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3rd SESSION, 67th GENERAL ASSEMBLY
Province of Prince Edward Island
5 CHARLES III, 2026

**(Bill No. 37)**

# Coroners Act

Hon. Bloyce Thompson
Minister of Justice and Public Safety and Attorney General

GOVERNMENT BILL

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Acting King's Printer
Charlottetown, Prince Edward Island

**For House Use Only**

**Prince Edward Island**
**Legislative Assembly**

**AMENDMENTS**

**ASSEMBLY / SESSION / YEAR**
67th General Assembly / 3rd / 2026

BILL NUMBER: **37**

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# CORONERS ACT

**BILL NO. 37** **2026**

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

## PART 1 – INTERPRETATION

### 1. Definitions

(1) In this Act,

(a) "**Chief Coroner**" means the Chief Coroner appointed under subsection 3(1);

(b) "**coroner**" means a coroner appointed under subsection 3(3) or (4);

(c) "**coroner assistant**" means a coroner assistant appointed under subsection 6(1);

(d) "**death**" includes a stillbirth within the meaning of the *Vital Statistics Act* R.S.P.E.I. 1988, Cap. V-4.1;

(e) "**Department**" means the Department of Justice and Public Safety;

(f) "**Deputy Chief Coroner**" means the Deputy Chief Coroner appointed under subsection 3(2);

(g) "**inquest**" means a formal inquiry into the death of a person, conducted by a coroner under this Act;

(h) "**inquest coroner**" means a coroner who is holding, or has held, an inquest under Part 5;

(i) "**investigation**" means an investigation into the death of a person under Part 4;

(j) "**investigator**" means an investigator appointed under subsection 7(1);

(k) "**medical assistance in dying**" means medical assistance in dying within the meaning of section 241.1 of the *Criminal Code* (Canada);

(l) "**midwife**" means a midwife as defined in the Midwives Regulations (EC709/22) made under the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1;

(m) "**Minister**" means the Minister of Justice and Public Safety and Attorney General;

(n) "**nearest relative**" means, in respect of a deceased person, the relative of the deceased person who is the first living relative in the following list and, if there are two or more relatives in the same category, at least one of them:

(i) a person who was living with the deceased person in a conjugal or spousal relationship at the time of the deceased person's death,

(ii) a child,

(iii) a parent,

(iv) a sibling,

(v) a personal representative,

(vi) another relative of the person;

(o) "**nurse practitioner**" means a nurse practitioner as defined in the Registered Nurses and Registered Psychiatric Nurses Regulations (EC551/123) made under the *Regulated Health Professions Act*;

(p) "**pathologist**" means a person who

(i) has been certified by the Royal College of Physicians and Surgeons of Canada as a specialist in anatomical, general or forensic pathology, or

(ii) has certification that, in the opinion of the Chief Coroner, is equivalent to the certification described in subclause (i);

(q) "**personal health information**" means personal health information as defined in clause 1(t) of the *Health Information Act* R.S.P.E.I. 1988, Cap. H-1.41;

(r) "**personal information**" means personal information as defined in clause 1(i) of the *Freedom of Information and Protection of Privacy Act* R.S.P.E.I. 1988, Cap. F-15.01;

(s) "**police officer**" means a police officer as defined in subsection 15(1) of the *Police Act* R.S.P.E.I. 1988, Cap. P-11.1;

(t) "**police service**" means a police service as defined in clause 1(v) of the *Police Act*;

(u) "**spouse**" means a spouse as defined in clause 29(b) of the *Family Law Act* R.S.P.E.I. 1988, Cap. F-2.1;

(v) "**surgical procedure**" means

(i) a procedure carried out in a hospital operating room,

(ii) a procedure performed under general anesthetic or procedural sedation in any hospital setting,

(iii) an endoscopic procedure including bronchoscopy, colonoscopy and esophagogastroduodenoscopy,

(iv) solid organ biopsy, insertion of nephrostomy tubes, and similarly invasive procedures conducted in an interventional radiology suite, or

(v) another prescribed procedure.

**Nearest relative – requirements**

(2) For the purposes of clause (1)(n), a person shall not be considered a nearest relative if the person lacks capacity or is unwilling to act as the nearest relative for the purposes of this Act.

## 2. Purpose

The purpose of this Act is to facilitate a coroner system that

(a) provides for independent and impartial investigations into, and inquests respecting, the circumstances surrounding unexpected, unnatural or unexplained deaths;

(b) determines the identity of a deceased person and how, when, where and by what means that person died;

(c) uncovers dangerous practices or conditions that may lead to a death;

(d) educates the public respecting dangerous practices or conditions; and

(e) publicizes, and maintains records of, and the circumstances surrounding, causes of death.

# PART 2 - ADMINISTRATION

### 3. Appointment of Chief Coroner

(1) The Lieutenant Governor in Council shall appoint a medical practitioner to be Chief Coroner for the province who shall be responsible for the administration of this Act and the regulations.

**Appointment of Deputy Chief Coroner**

(2) The Lieutenant Governor in Council may appoint a medical practitioner to be Deputy Chief Coroner to perform the duties specified in this Act and the regulations.

**Appointment of coroners**

(3) The Lieutenant Governor in Council may appoint one or more medical practitioners to be coroners.

**Appointment of coroners outside the province**

(4) The Lieutenant Governor in Council may appoint one or more medical practitioners from a province other than Prince Edward Island to be coroners for Prince Edward Island

(a) on the recommendation of the Chief Coroner, to act where one or more coroners appointed under subsection (3) are unavailable to perform the duties of a coroner specified in this Act and the regulations for any reason; or

(b) on the recommendation of the Minister, where the Lieutenant Governor in Council considers the appointment appropriate in the circumstances.

**Rights, powers, duties**

(5) A coroner appointed under subsection (4)

(a) shall have all the powers, rights, privileges and duties conferred on a coroner appointed under subsection (3);

(b) shall receive remuneration as approved by the Lieutenant Governor in Council, calculated by reference to a daily rate for each day on which services are provided; and

(c) shall be subject to the authority of the Chief Coroner in accordance with section 4.

**Designation of employees**

(6) The Minister may designate one or more employees of the Department to carry out the duties assigned by the Chief Coroner.

### 4. Powers of Chief Coroner

(1) The Chief Coroner has all of the powers of a coroner and, in addition, has the power to

(a) supervise, direct and exercise control over all coroners, coroner assistants and investigators in the performance of their duties, including the assignment of areas of responsibility and other assignments as the Chief Coroner considers necessary;

(b) assign the responsibility to investigate a death or a category of deaths to a coroner;

(c) establish and conduct programs for the instruction of coroners in their duties;

(d) prepare, publish and distribute a code of ethics for coroners;

(e) establish and conduct programs for the instruction of coroner assistants and investigators in their duties;

(f) assist coroners in obtaining medical and other experts where necessary;

(g) determine, for the purposes of this Act, when a coroner may require, under section 20, the assistance of a pathologist;

(h) bring the findings and recommendations of coroners and juries to the attention of the appropriate Ministers, persons, departments or agencies of the Government;

(i) issue public reports;

(j) suspend a coroner for cause or who is unable to act; and

(k) perform any other prescribed duties.

**Chief Coroner – delegation**

(2) The Chief Coroner may delegate, in writing, to the Deputy Chief Coroner or a coroner, any of the powers, responsibilities and functions of the Chief Coroner under this Act, as may be specified in the delegation.

**Chief Coroner may act as coroner**

(3) The Chief Coroner may, on the Chief Coroner's own initiative, act as a coroner, and when acting in that capacity has all the powers and authority of a coroner under this Act.

### 5. Deputy Chief Coroner may act as Chief Coroner

(1) The Deputy Chief Coroner may act in the place of the Chief Coroner

(a) when the Chief Coroner is unable, for any reason, to fulfil the duties of the Chief Coroner under this Act;

(b) in the case of a vacancy in the office of the Chief Coroner; or

(c) when ordered to do so by the Chief Coroner.

**Powers of Deputy Chief Coroner**

(2) The Deputy Chief Coroner has all the powers and authority of the Chief Coroner when acting in the place of the Chief Coroner under subsection (1).

**Deputy Chief Coroner may act as coroner**

(3) The Deputy Chief Coroner may, on the Chief Coroner's direction, act as a coroner, and when acting in that capacity has all the powers and authority of a coroner under this Act.

### 6. Appointment of coroner assistant

(1) The Chief Coroner may appoint the following persons as a coroner assistant:

(a) a member of a municipal fire department or a fire company, as defined in the *Fire Safety Act* R.S.P.E.I. 1988, Cap. F-11.1, who has undertaken training approved by the Chief Coroner and is authorized by the chief of the municipal fire department or fire company, as the case may be, to act as a coroner assistant;

(b) a person who, in the opinion of the Chief Coroner, has the appropriate skills and experience to act as a coroner assistant.

**Jurisdiction of appointment**

(2) The appointment of a person as a coroner assistant shall specify the jurisdiction in the province for which the coroner assistant is appointed.

**Duties of coroner assistant**

(3) A coroner assistant

(a) shall perform the duties required of a coroner assistant under this Act and the regulations; and

(b) may, within the jurisdiction in the province for which the coroner assistant is appointed, administer this Act and the regulations.

**Identification card – coroner assistant**

(4) The Chief Coroner shall issue an identification card to each person appointed as a coroner assistant under subsection (1).

### 7. Appointment of investigator

(1) The Chief Coroner may appoint any person as an investigator for the purposes of this Act.

**Identification card - investigator**

(2) The Chief Coroner shall issue an identification card to each person appointed as an investigator under subsection (1).

**Duties of investigator**

(3) An investigator may, subject to the direction of the Chief Coroner, perform the duties and exercise the authority assigned to an investigator under this Act and the regulations.

## PART 3 – REPORTING OF DEATHS

### 8. Duty to report death

(1) Where a death has occurred in the province, or as a result of events that occurred in the province, a person who has knowledge of the death shall immediately report the death to a coroner, an investigator or a police officer, if the person has reason to believe that the death

(a) occurred as a result of violence, an accident, suicide or other cause other than disease, sickness or old age;

(b) occurred as a result of negligence, misconduct or malpractice;

(c) occurred suddenly and unexpectedly;

(d) occurred under circumstances in which the body is not available because the body or part of the body

(i) has been destroyed,

(ii) is in a place from which it cannot be recovered, or

(iii) cannot be located;

(e) occurred within 10 days after a surgical procedure or while the deceased was under or recovering from anesthesia;

(f) occurred as a direct or immediate consequence of the deceased being engaged in employment, an occupation or a business;

(g) was a stillbirth that occurred without the presence of a medical practitioner, a nurse practitioner or a midwife;

(h) occurred while the deceased was detained or in custody involuntarily pursuant to law in a jail, lock-up, correctional facility, medical facility or other institution;

(i) occurred while the deceased was detained by or in the custody of a police officer;

(j) occurred while the deceased was under the care, custody or supervision of the Director of Child Protection;

(k) occurred in circumstances that require investigation; or

(l) occurred in the prescribed circumstances.

**Exceptions**

(2) Subject to subsection (3), subsection (1) does not apply where

(a) the person knows that a coroner, an investigator or a police officer is already aware of the death; or

(b) the death occurred as a result of medical assistance in dying.

**Medical assistance in dying**

(3) A medical practitioner or nurse practitioner, as the case may be, who provides medical assistance in dying to a person shall notify a coroner or an investigator of the death if the medical practitioner or nurse practitioner has reason to believe that the person who received medical assistance in dying had a grievous and irremediable medical condition caused by circumstances that were not natural.

**Duty of police officer**

(4) A police officer who has knowledge of a death reportable under subsection (1) shall immediately report the death to a coroner or an investigator.

**Special reporting arrangements**

(5) The Chief Coroner may make special arrangements with persons in charge of medical facilities and correctional facilities and with a police service for the efficient reporting of deaths under subsection (1) or (3).

## PART 4 – INVESTIGATIONS

**9. Definition**

(1) In this Part, "**health practitioner**" includes

(a) a medical practitioner;

(b) a nurse practitioner; and

(c) a registered nurse.

**Included in reference to coroner**

(2) In sections 12, 14, 17, and 18, a reference to a coroner shall be construed as including a reference to

(a) a coroner;

(b) an investigator who has been directed to carry out an investigation on a coroner's behalf; and

(c) a police officer who is providing assistance to a coroner or an investigator in the conduct of an investigation under this Part.

## General

### 10. Authority to conduct death investigation

(1) Where a coroner has reason to believe that a death has occurred under circumstances that require the death to be reported under subsection 8(1) or (3), and the death occurred in an area or as a result of events that occurred in an area in which the coroner ordinarily exercises the coroner's responsibilities, the coroner

(a) shall issue a warrant in the prescribed form to take possession of the body, if the body is in the province;

(b) may conduct any investigation into the death that the coroner considers necessary including by directing an investigator to carry out the investigation on the coroner's behalf; and

(c) may request a person with knowledge about the deceased or the deceased's death to provide information about the facts and circumstances relating to the deceased or the deceased's death that the coroner considers necessary to determine whether there is reason to believe that the person died in circumstances described in subsection 8(1) or (3).

**One coroner per investigation**

(2) Where a coroner has begun, or has directed an investigator to begin, an investigation under subsection (1), no other coroner or investigator shall become involved in the investigation unless otherwise directed by the Chief Coroner.

**Coroner disqualified from conducting investigation or inquest**

(3) A coroner is disqualified from conducting an investigation or inquest where

(a) the coroner has attended on the deceased as a health practitioner within six months prior to the death; or

(b) the death may have been caused at a place, in a business or at an event with respect to which the coroner has a financial interest.

**Investigator disqualified from conducting investigation**

(4) An investigator is disqualified from conducting an investigation where

(a) the investigator has attended on the deceased as a health practitioner within six months prior to the death; or

(b) the death may have been caused at a place, in a business or at an event with respect to which the investigator has a financial interest.

**Coroner investigated death disqualified from conducting inquest**

(5) A coroner who has investigated a death is disqualified from conducting an inquest in relation to that death.

**Reassignment of investigator**

(6) Where, in the opinion of the Chief Coroner, the conduct of a coroner or an investigator or of a partner, associate, employee or employer of a coroner or an investigator might be called into question during an investigation, the Chief Coroner may reassign the investigation to another coroner or investigator.

**11. Death investigation without warrant**

Despite subsection 10(1), a coroner or an investigator who becomes aware that a death has occurred that is reportable under subsection 8(1) or (3), may conduct an investigation without issuing or obtaining a warrant to take possession of the body if the body

(a) has been destroyed in whole or in part;

(b) is in a place from which it cannot be recovered; or

(c) has been removed from the province.

**12. Powers of a coroner when conducting investigation**

(1) For the purposes of an investigation under this Act, a coroner may

(a) enter without a warrant and inspect any place where a dead body is located and any place from which the coroner has reasonable grounds to believe the body was removed;

(b) at any reasonable time enter, without a warrant, any premises other than an occupied dwelling in which

(i) the deceased person was present prior to death, or

(ii) the coroner has reasonable grounds to believe that the deceased person was present prior to death;

(c) enter and inspect a cemetery or other place where the body may have been interred, and disinter or exhume the remains of that body;

(d) require the production of, examine and take copies of any information or records relating to the deceased's circumstances where the coroner believes it is reasonable to do so for the purposes of the investigation;

(e) subject to subsection (2), remove any records examined under this section for the purpose of making copies; and

(f) seize, without a warrant, anything that the coroner has reasonable grounds to believe is relevant to the investigation, including but not limited to blood and tissue samples taken from the deceased person before the deceased died for use in the investigation.

**Where records removed**

(2) Where a coroner removes any records for copying under this section, the coroner shall

(a) provide the owner or occupier of the premises from which the records were obtained with a receipt for the records removed;

(b) make copies as soon as reasonably possible; and

(c) after making copies, return the records to the premises from which the records were obtained or some other place agreed to by the coroner and the owner or occupier of the premises.

**Implied authority**

(3) The authority described in clause (1)(d) includes the authority to require the production of, examine, and take copies of records that include the personal health information of the deceased person.

**13. Request assistance of police officer**

(1) A coroner or an investigator may request assistance from a police officer for the purposes of conducting an investigation or inquest under this Act.

**Assistance of police officer**

(2) On receiving a request under subsection (1), a police officer shall

(a) assist the coroner in conducting an investigation or inquest; or

(b) assist the investigator in conducting an investigation.

**14. Prohibition – obstruction**

(1) No person shall hinder, obstruct or interfere with

(a) a coroner in the conduct of an investigation or inquest under this Act; or

(b) a person authorized or directed by a coroner to act in connection with an investigation or inquest.

**Refusal of consent not obstruction**

(2) A refusal of consent to enter a dwelling is not and shall not be deemed to be hindering, obstructing or interfering within the meaning of subsection (1), except where an entry warrant has been obtained.

**Prohibition – tampering with equipment, results of investigation**

(3) No person shall tamper with

(a) any equipment or materials used by a coroner or person assisting a coroner in the course of an investigation under this Act; or

(b) any results obtained from an investigation under this Act.

**Prohibition – providing false, misleading information**

(4) No person shall knowingly provide false or misleading information, either orally or in writing, to a coroner or person authorized or directed by a coroner to act in connection with an investigation or inquest.

**15. No interference with body**

(1) No person, other than a police officer performing the police officer's duty, who has reason to believe that a death occurred under circumstances that require it to be reported to a coroner or police officer, shall in any way interfere with or alter the body of a deceased person or its condition unless the coroner provides direction to do so.

**Exemption – emergency services or assistance**

(2) Subsection (1) does not apply where the person was rendering emergency services or assistance to another person who appeared to be ill, injured or unconscious as a result of an accident or other emergency, and

(a) the person who received emergency services or assistance was deceased or died; or

(b) the body was moved for the purposes of rendering emergency services or assistance to another person.

**Prohibition**

(3) Until a coroner issues a certificate to release a body referred to in subsection (4), no person shall

(a) cremate, embalm, or make any alteration to the body of a deceased person or apply any chemical to the body, internally or externally, in a manner that will prevent future examination of the body; or

(b) ship or take the body of a deceased person from a place in the province to a place outside the province.

**Certificate to release body**

(4) A coroner may issue a certificate in the prescribed form to release a body stating that the coroner has examined the medical certificate of death and releases the body for burial, cremation, transport or for the purposes of anatomical dissection.

**Duty to notify coroner**

(5) Every person who brings the body of a deceased person into the province shall notify a coroner.

**Coroner notified**

(6) A coroner notified under subsection (5) shall

(a) inspect the medical certificate of death or other documents that accompany the body;

(b) conduct any investigation that may be necessary to establish or confirm the cause of death; and

(c) either

(i) sign, and provide a funeral director with, the certificate in the prescribed form to release the body, or

(ii) determine that further investigation of the death is required.

### 16. Permission to bury body

(1) Where the coroner is of the opinion that the body of a deceased person is not required for an investigation or inquest, the coroner shall give permission to bury the body and shall, as soon as practicable,

(a) send to the Chief Coroner a report respecting the investigation; and

(b) file any information that may be required under the *Vital Statistics Act*.

**Medical certificate of death**

(2) Where the coroner is of the opinion that an inquest is necessary, the coroner may, before the inquest is held, issue a certificate to release a body in the prescribed form stating that the coroner has examined the medical certificate of death and releases the body for burial, cremation, transport or for the purposes of anatomical dissection.

**Direction to hold inquest**

(3) Subsection (1) shall not be construed as limiting the authority of the Chief Coroner or the Minister to direct an inquest under Part 5.

### 17. Coroner may obtain assistance from other persons

A coroner may, with the prior approval of the Chief Coroner, obtain the assistance of other persons for any of the purposes described in subsection 12(1), and those persons may carry out inspections, examinations, tests and inquiries and take any samples or do other things as directed by the coroner.

### 18. Persons to give reasonable assistance to coroner

An owner or occupier of a place or premises and any employee or agent of the owner or occupier shall give all reasonable assistance to the coroner to enable the coroner to carry out the coroner's duties and functions under this Act and the regulations and shall furnish the

coroner with the information that the coroner reasonably requires for any of the purposes described in subsection 12(1).

**19. Coroner or investigator may destroy clothing not required**

The coroner or investigator may destroy soiled or damaged clothing that was taken into possession with a body and which is not required for the purposes of this Act or an investigation or proceeding conducted under another Act of the province or under an Act of Parliament.

## Warrants for Post-mortem Examination

**20. Warrant issued by coroner**

(1) A coroner may, at any time during an investigation or inquest, issue a warrant for a post-mortem examination of a body, an analysis of the blood, urine or contents of the stomach or intestines or any other examination or analysis of the body that the coroner considers necessary.

**Warrant – requirement for pathologist to perform post-mortem examination**

(2) A warrant issued under subsection (1) shall require a pathologist to perform a post-mortem examination and report the results of the post-mortem examination to the coroner.

**Duty to report results to coroner or investigator**

(3) Every pathologist who performs a post-mortem examination shall report the results of the post-mortem examination to the coroner or investigator before the coroner or investigator releases the body.

**Duty to remove part of body or object found in body**

(4) The pathologist who performs a post-mortem examination shall, in accordance with the direction of the Chief Coroner, remove and retain any part of a body or object found in a body for the purpose of

(a) establishing the cause and manner of death; or

(b) assisting in the identification of the deceased.

## Disinterment of Body

**21. Order for disinterment of body**

(1) The Chief Coroner may order the disinterment of a body for the purposes of any investigation or inquest.

**Notice to nearest relative**

(2) The Chief Coroner shall send a copy of an order for disinterment by registered mail at least 48 hours before the disinterment to

(a) the nearest relative of the deceased, if any; and

(b) the owner or person in charge of the cemetery or mausoleum where the body is buried or stored.

# PART 5 - INQUESTS

## When Inquest to be Held

### 22. Inquest considered necessary

(1) A coroner shall, after conducting an investigation, recommend to the Chief Coroner that an inquest be held where the coroner is of the opinion that an inquest is necessary to

(a) determine the identity of the deceased person and how, when, where and by what means that person died;

(b) inform the public of the circumstances surrounding a death;

(c) bring dangerous practices or conditions to the knowledge of the public and facilitate the making of recommendations to avoid preventable deaths; or

(d) educate the public about dangerous practices or conditions to avoid preventable deaths.

**Direction by Chief Coroner to hold inquest**

(2) On receiving a recommendation under subsection (1), the Chief Coroner shall direct that an inquest be held under this Part where the Chief Coroner considers that an inquest is necessary for any of the purposes described in clauses (1)(a) to (d).

**Chief Coroner may direct inquest be held**

(3) The Chief Coroner may, after reviewing the investigation referred to in subsection (1), direct that an inquest be held under this Part where

(a) a recommendation under subsection (1) has not been received; and

(b) the Chief Coroner is of the opinion that an inquest is necessary for any of the purposes described in clauses (1)(a) to (d).

### 23. Inquest into death of inmate or police prisoner

A coroner shall hold an inquest into the death of a person who dies while an inmate or police prisoner in a place referred to in clause 8(1)(h) unless the coroner is satisfied that the death was due entirely to natural causes and was not preventable.

### 24. Direction by Minister to hold inquest

The Minister may direct the Chief Coroner or any other coroner to hold an inquest into the death of a person, and the Chief Coroner or other coroner shall hold the inquest whether or not another coroner has conducted an investigation, held an inquest, or done any other act in connection with the death.

### 25. Inquest into multiple deaths

Where two or more deaths appear to have occurred from the same event or from a common cause, the Chief Coroner may direct that one inquest be held respecting all of the deaths.

### 26. Request by nearest relative to hold inquest

(1) A nearest relative of a deceased person may request that the Chief Coroner hold an inquest into the deceased person's death.

**Chief Coroner may direct coroner to hold inquest**

(2) The Chief Coroner may direct that a coroner hold an inquest into the death of a deceased person referred to in subsection (1) where the Chief Coroner is satisfied that an inquest should be ordered under section 22 or 23.

**Reasons where no direction provided**

(3) Where the Chief Coroner does not direct a coroner to hold an inquest under subsection (2), the Chief Coroner shall provide reasons for the decision not to direct an inquest, in writing, to the person who made the request within 30 days after receiving the request.

**27. Civil proceeding**

The powers conferred on a coroner to conduct an inquest are not to be construed as creating a criminal court of record.

## Juries

**28. Composition of jury**

(1) Every inquest shall be held with a jury composed of six jurors.

**Same effect**

(2) Any five jurors may return a finding, and a finding returned by five jurors has the same effect as a finding returned by six jurors.

**New Jury**

(3) Where there are fewer than five jurors, the inquest coroner shall summon a new jury.

**29. Inquest coroner to direct sheriff**

(1) The inquest coroner shall direct a sheriff to summon persons to form a jury to appear before the coroner at a specified time and place to inquire into the death of a person.

**Sheriff to summon persons**

(2) On being directed to summon a jury under subsection (1), the sheriff shall summon those persons considered necessary to form a jury to serve at an inquest to be held under this Act.

**Failure to appear or serve as juror**

(3) Every person who is summoned under subsection (2) and

(a) fails to appear before the inquest coroner as required by the summons; or

(b) refuses, at the inquest and without reasonable excuse, to serve as a juror,

is guilty of an offence and liable on summary conviction to a fine of not more than $1,000.

**30. Inquest coroner may question persons summoned**

The inquest coroner may question the persons who are present as a result of a summons issued under subsection 29(2) to determine their eligibility and suitability to serve as jurors and shall select six persons from among those present to serve as jurors at the inquest.

**31. Persons who shall not be jurors**

(1) No officer, employee, inmate, resident or patient of a jail, lock-up, correctional facility, medical facility or other institution where a death occurred, or that person's spouse, shall serve as a juror at an inquest respecting a person whose death was caused or occurred in that place.

**Owner of building or place**

(2) No owner of a building or place where a death was caused or occurred, or the owner's spouse, shall serve as a juror at an inquest respecting a person whose death was caused or occurred in that building or place.

**Owner or employee of a business**

(3) No owner or employee of a business, or that person's spouse, shall serve as a juror at an inquest respecting a person whose death was caused or occurred at the place of business or whose death was related to the operation of the business.

**32. Inquest coroner may excuse person**

(1) The inquest coroner may excuse any person from serving as a juror on the grounds of illness, hardship or other good reason.

**Disqualification for interest or bias**

(2) The inquest coroner shall disqualify from serving as a juror any person the inquest coroner believes would be unable to render a true finding in accordance with the evidence because of interest or bias.

**33. Swearing in of jurors**

When the jurors are assembled, they shall choose a foreperson and be sworn by or before the inquest coroner to diligently inquire into the death of the person with respect to whom the inquest will be held and to give a true finding according to the evidence.

**34. Errors not grounds for impeaching finding**

A failure to observe the provisions contained in this Act respecting the qualifications, exclusion or selection of jurors is not a ground for impeaching the finding returned, unless the omission has resulted in a substantial miscarriage of justice.

## General Conduct of Inquest

**35. Power to control inquest**

(1) Subject to this Act and the regulations, an inquest coroner has the power to control the inquest.

**Decisions and orders**

(2) For the purpose of facilitating justice and timelines, the inquest coroner may make decisions and orders respecting

(a) timelines for the conduct of the inquest;

(b) adjournments;

(c) who is entitled or permitted to examine witnesses;

(d) the examination of witnesses;

(e) the exclusion of witnesses; and

(f) the admissibility of evidence.

**36. Inquest public**

(1) Subject to subsection (2), an inquest coroner shall make an inquest open to the public.

**Prohibitions or restrictions**

(2) An inquest coroner may prohibit or restrict a person or class of persons, or the public, from attending all or part of an inquest, and may prohibit publication of all or part of the proceedings of an inquest, if the coroner has reason to believe that doing so is necessary

(a) for the effective and efficient fulfilment of the purpose of the inquest; or

(b) to protect

(i) a person from undue interference with the person's privacy,

(ii) a person's personal security,

(iii) a person's right to a fair trial in a criminal proceeding,

(iv) national security, or

(v) the security or well-being of a child.

**Ability to act**

(3) An inquest coroner may act under subsection (2)

(a) on the request of a witness;

(b) on the request of a person who is entitled or permitted to examine witnesses at the inquest; or

(c) on the inquest coroner's own initiative.

**37. Inquest into death on order of Minister**

(1) Despite any other provision of this Act, where a person has been charged with an offence arising out of a death, an inquest into the death shall be held only on the order of the Minister.

**Non-compellable witness**

(2) No person charged with an offence arising out of a death may be compelled to give evidence at an inquest respecting that death.

**Person charged with offence after inquest underway**

(3) Where a person is charged with an offence arising out of a death for which an inquest is underway, the inquest coroner shall, unless the Minister orders otherwise, discharge the jury and close the inquest and shall reopen the inquest only on the order of the Minister.

**Inquest reopened**

(4) Where the inquest has been reopened on the order of the Minister under subsection (3), a new jury shall be summoned only if, in the opinion of the inquest coroner, it is necessary.

**After charge and appeal dealt with**

(5) Despite any other provisions of this section, where a person is charged with an offence arising out of a death and the charge or an appeal from any conviction or acquittal has been finally disposed of, or the time for taking an appeal has expired without an appeal having been taken,

(a) the Chief Coroner may direct a coroner to hold an inquest into the death; and

(b) the person who was charged is a compellable witness at the inquest.

**38. Inquest delayed on waiting for charge to be laid**

(1) Where it appears likely to the Chief Coroner that a person will be charged with an offence arising out of a death, the Chief Coroner shall

(a) notify the Minister; and

(b) unless otherwise ordered by the Minister, direct the coroner holding the inquest to delay the holding of an inquest until the charges have been dealt with.

**No publication or broadcast without permission**

(2) Where a person has been charged or it appears that a person may be charged with an offence arising out of a death, the inquest coroner may order that no evidence be published or broadcast without the inquest coroner's permission until

(a) a charge is laid and the charge or an appeal from any conviction or acquittal of the offence has been finally disposed of, or the time for taking the appeal has expired without an appeal having been taken; or

(b) it appears to the inquest coroner that no charge will be laid.

**39. Offence under other federal Act, inquest not held**

(1) Where a person has been charged or where it appears likely to the Chief Coroner that a person will be charged with an offence under an Act of Parliament, other than an offence under the *Criminal Code* (Canada) arising out of a death, or an offence under a federal Act or regulation, the Chief Coroner may direct that an inquest not be held.

**Application of sections 37, 38**

(2) Where the Chief Coroner directs that an inquest not be held under subsection (1), sections 37 and 38 apply.

**40. Order where death self-inflicted**

(1) Where, at an inquest, it appears that the death may have been self-inflicted, the inquest coroner may order that no evidence of the proceedings be published or broadcast until a finding is returned.

**Order re: no publication or broadcast without permission**

(2) Where the finding is that a death was self-inflicted, the inquest coroner may order that no evidence of the proceedings be published or broadcast without the inquest coroner's permission other than the name, address and occupation of the deceased, the fact that an inquest has been held and that the death was found to have been self-inflicted.

**Order re: publication or broadcast, medical assistance in dying**

(3) Where an inquest coroner holds an inquest in relation to a death that occurred as a result of medical assistance in dying, the inquest coroner may order that no evidence of the proceedings be published or broadcast without the inquest coroner's permission other than the name, address and occupation of the deceased, the fact that an inquest has been held and that the death occurred as a result of medical assistance in dying.

**41. Standing at inquest**

(1) An inquest coroner may grant standing at an inquest to any person the inquest coroner considers to have a substantial interest in the inquest.

**Representation**

(2) A person who has standing at an inquest may

(a) be represented by legal counsel or an agent; and

(b) examine and cross-examine witnesses.

**42. Notice to Minister**

(1) An inquest coroner shall notify the Minister of the time and place at which an inquest will be held.

**Minister has standing**

(2) The Minister has standing at an inquest and may be represented by legal counsel.

**43. Request for legal counsel**

On the request of the Chief Coroner, the Minister may appoint legal counsel to attend at an inquest and to act as legal counsel to the inquest coroner.

**44. Notice of inquest**

(1) The inquest coroner shall give written notice of the time and place of the inquest to the following persons of whom the inquest coroner has knowledge:

(a) the nearest relative of the deceased;

(b) persons who have, in the opinion of the inquest coroner, a substantial interest in the inquest;

(c) persons whose conduct is, in the opinion of the inquest coroner, likely to be called into question at the inquest.

**Written request**

(2) Any person may make a written request to a coroner in charge of an investigation to be notified of the time and place of an inquest, and the coroner shall give written notice of the time and place of the inquest to that person.

**Where conduct brought into question**

(3) Where the conduct of a person who has not been notified of and is not present at the inquest is brought into question, the inquest coroner shall adjourn the inquest and notify that person if it is reasonably practicable to do so and the inquest shall be adjourned for the period of time the inquest coroner considers appropriate for the purpose of allowing the person to be given notice of the inquest.

**Failure to notify**

(4) Failure to notify a person of an inquest does not invalidate the proceedings.

## Witnesses and Evidence

### 45. Coroner may summon witnesses

(1) An inquest coroner may summon any person to

(a) attend, in person or by electronic means, and give evidence on oath or affirmation at an inquest that is relevant to the subject matter of the inquest; or

(b) produce in evidence at an inquest any document or thing in the person's control or possession that the inquest coroner may specify is relevant to the subject matter of the inquest.

**Personal service**

(2) The inquest coroner shall cause a summons issued under subsection (1) to be personally served on the person summoned.

**Witness to attend**

(3) Where a witness who is required to attend an inquest is confined to a place referred to in clause 8(1)(h), the inquest coroner may order in writing that the witness be brought before the inquest coroner in order to testify at the inquest and direct in the order the manner in which the witness shall be kept in custody until the witness is returned to the place of detention.

### 46. Failure to appear or to answer question

Every person who is summoned under section 45 and

(a) fails to attend at the inquest as required by the summons; or

(b) refuses, at the inquest and without reasonable excuse, to answer a question directed at the person,

is guilty of an offence and liable on summary conviction to a fine of not more than $1,000.

### 47. Witnesses

(1) The inquest coroner may permit any person who wishes to give evidence at an inquest to testify, if, in the inquest coroner's opinion, the evidence is not frivolous or vexatious.

**Legal counsel, agent**

(2) A witness at an inquest is entitled to be advised by the witness's legal counsel or agent as to the witness's rights, but the legal counsel or agent may not participate in any other manner in the inquest without leave of the inquest coroner.

**Witness giving evidence**

(3) Where an inquest is held in the absence of the public, legal counsel or an agent for a witness is not entitled to be present except when that witness is giving evidence.

### 48. Jury may question witnesses

(1) Members of the jury may ask questions of the witnesses at an inquest.

**View photographs, scene**

(2) Members of the jury shall, if directed by the inquest coroner to do so,

(a) view photographs of the body; or

(b) view and attend the scene where the death may have occurred.

**49. Maintaining order**

An inquest coroner may make any order or give any directions that the inquest coroner considers necessary for the maintenance of order at an inquest and may call on a sheriff or police officer to enforce those orders or directions.

**50. Evidence**

(1) At an inquest, an inquest coroner may

(a) subject to subsection (2), admit any oral testimony, including any testimony obtained by telephone conference call or other electronic means, document or other thing as evidence, whether or not it is admissible as evidence in a judicial proceeding;

(b) exclude anything that the inquest coroner considers to be unduly repetitious or that, in the inquest coroner's opinion, fails to meet the standards of proof that are commonly relied on by reasonably prudent persons in the conduct of their affairs;

(c) comment on the weight to be given to any evidence; or

(d) limit examination or cross-examination of a witness where the examination or cross-examination is frivolous or vexatious.

**No derogation from statute or privilege**

(2) Nothing in this section derogates from

(a) the provisions of the *Canada Evidence Act* (Canada), the *Evidence Act* R.S.P.E.I. 1988, Cap. E-11, or any other Act expressly limiting the extent to or purposes for which any oral testimony, documents or other things may be admitted or used in evidence; or

(b) any privilege under the law of evidence.

**Evidence Acts**

(3) Before a person gives evidence at an inquest, the inquest coroner shall advise the person of the provisions of section 5 of the *Canada Evidence Act* (Canada) and section 6 of the *Evidence Act*.

**Interpreter**

(4) An inquest coroner may employ an interpreter at an inquest.

**51. Documents**

(1) A copy of a document or other thing may be admitted as evidence at an inquest if the inquest coroner is satisfied of its authenticity.

**Photocopy**

(2) Where a document has been admitted as evidence at an inquest, the inquest coroner, or with leave of the coroner, the person who produced it or is entitled to it, may photocopy the document, and the inquest coroner may

(a) admit the photocopy in evidence in place of the document and order the release of the document; or

(b) furnish a photocopy of the document certified by the inquest coroner to the person who produced it or is entitled to it.

**52. Records**

(1) An inquest coroner may accept recorded information in any form containing information of a factual nature in place of the oral testimony of the maker of that record, and the record is, in the absence of evidence to the contrary, proof of the facts recorded in it.

**Maker of record to give evidence**

(2) An inquest coroner may, at the request of a person granted standing under section 41 or a juror, require the maker of a record to attend and give evidence at the inquest.

**53. Adjournment**

(1) An inquest coroner may adjourn an inquest from time to time on the inquest coroner's own motion or if it is shown to the inquest coroner's satisfaction that the adjournment is required to permit a proper inquest to be held.

**Recognizance**

(2) Where an inquest is adjourned, the inquest coroner shall obtain the oral or written recognizances of the jurors and witnesses for their attendance at the resumption of the inquest.

**Juror ill, absent**

(3) Where a juror, by reason of illness, death or absence from the province, fails to attend at the resumption of the inquest, the inquest coroner may proceed with the inquest if at least five jurors are present.

**54. Inquest coroner unable to continue**

Where, for any reason, an inquest coroner cannot complete an inquest, another coroner assigned by the Chief Coroner may complete the inquest and may act on the evidence as if it had been given before that coroner.

**55. Recording of evidence**

(1) A court reporter appointed under the *Court Reporters Act* R.S.P.E.I. 1988, Cap. C-27.01, shall record the proceedings or any part of the proceedings by shorthand or by a recording device.

**Oath**

(2) The court reporter shall take an oath to accurately report the proceedings, and the transcript of the proceedings shall be accompanied by an affidavit of the court reporter stating that it is a true report of the proceedings.

**Transcription of proceedings**

(3) The proceedings recorded by a court reporter do not need to be transcribed unless a transcription is ordered by the Minister, by legal counsel appointed by the Minister to act for the inquest coroner at the inquest, by the Chief Coroner or by any person who requests a transcript and pays to the Supreme Court the fee prescribed under the *Court Fees Act* R.S.P.E.I. 1988, Cap. C-27.001, for transcripts of judicial proceedings.

## Findings

### 56. Jury findings

(1) The jury shall, at the conclusion of the inquest, retire to consider the evidence and determine the identity of the deceased person and how, when, where and by what means that person died.

**No finding of legal responsibility**

(2) The jury shall not make any finding of legal responsibility.

**Jury recommendations**

(3) The jury may make recommendations that the jury considers to be of assistance in preventing similar deaths or injuries in circumstances similar to those involved in the death that was the subject of the inquest.

**Inquest coroner observations, recommendations**

(4) The inquest coroner may make observations and recommendations that the inquest coroner considers to be of assistance in preventing similar deaths or injuries in circumstances similar to those involved in the death that was the subject of the inquest.

### 57. Report to Minister, Chief Coroner

(1) At the conclusion of an inquest, the inquest coroner shall forward to the Minister and Chief Coroner

(a) the findings; and

(b) any observations or recommendations referred to in subsections 56(3) and (4).

**Recommendations to other entities**

(2) The Chief Coroner may forward any observations or recommendations referred to in subsections 56(3) and (4) to any person, department or agency of the Government or of the Government of Canada or a municipal government where, in the opinion of the Chief Coroner, the recommendations may be of interest to that person, department or agency or municipal government.

### 58. Procedure where jury disagrees

(1) Where the jury cannot agree by a majority on a finding or recommendation during an inquest, the inquest coroner may discharge the jury after obtaining any findings of fact or recommendations that the jurors have been able to agree on.

**Submission of evidence and findings to Chief Coroner**

(2) The inquest coroner shall submit the evidence taken at the inquest referred to in subsection (1), together with any findings of fact or recommendations that the jurors have been able to agree on, to the Chief Coroner.

**Second inquest**

(3) Where a jury has been discharged under subsection (1), the Minister or the Chief Coroner may direct that a second inquest be conducted either before the same coroner or another coroner, or to take any other action that the Minister or the Chief Coroner may direct.

**59. Information to Director of Vital Statistics**

Immediately on the close of an investigation or inquest, the inquest coroner shall send any information that is required by the *Vital Statistics Act* to the Director of Vital Statistics.

## PART 6 – DEATH REVIEW COMMITTEES

**60. Establishment of death review committee**

(1) The Chief Coroner may establish one or more death review committees to review the facts and circumstances of deaths in Prince Edward Island for the purpose of

(a) investigating and monitoring trends involving deaths;

(b) reviewing facts and circumstances related to specific deaths; and

(c) providing advice to the Chief Coroner respecting

(i) any matter that may impact public health and safety, and

(ii) the prevention of deaths.

**Death review committee where death caused by domestic violence**

(2) Despite subsection (1), the Chief Coroner shall establish one or more death review committees to review the facts and circumstances of deaths in Prince Edward Island caused by domestic violence.

**Direction of Minister**

(3) The Chief Coroner shall establish a death review committee under subsection (1) on the direction of the Minister.

**Composition**

(4) A death review committee established under subsection (1) or (2) shall be composed of at least three members appointed by the Chief Coroner, including a chairperson.

**Term**

(5) A member of a death review committee established under subsection (1) or (2) shall be appointed for a term not exceeding three years and may be reappointed.

**Continues to hold office**

(6) A member of a death review committee established under subsection (1) or (2) continues to hold office after the expiry of the member's term until the member is reappointed or a successor is appointed.

**Remuneration**

(7) The Chief Coroner may provide members of a death review committee established under subsection (1) or (2) with remuneration, as determined by the Minister.

**Reimbursement for reasonable expenses**

(8) Each member of a death review committee established under subsection (1) or (2) shall be reimbursed, subject to Treasury Board policy, for the reasonable expenses actually incurred by the member in carrying out the member's duties.

**61. Powers of death review committee member**

(1) A member of a death review committee may review one or more deaths during a review.

**Prior to review**

(2) A member of a death review committee shall not begin a review respecting a death until a coroner has completed,

(a) where no inquest is held, an investigation of the death under Part 4; or

(b) where an inquest is held, the inquest.

**Access and copies of information**

(3) For the purposes of conducting a review respecting a death, a member of a death review committee may

(a) require the production of, examine and take copies of any information or records relating to the deceased's circumstances where the member believes it is reasonable to do so for the purposes of the review, including personal information and personal health information that may be disclosed by

(i) a public body, as defined in the *Freedom of Information and Protection of Privacy Act*, or

(ii) a custodian, as defined in the *Health Information Act*;

(b) access or take copies of any information or records provided by the Chief Coroner; and

(c) subject to subsection (4), remove any information or records examined under this section for the purpose of making copies.

**Where information or records removed**

(4) Where a member of a death review committee removes any information or records for copying under this section, the member shall

(a) provide the owner or occupier of the premises from which the information or records were obtained with a receipt for the information or records removed;

(b) make copies as soon as reasonably possible; and

(c) after making copies, return the information or records to the premises from which the information or records were obtained or some other place agreed to by the member and the owner or occupier of the premises.

**No access to privileged information**

(5) Nothing in this section compels the disclosure of any information or records that are subject to any type of privilege, including solicitor-client privilege.

**62. Report of death review committee**

(1) Following each review by a death review committee, a member of the committee shall, on behalf of the committee,

(a) report to the Chief Coroner

(i) any findings respecting the circumstances surrounding the deaths that were the subject of the review, and

(ii) any recommendations respecting the prevention of similar deaths; and

(b) submit to the Chief Coroner all information or records relevant to the review.

**Basis of report**

(2) The report referred to in subsection (1) may be based on an aggregate and multidisciplinary analysis of the deaths reviewed.

**No finding of legal responsibility**

(3) The report referred to in subsection (1) shall not make any findings of legal responsibility or express any conclusion of law.

# PART 7 – DISCLOSURE OF INFORMATION

## 63. Application

(1) This section applies to

(a) the Chief Coroner and Deputy Chief Coroner;

(b) a coroner;

(c) an investigator;

(d) a coroner assistant;

(e) a member of a death review committee established under subsection 60(1) or (2);

(f) any person acting on behalf of, or at the direction of, a person described in clauses (a) to (e); or

(g) a member of a jury under this Act.

**Disclosure of information prohibited**

(2) Subject to this Act or another enactment, no person referred to in subsection (1) shall disclose information collected or created for the purposes of this Act respecting a deceased person or the circumstances of a deceased person's death.

**Disclosure of information permitted**

(3) A person referred to in subsection (1) may disclose information or a record collected or created for the purposes of this Act where

(a) the disclosure is necessary or incidental to the performance of the person's functions under this Act; or

(b) the information or record is otherwise readily available to the public.

## 64. No access to record

(1) Despite section 6 of the *Freedom of Information and Protection of Privacy Act*, a person is not entitled to access a record under that Act if the record is

(a) a record related to an investigation of a death or an inquest in respect of a death under this Act if the investigation or inquest, as the case may be, has not been completed;

(b) a record related to an investigation of a death or an inquest in respect of a death under this Act if the disclosure would be an unreasonable invasion of the deceased person's personal privacy, whether or not the deceased person has been identified;

(c) a record collected in the course of a review under Part 6 of this Act if the review has not been completed;

(d) a record collected in the course of a review under Part 6 of this Act, whether or not the review has been completed, that could reasonably be expected to reveal confidential information provided to a death review committee; or

(e) a record that is a personal note, communication or draft document created by or for a person referred to in subsection 63(1) that relates to the exercise of that person's functions under this Act.

**Where person provided confidential information**

(2) Despite clause (1)(d) and Part I of the *Freedom of Information and Protection of Privacy Act*, a person is not entitled to a record referred to in clause (1)(d) unless the person provided the confidential information or record for the purpose of a review under Part 6 of this Act.

**Request correction of personal information**

(3) Despite section 34 of the *Freedom of Information and Protection of Privacy Act*, a person is not entitled to request a correction of personal information in a record referred to in clause (1)(d) unless

(a) the person provided the information or record; and

(b) the personal information that is requested to be corrected is the personal information of that person.

**Where person provided information or record**

(4) Despite section 60 of the *Freedom of Information and Protection of Privacy Act*, a person is not entitled to request that the Information and Privacy Commissioner appointed under that Act review any decision, act or failure with respect to a request for access to a record referred to in clause (1)(d), or for correction of personal information in that record, unless the person is the person who provided the information or record.

**Non-application**

(5) The *Freedom of Information and Protection of Privacy Act* does not apply to a personal note, communication or draft document created by or for a person referred to in subsection 63(1) that relates to the exercise of that person's functions under this Act.

### 65. Information-sharing agreement

(1) The Chief Coroner may enter into an information-sharing agreement under which information, including personal information, that is necessary and relevant to an investigation, inquest or review may be collected, used and disclosed.

**Content of information-sharing agreement**

(2) An information-sharing agreement under subsection (1) shall identify

(a) the nature and type of information that is to be collected, used or disclosed under the agreement;

(b) the persons, by name, title or position, who may have access to the information under the agreement;

(c) the limits or conditions, if any, on the use or disclosure of the information being shared; and

(d) the term of the agreement and the circumstances in which the agreement may be renewed, suspended or terminated.

### 66. Disclosure of information

The Chief Coroner or chairperson of a death review committee may, at any time on receipt of a request for information under the *Child and Youth Advocate Act* R.S.P.E.I. 1988, Cap. C-4.3, disclose information obtained by a death review committee, including personal information, to the Child and Youth Advocate.

**67. Disclosure to the public or interested person**

(1) Subject to subsection (2), the Chief Coroner may disclose any report, or part of a report, made to the Chief Coroner under this Act to

(a) the public; or

(b) a person who, in the opinion of the Chief Coroner, has a valid interest in the findings and recommendations contained in the report.

**Considerations to disclosure**

(2) In determining whether to disclose personal information from a report, the Chief Coroner shall consider

(a) whether the disclosure is necessary to support the findings and recommendations contained in the report; and

(b) whether the public interest in the disclosure outweighs the personal privacy of the individual whose personal information is disclosed in the report.

## PART 8 – GENERAL

**68. Limitation of liability**

(1) No action for damages or other legal proceedings lies or shall be instituted against the Minister, the Chief Coroner, the Deputy Chief Coroner, a coroner, a coroner assistant, an investigator, a member of a death review committee or any other person acting under the authority of this Act or the regulations for anything done or omitted to be done, in good faith, in the exercise or intended exercise of any power or performance of any duty under this Act or the regulations.

**No liability**

(2) A person, including a witness in an inquest, who discloses information or submits a record to a coroner, an investigator or a member of a death review committee for the purpose of the information or record being used in the course of an investigation, inquest or review

(a) is not liable for the disclosure or submission if the disclosure or submission is made in good faith; and

(b) has the same privileges in relation to the disclosure or submission of information as the person would have with respect to a proceeding in the Supreme Court.

**69. Compulsion protection**

A coroner, an investigator or a member of a death review committee, or a person acting on behalf of or under the direction of a coroner, an investigator or a death review committee member,

(a) shall not be required to testify or produce evidence about the reasons for which the person reached a conclusion or made a decision in the performance of the person's duties under this Act; and

(b) may be required to testify or produce evidence about observations made during the conduct of an investigation under Part 4 or a review under Part 6.

**70. Agreement to provide assistance to coroner**

(1) The Minister may, in accordance with section 10 of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12, enter into an agreement with any of the following persons or entities to provide assistance to a coroner in conducting investigations under this Act:

(a) the government of another province or territory of Canada, or an agency of that government;

(b) a police agency, municipality, person or other entity in another province or territory of Canada;

(c) a municipality, police service or other entity in the province.

**Person providing assistance may be appointed investigator**

(2) For greater certainty, a person who is providing assistance to a coroner in conducting an investigation under this Act may be appointed as an investigator under subsection 7(1).

**71. Offence, penalty**

Every person who contravenes a provision of this Act or the regulations for which no other penalty is specified is guilty of an offence and liable, on summary conviction,

(a) to a fine of not more than $2,000;

(b) to a term of imprisonment of not more than six months; or

(c) to both a fine and imprisonment.

**72. Regulations**

The Lieutenant Governor in Council may make regulations

(a) prescribing the remuneration or allowances to be paid to the Chief Coroner, Deputy Chief Coroner, coroners, coroner assistants, investigators, jurors, witnesses, interpreters, members of death review committees, and other persons;

(b) prescribing circumstances under which a death is reportable for the purposes of clause 8(1)(l);

(c) prescribing forms and providing for their use;

(d) prescribing additional rules and procedures for inquests;

(e) respecting the summoning of jurors for the purposes of section 29 and witnesses for the purposes of section 45;

(f) respecting death review committees;

(g) prescribing duties and functions of a death review committee;

(h) respecting the qualifications required for the appointment of a person as a member of a death review committee;

(i) respecting conflicts of interest pertaining to members of a death review committee, including the circumstances that constitute a conflict of interest, the disclosure of a conflict of interest and the manner in which a conflict of interest is to be dealt with;

(j) prescribing fees for reports and other documents, except transcripts, prepared under this Act;

(k) prescribing any other matter or thing that is required or authorized by this Act to be prescribed in the regulations;

(l) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;

(m) respecting any other matter or thing the Lieutenant Governor in Council considers necessary or advisable to carry out the intent of this Act.

## PART 9 – TRANSITIONAL, CONSEQUENTIAL AMENDMENTS, REPEAL AND COMMENCEMENT

### 73. Transitional

(1) Any person who holds the office of Chief Coroner, Deputy Chief Coroner or coroner on the day before this section comes into force continues to hold such office and is deemed to have been appointed under this Act.

**Proceedings continued**

(2) Every proceeding and process initiated, pending or heard in part immediately before the coming into force of this section shall be continued as if it had been initiated under this Act, and this Act applies with any necessary modification.

### 74. Archaeology Act

**(1) The *Archaeology Act* R.S.P.E.I. 1988, Cap. A-17.1, is amended as provided by this section.**

**(2) Clause 1(2)(b) of the Act is amended by the deletion of the words "**chief coroner appointed under subsection 3(1) of the *Coroners Act* R.S.P.E.I. 1988, Cap. C-25.1**" and the substitution of the words "**Chief Coroner appointed under subsection 3(1) of the *Coroners Act* R.S.P.E.I. 1988, Cap. C-25.2**".**

### 75. Child and Youth Advocate Act

**(1) The *Child and Youth Advocate Act* R.S.P.E.I. 1988, Cap. C-4.3, is amended as provided by this section.**

**(2) Clause 22(6)(c) of the Act is amended**

**(a) in subclause (i), by the deletion of the words "***Coroners Act* R.S.P.E.I. 1988, Cap. C-25.1**" and the substitution of the words "***Coroners Act* R.S.P.E.I. 1988, Cap. C-25.2**"; and**

**(b) by the repeal of subclause (ii) and the substitution of the following:**

(ii) the date on which a coroner directs a sheriff, pursuant to subsection 29(1) of the *Coroners Act*, to summon a jury for that purpose.

### 76. Child, Youth and Family Services Act

**(1) The *Child, Youth and Family Services Act* R.S.P.E.I. 1988, Cap. C-6.01, is amended as provided by this section.**

**(2) Clause 55(5)(b) of the Act is amended by the deletion of the words "***Coroners Act* R.S.P.E.I. 1988, Cap. C-25.1**" and the substitution of the words "***Coroners Act* R.S.P.E.I. 1988, Cap. C-25.2**".**

### 77. Health Information Act

**(1) The *Health Information Act* R.S.P.E.I. 1988, Cap. H-1.41, is amended as provided by this section.**

**(2) Subsection 23(10) of the Act is amended**

**(a) in clause (d), by the deletion of the word "**or**" after the semicolon;**

**(b) in clause (e), by the deletion of the period and the substitution of the words "**; or**"; and**

**(c) by the addition of the following after clause (e):**

(f) for the purpose of an investigation under the *Coroners Act* R.S.P.E.I. 1988, Cap. C-25.2.

### 78. Human Tissue Donation Act

**(1) The *Human Tissue Donation Act* R.S.P.E.I. 1988, Cap. H-12.1, is amended as provided by this section.**

**(2) Clause 10(3)(a) of the Act is amended by the deletion of the words "**in section 5 of the *Coroners Act* R.S.P.E.I. 1988, Cap. C-25.1**" and the substitution of the words "**under section 8 of the *Coroners Act* R.S.P.E.I. 1988, Cap. C-25.2**".**

### 79. Occupational Health and Safety Act

**(1) The *Occupational Health and Safety Act* R.S.P.E.I. 1988, Cap. O-1.01, is amended as provided by this section.**

**(2) Subsection 39(2) of the Act is amended by the deletion of the words "***Coroners Act* R.S.P.E.I. 1988, Cap. C-25.1**" and the substitution of the words "***Coroners Act* R.S.P.E.I. 1988, Cap. C-25.2**".**

### 80. Vital Statistics Act

**(1) The *Vital Statistics Act* R.S.P.E.I. 1988, Cap. V-4.1, is amended as provided by this section.**

**(2) Clause 20(1)(c) of the Act is amended by the deletion of the words "***Coroners Act* R.S.P.E.I. 1988, Cap. C-25.1**" and the substitution of the words "***Coroners Act* R.S.P.E.I. 1988, Cap. C-25.2**".**

### 81. Repeal

The *Coroners Act* R.S.P.E.I. 1988, Cap. C-25.1, is repealed.

**82. Commencement**

This Act comes into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council.

**(Bill No. 37)**

# Coroners Act

| ***STAGE:*** | ***DATE:*** |
|---|---|
| *1st Reading:* | November 3, 2026 |
| *2nd Reading:* | |
| *To Committee:* | |
| *Reported:* | |
| *3rd Reading and Pass:* | |
| *Assent:* | |

**SIGNATURES:**

Honourable Dr. Wassim Salamoun, Lieutenant Governor

Honourable Brad Trivers, Speaker

Joseph Jeffrey, Clerk

Hon. Bloyce Thompson
Minister of Justice and Public Safety and Attorney General

GOVERNMENT BILL

2026
3rd SESSION, 67th GENERAL ASSEMBLY