

Version
as at 5 April 2023



Coroners (Forms) Regulations 2008 (SR 2008/416)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 20th day of October 2008

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 140 of the Coroners Act 2006, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

	Page
1 Title	2
2 Commencement	2
3 Interpretation	2
4 Coroner's authorisation for release of body <i>[Revoked]</i>	2
5 Notification of coroner's decision not to open inquiry <i>[Revoked]</i>	2
6 Notification that inquiry has been opened by coroner <i>[Revoked]</i>	2
7 Certificate of interim findings <i>[Revoked]</i>	2
8 Certificate of findings <i>[Revoked]</i>	3

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.

These regulations are administered by the Ministry of Justice.

9	Warrant for information, document, or other thing	3
10	Warrant for removal of body	3
11	Revocation	3
	Schedule	4
	Forms	

Regulations

1 Title

These regulations are the Coroners (Forms) Regulations 2008.

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

3 Interpretation

- (1) In these regulations, unless the context otherwise requires, **Act** means the Coroners Act 2006.
- (2) A reference in these regulations to a numbered form is a reference to the form so numbered in the Schedule.

4 Coroner's authorisation for release of body

[Revoked]

Regulation 4: revoked, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

5 Notification of coroner's decision not to open inquiry

[Revoked]

Regulation 5: revoked, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

6 Notification that inquiry has been opened by coroner

[Revoked]

Regulation 6: revoked, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

7 Certificate of interim findings

[Revoked]

Regulation 7: revoked, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

8 Certificate of findings

[Revoked]

Regulation 8: revoked, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

9 Warrant for information, document, or other thing

A warrant under section 122 of the Act must be in form 6.

10 Warrant for removal of body

A warrant under section 128 of the Act must be in form 7.

11 Revocation

- (1) The Coroners Regulations 1989 (SR 1989/110) are revoked.
- (2) The revocation effected by subclause (1) is subject to clause 4 of Schedule 3 of the Act.

Schedule Forms

r 3(2)

Form 1 Coroner's authorisation for release of body

[Revoked]

r 4

Schedule form 1: revoked, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

Form 2 Notification of coroner's decision not to open inquiry

[Revoked]

r 5

Schedule form 2: revoked, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

Form 3 Notification that inquiry has been opened by coroner

[Revoked]

r 6

Schedule form 3: revoked, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

Form 4 Certificate of interim findings

[Revoked]

r 7

Schedule form 4: revoked, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

Form 5 Certificate of findings

[Revoked]

r 8

Schedule form 5: revoked, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

Form 6
Search warrant for information, document, or other thing

r 9

Section 122, Coroners Act 2006

No: [*specify number/year*]

***To** [*specified members of the police*] (for execution by those members of the police)

or

***To** New Zealand Police (for execution by any member or members of the police)

*Delete whichever is inapplicable.

I am satisfied, on an application in writing made on oath under section 122(1)/122(2)* of the Coroners Act 2006 (the **Act**) by [*name*], a member of the police, that—

*Delete whichever is inapplicable.

[*If issued under section 122(1) of the Act, include the following.*]

- (a) a coroner (other than myself) has issued and had served on a person a notice under section 120 of the Act 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 of the Act); and

[*If issued under section 122(2) of the Act, include the following.*]

- (a) a coroner (other than myself) has prepared, for issuing and serving on a person, a notice under section 120 of the Act 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 section 122(2)(b) of the Act 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 this kind would be defeated if the warrant were granted after a notice of that kind was issued and served under section 122(1) of the Act; and

[*Include the following whether issued under section 122(1) or 122(2) of the Act.*]

- (c) there are reasonable grounds to believe that there is in or on [*specify place, craft, or vehicle*] any information, class of information, document, class of documents, or other thing, specified in the notice, namely [*specify*].

This warrant authorises you—

- to enter and search that place, craft, or vehicle on 1 occasion within 10 working days of the date of issue of this warrant at any time that is reasonable in the

circumstances, but subject to the following conditions (if any): [*specify conditions imposed under section 122(4) of the Act*]; and

- to use any assistance that is reasonable in the circumstances; and
- to use any force for making entry (whether by breaking open doors or otherwise) as is reasonable in the circumstances; and
- to use any force for breaking open any thing and for searching for, or removing from the place, craft, or vehicle any information, class of information, document, class of documents, or other thing, specified in the relevant notice under section 120 of the Act, as is reasonable in the circumstances; and
- to take copies of, or extracts from, or to reproduce in usable form any information in, any documents specified in the relevant notice under section 120 of the Act (or to require a person at or in the place, craft, or vehicle at the time of entry to do, or to help you to do, those things).

This warrant does not, however, authorise you to take any action in respect of a thing that is being withheld in accordance with section 125 of the Act.

When executing this warrant, you must comply with section 124(1) and (2) of the Act.

If you remove any information, class of information, document, class of documents, or other thing pursuant to this warrant, you are also required to comply with section 124(3) of the Act.

Date:

Signature:

(District Court Judge)

Form 7
Warrant for removal of body

r 10

Section 128, Coroners Act 2006

No: [*specify number/year*]

***To** [*specified members of the police*] (for execution by those members of the police)

or

***To** New Zealand Police (for execution by any member or members of the police)

*Delete whichever is inapplicable.

I am satisfied on an application in writing made on oath under section 128(1) of the Coroners Act 2006 (the **Act**) by [*name*], a member of the police, that—

- a coroner (other than myself) has given directions about the removal of a body under section 20 of the Act; and
- there are reasonable grounds to believe that the body is being held in or on [*specify place, craft, or vehicle*] contrary to the directions; and
- 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.

This warrant authorises you—

- to enter and search that place, craft, or vehicle on 1 occasion within 10 working days of the date of issue of this warrant at any time that is reasonable in the circumstances, but subject to the following conditions (if any): [*specify conditions imposed under section 128(3) of the Act*]; and
- to use any assistance that is reasonable in the circumstances; and
- 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
- 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.

When executing this warrant, you—

- must comply with section 130 of the Act; and
- may exercise powers conferred by section 131 of the Act to seize evidence that is or may be relevant to a post-mortem of the body directed under section 31 of the Act.

Date:

Signature:

(District Court Judge)

Rebecca Kitteridge,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 23 October 2008.

Notes

1 *General*

This is a consolidation of the Coroners (Forms) Regulations 2008 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*

Coroners Amendment Act 2023 (2023 No 8): section 36