



Coroners Act 2003

Coroners Regulation 2003

Reprinted as in force on 1 September 2008

Reprint No. 1B

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Warning—This reprint is not an authorised copy

Information about this reprint

This regulation is reprinted as at 1 September 2008. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘judgement’ has replaced ‘judgment’). Variations of spelling will be updated in the next authorised reprint.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Coroners Regulation 2003

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Coroners Regulation 2003

[as amended by all amendments that commenced on or before 1 September 2008]

1 Short title

This regulation may be cited as the *Coroners Regulation 2003*.

2 Commencement

This regulation commences on the day that section 99 of the Act¹ commences.

3 Dictionary

The dictionary in the schedule defines particular words used in this regulation.

4 Autopsy fee

A doctor² who performs an autopsy and prepares the autopsy report³ is entitled to the autopsy fee⁴ under the GMO fee schedule.⁵

1 Section 99 (Regulation-making power) of the Act

2 Schedule (Dictionary) definition *doctor*

3 See section 19 (Order for autopsy), section 23 (Autopsy testing) and section 25 (Autopsy reports) of the Act.

4 For fees payable for postmortems or other examinations conducted for a pre-commencement death—see section 100 (When repealed Act still applies) of the Act and the *Coroners Rules 1959*.

5 Schedule (Dictionary) definition *GMO fee schedule*

5 Witness fees

- (1) A doctor who gives evidence at an inquest in his or her professional capacity is entitled to the fees payable under the GMO fee schedule.
- (2) Any other person giving evidence at an inquest is entitled to—
 - (a) if the witness is a non-professional witness—a fee⁶ equal to the schedule fee⁷ payable to a non-professional witness; or
 - (b) if the witness is a professional witness—a fee equal to the schedule fee payable to a professional witness.
- (3) In this section—

schedule fee means the fee (if any) approved by the Governor in Council for prosecution witnesses attending criminal proceedings in the Magistrates Court.

6 Investigation document fee

The fees for copies of an investigation document are as follows—

- (a) first copy—each page—\$1.80;
- (b) maximum fee for first copy—\$52.00;
- (c) additional copy—each page—\$0.50;
- (d) maximum fee for additional copy—\$21.00.

7 Waiver of investigation document fee—genuine research

- (1) This section applies to a person who is given access to an investigation document for research purposes under section 53 of the Act⁸ if the chief executive is satisfied—
 - (a) the research is not being conducted for profit; and

6 For witness expenses payable to persons attending an inquest for a pre-commencement death—see section 100 (When repealed Act still applies) of the Act and the *Coroners Rules 1959*.

7 For the fees as at 1 December 2003, see the gazette published on 5 December 1997 at pages 1513–14.

8 Section 53 (Access to investigation documents for research purposes) of the Act

- (b) the fee would impose an unreasonable financial burden on the person.
- (2) The chief executive may waive the fee payable for the copy of the investigation document.

8 Waiver of investigation document fee—financial hardship

- (1) This section applies to a person in financial hardship who is given access to an investigation document under section 54 of the Act.⁹
- (2) A person is in financial hardship if the person holds a concession card.
- (3) The chief executive must waive the fee payable for the copy of the investigation document.
- (4) In this section—
concession card means—
 - (a) a health care card, or pensioner concession card, under the *Social Security Act 1991* (Cwlth); or
 - (b) a pensioner concession card issued by the Commonwealth Department of Veterans' Affairs.

9 No fee for family member first to access investigation document

- (1) This section applies—
 - (a) if a family member¹⁰ of a deceased person has applied under section 54 of the Act for access to an investigation document in relation to the deceased person; and
 - (b) the coroner has consented to giving the family member access to the document; and
 - (c) no other family member has accessed the document.
- (2) No fee is payable for a copy of the document.

9 Section 54 (Access to investigation documents for other purposes) of the Act

10 Schedule 2 (Dictionary) of the Act

Schedule Dictionary

section 3

doctor means—

- (a) a pathologist appointed to Queensland Health Pathology Services; or
- (b) a health service employee who is entitled to payment for performing, and who performs, an autopsy outside the employee's normal duties; or
- (c) a doctor who is not—
 - (i) a health service employee; or
 - (ii) a public service employee.¹¹

fee includes an allowance and an expense.

GMO fee schedule means the Schedule of Fees for Services to Government Agencies Part-time Government Medical Officers (GP-GMOs) approved by the chief executive of the department in which the *Health Act 1937* is administered.¹²

health service employee means a health service employee appointed under the *Health Services Act 1991*, section 24.¹³

investigation document see section 100(4) and schedule 2 of the Act.¹⁴

Queensland Health Pathology Services means that part of the department in which the *Health Act 1937* is administered that is known as Queensland Health Pathology Services.

11 *Acts Interpretation Act 1954*—see section 36 (Meaning of commonly used words and expressions).

12 The GMO fee schedule can be obtained, on request, from Government Medical Officer Services, 51 Herschel Street, Brisbane, 4001.

13 *Health Services Act 1991*, section 24 (Appointment of health service employees)

14 Section 100 (When repealed Act still applies) and schedule 2 (Dictionary) of the Act

Endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 September 2008. Future amendments of the Coroners Regulation 2003 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 December 2003	
1A	2007 SL No. 275	26 November 2007	
1B	2008 SL No. 266	1 September 2008	

5 List of legislation

Coroners Regulation 2003 SL No. 297

made by the Governor in Council on 27 November 2003

notfd gaz 28 November 2003 pp 1032–5

ss 1–2 commenced on date of notification

remaining provisions commenced 1 December 2003 (see s 2 and 2003 SL No. 296)

exp 1 September 2014 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Justice and Other Legislation (Fees) Amendment Regulation (No. 1) 2007 SL No. 275

notfd gaz 9 November 2007 pp 1355–7

ss 1–2 commenced on date of notification

remaining provisions commenced 26 November 2007 (see s 2)

Justice and Other Legislation (Fees) Amendment Regulation (No. 1) 2008 SL No. 266

notfd gaz 22 August 2008 pp 2651–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2008 (see s 2)

6 List of annotations

Investigation document fee

s 6 sub 2007 SL No. 275 s 3 sch; 2008 SL No. 266 s 3 sch