

XXXX No. 000

CORONERS, ENGLAND AND WALES

**The National Medical Examiner (Additional Functions)
Regulations XXXX**

<i>Made</i>	- - - -	***
<i>Laid before Parliament</i>		***
<i>Coming into force</i>	- -	***

The Secretary of State for Health makes the following Regulations in exercise of the power conferred by sections 21(2)(b) and 176(3) of the Coroners and Justice Act 2009(a).

The Secretary of State for Health has consulted the Welsh Ministers in accordance with section 21(3) of the Coroners and Justice Act 2009.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Medical Examiner (Additional Functions) Regulations 2016 and come into force on [***].

(2) In these Regulations—

“the Act” means the Coroners and Justice Act 2009;

“the section 19(4) Regulations” means any regulations made under section 19(4) of the Act (medical examiners); and

“the section 20 Regulations” means any regulations made under section 20(1) of the Act (medical certificate of cause of death).

Provision of advice to the Secretary of State

2. The National Medical Examiner is to have the function of providing advice to the Secretary of State in relation to or in connection with—

- (a) the exercise of functions by attending practitioners under the section 20 Regulations; and
- (b) the exercise of functions by medical examiners under the section 20 Regulations and the section 19(4) Regulations.

Provision of advice to Chief Coroner

3. The National Medical Examiner is to have the function of providing advice to the Chief Coroner in relation to causes of deaths, including in relation to the cause of death of any particular deceased person.

(a) 2009 c.25.

Guidance to local authorities and Local Health Boards

4.—(1) The National Medical Examiner is to have the function of issuing guidance to local authorities^(a) and Local Health Boards in relation to—

- (a) the qualification requirements for medical examiners and medical examiners' officers;
- (b) the job description of medical examiners and medical examiners' officers; and
- (c) the training expected to be completed by a person before that person may be appointed as a medical examiner.

(2) The National Medical Examiner must obtain the consent of the Secretary of State before issuing any guidance under paragraph (1)(c).

(3) In paragraph (1), “medical examiners’ officers” means individuals appointed by a local authority, in England, or Local Health Board, in Wales, to act on behalf of or assist medical examiners in the exercise of their functions.

Standards and levels of performance of medical examiners

5.—(1) The National Medical Examiner is to have the function of—

- (a) preparing and publishing the standards or levels of performance that medical examiners are expected to attain in exercising their functions;
- (b) keeping any such published standards or levels of performance under review; and
- (c) following any such review, preparing and publishing any revised standards or levels of performance that medical examiners are expected to attain in exercising their functions.

(2) The National Medical Examiner must obtain the consent of the Secretary of State before publishing any standards or levels of performance under this regulation.

Reports to the Secretary of State

6. The National Medical Examiner is to have the function of providing to the Secretary of State reports and information covering a specified period in relation to—

- (a) the exercise of the functions of the National Medical Examiner;
- (b) the exercise of the functions of local authorities and Local Health Boards under section 19(2) of the Act (medical examiners);
- (c) the exercise of the functions of attending practitioners under the section 20 Regulations; and
- (d) the exercise of the functions of medical examiners under the section 20 Regulations or the section 19(4) Regulations, including in relation to the meeting of any standards or levels of performance published under regulation 5.

Signed by authority of the Secretary of State for Health

Date

Name
Parliamentary Under Secretary of State
Department of Health

(a) Under section 48 of the Act, “local authority” means, in relation to England, “a county council, the council of any district comprised 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”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations confer on the National Medical Examiner functions additional to the examiner's function of issuing guidance to medical examiners.

Regulation 2 confers the function of providing advice to the Secretary of State in relation to the exercise of functions by attending practitioners or medical examiners.

Regulation 3 confers the function of providing advice to the Chief Coroner in relation to the causes of deaths.

Regulation 4 confers the function of issuing guidance to local authorities and Local Health Boards in relation to the specifications for the appointment of medical examiners and medical examiner's officers and the training of medical examiners.

Regulation 5 confers the function of preparing, publishing (subject to the Secretary of State's approval) and keeping under review the standards and levels of performance that medical examiners are expected to attain in exercising their functions.

Regulation 6 confers the function of providing reports and information to the Secretary of State about the exercise of functions by the National Medical Examiner, local authorities and Local Health Boards, attending practitioners and medical examiners.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from [x].