

Serial 19
Coroners Amendment Bill 2017
Mr Guyula

A Bill for an Act to amend the *Coroners Act*

NORTHERN TERRITORY OF AUSTRALIA

CORONERS AMENDMENT ACT 2017

Act No. [] of 2017

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2017

An Act to amend the *Coroners Act*

[Assented to [] 2017]
[Second reading [] 2017]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Coroners Amendment Act 2017*.

2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

3 Section 3 amended

Section 3, definition ***senior next of kin***

omit, insert

senior next of kin, see section 3A.

4 Section 3A inserted

After section 3, in Part 1

insert

3A Senior next of kin

- (1) Subject to subsection (2), one of the following, in descending order, is the ***senior next of kin*** in relation to a deceased person:

-
- (a) if the person was, immediately before death, married – the person's spouse;
 - (b) if the person was not, immediately before death, married or, if married, the spouse is not available – a son or daughter, of or over 18 years of age, of the person;
 - (c) if a spouse, son or daughter is not available – a parent of the person;
 - (d) if none of the persons mentioned in paragraphs (a) to (c) are available – a brother or sister, of or over 18 years of age, of the person;
 - (e) if none of the persons mentioned in paragraphs (a) to (d) are available – a person who, immediately before the death of the deceased person had a relationship with the deceased person that, in the opinion of the coroner, is sufficient for the purpose of being the senior next of kin.
- (2) If the deceased person was of Aboriginal or Torres Strait Islander heritage, the senior next of kin is a person who, according to the customs and tradition of the community or group to which the person belonged, is appropriate to perform that role.

Note for subsection (2)

For example, in the Yolngu community of North-east Arnhemland, persons in certain kinship relationships with the deceased person must not perform the role of senior next of kin. Brother/sister type relationships (in Yolngu language, "mirrirri") are an example where to do so would be inappropriate for that community.

5 Expiry of Act

This Act expires on the day after it commences.