possible after death.

(3) Subsection (2) does not limit subsection (1).

Compare: 1988 No 111 s 9

38 Who may attend post-mortem

(1) The following persons are the only persons who may attend a post-mortem of a body that a coroner has directed a pathologist to perform under section 31:

(a) the pathologist directed to perform the post-mortem, and the coroner who directed that pathologist to perform it:

(b) another pathologist participating in, and helping with, the post-mortem, if authorised to attend by a coroner on an application for the purpose by or on behalf of the pathologist directed to perform the post-mortem:

(c) a doctor who attended the person concerned before death:

(d) a doctor, nurse, or funeral director attending as the representative of the family of the person who is, or of a person who is suspected to be, the

dead person concerned, if authorised to attend by a coroner on an application for the purpose by or on behalf of that family:

(e) a doctor attending as the representative of a person (**A**) who has been, or may be, charged with a criminal offence relating to the death concerned or its circumstances, if authorised to attend by a coroner on an application for the purpose by or on behalf of A:

(f) any other doctor, or person training to be a doctor, if authorised to attend (for training purposes, or for any other purposes specified) by a coroner on an application for the purpose by or on behalf of the pathologist directed to perform the post-mortem:

(fa) a dentist, if authorised to attend by a coroner:

(g) a Police employee:

(h) any other person, if authorised to attend by a coroner.

(2) No doctor, nurse, or funeral director is responsible for the conduct of, or may participate in otherwise than by observing, a post-mortem just because he or she attends the post-mortem as a representative in accordance with subsection (1)(d) or (e).

Compare: 1988 No 111 s 10(1), (3)–(5)

Section 38(1)(fa): inserted, on 21 July 2016, by section 24(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 38(1)(g): replaced, on 21 July 2016, by section 24(2) of the Coroners Amendment Act 2016 (2016 No 29).

39 Definitions for section 38

In section 38 and this section,—

funeral director has the meaning given in section 2(1) of the Burial and Cremation Act 1964

nurse means a health practitioner who is, or is deemed to be, registered with the Nursing Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of nursing whose scope of practice permits the performance of general nursing functions

Compare: 2000 No 94 s 4

Section 39 **funeral director**: replaced, on 21 July 2016, by section 25(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 39 **national qualification**: repealed, on 21 July 2016, by section 25(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 39 **National Qualifications Framework**: repealed, on 21 July 2016, by section 25(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 39 **Qualifications Authority**: repealed, on 21 July 2016, by section 25(2) of the Coroners Amendment Act 2016 (2016 No 29).

40 Coroner may require person's doctor to report

(1) A coroner may, by written notice to a doctor who attended a person before death, require the doctor to give the coroner a written report (containing information specified in the notice) relating to the person.

(2) The information specified in a notice under subsection (1) may include, without limitation, the dead person's health information (as defined in section 22B of the Health Act 1956).

Compare: 1988 No 111 s 10(2)

Section 40(2): inserted, on 21 July 2016, by section 26 of the Coroners Amendment Act 2016 (2016 No 29).

41 High Court may order post-mortem in certain circumstances

(1) The Solicitor-General may apply to the High Court for an order that a pathologist be directed under section 31 by the Solicitor-General to perform a post-mortem of a body.

(2) On an application under subsection (1), the High Court may order that a pathologist be directed under section 31 by the Solicitor-General to perform a post-mortem of a body, but only if the High Court is satisfied that—

(a) the performance of a post-mortem of the body is necessary or desirable for the purposes of this Act; and

(b) the coroner who might have directed its performance has failed or refused to do so.

(3) A pathologist must perform a post-mortem of a body if the pathologist is, in accordance with an order of the High Court under subsection (2), directed under section 31 by the Solicitor-General to perform the post-mortem of the body.

(4) Despite section 42(1) (release of bodies), if an order is made under subsection (2),—

(a) the Solicitor-General may, for the purposes of the post-mortem concerned, give any directions he or she thinks fit relating to the removal of the body concerned; and

(b) until the authorised post-mortem has been completed, no coroner may—

(i) give any directions under section 20 relating to the removal of the body; or

(ii) authorise the release of the body under section 42.

(5) The following sections apply to a direction under subsection (4)(a) as if it were a direction by a coroner under section 20:

(a) sections 128 to 130 (warrant for removal of body):

(b) section 131 (power to seize evidence relevant to post-mortem):

(c) section 136 (non-compliance with direction about removal of body).

(6) The following sections apply to a post-mortem ordered to be directed to be performed under this section as if the Solicitor-General were a coroner who had directed the pathologist concerned to perform it:

(a) section 23 (coroner must give interested parties notice of significant matters):

(b) section 37 (post-mortem may be performed early in some cases):

(c) sections 38 and 39 (who may attend post-mortem):

(d) section 40 (coroner may require person's doctor to report):

(e) section 131 (power to seize evidence relevant to post-mortem).

Compare: 1988 No 111 s 39

Section 41(6)(a): amended, on 21 July 2016, by section 27 of the Coroners Amendment Act 2016 (2016 No 29).

Release of bodies, and retention and return of body parts and bodily samples

42 Release of bodies

(1) The responsible coroner must, if not prohibited from doing so by section 43 or 44, authorise the release of the body concerned as soon as he or she is satisfied that it is no longer necessary to withhold it from family members.

(2) The coroner may, if not prohibited from doing so by section 43 or 44, authorise the release of the body.

(3) The coroner's authorisation must be—

(a) given by written notice in an approved form; and

(b) signed by the coroner.

(4) A body whose release a coroner has authorised under this section may be released accordingly.

Compare: 1988 No 111 ss 13(2), 14

Section 42(1): amended, on 21 July 2016, by section 28 of the Coroners Amendment Act 2016 (2016 No 29).

Section 42(3)(a): amended, on 5 April 2023, by section 6 of the Coroners Amendment Act 2023 (2023 No 8).

43 Restriction on release if no post-mortem directed

(1) A coroner who decides not to direct a pathologist to perform a post-mortem of a body under section 31 must not authorise its release under section 42 earlier than 24 hours after notifying a constable of the decision.

(2) Subsection (1) does not apply if a constable of the level of position of senior sergeant or above agrees to the coroner authorising the release of the body within the 24-hour period referred to in that subsection.

Compare: 1988 No 111 s 13(3)

Section 43(1): amended, on 21 July 2016, by section 29 of the Coroners Amendment Act 2016 (2016 No 29).

Section 43(2): amended, on 21 July 2016, by section 29 of the Coroners Amendment Act 2016 (2016 No 29).

Section 43(2): amended, on 1 October 2008, by section 130(1) of the Policing Act 2008 (2008 No 72).

44 Restriction on release if parts or samples to be retained

A coroner who directs a pathologist to perform a post-mortem of a body under section 31 and who knows the pathologist wishes to retain a body part or bodily sample under section 48(2) must not authorise the release of the body under section 42 without first having determined as soon as practicable whether the retention of the part or sample is permitted by section 48(2).

45 Release of still-born children

A coroner may authorise the release of a child under section 42 (and references in this Act to the body must be taken to include a reference to the child) if—

(a) the coroner directed a pathologist to perform a post-mortem of the child under section 31; and

(b) the pathologist concluded, as a result of the post-mortem, that the child is a still-born child; and

(c) the coroner therefore determines that the only jurisdiction he or she has to act further in respect of the child is to authorise the release of the child in accordance with this section.

46 Costs of transporting body moved for post-mortem, etc

(1) This section applies to a body transported to another location in accordance with a coroner's direction, or for the purposes of a post-mortem directed under section 31.

(2) The responsible department is responsible for—

(a) the costs of transporting the body back to its location when the direction was made or the post-mortem was directed; or

(b) the costs of transporting the body to another location if, or only to the extent that, those costs do not exceed the costs referred to in paragraph (a).

(3) This section does not prevent the responsible department from meeting any other costs of transporting the body.

Section 46(2): amended, on 21 July 2016, by section 30 of the Coroners Amendment Act 2016 (2016 No 29).

Section 46(3): amended, on 21 July 2016, by section 30 of the Coroners Amendment Act 2016 (2016 No 29).

47 Receipt, removal, and taking of parts and samples

(1) A pathologist may, with no further authority than this section, receive or remove a body part, take a bodily sample, or both, if the pathologist believes on reasonable grounds that the receipt, removal, or taking concerned is necessary for the purposes of a post-mortem of a body directed by a coroner under section 31.

(2) A body part removed, or bodily sample taken, by a pathologist for the purposes of the post-mortem must be as small as possible for the kind of analysis or examination for which the part is removed or the sample is taken.

(3) The number of body parts received or removed, bodily samples taken, or both, must be no greater than is necessary for the purposes of the post-mortem.

(4) Nothing in this section prevents any other receipt, removal, or taking of a part or sample authorised by law.

48 Retention of parts and samples on release of body

(1) This section applies to a body if—

(a) a coroner has directed under section 31 that a post-mortem of the body be performed, and proposes to authorise the release of the body under section 42; and

(b) the pathologist has removed a body part or taken a bodily sample, or has received a body part separately from other parts of the body concerned.

(2) The pathologist is, when the body is released, permitted to retain the body part or bodily sample, but only if—

(a) the part or sample is a minute one received, removed, or taken for microscopic analysis, or other analysis that requires only a minute part or sample, and is, in the pathologist's opinion, necessary for the purposes of the post-mortem; or

(b) the retention is, in the pathologist's opinion, necessary for the purposes of the post-mortem, and is authorised by the coroner in accordance with section 49; or

(c) the pathologist explained to the family members or other people to whom the body is to be released that the pathologist proposed to retain the part or sample for a specified purpose and none of those members or people objected to the pathologist's proposal.

(3) The pathologist must notify the coroner if the pathologist retains, or intends to retain, a part or sample under subsection (2)(a).

(4) In this section, **minute**, in relation to a body part or bodily sample, has the meaning given by the Secretary by notice.

(5) A notice under subsection (4) is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	The maker must publish it in the *Gazette*	LA19 ss 73, 74(1)(a), Sch 1 cl 14
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 48(3): inserted, on 21 July 2016, by section 31 of the Coroners Amendment Act 2016 (2016 No 29).

Section 48(4): inserted, on 21 July 2016, by section 31 of the Coroners Amendment Act 2016 (2016 No 29).

Section 48(4): amended, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 48(5): replaced, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

49 Coroner's authorisation under section 48(2)(b)

A coroner may authorise the retention of a body part or bodily sample under section 48(2)(b) only in writing signed by the coroner, and only if the pathologist has first notified the coroner in writing of—

(a) the part or sample proposed to be retained; and

(b) the reasons for, and likely duration of, the proposed retention.

50 Coroner must notify immediate family of retention, and of right to request return, of parts and samples

(1) This section applies if, under section 48(2)(a) or (b), a pathologist intends to retain, or has retained, a body part or bodily sample from a dead person's body.

(2) A responsible coroner must, before the release of the body, give notice of the intention to retain a part or sample if, due to the nature of the part or sample, the coroner considers that it is appropriate to give notice before the body is released.

(3) Unless the coroner has given notice under subsection (2), the coroner must, on or immediately after the release of the body, give notice that a part or sample has been retained.

(4) A notice under this section must be given to every representative of the immediate family recognised under section 22 and must—

(a) identify in general terms the part or sample that the pathologist intends to retain, or has retained; and

(b) advise that detailed information about the part or sample is available on request; and

(c) explain the authority and reasons for the intention to retain, or for the retention of, the part or sample; and

(d) indicate how long the pathologist expects the part or sample will need to be retained for those reasons; and

(e) indicate (if known by the coroner) whether, and, if so, to what extent, the part or sample is likely to be destroyed in the course of being used for the purpose for which it is retained; and

(f) advise that members of the immediate family have the right to request the return of the part or sample (to the extent that the part or sample has not been destroyed); and

(g) indicate the date by which the return of any part or sample that has not been destroyed must be requested.

(5) In considering whether to request the return of a part or sample, members of the dead person's immediate family may, with the coroner's approval, contact the pathologist for further information about the part or sample (including information about how the part or sample has been dealt with and how it may be dealt with if it is not returned).

(6) A failure to comply with this section does not affect the validity of any action taken by or on behalf of the coroner.

Section 50: replaced, on 21 July 2016, by section 32 of the Coroners Amendment Act 2016 (2016 No 29).

51 Pathologists proposing to retain parts or samples under section 48(2)(c) must advise of right to request return

In ascertaining whether the family members or other people to whom the body is to be released object to a proposal under section 48(2)(c) to retain a part or sample for a specified purpose, the pathologist must advise them that, if they do not object to the proposal, they—

(a) have the right to request, under this section, the return (to the extent permitted by this Act) of the part or sample once it is no longer needed, and to the extent that it has not been destroyed in the course of use, for that purpose; and

(b) may exercise that right at any time within 5 working days after having been advised of it.

52 Requests for return of retained parts and samples

(1) This section applies to a request, under section 50 or 51, for the return of a body part or bodily sample.

(2) If the request is not expressly confined to 1 or more specified parts or samples, it must be treated as seeking the return of all parts and samples retained in relation to the body concerned.

(3) The request need not describe specifically or technically the part or sample, but must be in writing and may, but need not, be in an approved form.

Section 52(3): amended, on 5 April 2023, by section 7 of the Coroners Amendment Act 2023 (2023 No 8).

53 Parts and samples whose retention is not permitted must generally be returned when body released

(1) A pathologist who is not permitted by section 48 to retain a body part or bodily sample must, to the extent that it has not been destroyed in the course of analysis conducted for the purposes of the post-mortem,—

(a) restore it, before the body is released, to the appropriate place in the body, if restoration of that kind is reasonably practicable; or

(b) ensure it is, before the body is released, in some other way reunited appropriately with the body, if reunion of that kind is reasonably practicable but restoration of that kind is not; or

(c) dispose of it as soon as is reasonably convenient after the release of the body, if neither restoration nor reunion of that kind is reasonably practicable.

(2) This section is subject to section 54.

54 Restrictions on return and disposal

(1) A part or sample referred to in section 53 or 55 may be retained, or may be returned subject to specified conditions (for example, conditions relating to the storage of the part or sample in a sealed container) if, in the pathologist's opinion, returning it, or returning it otherwise than subject to the specified conditions, would endanger the health or safety of the public or a member of the public.

(2) No part or sample referred to in section 53, 55, or 56 may be returned or disposed of under that section unless—

(a) the coroner has first confirmed in writing that the return or disposal (as the case requires) of the part or sample appears unlikely to prejudice the prevention, detection, investigation, prosecution, and punishment of criminal offences relating to the death concerned or its circumstances; and

(b) the return or disposal is otherwise lawful; and

55 Return on request of retained parts and samples

(1) This section applies to a part or sample whose return is sought by a request under section 50 or 51.

(2) The part or sample must, to the extent that it has not been destroyed in the course of analysis conducted for the purpose for which it was retained, be returned to the makers of the request when—

(a) the coroner, having conducted and completed an inquiry into the death, completes and signs a certificate of findings in accordance with section 94; or

(b) the coroner notifies the Secretary, under section 64, of the coroner's decision not to open an inquiry.

(c) the coroner notifies the Secretary of the coroner's decision to close an inquiry under section 65A.

(3) However, the part or sample need not be returned, and may be used and disposed of under section 56, if the makers of the request cannot, after all reasonable efforts for the purpose have been made, be located.

(4) Subsection (3) overrides subsection (2).

(5) This section is subject to section 54.

Section 55(2): replaced, on 21 July 2016, by section 34 of the Coroners Amendment Act 2016 (2016 No 29).

Section 55(2)(c): inserted, on 1 February 2026, by section 19 of the Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85).

56 Use and disposal of retained parts or samples whose return is not requested

(1) This section applies to a part or sample retained under section 48(2) if—

(a) no request for its return was made under section 50 or 51; or

(b) a request of that kind was made but the part or sample may, under section 55(3), be used and disposed of under this section because the makers of the request cannot, after all reasonable efforts for the purpose have been made, be located.

(2) The part or sample may, to the extent that it has not been destroyed in the course of analysis conducted for the purpose for which it was taken, and without further authority than this section, be retained and used by the pathologist for any or all of the following purposes:

(a) analysis for the purposes of the post-mortem of the part or sample using techniques unavailable when it was performed:

(b) any use that is necessary or desirable for auditing or evaluation of, or training for, coronial post-mortems.

(3) Subsection (2) does not prevent other retention and use authorised by law.

(4) The part or sample must be disposed of by the pathologist as soon as is reasonably convenient if the part or sample—

(a) is not to be retained and used as provided in subsection (2); or

(b) has been retained and used in that way, but is no longer required for a purpose in subsection (2).

(5) This section is subject to section 54.

Part 3
Inquiries into causes and circumstances of deaths

Inquiries

57 Purposes of inquiries

(1) A coroner opens and conducts an inquiry (including any related inquest) for the 3 purposes stated in this section, and not to determine civil, criminal, or disciplinary liability.

(2) The first purpose is to establish, so far as possible,—

(a) that a person has died; and

(b) the person's identity; and

(c) when and where the person died; and

(d) the causes of the death; and

(e) the circumstances of the death.

(3) The second purpose is to make recommendations or comments (*see* section 57A).

(4) The third purpose is to determine whether the public interest would be served by the death being investigated by other investigating authorities in the performance or exercise of their functions, powers, or duties, and to refer the death to them if satisfied that the public interest would be served by their investigating it in the performance or exercise of their functions, powers, or duties.

Compare: 1988 No 111 s 15(1)

Section 57(3): replaced, on 21 July 2016, by section 35 of the Coroners Amendment Act 2016 (2016 No 29).

57A Recommendations or comments by coroners

(1) A responsible coroner may make recommendations or comments in the course of, or as part of the findings of, an inquiry into a death.

(2) Recommendations or comments may be made only for the purpose of reducing the chances of further deaths occurring in circumstances similar to those in which the death occurred.

(3) Recommendations or comments must—

(a) be clearly linked to the factors that contributed to the death to which the inquiry relates; and

(b) be based on evidence considered during the inquiry; and

(c) be accompanied by an explanation of how the recommendation or comment may, if drawn to public attention, reduce the chances of further deaths occurring in similar circumstances.

Section 57A: inserted, on 21 July 2016, by section 36 of the Coroners Amendment Act 2016 (2016 No 29).

57B Coroner must consult certain persons or organisations on recommendations or comments

(1) Before making a recommendation or comment under section 57A, a coroner must—

(a) notify the following persons or organisations of the proposed recommendation or comment:

(i) any experts from whom the coroner has received evidence under section 76; and

(ii) any other expert who the coroner considers has an interest in the inquiry; and

(iii) any persons or organisations to whom the recommendation or comment is directed; and

(b) give those persons or organisations 20 working days to comment on the proposed recommendation or comment.

(2) The chief coroner must record any comments (or summaries of those comments) made by persons or organisations notified under subsection (1) in the register of recommendations and comments maintained under section 7(2)(e).

(3) To avoid doubt, the chief coroner may make the comments made by a person or organisation publicly available, via the register or otherwise, without the approval of that person or organisation.

Section 57B: inserted, on 21 July 2016, by section 36 of the Coroners Amendment Act 2016 (2016 No 29).

58 Adverse comments by coroners

(1) A coroner may, in the course of, or as part of the findings of, an inquiry, comment on the conduct, in relation to the circumstances of the death concerned, of any person.

(2) The coroner must not comment adversely on a dead person without—

(a) indicating an intention to do so; and

(b) adjourning the inquiry for at least 5 working days; and

(c) notifying every member of the person's immediate family who during the adjournment requests the coroner to do so of the proposed comment; and

(d) giving every such member a reasonable opportunity to be heard, either personally or by counsel, in relation to the proposed comment.

(3) The coroner must not comment adversely on a living person, corporation sole, body corporate, or unincorporated body without—

(a) taking all reasonable steps to notify the person, corporation, or body of the proposed comment; and

(b) giving the person, corporation, or body a reasonable opportunity to be heard, either personally or by counsel, in relation to the proposed comment.

(4) Notifications, or opportunities to be heard, required to be given to a body corporate or unincorporated body must be given to an officer or other representative of the body who is, or appears to be, authorised by the body for the purpose.

(5) This section overrides sections 57 to 57B, but is subject to section 68 (procedure if person charged with offence).

Compare: 1988 No 111 s 15(2)

Section 58(5): amended, on 21 July 2016, by section 37 of the Coroners Amendment Act 2016 (2016 No 29).

59 Jurisdiction of coroners to open inquiries

(1) The responsible coroner in relation to a death may open an inquiry into the death if the death occurred, or is likely to have occurred, within the last 100 years and—

(a) the body of the person concerned is in New Zealand; or

(b) the coroner is satisfied that it is likely that the person concerned is dead and that—

(i) the person's body is destroyed, irrecoverable, or lost; and

(ii) the person was in New Zealand immediately before the person's death; or

(c) the body of the person concerned is not in New Zealand, or is destroyed, irrecoverable, or lost, and—

(i) the death occurred on or from—

(A) a New Zealand registered aircraft (as defined in section 5 of the Civil Aviation Act 2023); or

(B) a New Zealand ship (as defined in section 2(1) of the Maritime Transport Act 1994); or

(C) an aircraft or a ship of the Armed Forces (as defined in section 2(1) of the Defence Act 1990); or

(ii) the death occurred outside New Zealand on or from an aircraft or a ship (other than an aircraft or ship referred to in subparagraph (i)) and the Solicitor-General has authorised the coroner to open an inquiry into the death.

(2) This section is subject to section 59A, except that subsection (1)(c)(ii) overrides section 59A(1).

Section 59: replaced, on 21 July 2016, by section 38 of the Coroners Amendment Act 2016 (2016 No 29).

Section 59(1)(c)(i)(A): amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

59A Limits on coroners' jurisdiction to open inquiries

(1) A coroner must not open an inquiry into an overseas death unless the coroner is reasonably satisfied that—

(a) overseas authorities have not established the cause and circumstances of the death, or there is doubt about the accuracy of any conclusion reached by an overseas authority; and

(b) an inquiry under this Act is likely to identify the cause and circumstances of the death.

(2) A coroner must not open an inquiry into a death if the coroner is satisfied that the death—

(a) occurred while the dead person was a member of the Defence Force on operational service; and

(b) arose from hostilities in which the Defence Force or an allied force was engaged.

(3) A coroner must adjourn an inquiry if, during the course of the inquiry, the coroner determines that the death to which the inquiry relates is likely to have occurred in the circumstances described in subsection (2).

(4) Subsections (2) and (3) apply unless the Attorney-General directs the coroner to carry out an investigation, or to resume an inquiry, into the cause and circumstances of the death.

(5) Before the Attorney-General directs a coroner to carry out an investigation, or to resume an inquiry, the Attorney-General must, without limitation, consider—

(a) whether the investigation or inquiry is likely to identify the cause and circumstances of the death; and

(b) whether the investigation or inquiry could reveal information that may prejudice the security or defence of New Zealand; and

(c) whether the investigation or inquiry is likely to examine military tactics; and

(d) whether a court of inquiry has been, or will be, assembled under section 200A of the Armed Forces Discipline Act 1971 for the purposes of collecting and recording evidence about the relevant death.

(6) If the Attorney-General directs a coroner to carry out an investigation, or to resume an inquiry, the coroner may open or resume an inquiry, but its only purpose is to establish, so far as possible, the particulars specified in section 4(2)(a).

(7) In this section,—

allied force and **Defence Force** have the meanings given in section 2(1) of the Defence Act 1990

operational service means service as a member of the Defence Force—

(a) in a war or other armed conflict; or

(b) in a peacekeeping force; or

(c) in any other type of service declared by the Chief of Defence Force to be operational service for the purposes of this section.

Section 59A: inserted, on 21 July 2016, by section 38 of the Coroners Amendment Act 2016 (2016 No 29).

60 Deaths into which inquiries must be opened

(1) A responsible coroner must open and conduct an inquiry into a death if—

(a) the death appears to have been self-inflicted (other than as a result of assisted dying under the End of Life Choice Act 2019); or

(b) the dead person appears to have been a person in official custody or care; or

(c) the coroner is not satisfied that the matters required by this Act to be established by an inquiry are already adequately disclosed in respect of the death by information arising from investigations or examinations the coroner has made or caused to be made.

(2) This section is subject to sections 59 and 59A.

Section 60: replaced, on 21 July 2016, by section 39 of the Coroners Amendment Act 2016 (2016 No 29).

Section 60(1)(a): amended, on 6 November 2021, by section 41 of the End of Life Choice Act 2019 (2019 No 67).

61 Deaths where coroner may decide not to open inquiries

[Repealed]

Section 61: repealed, on 21 July 2016, by section 40 of the Coroners Amendment Act 2016 (2016 No 29).

62 Other deaths

(1) The responsible coroner must decide whether to open an inquiry into a death.

(2) This section is subject to the following sections:

(a) section 59 (jurisdiction of coroners to open inquiries):

(ab) section 59A (limits on coroners' jurisdiction to open inquiries):

(b) section 60 (deaths into which inquiries must be opened):

(c) sections 95 to 97 (inquiries or further inquiries ordered by Solicitor-General or High Court).

Compare: 1988 No 111 s 19

Section 62(1): replaced, on 21 July 2016, by section 41(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 62(2)(ab): inserted, on 21 July 2016, by section 41(2) of the Coroners Amendment Act 2016 (2016 No 29).

63 Decision whether to open and conduct inquiry

In deciding whether to open and conduct an inquiry, a coroner must have regard to the following matters:

(a) whether or not the causes of the death concerned appear to have been natural; and

(b) 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 actions or inaction of any other person; and

(c) the existence and extent of any allegations, rumours, suspicions, or public concern, about the death; and

(d) 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; and

(e) the desire of any members of the immediate family of the person who is or appears to be the person concerned that an inquiry should be conducted; and

(f) any other matters the coroner thinks fit.

Compare: 1988 No 111 s 20(1)

64 Duties of coroner who decides not to open inquiry

(1) A coroner who decides not to open an inquiry into a death must notify the Secretary, in an approved form, of the decision.

(2) An approved form must contain or have attached to it (as the case requires)—

(a) the coroner's reasons for the decision not to open an inquiry; and

(b) the cause of death to the extent known.

(2A) The coroner may record the cause of death in an approved form as presumed natural causes without investigation if the coroner is satisfied that—

(a) the evidence gathered to date raises a presumption that the death is from natural causes; and

(b) no further investigation is required to discharge the coroner's role under this Act.

(2B) The coroner is not required to provide information regarding the circumstances of the death if the coroner considers there is no public interest in doing so.

(3) An approved form must also be accompanied by a written statement as to the identity of the person concerned and that—

(a) is signed by the person making it; and

(b) shows that the person's signature has been witnessed either by a constable or by a person (not being a constable) the coroner authorised to witness that signature.

Compare: 1988 No 111 s 20(2)

Section 64(1): amended, on 5 April 2023, by section 8(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 64(2): replaced, on 5 April 2023, by section 8(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 64(2A): inserted, on 5 April 2023, by section 8(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 64(2B): inserted, on 5 April 2023, by section 8(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 64(3): amended, on 5 April 2023, by section 8(3) of the Coroners Amendment Act 2023 (2023 No 8).

Section 64(3)(b): amended, on 21 July 2016, by section 42 of the Coroners Amendment Act 2016 (2016 No 29).

65 Coroner may decide to open inquiry despite initial decision

(1) A coroner who, after deciding not to open an inquiry, becomes satisfied (whether because of information not available at the time of deciding, or for any other reason) that it is desirable to open an inquiry into the death concerned, may do so.

(2) Clause 14 of Schedule 3 empowers a coroner to open an inquiry under this section following a decision under section 20 of the Coroners Act 1988 not to hold an inquest.

Compare: 1988 No 111 s 20(3)

65A Coroner may close inquiry despite initial decision

Grounds for closing inquiry

(1) A coroner, after deciding to open an inquiry (the **initial decision**), may close that inquiry if the coroner—

(a) is satisfied that new information unavailable at the time of the initial decision, or another change in circumstances, means that it is no longer appropriate to conduct the inquiry; and

(b) has considered submissions made under subsection (4).

Restrictions on closing inquiry

(2) However, a coroner must not close an inquiry under subsection (1)—

(a) that is required to be opened and conducted under section 60; or

(b) on or after the date fixed for an inquest under section 81(1) or (2); or

(c) if the coroner is not satisfied of the matters in section 92(1); or

(d) if the inquiry is ordered by the Solicitor-General or the High Court under any of sections 95 to 97.

Notification of proposal to close inquiry

(3) Before deciding to close an inquiry under subsection (1), a coroner must notify interested parties, in an approved form, of the proposal to close the inquiry, including—

(a) the reasons for proposing to close the inquiry; and

(b) a statement that the coroner is satisfied as to the identity of the dead person concerned.

(4) Persons notified under subsection (3) may make submissions to the coroner on the proposal within 15 working days of the notification being made.

Notification after inquiry closed

(5) A coroner who decides to close an inquiry under subsection (1) must notify the following persons of the decision in an approved form:

(a) the Secretary:

(b) interested parties.

(6) An approved form under subsection (5) must contain or have attached to it, as the case requires,—

(a) the coroner's reasons for the decision to close the inquiry; and

(b) if any submissions are made under subsection (4), the coroner's consideration of those submissions; and

(c) the cause of death to the extent that it is known; and

(d) a statement that the coroner is satisfied as to the identity of the dead person concerned.

(7) The coroner may record the cause of death as presumed natural causes if the coroner is satisfied, based on the evidence gathered to date, that—

(a) the death appears to be from natural causes; and

(b) no further investigation is required to discharge the coroner's role under this Act.

(8) In the coroner's notification under subsection (5), the coroner is not required to provide information about the circumstances of the death concerned if the coroner—

(a) takes into account the public interest in the circumstances of the death; and

(b) considers that there is no clear benefit to the public in providing the information.

(9) The coroner's notification under subsection (5) prevails over a certificate of interim findings issued under section 93 in relation to the death concerned.

Section 65A: inserted, on 1 February 2026, by section 20 of the Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85).

66 Which coroner conducts inquiry

[Repealed]

Section 66: repealed, on 21 July 2016, by section 43 of the Coroners Amendment Act 2016 (2016 No 29).

67 Chief coroner and Secretary to be notified of inquiry

A coroner who opens an inquiry under any of sections 60, 62, and 65, or in accordance with an order under any of sections 95 to 97, must notify the following, in an approved form, that the inquiry has been opened:

(a) the chief coroner; and

(b) the Secretary.

Section 67: amended, on 5 April 2023, by section 9 of the Coroners Amendment Act 2023 (2023 No 8).

68 Procedure if person charged with offence

(1) This subsection applies to a responsible coroner in relation to a death who—

(a) has been informed that some person has been, or may be, charged with a criminal offence relating to the death or its circumstances; and

(b) is satisfied that to open or (as the case requires) proceed with an inquiry might prejudice the person.

(2) A coroner to whom subsection (1) applies may—

(a) postpone opening an inquiry into the death; or

(b) open an inquiry into the death and then adjourn it; or

(c) adjourn an inquiry already opened into the death.

(3) A coroner who has under subsection (2) postponed or adjourned an inquiry must not open or proceed with it until criminal proceedings against the person have been finally concluded (as defined in subsection (6)).

(4) Subsections (2) and (3) do not limit or affect section 42 of the Births, Deaths, Marriages, and Relationships Registration Act 2021 (which requires the coroner to notify a Registrar of the death).

(5) Despite subsection (3), a coroner who has under subsection (2) postponed or adjourned an inquiry may later open or resume it if satisfied that—

(a) the person is no longer to be charged with a criminal offence relating to the death or its circumstances; or

(b) to open or resume it would not prejudice the person charged, or thought likely to be charged, with a criminal offence relating to the death or its circumstances.

(6) Criminal proceedings are **finally concluded** for the purposes of this section if no appeal (or, as the case requires, no further appeal) can be made in the course

of the proceedings unless the High Court, Court of Appeal, or Supreme Court grants an extension of time.

Compare: 1988 No 111 s 28(1), (2), (4), (8)

Section 68(1): amended, on 21 July 2016, by section 44 of the Coroners Amendment Act 2016 (2016 No 29).

Section 68(4): amended, on 15 June 2023, by section 147 of the Births, Deaths, Marriages, and Relationships Registration Act 2021 (2021 No 57).

69 Procedure if some other investigation to be conducted

(1) This subsection applies to a responsible coroner in relation to a death who is satisfied that—

(a) an investigation into the death or the circumstances in which it occurred is being or is likely to be conducted under some enactment other than this Act; and either

(b) the matters specified in section 57(2)(a) to (e) (purposes of inquiries) are likely to be established in respect of the death by an investigation of that kind; or

(c) to open or continue with an inquiry would be likely to prejudice the investigation or any person interested in it.

(2) A coroner to whom subsection (1) applies may—

(a) postpone opening an inquiry into the death; or

(b) adjourn an inquiry already opened into it.

(3) A coroner who has under subsection (2) postponed or adjourned an inquiry may open or resume it if satisfied that—

(a) an investigation into the death or the circumstances in which it occurred is not likely to be conducted under any enactment other than this Act; or

(b) an investigation of that kind is being or is to be conducted, but—

(i) the matters specified in section 57(2)(a) to (e) (purposes of inquiries) are unlikely to be established in respect of the death by the investigation; and

(ii) to open or resume the inquiry will not prejudice the investigation or any person interested in it.

(4) This section does not limit section 119.

Compare: 1988 No 111 s 28(3), (5)

Section 69(1): amended, on 21 July 2016, by section 45 of the Coroners Amendment Act 2016 (2016 No 29).

70 Coroner may decide not to open or resume postponed or adjourned inquiry

(1) This subsection applies to an inquiry that is postponed or adjourned under either of the following sections:

(a) section 68 (procedure if person charged with offence):

(b) section 69 (procedure if some other investigation to be conducted).

(2) A coroner may decide, or the chief coroner may direct the coroner, not to open or resume an inquiry to which subsection (1) applies.

(3) Before making a decision or a direction under subsection (2), the coroner or the chief coroner (as applicable) must be satisfied that the matters specified in section 57(2)(a) to (e) have, in respect of the death concerned, been adequately established in the course of the relevant criminal proceedings or investigation.

(4) A coroner who decides, or who is directed, under subsection (2) not to open or resume an inquiry must give the Secretary written notice that the inquiry will not be opened or resumed.

Section 70: replaced, on 21 July 2016, by section 46 of the Coroners Amendment Act 2016 (2016 No 29).

71 Restrictions on making public details of self-inflicted deaths

(1) This section applies in respect of a death if—

(a) the death occurred in New Zealand or on or from an aircraft or a ship specified in section 14(1); and

(b) the death was self-inflicted or there is reasonable cause to suspect that the death was self-inflicted.

(2) No person may, unless the person is granted an exemption under section 71A or has permission under section 72, make public—

(a) the method or any suspected method of the self-inflicted death; or

(b) any detail (for example, the place of death) that suggests the method or any suspected method of the self-inflicted death; or

(c) a description of the death as a suicide.

(3) Despite subsection (2)(c),—

(a) a person may make public that the death is a suspected suicide; and

(b) a person may describe the death as a suicide if the coroner has completed a certificate of findings under section 94 stating that the death was a suicide.

(4) In this section, **self-inflicted**, in relation to a death, does not include a death that was the result of assisted dying under the End of Life Choice Act 2019 (*see* section 36 of that Act, which restricts making public details of assisted dying deaths).

Section 71: replaced, on 21 July 2016, by section 46 of the Coroners Amendment Act 2016 (2016 No 29).

Section 71(4): inserted, on 6 November 2021, by section 41 of the End of Life Choice Act 2019 (2019 No 67).

71A Chief coroner may grant exemption from restrictions in section 71

(1) A person may apply to the chief coroner for an exemption from the restrictions (specified in section 71(2)) applying to the publication of details of self-inflicted deaths.

(2) On receiving an application under subsection (1), the chief coroner—

(a) must, so far as practicable, give priority to the consideration of the application; and

(b) may request advice from the suicide and media expert panel established under section 116A; and

(c) may request further information from the applicant.

(3) The chief coroner may grant an applicant an exemption from all or any of the restrictions in section 71(2) only if the chief coroner is satisfied that—

(a) granting the exemption does not present an undue risk that other people will attempt to copy the behaviour of the dead person concerned; and

(b) any risk that people will attempt to copy the behaviour of the dead person concerned is outweighed by other considerations that make it desirable, in the public interest, to allow the publication of the details.

(4) To ensure an application is dealt with promptly, the chief coroner may carry out any communications necessary for processing the application in person or by way of remote access (such as by telephone, video, or Internet link).

(5) The chief coroner must keep a written record of—

(a) every application received under subsection (1); and

(b) whether the chief coroner granted an exemption to the applicant under subsection (3); and

(c) the reasons in each case for granting, or declining to grant, the exemption.

Section 71A: inserted, on 21 July 2016, by section 46 of the Coroners Amendment Act 2016 (2016 No 29).

72 Permission referred to in section 71(2)

For the purposes of section 71(2), this section gives permission for—

(a) the publication by the Independent Police Conduct Authority, under section 34(1)(b) of the Independent Police Conduct Authority Act 1988, of a report that includes a particular of the death; and

(b) the publication by the Commissioner of Police, under section 34(2) of that Act, of an opinion or recommendation under section 27 or 28 of that Act, or a part of any such opinion or recommendation, that includes a particular of the death; and

(c) the making public by a person of a particular of the death contained in any such report, opinion, recommendation, or part of an opinion or recommendation, published under that Act.

Compare: 1988 No 111 s 29(3)(b)

Section 72(a): amended, on 29 November 2007, by section 26 of the Independent Police Conduct Authority Amendment Act 2007 (2007 No 38).

73 Definitions for sections 71 and 74

In sections 71 and 74,—

make public means publish by means of—

(a) broadcasting (within the meaning of the Broadcasting Act 1989); or

(b) a newspaper (within the meaning of the Defamation Act 1992); or

(c) a book, journal, magazine, newsletter, or other similar document; or

(d) a sound or visual recording; or

(e) an Internet site that is generally accessible to the public, or some other similar electronic means

particular, in relation to a death, means a detail relating to the manner in which the death occurred, to the circumstances of the death, or to an inquiry into the death.

Compare: 1988 No 111 s 29(1)

74 Coroner may prohibit making public of evidence given at any part of inquiry proceedings

If satisfied that it is in the interests of justice, decency, public order, or personal privacy to do so, a coroner may prohibit the making public of—

(a) any evidence given or submissions made at or for the purposes of any part of the proceedings of an inquiry (for example, at an inquest); and

(b) the name, and any name or particulars likely to lead to the identification, of any witness or witnesses.

Compare: 1985 No 120 s 138(2); 1988 No 111 s 25(2)(b)

75 Review of decisions relating to publication of details, evidence, etc

(1) This subsection applies to a person affected by—

(a) a refusal by the chief coroner to grant an exemption under section 71A from a restriction applying to the publication of details of self-inflicted deaths; or

(b) a prohibition under section 74.

(2) A person to whom subsection (1) applies may apply to a High Court Judge for a review of the refusal or prohibition.

(3) Until the Judge reaches a decision on the application, the refusal or prohibition concerned continues in effect.

(4) The Judge may (as the case requires), in the Judge's absolute discretion and on any ground the Judge thinks fit,—

(a) confirm the refusal, or revoke it and issue an authority; or

(b) confirm, modify, or revoke the prohibition.

(5) An authority may be issued under subsection (4)(a) unconditionally, or subject to conditions the Judge thinks fit.

Compare: 1988 No 111 s 30

Section 75 heading: replaced, on 21 July 2016, by section 47(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 75(1)(a): replaced, on 21 July 2016, by section 47(2) of the Coroners Amendment Act 2016 (2016 No 29).

76 People from whom evidence generally to be heard

(1) For the purposes of an inquiry, a coroner must (at an inquest or otherwise) receive evidence from any person—

(a) who offers, in respect of the death concerned, evidence relevant to any matter required by section 57(2)(a) to (e) (purposes of inquiries) to be established; or

(b) whom the coroner thinks it appropriate to examine.

(2) The evidence received may be expert evidence.

(3) Subsection (1) is subject to the rest of this Act.

Compare: 1988 No 111 s 26(1)

77 Coroner may hold hearing on papers and make chambers findings

(1) A coroner may, instead of holding an inquest, hold a hearing on the papers and make chambers findings if the coroner—

(a) notifies interested parties of the coroner's intention to hold a hearing on the papers and make chambers findings instead of holding an inquest; and

(b) allows a reasonable period for interested parties to make their views known to the coroner on whether—

(i) an inquest should be held; or

(ii) a hearing should proceed on the papers; and

(c) considers those views, among other relevant factors and information; and

(d) is satisfied that an inquest is not required for the discharge of the coroner's role under this Act.

(2) This section does not apply to an associate coroner.

Section 77: replaced, on 5 April 2023, by section 10 of the Coroners Amendment Act 2023 (2023 No 8).

77A Associate coroner holds hearing on papers or refers death to chief coroner

(1) An associate coroner may hold a hearing on the papers and make chambers findings if—

(a) the associate coroner considers an inquest may not be required, having considered the matters in section 80(2); and

(b) the associate coroner notifies interested parties of the associate coroner's intention to hold a hearing on the papers and make chambers findings rather than refer the death to the chief coroner; and

(c) the associate coroner allows a reasonable period for interested parties to make their views known to the associate coroner on whether—

(i) an inquest should be held; or

(ii) a hearing should proceed on the papers; and

(d) no interested party expresses the view that an inquest should be held.

(2) If an interested party expresses the view that an inquest should be held, or the associate coroner considers an inquest may be required,—

(a) the associate coroner must refer the death to the chief coroner; and

(b) the chief coroner must assign the death to a coroner (but not to an associate coroner).

(3) The coroner who is assigned the death must decide whether to hold an inquest or a hearing on the papers.

(4) If interested parties have been consulted, the coroner who is assigned the death—

(a) must consider the views (if any) expressed by the parties, among other relevant factors and information; and

(b) is not required to reconsult interested parties if the coroner decides to proceed by way of a hearing on the papers and make chambers findings.

Section 77A: inserted, on 5 April 2023, by section 11 of the Coroners Amendment Act 2023 (2023 No 8).

78 Protection for witnesses and counsel

The following have the same privileges and immunities as witnesses and counsel in courts of law:

(a) witnesses giving evidence (whether at inquests or otherwise) for the purposes of inquiries opened under this Act; and

(b) a person, corporation, or body being heard, in accordance with section 58(2) or (3), in relation to a proposed adverse comment by a coroner in the course, or as part of the findings, of an inquiry; and

(c) counsel appearing before coroners (whether at inquests or otherwise) for the purposes of this Act.

Compare: 1988 No 111 s 42

79 Admission and verification of evidence

(1) A coroner may, for the purposes of an inquiry, admit any evidence the coroner thinks fit, whether or not it would be admissible in a court of law.

(2) Despite subsection (1), a coroner must not admit any evidence for the purposes of an inquiry unless satisfied that its admission is necessary or desirable for the purposes stated in section 57 (purposes of inquiries).

(3) Evidence given by a witness for the purposes of an inquiry must, if it is admitted by the coroner and not given at an inquest held for the purposes of the inquiry, be put into writing, read over by or to the witness, and signed by the witness.

Compare: 1988 No 111 s 26(5), (6), (9)

Inquests

80 Decision to hold inquest

(1) A coroner conducting an inquiry into a death must decide whether to hold an inquest for the purposes of the inquiry.

(2) Without limiting subsection (1), a coroner deciding whether to hold an inquest into a death must consider whether either, or both, of the following applies:

(a) the death was a death in official custody or care and the death would not reasonably have been expected by a doctor who had access to the person's health information (as defined in section 22B of the Health Act 1956):

(b) an inquest would assist the inquiry into the death by providing an opportunity for persons who have not been involved in the inquiry to—

(i) scrutinise evidence considered by the coroner as part of the inquiry; or

(ii) offer new evidence in respect of the death.

(3) A coroner who decides under this section not to hold an inquest must comply with section 77.

(4) This section does not apply to an associate coroner except to the extent set out in section 77A(1)(a).

Section 80: replaced, on 21 July 2016, by section 49 of the Coroners Amendment Act 2016 (2016 No 29).

Section 80(4): inserted, on 27 November 2025, by section 32 of the Statutes Amendment Act 2025 (2025 No 74).

81 Date, etc, and notice of inquest

(1) A coroner who decides to hold an inquest for the purposes of an inquiry must—

(a) fix a date, time, and place for the inquest; and

(b) comply with section 23 (coroner must give interested parties notice of significant matters) in relation to the date, time, and place fixed for the inquest at least 10 working days before that date.

(2) A coroner who becomes aware before or during the inquest that an interested party was not given notice under subsection (1) must—

(a) adjourn the inquiry so as to permit the person to prepare for, and attend, the inquest; and

(b) fix a new date, time, and place for the inquest; and

(c) ensure notice is given under subsection (1) of that new date, time, and place for the inquest.

(3) In fixing under this section the place for an inquest, the coroner must have regard to the location (if known) where the death concerned appears to have occurred, and to the locations of the residences or principal places of business of all persons who the coroner knows—

(a) are members of the immediate family of the person who is, or is suspected to be, the dead person concerned; or

(ab) are likely to have their conduct called into question if an inquiry is opened in relation to the death; or

(b) have a sufficient interest in the subject or outcome of the inquiry concerned; or

(c) will or may give evidence, or cross-examine witnesses giving evidence, at the inquest; or

(d) may be required to be heard, in accordance with section 58(2) or (3), in relation to a proposed adverse comment by the coroner in the course, or as part of the findings, of the inquiry concerned.

(4) A failure to comply with subsection (1) or subsection (2) does not affect the validity of any action taken by or on behalf, or at the direction, of a coroner.

(5) Subsection (4) does not limit or affect sections 95 to 97 (inquiries or further inquiries ordered by Solicitor-General or High Court).

Compare: 1988 No 111 s 23

Section 81(1): replaced, on 21 July 2016, by section 50(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 81(2): amended, on 21 July 2016, by section 50(2) of the Coroners Amendment Act 2016 (2016 No 29).

Section 81(3)(a): amended, on 21 July 2016, by section 50(3) of the Coroners Amendment Act 2016 (2016 No 29).

Section 81(3)(ab): inserted, on 21 July 2016, by section 50(4) of the Coroners Amendment Act 2016 (2016 No 29).

82 Inquests usually to be before coroner alone

(1) Every inquest must be held before a coroner alone.

(2) This section is subject to section 83.

83 Specialist advisers to sit with and help coroners

(1) If satisfied that it is desirable to do so, the chief coroner may, on the recommendation of a coroner, appoint a cultural, legal, medical, or other specialist adviser to sit with and help the coroner at an inquest by giving advice.

(2) The coroner's recommendation that a specialist adviser be appointed must be made after having regard to any relevant practice notes issued under section 132 by the chief coroner.

(3) The specialist adviser must give the advice—

(a) on any questions referred to the specialist adviser; and

(b) in any manner the coroner may direct.

(4) The appointment of a specialist adviser ends when—

(a) the coroner conducting the inquiry concerned closes the inquiry under section 65A; or

(b) the coroner conducting the inquiry concerned completes and signs a certificate of findings in relation to the death concerned.

(5) Advice given by a specialist adviser may be given any weight the coroner thinks fit.

Compare: 1908 No 89 s 99B; 1988 No 111 s 21

Section 83(4): replaced, on 1 February 2026, by section 21 of the Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85).

84 Joint inquests

(1) This subsection applies to a coroner who opens 2 or more separate inquiries relating to 2 or more deaths arising out of the same incident or series of incidents.

(2) A coroner to whom subsection (1) applies may, if he or she thinks fit to do so, decide to hold a single inquest for the purposes of the separate inquiries referred to in that subsection.

(3) A joint inquest held in accordance with a decision under subsection (2) is conducted in the same way as any other inquest, except that in holding the inquest the coroner must have regard to any relevant practice notes issued under section 132 by the chief coroner.

85 Inquests usually to be public

(1) Every inquest must be held in a place that is open to the public.

(2) This section is subject to sections 74, 86, and 87.

Compare: 1988 No 111 s 25(1)

86 Coroner may exclude people from inquest

A coroner may exclude any person or people from all or a part of an inquest.

Compare: 1988 No 111 s 25(2)(a)

87 Coroner may exclude witness until he or she gives evidence

A coroner may direct any witness whose evidence has not yet been heard at an inquest to remain, or go and remain, outside the place where the inquest is being held until required to give evidence.

Compare: 1988 No 111 s 25(3)

88 Evidence at inquest

A person who gives evidence at an inquest—

(a) must (unless doing so by a written statement under section 90) do so orally on oath or affirmation; and

(b) may be cross-examined (either personally or by counsel) by the coroner or a person specified in section 89(1) (others who may cross-examine at inquest).

Compare: 1988 No 111 s 26(2), (3)

89 Others who may cross-examine at inquest

(1) Any interested party may, personally or by counsel, cross-examine witnesses at an inquest.

(2) This section is subject to sections 86 and 87, and does not affect the coroner's powers to regulate the procedure of, or maintain order at, the inquest.

Compare: 1988 No 111 s 26(4)

Section 89(1): replaced, on 21 July 2016, by section 51 of the Coroners Amendment Act 2016 (2016 No 29).

90 Evidence by written statement confirmed by witness

(1) A witness at an inquest may give any evidence by tendering a previously prepared written statement and confirming it on oath or affirmation if—

(a) the coroner is satisfied that there is no reason making it desirable for the witness to give the evidence orally; and

(b) no person attending the inquest who is entitled to cross-examine the witness objects.

(2) A witness who gives evidence at an inquest under subsection (1) may be cross-examined as if it had been given orally; and the written statement concerned forms part of the depositions of the inquest.

Compare: 1988 No 111 s 26(7), (8)

91 Evidence at distance for purposes of inquest

(1) This subsection applies to a coroner who—

(a) intends to hold, or is holding, an inquest; and

(b) is satisfied that it is necessary or desirable to have any evidence taken at a place other than the place where the inquest is to be, or is being, held.

(2) A coroner to whom subsection (1) applies may, by written notice signed by the coroner, authorise some other coroner or, if no other coroner is available, an associate coroner or a Justice to take the evidence.

(3) A coroner, an associate coroner, or a Justice taking evidence under subsection (2) has the same powers in respect of taking it as the coroner holding the inquest concerned, and must give notice under section 81 (date, etc, and notice of inquest) of the taking of the evidence as if it were the inquest concerned.

(4) The following sections apply to the taking of evidence under subsection (2) as if it were being taken at an inquest:

(a) section 76 (people from whom evidence generally to be heard):

(b) section 79(1) and (2) (admission and verification of evidence):

(c) section 88 (evidence at inquest):

(d) section 89 (others who may cross-examine at inquest):

(e) section 90 (evidence by written statement confirmed by witness).

(5) Evidence given by a witness under subsection (2) and admitted by a coroner, an associate coroner, or a Justice must be—

(a) put into writing; and

(b) read over to or by the witness; and

(c) signed by the witness and the coroner, associate coroner, or Justice.

(6) The coroner, associate coroner, or Justice must then send the evidence to the coroner holding the inquest concerned.

(7) The coroner holding the inquest must receive the evidence and act upon it as if it had been given and admitted at the inquest concerned.

Compare: 1988 No 111 s 27

Section 91(2): amended, on 5 April 2023, by section 12(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 91(3): amended, on 5 April 2023, by section 12(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 91(5): replaced, on 5 April 2023, by section 12(3) of the Coroners Amendment Act 2023 (2023 No 8).

Section 91(6): inserted, on 5 April 2023, by section 12(3) of the Coroners Amendment Act 2023 (2023 No 8).

Section 91(7): inserted, on 5 April 2023, by section 12(3) of the Coroners Amendment Act 2023 (2023 No 8).

Completion of inquiries

92 Body must be viewed before certain inquiries concluded

(1) No coroner may issue a certificate of interim findings, or conclude an inquiry, unless satisfied that the body of the person concerned—

(a) has been viewed in New Zealand; or

(b) is destroyed, irrecoverable, or lost, and—

(i) the person was in New Zealand immediately before the body was destroyed or became irrecoverable or lost; or

(ii) the death occurred on or from—

(A) a New Zealand registered aircraft (as defined in section 5 of the Civil Aviation Act 2023); or

(B) a New Zealand ship (as defined in section 2(1) of the Maritime Transport Act 1994); or

(C) an aircraft or a ship of the Armed Forces (as defined in section 2(1) of the Defence Act 1990).

(2) Subsection (1) does not apply to an inquiry the opening of which was authorised by the Solicitor-General under section 59(1)(c)(ii).

Section 92: replaced, on 21 July 2016, by section 52 of the Coroners Amendment Act 2016 (2016 No 29).

Section 92(1)(b)(ii)(A): amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

93 Certificate of and written reasons for interim findings

(1) Before concluding an inquiry, the coroner conducting it may, after considering all the evidence admitted to date for the purposes of the inquiry, and in the light of the purposes stated in section 57, complete and sign a certificate of interim findings in relation to the death concerned.

(1A) Another coroner may complete and sign the certificate if the coroner conducting the inquiry is not available.

(2) The certificate of interim findings must be in an approved form, which must require the coroner to state in writing the reasons for his or her interim findings.

(3) The coroner must send the completed and signed certificate of findings to the Secretary.

Section 93(1A): inserted, on 5 April 2023, by section 13(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 93(2): amended, on 5 April 2023, by section 13(2) of the Coroners Amendment Act 2023 (2023 No 8).

94 Certificate of and written reasons for findings

(1) The coroner conducting and completing an inquiry must—

(a) consider all the evidence admitted for the purposes of the inquiry; and

(b) as soon as is reasonably practicable, and in light of the purposes stated in section 57, complete and sign a certificate of findings in relation to the death concerned.

(1A) Despite section 57(2)(e), the coroner is not required to make findings in relation to the circumstances of the death concerned if the coroner considers there is no public interest in doing so.

(2) The certificate of findings must be in an approved form, which must require the coroner to state in writing the reasons for his or her findings.

(3) The certificate of findings may differ from, and once issued supersedes, any certificate of interim findings issued by a coroner in relation to the death concerned.

(4) The coroner must send the completed and signed certificate of findings to the Secretary, together with—

(a) all depositions of evidence admitted for the purposes of the inquiry; and

(b) a certificate of the registration of the death (if applicable); and

(c) any recommendations or comments made under section 57A.

(d) *[Repealed]*

(5) The coroner must provide a copy of the completed and signed certificate of findings, together with any recommendations or comments, to—

(a) the chief coroner; and

(b) all interested parties.

Compare: 1988 No 111 s 31

Section 94(1): replaced, on 21 July 2016, by section 53(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 94(1A): inserted, on 5 April 2023, by section 14(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 94(2): amended, on 5 April 2023, by section 14(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 94(3): amended, on 5 April 2023, by section 14(3) of the Coroners Amendment Act 2023 (2023 No 8).

Section 94(4)(c): replaced, on 21 July 2016, by section 53(2) of the Coroners Amendment Act 2016 (2016 No 29).

Section 94(4)(d): repealed, on 21 July 2016, by section 53(2) of the Coroners Amendment Act 2016 (2016 No 29).

Section 94(5): inserted, on 21 July 2016, by section 53(3) of the Coroners Amendment Act 2016 (2016 No 29).

94A Chief coroner to monitor inquiries not completed within 1 year

(1) If a coroner conducting an inquiry into a death has not, in respect of the death, completed and signed a certificate of findings under section 94 within 1 year of the date on which the death was reported to the coroner, the chief coroner—

(a) must monitor the progress of the inquiry; and

(b) may require the coroner conducting the inquiry to explain why he or she has not concluded the inquiry.

(2) Subsection (1) does not apply if an inquiry is closed under section 65A.

Section 94A: inserted, on 21 July 2016, by section 54 of the Coroners Amendment Act 2016 (2016 No 29).

Section 94A(2): inserted, on 1 February 2026, by section 22 of the Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85).

94B Chief coroner to publish information regarding certain inquiries for which findings not completed

(1) The chief coroner must, at regular intervals, publish—

(a) a list of all inquiries in respect of which an inquest, or a hearing on the papers, has been held but a certificate of findings has not been completed and signed under section 94; and

(b) for each inquiry, the date on which the inquest, or hearing on the papers, was held.

(2) In addition to the information specified in subsection (1), the chief coroner must publish an explanation of the process by which a person can find out the status of an inquiry in relation to which an inquest, or a hearing on the papers, has been held but a certificate of findings has not yet been completed and signed.

(3) However, this section does not apply to an inquiry closed under section 65A.

Section 94B: inserted, on 21 July 2016, by section 54 of the Coroners Amendment Act 2016 (2016 No 29).

Section 94B(3): inserted, on 1 February 2026, by section 23 of the Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85).

Inquiries or further inquiries ordered by Solicitor-General or High Court

95 Inquiry if coroner has failed or refused to open one

(1) If satisfied that an inquiry is necessary or desirable and that the responsible coroner has failed or refused to open one, the Solicitor-General or the High Court may order an inquiry to be opened; and in that case an inquiry must be opened and conducted.

(2) This section is subject to clause 15 of Schedule 3.

Compare: 1988 No 111 s 40(2)

Section 95(1): amended, on 21 July 2016, by section 55 of the Coroners Amendment Act 2016 (2016 No 29).

96 Inquiry if new facts discovered

(1) If satisfied that since a coroner decided not to open an inquiry into a death new facts have been discovered that make it desirable to open one and that one has

not been opened under section 65 (coroner may decide to open inquiry despite initial decision), the Solicitor-General may order one to be opened; and in that case an inquiry must be opened and conducted.

(2) This section is subject to clause 16 of Schedule 3.

Compare: 1988 No 111 s 38(1)

97 Further inquiry if sufficient reason

(1) If satisfied that 1 or more inquiries have been conducted into a death but another should be conducted because of fraud, rejection of evidence, irregularity of proceedings, or discovery of new facts, or for any other sufficient reason, the Solicitor-General or the High Court may order another to be opened; and in that case another must be opened and conducted.

(2) This section is subject to clause 17 of Schedule 3.

Compare: 1988 No 111 ss 38(2), 40(3)

98 Sections 95 to 97 subject to general jurisdiction

Sections 95 to 97 are subject to section 59.

Compare: 1988 No 111 ss 38(4), 40(5)

99 Exercise of powers under sections 95 to 97

The Solicitor-General's powers under sections 95 to 97 may be exercised on his or her own initiative, but the High Court's powers under those sections may be exercised only on an application made for the purpose by the Solicitor-General under the section concerned.

Compare: 1988 No 111 ss 38, 40(1)

100 Form and service of orders under sections 95 to 97

An order under any of sections 95 to 97 must be in writing, and must either—

(a) specify the coroner who is to open and conduct the inquiry, and be served on that coroner; or

(b) specify that it is to be opened and conducted by a coroner (who may, but need not, be a coroner who has not previously opened an inquiry into the death concerned) authorised by the chief coroner, and be served on the chief coroner, who must serve it on the coroner authorised.

Compare: 1988 No 111 ss 38(3), 40(4)

101 Coroner must open and conduct inquiry accordingly

The coroner on whom an order is served in accordance with section 100 must open and conduct the inquiry concerned accordingly.

Compare: 1988 No 111 ss 38(3), 40(4)

102 Procedure at inquiries ordered under sections 95 to 97

(1) The findings of an inquiry conducted pursuant to any of sections 95 to 97 replace the findings at every previous inquiry (if any) conducted in respect of the death concerned.

(2) Except to the extent that the Solicitor-General or the High Court may have ordered otherwise under section 95 or 96 or 97, all depositions taken for the purposes of any former inquiry into a death must be deemed to have been taken for the purposes of an inquiry into the death held pursuant to that section.

(3) Except as provided in this section and sections 95 to 97, an inquiry held pursuant to any of those sections must be held in the same manner as any other inquiry.

Compare: 1988 No 111 s 41

Remote participation

Heading: inserted, on 3 November 2021, by Schedule 6 clause 2 of the COVID-19 Response (Management Measures) Legislation Act 2021 (2021 No 42).

102A Use of audio-visual links

(1) A coroner may, if satisfied that it is in the interests of justice to do so, permit remote participation through the use of audio or audio-visual links.

(2) If a coroner permits remote participation in respect of a matter, the Courts (Remote Participation) Act 2010 applies as if—

(a) the matter were a civil proceeding before a court; and

(b) the coroner were a judge of that court.

Section 102A: inserted, on 3 November 2021, by Schedule 6 clause 2 of the COVID-19 Response (Management Measures) Legislation Act 2021 (2021 No 42).

Part 4
Appointments, administration, powers, offences and penalties, and technical provisions

Appointments

103 Coroners

(1) The Governor-General may from time to time, by warrant, appoint fit and proper people to be coroners.

(2) Each one of those people must have held a practising certificate as a barrister or solicitor for at least 5 years.

(3) The appointment must be made on the advice of the Attorney-General, given after consultation with the Minister.

(4) Every coroner vacates that office, if he or she has not earlier done so in another way, on attaining the age of 70 years.

(5) However, a former coroner of or over the age of 70 years may be reappointed for 1 term that—

(a) is specified in a warrant of reappointment; and

(b) does not exceed 2 years.

Section 103(4): amended, on 1 July 2007, by section 4(1) of the Coroners Act 2006 Amendment Act 2007 (2007 No 6).

Section 103(5): replaced, on 21 July 2016, by section 56 of the Coroners Amendment Act 2016 (2016 No 29).

104 Relief coroners

(1) The Governor-General may from time to time, by warrant, appoint fit and proper people to be relief coroners.

(2) Each one of those people must have held a practising certificate as a barrister or solicitor for at least 5 years.

(3) The appointment must be for a period not exceeding 5 years, but the person is eligible for reappointment.

(4) The appointment must be made on the advice of the Attorney-General, given after consultation with the Minister.

(5) Every relief coroner vacates that office, if he or she has not earlier done so in another way, on attaining the age of 70 years.

(6) However, a former coroner or a former relief coroner of or over the age of 70 years may be appointed or reappointed as a relief coroner for 1 term that—

(a) is specified in a warrant of appointment or reappointment; and

(b) does not exceed 2 years.

(7) The number of relief coroners (which is unaffected by the maximum number of coroners permitted by section 109(1)), and their locations, are determined from time to time by the Minister on the advice of the chief coroner.

(8) A relief coroner acts in the place of, or helps, a coroner, but only when authorised to do so by the chief coroner.

(9) A relief coroner who is acting in the place of a coroner may rely on actions by, or steps involving, the coroner, as if they were actions by, or steps involving, the relief coroner.

Section 104(5): amended, on 1 July 2007, by section 5(1) of the Coroners Act 2006 Amendment Act 2007 (2007 No 6).

Section 104(6): replaced, on 21 July 2016, by section 57 of the Coroners Amendment Act 2016 (2016 No 29).

104A Associate coroners

(1) The Governor-General may, by warrant, appoint fit and proper people to be associate coroners.

(2) Each one of those people must have held a practising certificate as a barrister or solicitor for at least 5 years.

(3) The appointment must be for a period not exceeding 5 years, but the person is eligible to be reappointed for 1 or more further terms.

(4) The appointment must be made on the advice of the Attorney-General, given after consultation with the Minister.

(5) An associate coroner vacates that office, if they have not earlier done so in another way, on attaining the age of 70 years.

(6) However, a former associate coroner of or over the age of 70 years may be reappointed as an associate coroner for 1 term that—

(a) is specified in the warrant of reappointment; and

(b) does not exceed 2 years.

Section 104A: inserted, on 5 April 2023, by section 15 of the Coroners Amendment Act 2023 (2023 No 8).

104B Coroners, relief coroners, and associate coroners may continue in office to complete investigations

(1) A coroner, a relief coroner, or an associate coroner who has retired or whose term of office has expired may continue in office for the purpose of completing any investigations already commenced before their retirement or the expiry of their term.

(2) A coroner, a relief coroner, or an associate coroner must not continue in office under subsection (1) for longer than 3 months without the consent of the Attorney-General.

(3) The fact that a coroner, a relief coroner, or an associate coroner continues in office does not affect the power to appoint another person to the office.

(4) A coroner, a relief coroner, or an associate coroner who continues in office is entitled to be paid the appropriate rate for the days or half-days worked in completing the investigation.

(5) The **appropriate rate** is the rate of the remuneration and allowances to which the coroner, the relief coroner, or the associate coroner would have been entitled for those days or half-days if the coroner, the relief coroner, or the associate coroner had not retired or their term of office had not expired.

Section 104B: inserted, on 5 April 2023, by section 15 of the Coroners Amendment Act 2023 (2023 No 8).

105 Chief coroner

(1) The Governor-General must, by warrant, appoint a fit and proper person as chief coroner.

(2) No person can be appointed under this section as chief coroner unless he or she is a District Court Judge or coroner immediately before being appointed as chief coroner, or is appointed as a coroner when appointed as the chief coroner.

(3) The appointment must be made on the advice of the Attorney-General, given after consultation with the Minister.

(4) The appointment must be for a period not exceeding 8 years, and the person is not eligible for reappointment.

(5) The person's appointment as chief coroner ceases if he or she ceases to hold office as a coroner.

(6) With the Governor-General's prior approval, the chief coroner may by written notice to the Attorney-General resign from the office of chief coroner but continue in office as a coroner.

(7) Despite subsection (4), the chief coroner continues in office until he or she resigns or his or her successor comes into office.

(8) To avoid doubt, a person does not cease to hold office as a coroner solely because the person's appointment as chief coroner comes to an end.

105A Deputy chief coroner

(1) The Governor-General may, on the advice of the Attorney-General, appoint a coroner as deputy chief coroner for a term that does not exceed 5 years.

(2) Where there is a vacancy in the role of chief coroner or the chief coroner is for any other reason absent from duty, the deputy chief coroner may, unless an acting chief coroner has been appointed, perform or exercise all or any of the functions, duties, and powers of the chief coroner.

(3) Without limiting subsection (2), the deputy chief coroner may at any time perform or exercise any function, duty, or power of the chief coroner that has been delegated by the chief coroner to the deputy chief coroner.

(4) The fact that a deputy chief coroner purports to perform or exercise, or to have performed or exercised, any function, duty, or power under this section is, in the absence of proof to the contrary, sufficient evidence of the deputy chief coroner's authority to do so.

Section 105A: inserted, on 21 July 2016, by section 58 of the Coroners Amendment Act 2016 (2016 No 29).

106 Acting chief coroner

The Governor-General may appoint another coroner to act as chief coroner until the chief coroner resumes the performance and exercise of the functions, powers, and duties of that office if the chief coroner is, by illness, absence from New Zealand, or by some other cause, prevented from performing and exercising those functions, powers, and duties.

106A Attorney-General to publish information concerning coronial appointment process

(1) The Attorney-General must publish information explaining his or her processes for—

(a) seeking expressions of interest for the appointment of coroners and associate coroners; and

(b) nominating people for appointment as a coroner or an associate coroner.

(2) The processes under subsection (1) may be different for coroners and associate coroners.

Section 106A: inserted, on 21 July 2016, by section 59 of the Coroners Amendment Act 2016 (2016 No 29).

Section 106A(1)(a): amended, on 5 April 2023, by section 16(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 106A(1)(b): amended, on 5 April 2023, by section 16(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 106A(2): inserted, on 5 April 2023, by section 16(3) of the Coroners Amendment Act 2023 (2023 No 8).

107 Concurrent office or employment

(1) The chief coroner must, after consulting the Attorney-General, develop and publish a protocol specifying—

(a) the employment, or types of employment, that the Attorney-General considers to be compatible with being a coroner or an associate coroner; and

(b) the offices, or types of offices, that the Attorney-General considers to be compatible with being a coroner or an associate coroner.

(2) The protocol may specify different employment or offices, or types of employment or types of offices, for relief coroners and other coroners and associate coroners.

(3) A coroner may hold another judicial office but must not undertake any other paid employment or hold any non-judicial office (whether paid or not) unless that employment or office is of a type specified in the protocol as being compatible with being a coroner.

(4) An associate coroner may hold another judicial office but must not undertake any other paid employment or hold any non-judicial office (whether paid or not) unless that employment or office is of a type specified in the protocol as being compatible with being an associate coroner.

Section 107: replaced, on 21 July 2016, by section 60 of the Coroners Amendment Act 2016 (2016 No 29).

Section 107(1)(a): amended, on 5 April 2023, by section 17(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 107(1)(b): amended, on 5 April 2023, by section 17(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 107(2): amended, on 5 April 2023, by section 17(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 107(4): inserted, on 5 April 2023, by section 17(3) of the Coroners Amendment Act 2023 (2023 No 8).

107A Recusal

The chief coroner must, after consulting the Attorney-General, develop and publish guidelines to assist coroners and associate coroners to decide if they should recuse themselves from an inquiry.

Section 107A: inserted, on 21 July 2016, by section 60 of the Coroners Amendment Act 2016 (2016 No 29).

Section 107A: amended, on 5 April 2023, by section 18 of the Coroners Amendment Act 2023 (2023 No 8).

108 Coroners and associate coroners act full-time unless authorised to act part-time

(1) A coroner acts as a coroner full-time unless he or she is authorised by the Attorney-General to act part-time.

(1A) An associate coroner acts as an associate coroner full-time unless they are authorised by the Attorney-General to act part-time.

(2) The Attorney-General may, in accordance with subsection (4), authorise the following people to act part-time for any specified period:

(a) a coroner appointed under section 103 (coroners) or section 104 (relief coroners):

(b) an associate coroner.

(3) To avoid doubt, an authorisation under subsection (2) may—

(a) take effect as from the appointment of the coroner or the associate coroner or at any other time; and

(b) be given more than once in respect of the same coroner or associate coroner.

(4) The Attorney-General may (after consultation with the Minister) authorise a coroner or an associate coroner to act part-time only—

(a) at the request of the coroner or the associate coroner; and

(b) with the concurrence of the chief coroner.

(5) In considering whether to concur under subsection (4)(b), the chief coroner must have regard to the need for coronial investigations to be conducted in an orderly and expeditious way.

(6) A coroner or an associate coroner who is authorised to act part-time must resume acting full-time at the end of the authorised part-time period.

(7) The basis on which a coroner or an associate coroner acts must not be altered during the term of their appointment without their consent, but consent under this subsection is not necessary if the alteration is required by subsection (6).

(8) Nothing in this section applies to a person who (under section 22(a) of the District Court Act 2016) is a coroner by virtue of holding office as a District Court Judge.

Compare: 1947 No 16 s 5AA

Section 108 heading: amended, on 5 April 2023, by section 19(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 108(1A): inserted, on 5 April 2023, by section 19(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 108(2): replaced, on 5 April 2023, by section 19(3) of the Coroners Amendment Act 2023 (2023 No 8).

Section 108(3): replaced, on 5 April 2023, by section 19(3) of the Coroners Amendment Act 2023 (2023 No 8).

Section 108(4): amended, on 5 April 2023, by section 19(4) of the Coroners Amendment Act 2023 (2023 No 8).

Section 108(4)(a): amended, on 5 April 2023, by section 19(5) of the Coroners Amendment Act 2023 (2023 No 8).

Section 108(6): amended, on 5 April 2023, by section 19(6) of the Coroners Amendment Act 2023 (2023 No 8).

Section 108(7): replaced, on 5 April 2023, by section 19(7) of the Coroners Amendment Act 2023 (2023 No 8).

Section 108(8): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

109 Maximum number of coroners

(1) The maximum number of coroners is 22.

(2) For the purposes of subsection (1),—

(a) a person who (under section 22(a) of the District Court Act 2016) is a coroner by virtue of holding office as a District Court Judge does not count unless he or she is also the chief coroner:

(b) a person who is a relief coroner does not count:

(c) a coroner who is acting on a full-time basis counts as 1:

(d) a coroner who is acting on a part-time basis counts as an appropriate fraction of 1:

(e) the aggregate number (for example, 21.5) must not exceed the maximum number of coroners that is for the time being permitted by subsection (1).

Compare: 1947 No 16 s 5(2), (2A)

Section 109(1): amended, on 25 May 2022, by section 4(1) of the Coroners (Coronial Cap) Amendment Act 2022 (2022 No 29).

Section 109(2)(a): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Section 109(2)(e): amended, on 25 May 2022, by section 4(2) of the Coroners (Coronial Cap) Amendment Act 2022 (2022 No 29).

110 Salaries and allowances

(1) There must be paid to coroners (including the chief coroner, the deputy chief coroner, and any relief coroners) and associate coroners, out of public money, without further authority than this section,—

(a) salaries at the rates from time to time determined by the Remuneration Authority; and

(b) the allowances from time to time determined by the Remuneration Authority; and

(c) the additional allowances (if any), being travelling allowances or incidental or minor allowances, from time to time determined by the Governor-General.

(2) The salary of a coroner or an associate coroner must not be diminished during the continuance of their appointment.

(3) The salary and allowances payable for a period during which a coroner or an associate coroner acts on a part-time basis must be calculated and paid as a pro-rata proportion of the salary and allowances of a full-time equivalent position.

(4) If the chief coroner ceases to hold that office but continues to hold office as a coroner, his or her salary and allowances may be reduced by the amount of any salary or allowances he or she received solely because of being the chief coroner.

(4A) If the deputy chief coroner ceases to hold that office but continues to hold office as a coroner, his or her salary and allowances may be reduced by the amount of any salary or allowances he or she received solely because of being the deputy chief coroner.

(5) For the purposes of subsection (2), the payment of salary and allowances on a pro-rata basis under subsection (3) or the payment of reduced salary and allowances under subsection (4) or (4A) is not a diminution in salary.

(6) Nothing in this section applies to a person who (under section 22(a) of the District Court Act 2016) is a coroner by virtue of holding office as a District Court Judge.

Compare: 1947 No 16 s 6(1)–(2C)

Section 110(1): amended, on 5 April 2023, by section 20(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 110(2): replaced, on 5 April 2023, by section 20(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 110(3): amended, on 5 April 2023, by section 20(3) of the Coroners Amendment Act 2023 (2023 No 8).

Section 110(4A): inserted, on 8 September 2018, by section 28(2) of the Statutes Amendment Act 2018 (2018 No 27).

Section 110(5): amended, on 8 September 2018, by section 28(3) of the Statutes Amendment Act 2018 (2018 No 27).

Section 110(6): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

111 When determination under section 110(1) comes into force

(1) Unless the Remuneration Authority Act 1977 requires otherwise, a determination made under section 110(1), and any provision of a determination under section 110(1), may be made so as to come into force on a date to be specified in that behalf in the determination, being the date of the making of the determination or any other date, whether before or after the date of the making of the determination or the date of the commencement of this section.

(2) Every determination under section 110(1), and every provision of any determination under section 110(1), in respect of which no date is specified as provided in subsection (1) of this section, comes into force on the date of the making of the determination.

Compare: 1947 No 16 s 6(3), (4)

112 Resignation

(1) A coroner who is not a District Court Judge may at any time resign the office by written notice to the Attorney-General.

(2) A relief coroner may at any time resign the office by written notice to the Attorney-General.

(3) An associate coroner may at any time resign the office by written notice to the Attorney-General.

Compare: 1908 No 89 s 26E(2); 1988 No 111 s 33(6)

Section 112(3): inserted, on 5 April 2023, by section 21 of the Coroners Amendment Act 2023 (2023 No 8).

113 Complaints

(1) Complaints about the conduct of coroners and associate coroners may be made, received, and dealt with in accordance with the Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004 because coroners and associate coroners are Judges as defined in section 5 of that Act.

(2) If a complaint is made about the conduct of the chief coroner and, under section 17 of that Act, the Commissioner or the Deputy Commissioner must refer the complaint to the chief coroner, the Commissioner or the Deputy Commissioner may also refer the complaint to the Attorney-General.

Section 113 heading: amended, on 5 April 2023, by section 22(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 113(1): amended, on 5 April 2023, by section 22(2)(a) of the Coroners Amendment Act 2023 (2023 No 8).

Section 113(1): amended, on 5 April 2023, by section 22(2)(b) of the Coroners Amendment Act 2023 (2023 No 8).

Section 113(2): amended, on 23 March 2010, by section 15(2) of the Judicial Conduct Commissioner and Judicial Conduct Panel (Deputy Commissioner and Disposal of Complaints) Amendment Act 2010 (2010 No 5).

114 Removal

(1) The Governor-General may, if he or she thinks fit, remove a coroner or an associate coroner from office for inability or misbehaviour.

(2) Subsection (1) is subject to sections 33(2) and 34 of the Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004, which prevent removal unless—

(a) a Judicial Conduct Panel has reported to the Attorney-General that it is of the opinion that consideration of the removal of the coroner or the associate coroner is justified; or

(b) the coroner or the associate coroner has been convicted of a criminal offence punishable by imprisonment for 2 or more years and the Attorney-General takes steps independently of that Act to initiate the removal of the coroner or the associate coroner.

(3) Nothing in this section applies to a person who (under section 22(a) of the District Court Act 2016) is a coroner by virtue of holding office as a District Court Judge.

Compare: 1947 No 16 s 7(1); 1988 No 111 s 34

Section 114(1): amended, on 5 April 2023, by section 23(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 114(2)(a): amended, on 5 April 2023, by section 23(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 114(2)(b): amended, on 5 April 2023, by section 23(3) of the Coroners Amendment Act 2023 (2023 No 8).

Section 114(3): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Administration

115 Police to help coroners' investigations

(1) The Commissioner of Police must cause Police employees to help coroners' investigations under this Act.

(2) This section does not limit section 17.

Compare: 1988 No 111 s 37

Section 115(1): amended, on 1 October 2008, by section 130(1) of the Policing Act 2008 (2008 No 72).

116 Responsible department to provide administrative support

(1) The responsible department must provide the administrative support necessary to enable coroners to perform their role efficiently and effectively.

(2) The nature of that support must be determined from time to time by the Secretary after consultation with the chief coroner.

116A Establishment and constitution of suicide and media expert panel

(1) A suicide and media expert panel is established.

(2) The panel consists of up to 4 members appointed by the Director-General of Health by written notice.

(3) The Director-General of Health must be satisfied that the panel includes—

(a) at least 1 member with expertise in suicide prevention; and

(b) at least 1 member with expertise in media; and

(c) at least 1 member with expertise in tikanga Māori; and

(d) at least 1 member with expertise in Māori youth suicide.

(4) The panel or any member of the panel must advise the chief coroner, if the chief coroner requests the panel or the member to do so, about applications, made under section 71A(1), for exemptions from the restrictions applying to the publication of details of self-inflicted deaths.

Section 116A: inserted, on 21 July 2016, by section 61 of the Coroners Amendment Act 2016 (2016 No 29).

Powers

117 Coroners' powers and immunities generally

(1) For the purpose of performing or exercising a function, power, or duty under this Act, a coroner has the same powers, privileges, authorities, and immunities as a District Court Judge exercising jurisdiction under the Criminal Procedure Act 2011.

(2) Despite subsection (1), a coroner who is not a District Court Judge has, at all times, the same immunities as a Judge of the High Court.

(3) In relation to an inquest held by a coroner for the purposes of an inquiry, the coroner has power to—

(a) issue summonses for the attendance of witnesses:

(b) issue warrants to enforce such summonses:

(c) maintain order:

(d) administer oaths or affirmations to witnesses:

(e) punish for contempt:

(f) adjourn proceedings from time to time and place to place.

(4) Subsection (3) does not limit subsection (1).

(5) The Criminal Procedure Act 2011, so far as it is applicable and with the necessary modifications, applies to the powers, privileges, authorities, and immunities conferred on coroners by this section.

(5A) A coroner exercising the power under subsection (3)(e) has the same powers that a Judge has under subpart 2 of Part 2 of the Contempt of Court Act 2019,

and subpart 2 and sections 25 and 26(1) and (2) of that Act apply with the necessary modifications.

(6) Evidence given by a person (whether at an inquest or otherwise) on oath or affirmation administered by a coroner under this section must, for the purposes of section 108 of the Crimes Act 1961 (which relates to perjury), be treated as having been given as evidence in a judicial proceeding on oath.

(7) Nothing in this section limits any power of a coroner under any other enactment or the application of the Inferior Courts Procedure Act 1909 (which makes further provision for the validity of the judicial proceedings of inferior courts notwithstanding technical or formal errors) in respect of the exercise by a coroner of any judicial authority conferred on the coroner by this Act.

Compare: 1947 No 16 s 119; 1988 No 111 s 35

Section 117(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 117(5): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 117(5A): inserted, on 26 August 2020, by section 29 of the Contempt of Court Act 2019 (2019 No 44).

117A Functions, powers, duties, and immunities of associate coroners

(1) Except as set out in subsections (2) to (4), another provision of this Act, or in rules made under section 140A,—

(a) an associate coroner has the functions, powers, and duties of a coroner appointed under section 103; and

(b) an associate coroner has the immunities of a coroner under section 117; and

(c) references in this Act to a coroner, designated coroner, duty coroner, replacement coroner, or responsible coroner must be read, with the necessary modifications, as including an associate coroner.

(2) An associate coroner does not have the functions, powers, or duties of a coroner to hold an inquest.

(3) References in this Act or other legislation to a coroner holding an inquest do not include an associate coroner (*but see* section 91(2) to (7) if an associate coroner is authorised by a coroner to take evidence at a distance).

(4) Subsection (1)(c) does not apply to sections 103 to 114.

Section 117A: inserted, on 5 April 2023, by section 24 of the Coroners Amendment Act 2023 (2023 No 8).

118 Coroner may call for investigations or examinations or commission reports

(1) A coroner may cause to be made by other persons any investigations or examinations, or commission from them any reports, medical or otherwise, the coroner thinks proper—

(a) for the purpose of deciding whether to open an inquiry; or

(b) if the coroner is to open an inquiry, or has opened and not completed one; or

(c) for the purpose of deciding whether to close an inquiry that has been opened.

(2) Before acting under this section, a coroner must have regard to any relevant practice notes issued under section 132 by the chief coroner.

(3) This section does not limit or affect a coroner's powers under any other enactment, for example, under section 200 (coroner may call for report on fatal accident) of the Health and Safety at Work Act 2015.

Compare: 1988 No 111 s 12

Section 118(1)(c): inserted, on 1 February 2026, by section 24 of the Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85).

Section 118(3): amended, on 4 April 2016, by section 232 of the Health and Safety at Work Act 2015 (2015 No 70).

119 Coroner may refer death to other investigating authorities

(1) A coroner conducting an inquiry may refer the death concerned to 1 or more other investigating authorities if the coroner determines that the public interest would be served by the death concerned being investigated by them in the performance or exercise of their functions, powers, or duties.

(2) A referral under this section does not limit or affect the coroner's role, or the functions, powers, and duties of the other investigating authorities, in relation to the death concerned.

(3) This section does not limit section 69.

120 Coroner may by written notice require person to supply information or documents or other things

(1) A coroner who considers it necessary for the purposes of an inquiry the coroner has opened under this Act may, by written notice served on a person, require that person, within a time specified in the notice,—

(a) to give the coroner any information or class of information specified in the notice; or

(b) to produce to the coroner, or to a person specified in the notice acting on the coroner's behalf in accordance with the notice, any document or class of documents or other thing specified in the notice.

(2) The person on whom the notice is served must give or produce a thing (whether the thing is information, a class of information, a document, a class of documents, or any other thing) sought by the notice, except to the extent that the person is excused from doing so by section 121.

(3) Information given in response to a notice under subsection (1)(a) must be given in writing and,—

(a) if given by a natural person, must be signed by the person; and

(b) if given by a body corporate, must be signed by an officer authorised to sign on behalf of the body corporate.

(4) This section does not limit or affect a coroner's powers under any other enactment, for example, under section 200 (coroner may call for report on fatal accident) of the Health and Safety at Work Act 2015.

Compare: 1986 No 5 s 98; 1999 No 10 s 7(3)

Section 120(4): amended, on 4 April 2016, by section 232 of the Health and Safety at Work Act 2015 (2015 No 70).

121 Grounds for refusing to comply with written notice

(1) A person on whom a notice under section 120 is served is not required by section 120 to give or produce a thing sought by the notice if, and to the extent that,—

(a) the person claims within 5 working days after service of the notice that any or all of the grounds in subsection (2) apply to the thing; and

(b) the person's claim has not been considered and dismissed by the coroner who issued the notice or by another coroner acting in his or her place, or has been so considered and dismissed, but the dismissal is the subject of, or has been revoked on, an application for review (whether under section 126 or otherwise).

(2) The grounds referred to in subsection (1) are that the giving or production of the thing sought by the notice—

(a) would, if the thing were sought from the person as a witness giving evidence in a court of law, be prevented by a privilege or immunity that the person would have as a witness, or as counsel, in that court:

(b) is prevented by an enactment, rule of law, or order or direction of a court that prohibits or restricts the making available of the thing, or the manner in which the thing may be made available:

(c) would be likely to prejudice the maintenance of the law (including the prevention, detection, investigation, prosecution, and punishment of offences, and the right to a fair trial).

122 Warrant for information, document, or other thing

(1) A District Court Judge may issue a warrant for the search of a specified place (including, without limitation, a dwellinghouse or marae), craft, or vehicle if satisfied on an application in writing made on oath by a constable that—

(a) a coroner (other than the District Court Judge) has issued and had served on a person a notice under section 120 requiring the person, within a time specified in the notice, to give or produce to the coroner any information, class of information, document, class of documents, or other thing, specified in the notice; and

(b) the person has failed to comply with the notice (other than because the person is excused from doing so by section 121); and

(c) there are reasonable grounds to believe that there is in or on that place, craft, or vehicle any information, class of information, document, class of documents, or other thing, specified in the notice.

(2) A District Court Judge may also issue a warrant for the search of a specified place (including, without limitation, a dwellinghouse or marae), craft, or vehicle if satisfied on an application in writing made on oath by a constable that—

(a) a coroner (other than the District Court Judge) has prepared, for issuing and serving on a person, a notice under section 120 requiring the person, within a time specified in the notice, to give or produce to the coroner any information, class of information, document, class of documents, or other thing, specified in the notice, but has not issued and served the notice because paragraph (b) applies; and

(b) there are reasonable grounds to believe that a notice of that kind would not be complied with, and that the purpose of a warrant of that kind would be defeated if the warrant were granted after a notice of that kind was issued and served under subsection (1); and

(c) there are reasonable grounds to believe that there is in or on that place, craft, or vehicle any information, class of information, document, class of documents, or other thing, specified in the notice.

(3) A warrant under this section must be in the prescribed form, and must be—

(a) directed to and executed by specified constables; or

(b) directed to the New Zealand Police and executed by any 1 or more constables.

(4) A warrant under this section may be issued subject to any reasonable conditions the District Court Judge specifies in it.

(5) Those conditions may include conditions intended to ensure that things to which the grounds in section 121(2) apply are, in the execution of the warrant, identified and not obtained.

Section 122(1): amended, on 21 July 2016, by section 62(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 122(2): amended, on 21 July 2016, by section 62(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 122(3)(a): amended, on 21 July 2016, by section 62(2) of the Coroners Amendment Act 2016 (2016 No 29).

Section 122(3)(b): amended, on 21 July 2016, by section 62(3) of the Coroners Amendment Act 2016 (2016 No 29).

123 Entry and search under warrant under section 122

(1) Section 110 of the Search and Surveillance Act 2012 applies to a search authorised by a warrant issued under section 122.

(2) No warrant under section 122 authorises a constable to take any action in respect of a thing that is being withheld in accordance with section 125.

Section 123(1): replaced, on 21 July 2016, by section 63(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 123(2): amended, on 21 July 2016, by section 63(2) of the Coroners Amendment Act 2016 (2016 No 29).

124 Duties when executing warrant under section 122

(1) Every constable executing a warrant under section 122 must produce it for inspection upon initial entry and in response to any reasonable request after that and, when requested by or on behalf of the owner or an occupier of the place, person in charge of the craft, or driver or rider of the vehicle, must provide a copy of the warrant no later than 5 working days after the making of the request.

(2) If the owner or an occupier of the place, person in charge of the craft, or driver or rider of the vehicle being searched is not present at the time of the search, the constable executing the warrant must leave in a prominent position at or in the place, craft, or vehicle being searched a written notice stating the date and time of the execution of the warrant and the name of the constable in charge of the search.

(3) A constable executing the warrant and who removes from the place, craft, or vehicle being searched any information, class of information, document, class of documents, or other thing, must, within 5 working days after the removal, take all reasonable steps to give the person from whose possession or control the information, class of information, document, class of documents, or other thing was taken written notice of—

(a) what has been removed; and

(b) the reasons why it has been removed; and

(c) where it will be kept until it is returned.

Section 124(1): amended, on 21 July 2016, by section 64 of the Coroners Amendment Act 2016 (2016 No 29).

Section 124(2): amended, on 21 July 2016, by section 64 of the Coroners Amendment Act 2016 (2016 No 29).

Section 124(3): amended, on 21 July 2016, by section 64 of the Coroners Amendment Act 2016 (2016 No 29).

125 Grounds for withholding thing sought by warrant

A person may withhold a thing sought by a warrant under section 122 if, and to the extent that,—

(a) the person claims, when the warrant is executed, that any or all of the grounds in section 121(2) apply to the thing; and

(b) the person's claim has not been considered and dismissed by the District Court Judge who issued the warrant, or by another District Court Judge who is not the coroner who issued, or proposed to issue, the relevant notice under section 120, or has been so considered and dismissed, but the dismissal is the subject of, or has been revoked on, an application for review (whether under section 126 or otherwise).

126 Review of dismissal of claim that section 121(2) applies

(1) A person may, within 5 working days of the dismissal, apply to a High Court Judge for a review of the dismissal if—

(a) the person made a claim of the kind specified in section 121(1)(a) or section 125(a) or section 127(4); and

(b) the claim was dismissed by a coroner or a District Court Judge, as provided in section 121(1)(b) or section 125(b) or section 127(4)(a)(i) or (ii).

(2) The claim must, for the purposes of sections 121 and 125 and 127, be treated as not having been dismissed by the coroner or District Court Judge for the 5 working days referred to in subsection (1) of this section.

(3) The High Court Judge may (as the case requires), in the Judge's absolute discretion and on any ground the Judge thinks fit, confirm, modify, or revoke the dismissal.

127 Limits on use of information, etc, given or produced in response to notice under section 120 or obtained through execution of warrant under section 122

(1) This section applies to any information, document, or other thing given or produced by a person in response to a notice under section 120, or obtained through the execution of a warrant issued under section 122 (the **thing**).

(2) The thing may be used only for the purposes of the inquiry concerned, and may be used for those purposes only if that use is not prohibited by subsection (4).

(3) In particular, the thing is not admissible as evidence against any person in any court or at any other inquiry or in any other proceedings except—

(a) on a prosecution of the person for an offence against section 135 (false or misleading statements and documents) in relation to the document; or

(b) on the trial of the person for perjury (within the meaning of the Crimes Act 1961) in relation to evidence given on oath or affirmation by the person.

(4) However, the thing cannot be used for the purposes of the inquiry concerned if the person who gave or produced it, or from whom it was obtained, claims, within 5 working days after it was given, produced, or obtained, that any or all of the grounds in section 121(2) apply to it, and that person's claim—

(a) has not been considered and dismissed by—

(i) the District Court Judge who issued the warrant, or by another District Court Judge who is not the coroner who issued, or proposed to issue, the relevant notice under section 120, if the thing was obtained through the execution of a warrant issued under section 122; or

(ii) the coroner who issued the notice or by another coroner acting in his or her place, if the thing was given or produced in response to a notice under section 120; or

(b) has been so considered and dismissed, but the dismissal is the subject of, or has been revoked on, an application for review (whether under section 126 or otherwise).

(5) The thing must be returned to the person who gave or produced it, or from whom it was obtained, once it is no longer needed for the purposes of the inquiry concerned or for the purposes of a prosecution or trial referred to in subsection (3).

Compare: 1975 No 9 s 19(6)

128 Warrant for removal of body

(1) A District Court Judge may issue a warrant for the removal of a body from a specified place (including, without limitation, a dwellinghouse or marae), craft, or vehicle if satisfied on an application in writing made on oath by a constable that—

(a) a coroner (other than the District Court Judge) has given directions about the removal of the body under section 20; and

(b) there are reasonable grounds to believe that the body is being held in or on that place, craft, or vehicle contrary to the directions; and

(c) the New Zealand Police has, despite having already used negotiation and all other means that are reasonable in the circumstances, failed to secure the release of the body from that place, craft, or vehicle in accordance with the directions.

(2) The warrant must be in the prescribed form, and must be—

(a) directed to and executed by specified constables; or

(b) directed to the New Zealand Police and executed by any 1 or more constables.

(3) The warrant may be issued subject to any reasonable conditions the District Court Judge specifies in it.

Section 128(1): amended, on 21 July 2016, by section 65(1) of the Coroners Amendment Act 2016 (2016 No 29).

Section 128(2)(a): amended, on 21 July 2016, by section 65(2) of the Coroners Amendment Act 2016 (2016 No 29).

Section 128(2)(b): amended, on 21 July 2016, by section 65(3) of the Coroners Amendment Act 2016 (2016 No 29).

129 Entry and search under warrant under section 128

A warrant under section 128 authorises a constable executing the warrant—

(a) to enter and search the specified place, craft, or vehicle on 1 occasion within 2 working days of the date of issue of the warrant at any time that is reasonable in the circumstances, but subject to any conditions imposed by the District Court Judge under section 128(3); and

(b) to use any assistance that is reasonable in the circumstances; and

(c) to use any force for making entry (whether by breaking open doors or otherwise), or for breaking open any thing, as is reasonable in the circumstances; and

(d) to use any force that is reasonable in the circumstances for searching for the body in or on, or for removing the body or for preventing the removal of the body from, the place, craft, or vehicle.

Section 129: amended, on 21 July 2016, by section 66 of the Coroners Amendment Act 2016 (2016 No 29).

130 Warrant under section 128 to be produced

(1) Every constable executing a warrant under section 128 must produce it for inspection upon initial entry and in response to any reasonable request after that and, when requested by or on behalf of the owner or an occupier of the place, person in charge of the craft, or driver or rider of the vehicle, must provide a copy of the warrant no later than 5 working days after the making of the request.

(2) If the owner or an occupier of the place, person in charge of the craft, or driver or rider of the vehicle being searched is not present at the time of the search, the constable executing the warrant must leave in a prominent position at or in the place, craft, or vehicle being searched a written notice stating the date and time of the execution of the warrant and the name of the constable in charge of the search.

Section 130(1): amended, on 21 July 2016, by section 67 of the Coroners Amendment Act 2016 (2016 No 29).

Section 130(2): amended, on 21 July 2016, by section 67 of the Coroners Amendment Act 2016 (2016 No 29).

131 Power to seize evidence relevant to post-mortem

(1) A constable complying with, or helping to ensure compliance with, a direction about the removal of a body under section 20, or executing a warrant for the removal of a body under section 128, may, using any force reasonably necessary in the circumstances, seize a thing—

(a) on, or in the immediate vicinity of, the body as found in the place, craft, or vehicle from which it is being removed; and

(b) that the constable believes on reasonable grounds is or may be relevant to the post-mortem of the body directed under section 31.

(2) Within 5 working days after seizing a thing under subsection (1), the constable must take all reasonable steps to inform the owner or occupier of the place, person in charge of the craft, or driver or rider of the vehicle from which the body is removed, or the person from whose possession or control the thing was seized, of the fact that the thing was seized and of the place from where it was seized.

(3) The constable may inform the owner or occupier, person in charge, or driver or rider by delivering to him or her a written notice containing that information, or by leaving a notice of that kind in a prominent position at or in the place, craft, or vehicle from which the body is removed.

(4) Any thing seized under subsection (1) must be delivered to the coroner who directed under section 31 the post-mortem of the body and must if practicable be returned promptly once it is no longer needed for the purposes of that post-mortem.

Section 131(1): amended, on 21 July 2016, by section 68 of the Coroners Amendment Act 2016 (2016 No 29).

Section 131(1)(b): amended, on 21 July 2016, by section 68 of the Coroners Amendment Act 2016 (2016 No 29).

Section 131(2): amended, on 21 July 2016, by section 68 of the Coroners Amendment Act 2016 (2016 No 29).

Section 131(3): amended, on 21 July 2016, by section 68 of the Coroners Amendment Act 2016 (2016 No 29).

132 Chief coroner may issue practice notes

(1) To help inform, and to achieve consistency in, coronial decision making and other coronial conduct, the chief coroner may issue to coroners and associate coroners written practice notes (not inconsistent with this Act).

(2) Practice notes under this section may specify matters—

(a) to which coroners and associate coroners must have regard when—

(i) making recommendations or comments (*see* section 57A):

(ii) calling for investigations or examinations, or commissioning reports (*see* section 118(2)):

(iii) determining the format of their written findings:

(iv) co-ordinating with other investigating authorities, official bodies, and statutory officers who investigate deaths:

(v) co-ordinating with other coroners or associate coroners over a death:

(vi) determining whether a person is appropriately regarded as an expert in a particular area:

(b) to which coroners must have regard when—

(i) recommending to the chief coroner that a specialist adviser be appointed to sit with and help the coroner at an inquest (*see* section 83(2)):

(ii) holding joint inquests (*see* section 84(3)):

(iii) managing the disclosure of evidence to witnesses appearing at a hearing:

(iv) determining whether to hold a pre-hearing.

(v) *[Repealed]*

(3) Subsection (2) does not limit subsection (1).

(4) Before issuing a practice note (or an amendment, revocation, or replacement of a practice note) under this section, the chief coroner must take all reasonable steps to consult coroners and associate coroners about the terms and effect of that practice note (or of that amendment, revocation, or replacement of a practice note).

(5) The chief coroner must regularly review any practice notes issued under this section.

Section 132: replaced, on 5 April 2023, by section 25 of the Coroners Amendment Act 2023 (2023 No 8).

Section 132(2)(a)(v): inserted, on 27 November 2025, by section 33(1) of the Statutes Amendment Act 2025 (2025 No 74).

Section 132(2)(a)(vi): inserted, on 27 November 2025, by section 33(1) of the Statutes Amendment Act 2025 (2025 No 74).

Section 132(2)(b)(v): repealed, on 27 November 2025, by section 33(2) of the Statutes Amendment Act 2025 (2025 No 74).

133 Chief coroner must designate coroners for specified kinds of deaths

(1) The chief coroner must from time to time, by notice in writing to the coroners concerned and to the New Zealand Police, designate coroners to receive, under section 15(2)(a), reports of all deaths of a specified kind.

(2) **Deaths of a specified kind** may be deaths that—

(a) are reported to the coroner within a specified time period; or

(b) occur in a specified area; or

(c) fall into another specified class.

(3) The chief coroner may at any time in the same way amend, revoke, or revoke and replace a designation under this section.

Section 133: replaced, on 21 July 2016, by section 70 of the Coroners Amendment Act 2016 (2016 No 29).

133A Appointment of responsible or replacement coroner

(1) If the chief coroner receives a report of a death under section 15(4), the chief coroner must appoint a responsible coroner in relation to the death (who may, but need not, be the designated coroner for deaths of that kind).

(2) The chief coroner may appoint a replacement coroner to take over as the responsible coroner in relation to a death if the chief coroner is satisfied that—

(a) the responsible coroner has a personal interest in the inquiry; or

(b) it is necessary or desirable that the responsible coroner not conduct the inquiry—

(i) because of his or her workload; or

(ii) because of his or her expertise or lack of expertise in particular areas; or

(c) there is some other good reason why the responsible coroner should not conduct the inquiry.

(3) The chief coroner must appoint a replacement coroner to take over as the responsible coroner in relation to a death if the responsible coroner has recused himself or herself from the inquiry.

Section 133A: inserted, on 21 July 2016, by section 70 of the Coroners Amendment Act 2016 (2016 No 29).

Offences and penalties

134 Failure to supply information or documents or other things as required by notice under section 120

Every person commits an offence against this section, and is liable on conviction to a fine not exceeding $1,000, who, without reasonable excuse, fails to comply with a notice under section 120 to the extent that the person is capable of complying with it.

Compare: 1999 No 10 s 8

Section 134 heading: amended, on 5 April 2023, by section 26(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 134: amended, on 5 April 2023, by section 26(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 134: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

135 False or misleading statements and omissions in certain documents

(1) Every person commits an offence against this section, and is liable on conviction to a fine not exceeding $1,000, who, in any document to which subsection (2) applies, makes a statement or omits any matter knowing that, or being reckless as to whether, the statement or omission makes the document false or misleading in a material particular.

(2) This subsection applies to the following documents:

(a) a doctor's report required under section 40:

(b) a witness's evidence put into writing, read over to or by the witness, and signed by the witness, in accordance with section 79(3):

(c) reports commissioned under section 118:

(d) documents prepared under section 120(1)(a).

Compare: 1999 No 10 s 9

Section 135(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 135(2)(c): amended, on 5 April 2023, by section 27(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 135(2)(d): amended, on 5 April 2023, by section 27(2) of the Coroners Amendment Act 2023 (2023 No 8).

136 Non-compliance with direction about removal of body

Every person commits an offence against this section, and is liable on conviction to a fine not exceeding $2,000, who—

(a) fails or refuses to comply with a direction about the removal of a body under section 20; or

(b) hinders or prevents any person from complying with a direction about the removal of a body under section 20.

Compare: 1988 No 111 s 43(2)

Section 136: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

137 Failure or refusal to give report required

Every pathologist or doctor commits an offence against this section, and is liable on conviction to a fine not exceeding $1,000, who, without reasonable excuse, fails or refuses to give a report required under—

(a) section 31(6); or

(b) section 40.

Compare: 1988 No 111 s 43(1)

Section 137: amended, on 5 April 2023, by section 28(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 137: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 137(a): amended, on 5 April 2023, by section 28(2) of the Coroners Amendment Act 2023 (2023 No 8).

Section 137(b): amended, on 5 April 2023, by section 28(3) of the Coroners Amendment Act 2023 (2023 No 8).

138 False or misleading statement for purposes of section 64(3)

Every person commits an offence against this section, and is liable on conviction to imprisonment for a term not exceeding 7 years, who makes a written statement as to the identity of a person for the purposes of section 64(3)—

(a) knowing the statement to be false; and

(b) intending to mislead people who might rely upon it.

Compare: 1988 No 111 s 43(4)

Section 138: amended, on 5 April 2023, by section 29 of the Coroners Amendment Act 2023 (2023 No 8).

Section 138: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

139 Publication of information in contravention of section 71

(1) A person commits an offence if the person publishes or permits to be published any information in contravention of section 71 (which relates to restrictions on the making public of details of self-inflicted deaths).

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of a body corporate, to a fine not exceeding $20,000:

(b) in any other case, to a fine not exceeding $5,000.

(3) Subsection (1) does not apply to a person who hosts material on Internet sites or other electronic retrieval systems that can be accessed by a user, unless the specific information has been placed or entered on the site or system by that person.

Section 139: replaced, on 21 July 2016, by section 71 of the Coroners Amendment Act 2016 (2016 No 29).

139A Publication of information in contravention of section 74

(1) A person commits an offence if the person publishes or permits to be published any information in contravention of a prohibition under section 74.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of a body corporate, to a fine not exceeding $5,000:

(b) in any other case, to a fine not exceeding $1,000.

(3) Subsection (1) does not apply to a person who hosts material on Internet sites or other electronic retrieval systems that can be accessed by a user, unless the specific information has been placed or entered on the site or system by that person.

Section 139A: inserted, on 21 July 2016, by section 71 of the Coroners Amendment Act 2016 (2016 No 29).

Section 139A(1): amended, on 5 April 2023, by section 30 of the Coroners Amendment Act 2023 (2023 No 8).

Technical provisions

140 Regulations

(1) The Governor-General may, by Order in Council, make regulations for either or both of the following purposes:

(a) prescribing salaries, fees, allowances, and travelling allowances and expenses, for specialist advisers, witnesses, doctors, analysts, and pathologists, who perform any function under this Act or give evidence for the purposes of an inquiry conducted, or at an inquest held, under this Act:

(b) providing for any other matters contemplated by this Act, necessary for its administration, or necessary for giving it full effect.

(2) Regulations under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 1988 No 111 s 45

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 140(1)(a): amended, on 7 July 2010, by section 4 of the Coroners Amendment Act 2010 (2010 No 56).

Section 140(2): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

140A Rules

(1) The Governor-General may, with the concurrence of the chief coroner, make rules that—

(a) provide for any conditions or limitations on the exercise or performance of a coroner's functions, powers, and duties by associate coroners:

(b) contain provisions that may be necessary to enable the proper exercise or performance by associate coroners of their functions, powers, and duties.

(2) Rules made under this section are subject to section 117A(2) and (3).

(3) Rules made under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 140A: inserted, on 5 April 2023, by section 31 of the Coroners Amendment Act 2023 (2023 No 8).

140B Secretary may approve forms

(1) The Secretary may approve and issue forms for the purposes of this Act.

(2) The Secretary must have the agreement of the chief coroner before approving and issuing forms.

Section 140B: inserted, on 5 April 2023, by section 31 of the Coroners Amendment Act 2023 (2023 No 8).

141 Transitional provisions: amendments to Coroners Act 1988 effective day after assent are in Schedule 1

[Repealed]

Section 141: repealed, on 21 July 2016, by section 72 of the Coroners Amendment Act 2016 (2016 No 29).

142 Transitional provisions: functions or powers available day after assent are in Schedule 2

[Repealed]

Section 142: repealed, on 21 July 2016, by section 72 of the Coroners Amendment Act 2016 (2016 No 29).

143 Coroners Act 1988 repealed

The Coroners Act 1988 (1988 No 111) is repealed.

143A Transitional and savings provisions: arrangements effective after commencement of Coroners Amendment Act 2016 are in Part 1 of Schedule 1

The transitional and savings provisions set out in Part 1 of Schedule 1 have effect after the commencement of the Coroners Amendment Act 2016.

Section 143A: inserted, on 21 July 2016, by section 73 of the Coroners Amendment Act 2016 (2016 No 29).

Section 143A heading: amended, on 5 April 2023, by section 34(1) of the Coroners Amendment Act 2023 (2023 No 8).

Section 143A: amended, on 5 April 2023, by section 34(2) of the Coroners Amendment Act 2023 (2023 No 8).

144 Transitional provisions: arrangements effective on and after 1 July 2007 are in Schedule 3

The repeal, by section 143, of the Coroners Act 1988, is subject to the provisions set out in Schedule 3.

145 Amendments relating to complaints against coroners are in Schedule 4

The Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004 is amended in the manner indicated in Schedule 4.

146 Consequential amendments are in Schedule 5

The Acts listed in Schedule 5 are amended in the manner indicated in that schedule.

Schedule 1
Transitional, savings, and related provisions

ss 11A, 143A

Schedule 1: replaced, on 21 July 2016, by section 74 of the Coroners Amendment Act 2016 (2016 No 29).

Schedule 1 heading: replaced, on 5 April 2023, by section 35(1) of the Coroners Amendment Act 2023 (2023 No 8).

Part 1
Transitional and savings provisions effective after commencement of Coroners Amendment Act 2016

Schedule 1 Part 1 heading: inserted, on 5 April 2023, by section 35(2) of the Coroners Amendment Act 2023 (2023 No 8).

1 Interpretation

In this schedule,—

amendment Act means the Coroners Amendment Act 2016

commencement date means the date on which the Coroners Amendment Act 2016 comes into force

date of death means—

(a) the date on which a death occurred; or

(b) if the date on which a death occurred is unknown, the date on which the death is first discovered.

2 Application of Act to deaths occurring before commencement date

(1) This clause applies in respect of a death if the date of death is earlier than the commencement date.

(2) Despite the commencement of the amendment Act, the following sections apply in respect of the death as if the amendment Act had not come into force:

(a) section 13:

(b) section 14:

(c) section 15:

(d) section 71:

(e) section 139.

(3) If the death is reported to the coroner on or after the commencement date, the rest of this Act applies in respect of the death (except that, in section 18(1)(a), the reference to section 13(2) must be treated as a reference to section 13 as it read before the commencement date).

(4) If the death is reported to the coroner before the commencement date, clause 3 applies.

3 Application of Act to deaths reported to coroner before commencement date

(1) This clause applies in respect of a death that was reported to a coroner under section 15 before the commencement date.

(2) Despite the commencement of the amendment Act, the following sections apply in respect of the death as if the amendment Act had not come into force:

(1) section 16:

(2) section 17:

(3) section 18:

(4) section 19:

(5) section 22:

(6) section 23:

(7) section 24:

(8) section 25:

(9) section 27:

(10) section 31:

(11) section 36:

(12) section 39:

(13) section 41:

(14) section 42:

(15) section 48:

(16) section 50:

(17) section 55:

(18) section 57:

(19) section 58:

(20) section 59:

(21) section 60:

(22) section 61:

(23) section 62:

(24) section 68:

(25) section 69:

(26) section 70:

(27) section 71:

(28) section 75:

(29) section 77:

(30) section 80:

(31) section 81:

(32) section 89:

(33) section 92:

(34) section 94:

(35) section 95:

(36) section 133 (*see* clause 5):

(37) section 139.

(3) Despite the commencement of the amendment Act, the following sections do not apply in respect of the death:

(a) section 21A:

(b) section 57A:

(c) section 57B:

(d) section 59A:

(e) section 71A:

(f) section 133A.

4 Practice notes issued by chief coroner saved

A practice note issued by the chief coroner under section 132 before the commencement date continues in force until revoked by the chief coroner.

5 Designated coroners continued

(1) This clause applies to a coroner who, before the commencement date, was a designated coroner (within the meaning of section 9 as it read before the commencement date).

(2) In respect of deaths where the date of death is earlier than the commencement date, the coroner remains the designated coroner (within the meaning of section 9 as it read before the commencement date).

(3) In respect of deaths where the date of death is on or after the commencement date, the coroner must be treated as a designated coroner (within the meaning of section 9 as amended by the amendment Act).

Part 2
Provisions relating to Coroners Amendment Act 2023

Schedule 1 Part 2: inserted, on 5 April 2023, by section 35(3)(a) of the Coroners Amendment Act 2023 (2023 No 8).

6 Interpretation for this Part

In this Part, **commencement date** means the date on which this Part comes into force.

Schedule 1 clause 6: inserted, on 5 April 2023, by section 35(3)(a) of the Coroners Amendment Act 2023 (2023 No 8).

7 Continuation of section 77 if coroner has given notice before commencement date

Section 77 (as it read before the commencement date) continues to apply as if the Coroners Amendment Act 2023 had not been enacted if—

(a) a coroner gives notice under section 77(1)(a) before the commencement date; and

(b) the coroner receives a notification of the kind referred to in section 77(1)(b)—

(i) before, on, or after the commencement date; but

(ii) within the notification period stated in the notice.

Schedule 1 clause 7: inserted, on 5 April 2023, by section 35(3)(a) of the Coroners Amendment Act 2023 (2023 No 8).

Part 3
Provision relating to Judicature (Timeliness) Legislation Amendment Act 2025

Schedule 1 Part 3: inserted, on 1 February 2026, by section 25(a) of the Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85).

8 Application of section 65A to inquiries opened before, on, or after commencement date

(1) An inquiry opened before, on, or after the commencement date is an inquiry for the purposes of section 65A.

(2) In this clause, **commencement date** means the date on which section 65A of this Act comes into force.

Schedule 1 clause 8: inserted, on 1 February 2026, by section 25(a) of the Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85).

Schedule 2
Functions or powers available day after assent

[Repealed]

s 142

Schedule 2: repealed, on 21 July 2016, by section 74 of the Coroners Amendment Act 2016 (2016 No 29).

Schedule 3
Arrangements effective on and after 1 July 2007

s 144

1 In this schedule, **former Act** means the Coroners Act 1988, and **former coroner**—

(a) means a person who, immediately before the repeal of the former Act by section 143, held office under the former Act as a coroner or deputy coroner; and

(b) in clauses 7, 8, 14 to 16, and 18, includes a person who, at any time before the repeal of the former Act,—

(i) held office under the former Act as a coroner or deputy coroner; or

(ii) was (under section 22(a) of the District Court Act 2016) a coroner by virtue of holding office as a District Court Judge.

Schedule 3 clause 1(b)(ii): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

2 On the repeal of the former Act, every former coroner vacates office under that Act as a coroner or deputy coroner.

3 No former coroner is entitled to compensation for loss of office as a coroner or deputy coroner under clause 2.

4 A former coroner may nevertheless continue in office under the former Act for the period reasonably necessary to enable him or her to complete, under that Act (which remains in force for these purposes as if it had not been repealed),—

(a) every inquest he or she was holding, and had not completed, immediately before the repeal of that Act; and

(b) the performance or exercise of his or her functions, powers, and duties under that Act in respect of every death reported to him or her before the repeal of that Act.

5 The salaries, fees, allowances, and travelling allowances and expenses payable to former coroners who continue in office in accordance with clause 4 (and to any coroners who under clause 6 replace those former coroners) are those prescribed by regulations made under section 45 of the former Act.

6 A former coroner who continues in office under clause 4 may resign or be removed under section 33 or 34 of the former Act and, if that occurs, a coroner may be appointed under that Act to replace that former coroner for the period and the purposes for which that former coroner would otherwise have continued in office under clause 4.

7 Every post-mortem examination that a former coroner or a Justice has authorised a doctor to perform under the former Act and that, on the repeal of that Act, has not been completed, must be performed and completed (with all associated reports required also being completed) under that Act (which remains in force for these purposes as if it had not been repealed).

8 An authorisation by a former coroner or a Justice for the disposal of a body under section 13 of the former Act (whether before its repeal or as continued in force for the purposes specified in clause 4) must, on and after the repeal of that Act, be treated as if it were an authorisation for the release of the body under section 42 of this Act.

9 If the High Court has ordered under section 39 of the former Act that a doctor be authorised to perform a post-mortem examination and, on the repeal of that Act, the post-mortem examination has not been authorised or completed, it must be authorised, performed, and completed under that Act (which remains in force for these purposes as if it had not been repealed).

10 The salaries, fees, allowances, and travelling allowances and expenses payable to doctors, analysts, and pathologists who perform any function in connection with a post-mortem examination referred to in clause 7 or 9 are those prescribed by regulations made under section 45 of the former Act.

11 An application to the High Court under section 39 of the former Act and that, on the repeal of that Act, has not been determined, must be determined as if it were an application under section 41 of this Act.

12 A Justice to whom a death is reported in accordance with section 6(1) of the former Act and who, on the repeal of that Act, has not completed his or her performance or exercise of the functions and powers conferred by section 6(2) of that Act, must complete his or her performance or exercise of those functions and powers (which remain in force as if that Act had not been repealed).

13 A person who (under section 22(a) of the District Court Act 2016) is a coroner by virtue of holding office as a District Court Judge and, on the repeal of the former Act, has not completed in relation to a death reported to him or her under that Act his or her performance or exercise of the functions and powers conferred by that Act, must complete his or her performance or exercise of those functions and powers (which remain in force as if that Act had not been repealed).

Schedule 3 clause 13: amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

14 If a former coroner or a Justice has, under section 20 of the former Act, decided not to hold an inquest, a coroner as defined in section 10 of this Act (**coroner A**) may, under section 65 of this Act, decide to open an inquiry as if the

former coroner's decision not to hold an inquest were a decision by coroner A not to open an inquiry.

15 The reference in section 95 to a coroner failing or refusing to open an inquiry includes a reference to a former coroner or a Justice failing or refusing to hold an inquest under the former Act.

16 The reference in section 96 to a coroner deciding not to open an inquiry into a death includes a reference to a former coroner or a Justice deciding under the former Act not to hold an inquest into the death.

17 The reference in section 97 to 1 or more inquiries conducted into a death includes a reference to 1 or more inquests held into the death under the former Act.

18 The references in sections 103(2) and 104(2) to people who have held a practising certificate as a barrister or solicitor for at least 5 years include a reference to former coroners who have held a certificate of that kind for a shorter period.

Schedule 4
Amendments to Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004

s 145

Section 5

Insert after the definition of **complaint** or **complaint about a Judge**:

> **coroner** means a person who is not a District Court Judge, but holds office as the chief coroner or acting chief coroner, or as a coroner or relief coroner, under the Coroners Act 2006
>
> **District Court Judge** includes a District Court Judge who—
>
> (a) holds office as the chief coroner or acting chief coroner, or as a relief coroner, under the Coroners Act 2006, or is (under section 8(d) of the District Courts Act 1947) a coroner by virtue of holding office as a District Court Judge; and
>
> (b) is exercising the judicial authority conferred on a coroner by the Coroners Act 2006

Paragraph (h) of the definition of **Head of Bench**: repeal and substitute:

> (h) in relation to the Maori Land Court, the Chief Judge of the Maori Land Court:
>
> (i) in relation to a coroner, the chief coroner

Paragraph (a)(viii) of the definition of **Judge**: repeal and substitute:

> (viii) a Judge of the Maori Land Court; or
>
> (ix) a coroner; and

Section 17

Add:

> (3) This section is subject to section 113(2) of the Coroners Act 2006 (which relates to complaints about the chief coroner).

Schedule 5
Consequential amendments

s 146

Armed Forces Discipline Act 1971 (1971 No 53)

Section 175(3): omit "Coroners Act 1988" and substitute "Coroners Act 2006".

Armed Forces Discipline Amendment Act 1997 (1997 No 34)

Schedule: repeal so much as relates to section 175 of the Armed Forces Discipline Act 1971.

Births, Deaths, and Marriages Registration Act 1995 (1995 No 16)

Definition of **coroner's order** in section 2: omit "order by" and substitute "authorisation by".

Definition of **coroner's order** in section 2: omit "disposal" and substitute "release".

Section 37(3): repeal and substitute:

(3) If a death must under section 14(2) of the Coroners Act 2006 be reported to the New Zealand Police because it is one to which section 13 (except subsection (1)(b)) of that Act applies, or has been reported to a coroner under section 15(2)(a) or section 16(2)(b) of that Act, a doctor must not give a doctor's certificate for the death under subsection (1) unless a coroner has decided not to open an inquiry into the death.

Section 38(1): omit "Notwithstanding that a death may have been reported to the police under section 4 of the Coroners Act 1988," and substitute "Even though a death may have been reported to the New Zealand Police under section 14 of the Coroners Act 2006,".

Section 38(1)(f): omit "Coroners Act 1988 requires an inquest to be held" and substitute "Coroners Act 2006 requires an inquiry to be conducted".

Section 38(2): omit "under section 4 of the Coroners Act 1988" and substitute "to a coroner under section 15(2)(a) or section 16(2)(b) of the Coroners Act 2006".

Section 40(2)(b)(ii): omit "authorised" and substitute "directed".

Section 48(2): omit "inquest" and substitute "inquiry".

Burial and Cremation Act 1964 (1964 No 75)

Section 46A(c): repeal and substitute:

(c) a coroner's authorisation for the release of the child.

Children, Young Persons, and Their Families Act 1989 (1989 No 24)

Schedule 2: repeal so much as relates to the Coroners Act 1988.

Children, Young Persons, and Their Families Amendment Act 1994 (1994 No 121)

Section 48: repeal.

Corrections Act 2004 (2004 No 50)

Schedule 2: repeal so much as relates to the Coroners Act 1988.

Part 1 of Schedule 4: repeal so much as relates to the Coroners Act 1988.

Criminal Procedure (Mentally Impaired Persons) Act 2003 (2003 No 115)

Schedule: repeal so much as relates to the Coroners Act 1988.

Department of Justice (Restructuring) Act 1995 (1995 No 39)

Schedule 1: repeal so much as relates to the Coroners Act 1988.

District Courts Act 1947 (1947 No 16)

Insert after section 7(1):

(1A) To avoid doubt, a Judge may be removed under subsection (1) for inability or misbehaviour related to the exercise, contemplated by section 8(d), of the judicial authority conferred on a coroner by the Coroners Act 2006.

Evidence Act 1908 (1908 No 56)

Section 23B(1)(c): omit "inquest" and substitute "inquiry".

Friendly Societies and Credit Unions Act 1982 (1982 No 118)

Section 45(2): omit "inquest or".

Health Act 1956 (1956 No 65)

Section 84(1)(a): repeal and substitute:

(a) provide, equip, and maintain places for the reception of dead bodies (**mortuaries**) pending the carrying out of any post-mortem examination or until removal for interment, and provide facilities for carrying out in the mortuaries post-mortems authorised or directed under the Coroners Act 2006 or under any other enactment and for making good for burial dead bodies on which post-mortems of that kind have been carried out:

Health and Disability Services (Safety) Act 2001 (2001 No 93)

Section 31(5)(c): omit "Coroners Act 1988" and substitute "Coroners Act 2006".

Health Practitioners Competence Assurance Act 2003 (2003 No 48)

Section 67(b)(iv): omit "Coroners Act 1988" and substitute "Coroners Act 2006".

Section 100(2)(a)(iv): omit "Coroners Act 1988" and substitute "Coroners Act 2006".

Schedule 4: repeal so much as relates to the Coroners Act 1988.

Human Tissue Act 1964 (1964 No 19)

[Item(s) repealed]

Mental Health (Compulsory Assessment and Treatment) Act 1992 (1992 No 46)

Schedule 3: repeal so much as relates to the Coroners Act 1988.

Mental Health (Compulsory Assessment and Treatment) Amendment Act 1999 (1999 No 140)

Section 79: repeal.

Relationships (Statutory References) Act 2005 (2005 No 3)

Schedule 1: repeal so much as relates to the Coroners Act 1988.

Remuneration Authority Act 1977 (1977 No 110)

Section 12B(1)(e): repeal and substitute:

> (e) the Associate Judges of the High Court; and
>
> (f) the chief coroner and the other coroners (other than a person who (under section 8(d) of the District Courts Act 1947) is a coroner by virtue of holding office as a District Court Judge).

Transport Accident Investigation Commission Act 1990 (1990 No 99)

Section 14N(a): omit "inquest" and substitute "inquiry".

Visiting Forces Act 2004 (2004 No 59)

Heading to section 19: omit "**Inquests**" and substitute "**Inquiries**".

Section 19(1) and (6): omit "section 5 of the Coroners Act 1988" in both places where it occurs and substitute in each case "section 15(2)(a) or section 16(2)(b) of the Coroners Act 2006".

Section 19(1)(a) and (b): repeal and substitute:

> (a) if the coroner has not opened an inquiry into the death, he or she must not open an inquiry into the death:
>
> (b) if an inquiry has been opened but is not then completed, the coroner must adjourn the inquiry.

Section 19(4)(b): repeal and substitute:

> (b) the provisions of the Coroners Act 2006, except section 25 (which relates to viewing, touching, or remaining with or near the body).

Section 19(6)(a): repeal and substitute:

> (a) if the coroner has not opened an inquiry into the death, he or she must not open an inquiry into the death until the criminal or disciplinary proceedings against the person have been finally concluded:

Visiting Forces Act 2004 (2004 No 59)—*continued*

Section 19(6)(b): omit "inquest" in both places where it occurs and substitute in each case "inquiry".

Schedule 2: repeal so much as relates to the Coroners Act 1988.

Schedule 5 **Human Tissue Act 1964**: item(s) repealed, on 1 November 2008, by section 92 of the Human Tissue Act 2008 (2008 No 28).

Notes

1 General

This is a consolidation of the Coroners Act 2006 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Oranga Tamariki (Responding to Serious Youth Offending) Amendment Act 2026 (2026 No 65): section 60

Judicature (Timeliness) Legislation Amendment Act 2025 (2025 No 85): Part 2 Subpart 2

Statutes Amendment Act 2025 (2025 No 74): Part 9

Civil Aviation Act 2023 (2023 No 10): section 486

Coroners Amendment Act 2023 (2023 No 8)

Children and Young People's Commission Act 2022 (2022 No 44): section 41

Coroners (Coronial Cap) Amendment Act 2022 (2022 No 29)

Births, Deaths, Marriages, and Relationships Registration Act 2021 (2021 No 57): section 147

COVID-19 Response (Management Measures) Legislation Act 2021 (2021 No 42): Schedule 6 Part 1

Secondary Legislation Act 2021 (2021 No 7): section 3

Privacy Act 2020 (2020 No 31): section 217

End of Life Choice Act 2019 (2019 No 67): section 41

Contempt of Court Act 2019 (2019 No 44): section 29

Coroners (Access to Body of Dead Person) Amendment Act 2018 (2018 No 60)

Statutes Amendment Act 2018 (2018 No 27): Part 7

Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 (2017 No 31): section 149

Substance Addiction (Compulsory Assessment and Treatment) Act 2017 (2017 No 4): section 122(1)

District Court Act 2016 (2016 No 49): section 261

Senior Courts Act 2016 (2016 No 48): section 183(b), (c)

Coroners Amendment Act 2016 (2016 No 29)

Health and Safety at Work Act 2015 (2015 No 70): section 232

Food Act 2014 (2014 No 32): section 447

Inquiries Act 2013 (2013 No 60): section 39

Criminal Procedure Act 2011 (2011 No 81): section 413

Coroners Amendment Act 2010 (2010 No 56)

Judicial Conduct Commissioner and Judicial Conduct Panel (Deputy Commissioner and Disposal of Complaints) Amendment Act 2010 (2010 No 5): section 15(2)

Policing Act 2008 (2008 No 72): section 130(1)

Land Transport Management Amendment Act 2008 (2008 No 47): section 50(1)

Human Tissue Act 2008 (2008 No 28): section 92

Independent Police Conduct Authority Amendment Act 2007 (2007 No 38): section 26

Coroners Act 2006 Amendment Act 2007 (2007 No 6)

Coroners Act 2006 (2006 No 38): section 21B(3)

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