



STATUTORY INSTRUMENTS.

S.I. No. 429 of 2000.

**CORONERS ACT, 1962 (FEES AND EXPENSES)
REGULATIONS, 2000.**

(Pn. 9342)

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I, JOHN O'DONOGHUE, Minister for Justice, Equality and Law Reform, in exercise of the powers conferred on me by sections 3 (1) and 57 of the Coroners Act, 1962 (No. 9 of 1962), the Justice (Alteration of Name of Department and Title of Minister) Order, 1997 (S.I. No. 298 of 1997) and the Environment (Alteration of Name of Department and Title of Minister) Order, 1997 (S.I. No. 322 of 1997), and after consultation with the Minister for the Environment in relation to the fees and expenses to be prescribed under section 57 of that Act, make the following Regulations:

1. These Regulations may be cited as the Coroners Act, 1962 (Fees and Expenses) Regulations, 2000.
2. In these Regulations "the Act" means the Coroners Act, 1962 (No. 9 of 1962) and references to sections are references to sections of the Act.
3. The fee to be paid to a coroner who holds an inquest by virtue of section 20 or 24 shall be such sum as may be agreed from time to time between the Minister for Justice, Equality and Law Reform and the Coroners Association.
4. The fee chargeable by a coroner or a county registrar for furnishing a copy of any document to an applicant under section 29 shall be £4.70 for each document so furnished.
5. The fees and expenses to be prescribed under section 57 in respect of post-mortem and special examinations, the attendance of witnesses at inquests and the removal or custody of a body shall be those specified in the Schedule to these Regulations.
6. The Coroners Act, 1962 (Fees and Expenses) Regulations 1996 (S.I. No. 151 of 1996), are revoked.
7. These Regulations shall be deemed to have come into operation on 1 January, 1999.

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 12th January, 2001.

SCHEDULE

Regulation 5

FEES

1. The fee payable to a person for performing or assisting at a post-mortem examination or a special examination shall be:

(a) for a full post-mortem examination under section 19 (1) or 33 (1)—

(i) where the person has to travel less than 15 miles to perform the examination — £79.20

(ii) in any other case — £115.20

(b) for a post-mortem examination under section 19 (1) or 33 (1) consisting of an external examination only:

(i) where a person has to travel less than 15 miles to perform the examination — £28.08

(ii) in any other case — £115.20

(c) for a post-mortem examination under section 33 (2) (not being on a body that has been exhumed) — £197.53

(d) for a post-mortem examination under section 33 (2) on a body that has been exhumed — £295.93

(e) for assisting at a post-mortem examination where the person is:

(i) a registered medical practitioner, — £28.00

(ii) a pathology technician, — £20.50

(iii) a lay person, — £14.50

(f) for a special examination (including a histological examination), in respect of each hour or part of an hour taken to conduct it, — £15.33

2. The fee payable to a person for attendance at an inquest in relation to which the person performed a post-mortem examination (the inquest being held on a day other than the day of the examination) shall be:

(a) where the inquest is held within 20 miles of the person's home—

(i) for one inquest, — £83.14

(ii) for two or more inquests on the same day, — £124.64

(b) where the person attends two inquests on the same day, one being held within 20 miles of the person's home and the other 20 miles or more therefrom, — £165.60

(c) where the inquest is held 20 miles or more from the person's home

(i) for one inquest, — £124.64

(ii) for more than one inquest at the same place on the same day, — £165.60

- (iii) for one inquest in one place and another inquest in another place on the same day, — £198.13

3. The fee payable to a person for attendance at an inquest in relation to which the person performed a post-mortem examination (the inquest being held on the day of the examination) shall be:

- (a) where the inquest is held within 20 miles of the person's home — £41.54
- (b) in any other case — £62.30

4. The fees payable to a registered medical practitioner (other than a person referred to in paragraph 2 or 3 of this Schedule) for attendance at an inquest in a professional capacity shall be,

- (a) where he or she is absent from home for—
- (i) not more than 2 hours — £27.44
- (ii) more than 2 hours but not more than 3 hours — £38.40
- (iii) more than 3 hours but not more than 4 hours — £54.80
- (iv) more than 4 hours but not more than 5 hours — £71.67
- (v) more than five hours — £84.98
- (b) where he or she attends more than one inquest on the same day, in respect of each additional inquest attended — £21.97

EXPENSES

5. The expenses payable to a registered medical practitioner (other than a person appointed under section 33 (2)) for attendance at an inquest in a professional capacity or to perform a post-mortem examination (except where there is an inquest and it is held on the same day as the examination) shall be an amount equal to a subsistence allowance at the highest rate applying to a person holding a position in the Civil Service of the State, and first class rail fare where travel by rail is suitable, or otherwise the appropriate mileage rate applying to a person holding such a position.

6. The expenses payable to a person who performs a post-mortem examination or special examination under section 33 (2) for attendance at the examination (and also for attendance at any inquest to which the examination relates and which is held on a day other than that on which the examination was performed) shall be an amount equal to subsistence and travelling expenses at the highest rate applying to a person holding a position in the Civil Service of the State.

7. The expenses payable to a witness at an inquest (other than a registered medical practitioner attending in a professional capacity or a school child) shall be:

- (a) allowance for loss of time:
- (i) in respect of self-employed persons
- (1) where the period of necessary absence from employment, business or home is four hours or more — £44.93

(II) in any other case — £22.47

(ii) in respect of employed persons, the actual loss of wages or salary, on production of a certificate from the employer as to the wages or salary of the witness and the actual sum permanently lost by reason of the attendance,

(iii) in respect of persons who do not earn an income—

(I) where the period of necessary absence from home is 4 hours or more, — £17.97

(II) in any other case — £8.99

(b) subsistence allowance:

(i) where the attendance involves an overnight stay:

(I) bed and breakfast (covering period 6 p.m. to 8 a.m.) — £21.06

(II) day allowance (covering period from 8 a.m. to 6 p.m.)

(A) in respect of a period of not less than 5 hours but not exceeding 10 hours — £9.00

or

(B) in respect of a period of 10 hours or more — £13.46

(ii) where the attendance does not involve an overnight stay:

(I) in respect of a period of not less than 5 hours but not exceeding 10 hours — £9.00

or

(II) in respect of a period of 10 hours or more (not exceeding overnight) — £13.46

(c) expenses of travelling by—

(i) public transport, bus or standard rail fare,

(ii) own car — 30p per mile

(iii) own motor cycle — 18p per mile

(iv) hired car, all reasonable expenses (but hired cars may be used only where public transport is not available or not reasonably practicable).

8. The expenses payable in connection with the removal or custody of a body shall be those which, in the opinion of the appropriate local authority, are necessarily and reasonably incurred in such removal or custody in accordance with the direction of a coroner.



GIVEN under my Official Seal, this 8th day of
December, 2000.

JOHN O'DONOGHUE,
Minister for Justice, Equality and Law
Reform.

EXPLANATORY NOTE.

*(This note is not part of the Instrument and does not pur-
port to be a legal interpretation.)*

These Regulations prescribe various fees and expenses for the purposes of the Coroners Act, 1962, viz., the fee to be paid to a coroner who holds an inquest outside his own district; the fee chargeable by the coroner or a county registrar for furnishing copies of inquest documents and the fees and expenses payable in respect of post-mortem and special examinations, the attendance of witnesses at inquests and the removal or custody of a body.

These Regulations replace the Coroners Act, 1962 (Fees and Expenses) Regulations, 1996 (S.I. No. 151 of 1996).

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(Teil: 01 - 6476834/35/36/37; Fax: 01 - 4752760)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE,
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or through any bookseller.

ISBN 0-7557-0127-5

£1.60 €2.03



9 780755 701278

Wt. 2382. 460. 3/01. Cahill. (B19286). G.30-16.