
Changes to legislation: Coroners and Justice Act 2009, Paragraph 6 is up to date with all changes known to be in force on or before 03 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](#)

SCHEDULES

SCHEDULE 5

POWERS OF CORONERS

Exhumation of body for examination

- 6 (1) A senior coroner may order the exhumation of a person's body if sub-paragraph (2) or (3) applies.
- (2) This sub-paragraph applies if—
- (a) the body is buried in England and Wales (whether or not within the coroner area for which the coroner is appointed), and
 - (b) the coroner thinks it necessary for the body to be examined under section 14.
- (3) This sub-paragraph applies if—
- (a) the body is buried within the coroner area for which the coroner is appointed, and
 - (b) the coroner thinks it necessary for the body to be examined for the purpose of any criminal proceedings that have been instituted or are contemplated in respect of—
 - (i) the death of the person whose body it is, or
 - (ii) the death of another person who died in circumstances connected with the death of that person.
- (4) In sub-paragraph (3) “criminal proceedings” includes proceedings in respect of an offence under section 42 of the Armed Forces Act 2006 (c. 52) (or section 70 of the Army Act 1955 (3 & 4 Eliz. 2 c. 18), section 70 of the Air Force Act 1955 (3 & 4 Eliz. 2 c. 19) or section 42 of the Naval Discipline Act 1957 (c. 53)).

Commencement Information

II [Sch. 5 para. 6](#) in force at 25.7.2013 by [S.I. 2013/1869](#), [art. 2\(k\)](#)

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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):

- s. 11A and cross-heading inserted by [2023 c. 41 Sch. 11 para. 1\(1\)](#)
- Sch. 1A inserted by [2023 c. 41 Sch. 11 para. 1\(2\)](#)