CORONERS

1955 No. 1667 (C. 11)

The Coroners Act, 1954 (Commencement) Order, 1955

Made - - - - 2*nd November*, 1955
Coming into Operation 21*st November*, 1955

In pursuance of the powers conferred upon me by subsection (3) of section one of the Coroners Act, 1954(a), I hereby order as follows :—

1. The Coroners Act, 1954, shall come into operation on the twenty-first day of November, 1955.

2. This Order may be cited as the Coroners Act, 1954 (Commencement) Order, 1955.

G. Lloyd-George,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
2nd November, 1955.

1955 No. 1668

The Coroners (Fees and Allowances) Rules, 1955

Made - - - - 2*nd November*, 1955
Coming into Operation 21*st November*, 1955

In pursuance of the powers conferred upon me by subsection (1) of section one of the Coroners Act, 1954(a), I hereby make the following Rules :—

1.—(1) A medical practitioner who makes a post-mortem examination of a body by the coroner's direction or at the coroner's request and reports the result thereof to the coroner and who is not a witness at an inquest on that body shall be paid a fee of four guineas.

(2) A medical practitioner who makes a post-mortem examination of a body by the coroner's direction or at the coroner's request and reports the result thereof to the coroner and who is a witness at an inquest on that body shall be paid a fee of six guineas in respect of the examination and of the first day on which he attends to give evidence at the inquest and in addition a further fee of three guineas for each subsequent day on which he attends to give evidence at the inquest :

Provided that if he attends to give evidence at more than one inquest held on the same day on the bodies of persons whose deaths appear to have been caused by the same accident or occurrence, he shall be paid a fee of

(a) 2 & 3 Eliz. 2. c. 31.

four guineas in respect of the post-mortem examination of each such body made by him and in addition a fee of three guineas in respect of each day on which he attends to give evidence at such inquests.

(3) A medical practitioner who is a witness at an inquest shall, for attending to give professional evidence otherwise than in connection with a post-mortem examination made by him by the coroner's direction or at the coroner's request, be paid a fee of three guineas for each day on which he attends to give evidence at that inquest:

Provided that if he attends to give evidence at more than one inquest held on the same day, he shall be paid a fee of two guineas in respect of his attendance at each inquest held on that day other than the first.

2. A witness practising as a member of the legal professions or as a dentist or veterinary surgeon may, for attending to give professional evidence whether at one or more inquests, be paid a professional witness allowance, not exceeding six guineas a day:

Provided that if the witness attends on any day to give evidence at one inquest only and the period during which he is necessarily absent from his place of residence or practice to attend as aforesaid does not exceed four hours his professional witness allowance shall not exceed three guineas, unless he necessarily incurs expense in the provision for the occasion of a person to take care of his practice during his absence.

3. An expert witness at an inquest may, for attending to give expert evidence and for work in connection with its preparation, be paid an expert witness allowance of such amount as the coroner may consider reasonable having regard to the nature and difficulty of the case and the work necessarily involved.

4. A witness at an inquest to whom the preceding Rules do not apply, who attends to give evidence whether at one or more inquests and thereby loses remuneration or necessarily incurs expense (other than expense on account of travelling, lodging or subsistence) to which he would not otherwise have been subject, may be paid a loss allowance not exceeding thirty shillings a day in respect of that loss or expense:

Provided that if the period during which the witness is necessarily absent from his place of residence, business or employment to attend as aforesaid does not exceed four hours, his loss allowance shall not exceed fifteen shillings unless he necessarily loses more than half a day's remuneration or the expense necessarily exceeds fifteen shillings.

5. A witness at an inquest to whom Rules 1 to 3 of these Rules do not apply who attends to give evidence whether at one or more inquests, may be paid a subsistence allowance not exceeding seven shillings a day:

Provided that if the period during which the witness is necessarily absent from his place of residence, business or employment to attend as aforesaid does not exceed four hours his subsistence allowance shall not exceed three shillings and sixpence.

6. A witness at an inquest who is necessarily absent from his place of residence overnight in order to attend as a witness may be paid a night allowance not exceeding the expense reasonably incurred for board and lodging for that night or a sum of twenty-seven shillings and sixpence a night, whichever be the less.

7.—(1) Where a witness travels to or from an inquest by railway or other public conveyance, he may be paid in respect thereof the fare actually paid:

Provided that—

(i) unless for a special reason the coroner otherwise directs, only third class fare shall be allowed for travel by railway;

(ii) if a return ticket is available for the journey to and from the inquest, only the cost of a return ticket shall be allowed.

(2) Where a witness at an inquest necessarily travels to or from the inquest by a hired vehicle, no railway or other public conveyance being available, he may be paid in respect thereof the sum actually paid for the hire of the vehicle or an allowance at the rate of one shilling and sixpence a mile each way, whichever be the less:

Provided that where two or more witnesses attend the inquest from the same place, the payment made in respect of them under this paragraph shall not in the aggregate exceed a sum calculated at the rate of one shilling and sixpence a mile each way unless the coroner is satisfied that it was reasonable to hire more than one vehicle.

(3) Where a witness at an inquest travels to or from the inquest by a private conveyance or on foot, he may be paid in respect thereof—

(*a*) in any case where the witness travels by motor vehicle and the coroner is satisfied that the use of the vehicle results in a substantial saving of time or is otherwise reasonable, a sum not exceeding sixpence a mile each way; and

(*b*) in any other case, a sum not exceeding twopence a mile each way.

(4) There may be paid—

(*a*) in respect of his travelling expenses to a witness at an inquest who, in the opinion of the coroner, is suffering from a serious illness, or

(*b*) in respect of the carriage of heavy exhibits,

such sums, in excess of the sums payable under the preceding paragraphs of this Rule, as appear to the coroner to have been reasonably incurred.

8.—(1) Notwithstanding anything contained in the preceding Rules no sum shall be paid under these Rules in respect of—

(*a*) a member of a police force attending an inquest in his capacity as such;

(*b*) a whole-time officer of a prison attending an inquest in his capacity as such;

(*c*) a prisoner produced at an inquest in custody;

(*d*) a coroner's officer attending an inquest in his capacity as such.

(2) In this Rule "prison" means a prison, remand centre, detention centre or Borstal institution.

9.—(1) In these Rules any reference to a witness includes a reference to a person summoned as a witness.

(2) The Interpretation Act, 1889(a), shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

(a) 52 & 53 Vict. c. 63.

10. These Rules may be cited as the Coroners (Fees and Allowances) Rules, 1955, and shall come into operation on the twenty-first day of November, 1955.

G. Lloyd-George,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
2nd November, 1955.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules prescribe the fees and allowances to be paid to medical practitioners for making post-mortem examinations and to witnesses at inquests.

COUNTY COURT, ENGLAND AND WALES

COMMENCEMENT OF ACT

1955 No. 1774 (C. 13)

The County Courts Act (Commencement) Order, 1955

Made - - - - 25th November, 1955

I, David Viscount Kilmuir, Lord High Chancellor of Great Britain, in exercise of the power contained in section 8 (1) of the County Courts Act, 1955(a), hereby make the following Order:—

1. Sections 1 to 4 of the County Courts Act, 1955, shall come into force on the 1st day of January, 1956.

2. This Order may be cited as the County Courts Act (Commencement) Order, 1955.

Dated this 25th day of November, 1955.

Kilmuir, C.

(a) 4 Eliz. 2. c. 8.