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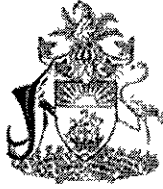
5th November, 2014

CORONERS (AMENDMENT) ACT, 2014

Arrangement of Sections

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No. 48 of 2014

CORONERS (AMENDMENT) ACT, 2014

AN ACT TO AMEND THE CORONERS ACT.

[Date of Assent - 5th November, 2014]

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act which amends the Coroners Act (*No. 2 of 2011*), may be cited as the Coroners (Amendment) Act, 2014.
- (2) This Act shall be deemed to have come into force on such date as the Minister may, by notice published in the Gazette, appoint.

2. Amendment of section 34 of the principal Act.

Section 34 of the principal Act is amended by the deletion of subsection (4) and by the renumbering of subsections (5) and (6) as subsections (4) and (5) respectively.

3. Insertion of new sections 34A, 34B, 34C and 34D into the principal Act.

The principal Act is amended by the insertion of new sections 34A, 34B, 34C and 34D immediately after section 34 as follows—

“34A. Committal of accused, power to take bail in case of homicide other than murder and copies of depositions.

- (1) Where a verdict or finding of homicide is returned against any person, the coroner shall forthwith make out his warrant for his committal for trial before the Supreme Court and thereupon such person, if then present, shall forthwith be taken and conveyed to the prison, or, if absent, may be apprehended under warrant and conveyed as aforesaid.
- (2) Where a verdict or finding of homicide other than murder is returned against any person, the coroner before or by whom the

inquest or inquiry is taken may accept bail, if he thinks fit, with good and sufficient sureties for the appearance of the person so charged before the Supreme Court aforesaid and also before any magistrate if summoned by the latter and thereupon such person, if in custody, shall be discharged therefrom.

- (3) Every person who has been committed to prison or held to bail, under and by virtue of any verdict of a coroner's jury or any finding of a coroner, may require, and shall be entitled to, copies of the depositions and of the statement of the accused, if any.

34B. Coroner to bind over material witnesses.

On every inquisition where a verdict is passed against any person of homicide or as accessory before the fact to any murder, the coroner shall bind by recognizance all material witnesses on the inquisition to appear and give evidence against the person charged at the sessions of the court to be holden next after the taking of the inquisition.

34C. No objection to deposition unsigned if attested by coroner.

No objection shall be allowed to any—

- (a) deposition taken before any coroner because it is unsigned by the deponent, but every such deposition shall be good and valid if the coroner's signature appear thereto attesting the taking thereof;
- (b) inquisition if it is signed at the foot by the coroner and four jurors.

34D. Admissibility of deposition on trial.

If, on the trial of any person against whom a verdict or finding of homicide has been returned at any inquest or inquiry, it is proved, by the oath of any credible witness that any person whose deposition has been taken at the inquest or inquiry is dead or so ill as not to be able to travel, or is absent from The Bahamas, or is a medical officer, then, if the deposition purports to be signed by the coroner before whom it purports to have been taken, it may be read as evidence without any further proof thereof, unless it is proved that it was not in fact signed by the coroner purporting to sign it.

Provided that the Supreme Court may, at any time, if it is of opinion that the interests of justice so require, direct that any such medical officer shall attend the court and give evidence in person.