



Access to Justice Act 1999

1999 CHAPTER 22

PART VI

IMMUNITY AND INDEMNITY

Coroners

104 Indemnity.

(1) In the ^{M1}Coroners Act 1988, after section 27 insert—

“27A Indemnity.

- (1) A coroner shall be indemnified by the relevant council (without having to lay before them an account under section 27 above) in respect of—
 - (a) any costs which he reasonably incurs in or in connection with proceedings in respect of anything done or omitted in the exercise (or purported exercise) of his duty as a coroner;
 - (b) any costs which he reasonably incurs in taking steps to dispute any claim which might be made in such proceedings;
 - (c) any damages awarded against him or costs ordered to be paid by him in any such proceedings; and
 - (d) any sums payable by him in connection with a reasonable settlement of any such proceedings or claim.
- (2) Subsection (1) above applies in relation to proceedings by a coroner only if and to the extent that the relevant council agrees in advance to indemnify him.
- (3) A coroner may appeal to the Secretary of State, or to any person appointed by the Secretary of State for the purpose, from any decision of the relevant council under subsection (2) above.
- (4) Any amount due to a coroner under this section shall be paid—

Changes to legislation: Access to Justice Act 1999, Section 104 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) in the case of a metropolitan or non-metropolitan district council or London borough council, out of the general fund;
- (b) in the case of a non-metropolitan county council in England, out of the county fund;
- (c) in the case of the council of a Welsh principal area, out of the council fund; and
- (d) in the case of the Common Council, out of the City fund.

(5) In the case of a coroner for a coroner’s district which—

- (a) consists of two or more metropolitan districts, special non-metropolitan districts or London boroughs;
- (b) lies partly in each of two or more Welsh principal areas; or
- (c) lies partly in each of two or more non-metropolitan counties in England,

any amount due to the coroner under this section shall be apportioned between the councils of those districts, boroughs, areas or counties in such manner as they may agree or, in default of agreement, as may be determined by the Secretary of State.”

(2) In ^{M2}the Coroners Act (Northern Ireland) 1959, after section 5 insert—

“5A Indemnity.

(1) A coroner shall be indemnified by the Lord Chancellor in respect of—

- (a) any costs which he reasonably incurs in or in connection with proceedings in respect of anything done or omitted in the exercise (or purported exercise) of his duty as a coroner;
- (b) any costs which he reasonably incurs in taking steps to dispute any claim which might be made in such proceedings;
- (c) any damages awarded against him or costs ordered to be paid by him in any such proceedings; and
- (d) any sums payable by him in connection with a reasonable settlement of any such proceedings or claim.

(2) Sub-section (1) applies in relation to proceedings by a coroner only if and to the extent that the Lord Chancellor agrees in advance to indemnify him.”

Marginal Citations

M1 1988 c.13.

M2 1959 c.15(N.I.).

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 104(1) repealed by [2009 c. 25 Sch. 23 Pt. 1](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 2(5) and word inserted by [2009 c. 25 s. 51\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 51 repealed (1.4.2013) without ever being in force by 2012 c. 10, Sch. 5 Pt. 2; S.I. 2013/453, art. 3(h))
- Sch. 2 para. 2(3)(m)(n) inserted by [2009 c. 26 Sch. 7 para. 65\(2\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 7 para. 65 repealed (1.4.2013) without ever being in force by 2012 c. 10, s. 151(1), Sch. 5 Pt. 2; S.I. 2013/453, art. 3(h)1/4/2013 (with savings and transitional provisions in S.I. 2013/534, art. 6))
- Sch. 2 para. 3(1)(aa) inserted by [2009 c. 26 Sch. 7 para. 65\(3\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 7 para. 65 repealed (1.4.2013) without ever being in force by 2012 c. 10, s. 151(1), Sch. 5 Pt. 2; S.I. 2013/453, art. 3(h)1/4/2013 (with savings and transitional provisions in S.I. 2013/534, art. 6))
- Sch. 2 para. 3(1)(da)(db) inserted by [2009 c. 26 Sch. 7 para. 65\(3\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 7 para. 65 repealed (1.4.2013) without ever being in force by 2012 c. 10, s. 151(1), Sch. 5 Pt. 2; S.I. 2013/453, art. 3(h)1/4/2013 (with savings and transitional provisions in S.I. 2013/534, art. 6))