

L.N. 162 of 2023

**Coroners Ordinance (Amendment of Schedule 1) Notice
2023**

(Made by the Chief Executive in Council under section 55 of the
Coroners Ordinance (Cap. 504))

1. Commencement

This Notice comes into operation on a day to be appointed by the Secretary for Health by notice published in the Gazette.

2. Coroners Ordinance amended

The Coroners Ordinance (Cap. 504) is amended as set out in section 3.

3. Schedule 1 amended

(1) Schedule 1—

Repeal

“Schedule 1

[ss. 2, 4 & 55]”

Substitute

“Schedule 1

[ss. 2, 4 & 55]

Reporting of Deaths”.

(2) Schedule 1, Part 1—

Repeal paragraph 16**Substitute**

- “16. Any death of a person (*deceased*) that occurred in any premises in which the care of persons (including the deceased immediately before the death) is provided for reward, except—
- (a) if the deceased died in a hospital within the meaning of the Private Healthcare Facilities Ordinance (Cap. 633) (*Cap. 633*) in respect of which a licence within the meaning of Cap. 633 is in force;
 - (b) if the deceased died in a scheduled nursing home within the meaning of Cap. 633 in respect of which an exemption granted under section 128 of Cap. 633 is in force;
 - (c) if the deceased died in a nursing home within the meaning of the Residential Care Homes (Elderly Persons) Regulation (Cap. 459 sub. leg. A) in respect of which a licence within the meaning of the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) (*Cap. 459*) is in force;
 - (d) if—
 - (i) the deceased died in a residential care home within the meaning of Cap. 459 (not being a nursing home referred to in subparagraph (c)) in respect of which a licence within the meaning of Cap. 459 is in force;
 - (ii) the deceased was, before the death, diagnosed as having a terminal illness;

- (iii) a registered medical practitioner has attended the deceased during his or her last illness within 14 days before the death; and
 - (iv) the cause of death stated in the certificate of the cause of death of the deceased is a natural cause; or
- (e) if—
- (i) the deceased died in a residential care home for PWDs within the meaning of the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) in respect of which a licence, or a certificate of exemption, within the meaning of that Ordinance is in force;
 - (ii) the deceased was, before the death, diagnosed as having a terminal illness;
 - (iii) a registered medical practitioner has attended the deceased during his or her last illness within 14 days before the death; and
 - (iv) the cause of death stated in the certificate of the cause of death of the deceased is a natural cause.”.

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Carmen KONG
Clerk to the Executive Council

COUNCIL CHAMBER

21 November 2023

Explanatory Note

Under section 4 of the Coroners Ordinance (Cap. 504), certain persons must as soon as is reasonably practicable after knowing of any death specified in Part 1 of Schedule 1 to that Ordinance (*reportable death*) report the death to a coroner.

2. Currently, the death of a person (*deceased*) at a residential care home for elderly persons (other than a nursing home) or a residential care home for persons with disabilities is a reportable death specified in paragraph 16 of that Part.
3. This Notice amends that paragraph so that such a death will not be a reportable death specified in that paragraph if—
 - (a) the deceased was, before the death, diagnosed as having a terminal illness;
 - (b) a registered medical practitioner has attended the deceased during his or her last illness within 14 days before the death; and
 - (c) the cause of death stated in the certificate of the cause of death of the deceased is a natural cause.
4. This Notice also adds a Schedule heading to that Schedule to assist readers.