



Coroners Act 2003

Coroners Regulation 2003

Current as at 1 July 2014—revised version

Reprint note

Powers under the *Reprints Act 1992* have been used in this reprint to bring the legislation into line with current drafting practice.

Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at www.legislation.qld.gov.au.

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at www.legislation.qld.gov.au/Leg_Info/information.htm.
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



Queensland

Coroners Regulation 2003

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Coroners Regulation 2003

[as amended by all amendments that commenced on or before 1 July 2014]

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 Act commences.

3 Dictionary

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

4 Autopsy fee

A doctor who performs an autopsy and prepares the autopsy report is entitled to the autopsy fee under the GMO fee schedule.

Note—

See section 19, section 23 and section 25 of the Act.

For fees payable for postmortems or other examinations conducted for a pre-commencement death—see section 100 of the Act and the *Coroners Rules 1959*.

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 fee equal to the schedule fee payable to a non-professional witness; or

Note—

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

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

- (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—\$2.40;
- (b) maximum fee for first copy—\$63.15;
- (c) additional copy—each page—\$0.65;
- (d) maximum fee for additional copy—\$25.15.

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 Act if the chief executive is satisfied—
 - (a) the research is not being conducted for profit; and
 - (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.
- (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 member 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.

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.

Note—

Acts Interpretation Act 1954—see schedule 1.

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.

Editor's note—

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

health service employee means a health service employee appointed under the *Hospital and Health Boards Act 2011*, section 67.

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

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.

Endnotes

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2 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 version |
| 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 2012 |
| para | = paragraph | SL | = subordinate legislation |
| prec | = preceding | sub | = substituted |
| pres | = present | unnum | = unnumbered |
| prev | = previous | | |

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory

Endnotes

requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

| 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 | |
| 1C | 2009 SL No. 181 | 1 September 2009 | |
| 1D | 2010 SL No. 155 | 1 July 2010 | |
| 1E | 2011 SL No. 115 | 1 July 2011 | |
| 1F | 2012 SL No. 90 | 1 July 2012 | |
| 1G | 2012 SL No. 102 | 13 July 2012 | R1G withdrawn, see R2 |
| 2 | — | 13 July 2012 | |

| Current as at | Amendments included | Notes |
|----------------|---------------------|---------------|
| 1 July 2013 | 2013 SL No. 122 | |
| 1 July 2014 rv | 2014 SL No. 128 | RA ss 43, 44A |

4 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

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 31 August 2015 (see SIA s 56A(2) and SIR s 3 sch 2 pt 2)

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)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2009 SL No. 181

notfd gaz 28 August 2009 pp 1491–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 2009 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2010 SL No. 155

notfd gaz 25 June 2010 pp 823–30
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2010 (see s 2)

Justice (Fees) Amendment Regulation (No. 1) 2011 SL No. 115

notfd gaz 1 July 2011 pp 589–96
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2011 (see s 2)

Health and Hospitals Network and Other Legislation Amendment Regulation (No. 1)

2012 SL No. 90 pt 1, s 41 sch

notfd gaz 29 June 2012 pp 704–10
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2012 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2012 SL No. 102

notfd gaz 13 July 2012 pp 820–5
ss 1–2 commenced on date of notification
remaining provisions commenced 13 July 2012 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2013 SL No. 122

notfd gaz 28 June 2013 pp 739–47
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2013 immediately after the Uniform Civil Procedure and Another Rule Amendment Rule (No. 1) 2013 (see s 2)

Justice Legislation (Fees) Amendment and Repeal Regulation (No. 1) 2014 SL No. 128 ss 1–2(1), 3 sch

notfd <www.legislation.qld.gov.au> 27 June 2014
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2014 (see s 2(1))

5 List of annotations

Investigation document fee

s 6 sub 2007 SL No. 275 s 3 sch; 2008 SL No. 266 s 3 sch; 2009 SL No. 181 s 3 sch
amd 2010 SL No. 155 s 3 sch; 2011 SL No. 115 s 3 sch; 2012 SL No. 102 s 3 sch; 2013 SL No. 122 s 3 sch; 2014 SL No. 128 s 3 sch

SCHEDULE—DICTIONARY

def *health service employee* amd 2012 SL No. 90 s 41 sch

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