



# Judicial Review and Courts Act 2022

## 2022 CHAPTER 35

### PART 2

#### COURTS, TRIBUNALS AND CORONERS

### CHAPTER 4

#### CORONERS

#### **39 Discontinuance of investigation where cause of death becomes clear**

- (1) Section 4 of the Coroners and Justice Act 2009 (discontinuance of investigation where cause of death revealed by post-mortem examination) is amended as set out in subsections (2) and (3).
- (2) In the heading, for “revealed by post-mortem examination” substitute “becomes clear before inquest”.
- (3) In subsection (1), for paragraph (a) substitute—
  - “(a) the coroner is satisfied that the cause of death has become clear in the course of the investigation,
  - (aa) an inquest into the death has not yet begun, and”.
- (4) In the following provisions of the Births and Deaths Registration Act 1953, for “revealed by post-mortem examination” substitute “becoming clear before inquest”—
  - (a) in section 2(1), paragraph (ii) of the proviso;
  - (b) in section 16(3), paragraph (ii) of the proviso;
  - (c) in section 17(3), paragraph (ii) of the proviso;
  - (d) section 29(3B).
- (5) In section 273(2)(a) of the Merchant Shipping Act 1995, for “revealed by post-mortem examination” substitute “becoming clear before inquest”.

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*Changes to legislation: There are currently no known outstanding effects for the Judicial Review and Courts Act 2022, Section 39. (See end of Document for details)*

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- (6) In Schedule 21 to the Coroners and Justice Act 2009 (which, among other things, makes amendments to the Births and Deaths Registration Act 1953 that have yet to come into force)—
- (a) in paragraph 10(5), in the inserted subsection (2)(b), for “revealed by post-mortem examination” substitute “becoming clear before inquest”;
  - (b) in paragraph 11(2), in the substituted section (A1)(b), for “revealed by post-mortem examination” substitute “becoming clear before inquest”;
  - (c) in paragraph 16(2), in the substituted paragraph (a), for the words from “there has” to “the death,” substitute “—
    - (i) there has been no investigation under Part 1 of the 2009 Act into the death, or
    - (ii) such an investigation has been discontinued under section 4 of the 2009 Act (cause of death becoming clear before inquest) other than as mentioned in paragraph (b),”.”.

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**Commencement Information**

**II** S. 39 in force at 28.6.2022, see **s. 51(3)(c)**

**Changes to legislation:**

There are currently no known outstanding effects for the Judicial Review and Courts Act 2022, Section 39.