

NATIONAL ASSEMBLY

FIRST SESSION

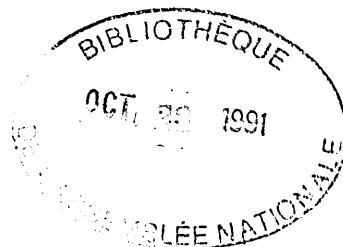
THIRTY-FOURTH LEGISLATURE

Bill 160

**An Act to amend the Act respecting
the determination of the causes and
circumstances of death and the
Public Health Protection Act**

Introduction

**Introduced by
Mr Claude Ryan
Minister of Public Security**



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EXPLANATORY NOTES

This bill amends the Act respecting the determination of the causes and circumstances of death to remove the obligation to automatically give notice to the coroner in every case where death occurs in a reception centre belonging to the class of residential centres, and in every case where the body of a person who died outside Québec is transported into Québec.

Notice to the coroner will remain compulsory in cases where the death occurred in obscure or violent circumstances, the identity of the deceased person is unknown or the probable causes of death could not be established.

In addition, this bill proposes other amendments to the Act respecting the determination of the causes and circumstances of death and the Public Health Protection Act, particularly for the purpose of removing the notion of assistant coroner.

Bill 160

An Act to amend the Act respecting the determination of the causes and circumstances of death and the Public Health Protection Act

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 37 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., chapter R-0.2) is amended by replacing paragraph 1 by the following paragraph:

“(1) in a reception centre classified as a rehabilitation centre within the meaning of the Act respecting health services and social services (R.S.Q., chapter S-5) and the regulations made thereunder;”.

2. Section 43 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**43.** The person who is required to transport into Québec the body of a person who died outside Québec shall first notify the coroner of the place where the body is to be buried or cremated if the death occurred in obscure or violent circumstances, the identity of the deceased person is unknown or the probable causes of death could not be established.”

3. Section 44.1 of the said Act is repealed.

4. The heading of Chapter III of the said Act is amended by striking out the words “BY A CORONER”.

5. Section 78 of the said Act is amended by striking out the second paragraph.

6. Chapter III.1 of the said Act, consisting of sections 103.1 to 103.6, is repealed.

7. Section 163 of the said Act is amended by replacing the last line by the words “or part-time coroners.”

8. Section 165 of the said Act is amended by striking out the words “or assistant coroners’ ” in the second line of the first paragraph.

9. Section 168 of the said Act is amended

(1) by striking out the words “and assistant coroners” in the first and second lines of subparagraph 1 of the first paragraph;

(2) by replacing the words “, coroners or assistant” in the second line of subparagraph 2 of the first paragraph by the word “or”.

10. Schedule I to the said Act is amended

(1) by striking out the words “OR ASSISTANT CORONER” in the heading;

(2) by striking out the words “(or assistant coroner)” in the second line of the oath or solemn affirmation.

11. Section 47 of the Public Health Protection Act (R.S.Q., chapter P-35) is amended

(1) by striking out the words “or, where the case is within the competence of an assistant coroner, by the assistant coroner” in the fourth, fifth and sixth lines of the third paragraph;

(2) by inserting, after the third paragraph, the following paragraph:

“When the body of a person who died outside Québec is transported into Québec, the declaration of death must be made by the funeral director transporting the body, unless the case is within the competence of the coroner.”

12. Section 52 of the said Act is amended by replacing the first paragraph by the following paragraphs:

“52. Nobody other than a funeral director may make arrangements for the transportation into Québec of the body of a person who died outside Québec or for the transportation of a body out of Québec.

A dead body is transported into Québec in accordance with the conditions fixed by regulation and, where required by the Act respecting the determination of the causes and circumstances of death, with the authorization of the coroner.”

13. This Act comes into force on (*insert here the date of assent to this Act*).