
D R A F T S T A T U T O R Y I N S T R U M E N T S

XXXX No.

CORONERS, ENGLAND

**The Death Certification (Medical Examiners) (Fees) (England)
Regulations XXXX**

<i>Made</i>	- - - -	<i>XXXX</i>
<i>Coming into force</i>	- -	<i>XXXX</i>

The Secretary of State for Health makes the following Regulations in exercise of the power conferred by section 20(5) and 176(3) of the Coroners and Justice Act 2009(a).

A draft of these Regulations was laid before Parliament in accordance with section 176(5) of the Coroners and Justice Act 2009 and approved by a resolution of each House of Parliament.

Citation, commencement and application.

1.—(1) These Regulations may be cited as the Death Certification (Medical Examiners) (Fees) (England) Regulations 2016 and shall come into force on [] October 2016.

(2) These Regulations shall apply in relation to England only.

Fee

2.—(1) A fee of £ X shall be payable to a local authority (b) in respect of—

- (a) a medical examiner’s confirmation of the cause of death stated on an attending practitioner’s certificate; or
- (b) the issue of a medical examiner’s certificate.

(2) The fee prescribed under paragraph (1) must be paid within the relevant period by the person who gives to the registrar of births and deaths for the sub-district in which the death occurred under section 22 (registration of cause of death on receipt of medical certificate) of the 1953 Act(c)—

- (a) the confirmed attending practitioner’s certificate in respect of which a medical examiner has confirmed the cause of death stated on an attending practitioner’s certificate; or
- (b) the medical examiner’s certificate.

(a) 2009 c.25; “the appropriate Minister” means in relation to England, the Secretary of State, see sections 20(7) and 19(6).
(b) Section 54 of the Health and Social Care Act 2012 (c.12) substituted the words “a local authority” for “a Primary Care Trust” in section 20 of the Coroners and Justice Act 2009 Act (“the 2009 Act”). Section 48 of the 2009 Act defines “local authority” in relation to England as “a county council, the council of any district in an area for which there is no county council, a London borough council, the Common Council or the Council of the Isles of Scilly”.
(c) The Births and Deaths Registration Act 1953 (c.20). Section 22 was substituted by the Coroners and Justice Act 2009, section 177(1) and Schedule 1, paragraphs 6 and 14.

(3) The relevant period—

- (a) in relation to a fee payable under paragraph 1(a) is three months beginning with the date on the medical examiner's notification of confirmed cause of death form prepared in accordance with regulation 13(2)(a) of the Death Certification Regulations 2016(a); or
- (b) in relation to a fee payable under paragraph 1(b) is three months beginning with the date of signature of the medical examiner's certificate prepared in accordance with regulation 20(1)(b)(i) of the Death Certification Regulations 2016.

(4) No fee shall be payable by the person specified in paragraph (2) where another person pays the fee prescribed under paragraph (1) within the relevant period specified in paragraph (3).

Information to be provided by a registrar

3. For the purposes of enabling the fee prescribed under regulation 2 to be collected, the registrar of births and deaths for the sub-district in which the death occurred or the body was found shall provide to a local authority that requests the information the name and address of the person who provided to the registrar or their officer a confirmed attending practitioner's certificate or a medical examiner's certificate.

Signed by authority of the Secretary of State for Health

Name
Parliamentary Under Secretary of State
Department of Health

Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for a fee of £XX to be payable to a local authority in respect of a medical examiner's confirmation of the cause of death stated on an attending practitioner's certificate or in respect of the issue of a medical examiner's certificate (regulation 2(1)). The fee must be paid within a 3 month period from the date the medical examiner confirmed the cause of death or from the date of signature of the medical examiner's certificate, whichever is applicable. The fee is payable by the person who gives the registrar for births and deaths for the sub-district in which the death occurred, or another prescribed officer, the confirmed attending practitioner's certificate or the medical examiner's certificate unless another person has paid the fee. The Regulations also provide for the registrar of births and deaths for the sub-district in which the death occurred to provide information to a local authority for the purposes of enabling that local authority to collect the prescribed fee (regulation 3).

(a) S.I. 2016/XXX