



Queensland

Coroners (Mining and Resources Coroner) Amendment Act 2025

Act No. 22 of 2025

An Act to amend the Coroners Act 2003 for particular purposes

[Assented to 20 October 2025]



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Coroners (Mining and Resources Coroner) Amendment Act 2025

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The Parliament of Queensland enacts—

1 Short title

This Act may be cited as the *Coroners (Mining and Resources Coroner) Amendment Act 2025*.

2 Act amended

This Act amends the *Coroners Act 2003*.

Note—

See also the amendments in schedule 1.

3 Amendment of s 7 (Duty to report deaths)

(1) Section 7(3)(a), ‘the Deputy’—

omit, insert—

a Deputy

(2) Section 7(3)(b), before ‘Deputy’—

insert—

a

4 Amendment of s 11 (Deaths to be investigated)

(1) Section 11, heading, after ‘investigated’—

insert—

—generally

(2) Section 11(1)—

insert—

Note—

See also section 11AAA.

(3) Section 11(7)(b), ‘the Deputy’—

omit, insert—

a Deputy

5 Insertion of new s 11AAA

After section 11—

insert—

11AAA Deaths to be investigated—mining related reportable deaths

- (1) A mining related reportable death must be investigated by—
 - (a) the Mining and Resources Coroner; or
 - (b) if the Mining and Resources Coroner is not available to investigate the death because of absence or another reason—another coroner directed by the State Coroner.
- (2) Subsection (1) applies despite section 11(2).
- (3) A person's death is a ***mining related reportable death*** if—
 - (a) the person's death is a reportable death under section 8(3)(b); and
 - (b) the person dies at any time after receiving a mining related injury that—
 - (i) caused the death; or
 - (ii) contributed to the death and without which the person would not have died; and
 - (c) the person receives the mining related injury—
 - (i) at a coal mine; or
 - (ii) at a mine; or
 - (iii) at or in a petroleum and gas site; and

-
- (d) the person's injury is not intentionally self-inflicted.
- (4) For subsection (3), a ***mining related injury*** is an injury from—
- (a) coal mining operations under the *Coal Mining Safety and Health Act 1999*, schedule 3; or
 - (b) operations under the *Mining and Quarrying Safety and Health Act 1999*, section 10; or
 - (c) data acquisition activities; or
 - (d) petroleum tenure activities; or
 - (e) water monitoring activities.
- (5) In this section—

area, of a data acquisition authority, petroleum tenure or water monitoring authority, see the *Petroleum and Gas (Production and Safety) Act 2004*, schedule 2 or the *Petroleum Act 1923*, section 2.

coal mine—

- (a) means a coal mine within the meaning of the *Coal Mining Safety and Health Act 1999*, section 9, other than a coal mine that is a place mentioned in section 9(1)(e) of that Act; and
- (b) includes a mining railway to which that Act would apply in the absence of section 5A of that Act.

data acquisition activities see the *Petroleum and Gas (Production and Safety) Act 2004*, section 176(1).

data acquisition authority see the *Petroleum and Gas (Production and Safety) Act 2004*, section 18(1)(c).

mine—

- (a) means a mine within the meaning of the *Mining and Quarrying Safety and Health Act 1999*, section 9, other than a mine that is a place mentioned in section 9(1)(e) of that Act; and
- (b) includes—
 - (i) a mine or part of a mine mentioned in paragraph (a) that is the subject of a declaration under section 9(4) of that Act; and
 - (ii) a mining railway to which that Act would apply in the absence of section 5A of that Act.

petroleum and gas site—

- (a) means—
 - (i) the area of a data acquisition authority, petroleum tenure or water monitoring authority; or
 - (ii) a place where data acquisition activities are carried out, continuously or from time to time, unlawfully because land at the place is not in the area of a data acquisition authority; or
 - (iii) a place where a petroleum tenure activity is carried out, continuously or from time to time, unlawfully because land at the place is not in the area of a petroleum tenure; or
 - (iv) a place where a water monitoring activity is carried out, continuously or from time to time, unlawfully because land at the place is not in the area of a petroleum tenure or a water monitoring authority; and
- (b) includes buildings for administration, accommodation and associated facilities in

an area, or at a place, mentioned in paragraph (a), or on land adjoining or adjacent to the area or place.

petroleum tenure means—

- (a) a petroleum tenure under the *Petroleum and Gas (Production and Safety) Act 2004*, section 18(3); or
- (b) a lease under the *Petroleum Act 1923*, section 2.

petroleum tenure activity means a petroleum tenure activity under the *Petroleum and Gas (Production and Safety) Act 2004*, section 800(3), other than the following—

- (a) an airborne geophysical survey;
- (b) transport to and from a petroleum and gas site on a public road or public railway;
- (c) air transport to and from a petroleum and gas site;
- (d) a pastoral activity.

water monitoring activity means a water monitoring activity under the *Petroleum and Gas (Production and Safety) Act 2004*, section 187(2) or the *Petroleum Act 1923*, section 87(2).

water monitoring authority means a water monitoring authority under the *Petroleum and Gas (Production and Safety) Act 2004*, section 18(1)(d) or the *Petroleum Act 1923*, section 2.

6 Amendment of s 11AA (Preliminary examinations)

Section 11AA(1), from ‘police’ to ‘section 7(4)’—

omit, insert—

person’s death has been reported to a coroner under section 7

[s 7]

7 Amendment of s 27 (When inquest must be held)

Section 27(1)(a)—

insert—

(iv) a mining related reportable death; or

8 Amendment of s 34 (Pre-inquest conferences)

Section 34—

insert—

(5) This section applies despite section 29.

9 Insertion of new s 47A

After section 47—

insert—

47A Coroner's findings and comments for mining related reportable deaths

- (1) This section applies to the findings, and any comments, of a coroner made in relation to the investigation of a mining related reportable death.
- (2) The coroner must give a written copy of the findings and comments—
 - (a) to the Attorney-General; and
 - (b) to the CEO under the *Resources Safety and Health Queensland Act 2020*; and
 - (c) to the Minister administering the *Resources Safety and Health Queensland Act 2020*.

10 Amendment of s 71 (Functions and powers of State Coroner)

Section 71(1)(e), 'the Deputy'—

omit, insert—

each Deputy

11 Amendment of s 74 (Acting as State Coroner)

- (1) Section 74(6), ‘the Deputy State Coroner may’—

omit, insert—

the Chief Magistrate may appoint a Deputy State Coroner to

- (2) Section 74(7), definition *Deputy State Coroner*, ‘the Deputy’—

omit, insert—

a Deputy

12 Amendment of pt 4, div 3, hdg (Deputy State Coroner)

Part 4, division 3, heading, ‘Coroner’—

omit, insert—

Coroners

13 Amendment of s 78 (Appointment of Deputy State Coroner)

- (1) Section 78(1), ‘the Deputy’—

omit, insert—

a Deputy

- (2) Section 78(2)—

omit, insert—

- (2) A Deputy State Coroner holds office for the term stated in the Deputy State Coroner’s instrument of appointment.

- (3) Section 78(4), ‘the Deputy’—

omit, insert—

a Deputy

14 Amendment of s 79 (Functions and powers of Deputy State Coroner)

Section 79, ‘the Deputy’—

omit, insert—

a Deputy

15 Amendment of s 79A (Resignation of Deputy State Coroner)

(1) Section 79A(1), ‘The person’—

omit, insert—

A person

(2) Section 79A(1) and (2), before ‘Deputy’—

insert—

a

16 Amendment of s 80 (When person stops being the Deputy State Coroner)

(1) Section 80, heading, ‘the’—

omit.

(2) Section 80(1) and (2), ‘the Deputy’—

omit, insert—

a Deputy

17 Amendment of s 81 (Acting as Deputy State Coroner)

(1) Section 81(1)(a), ‘the Deputy’—

omit, insert—

a Deputy

(2) Section 81(1)(b)—

omit, insert—

- (b) a Deputy State Coroner is not available to perform the functions of a Deputy State Coroner because of absence or another reason.
- (3) Section 81(2), ‘the Deputy’—
omit, insert—
a Deputy

18 Insertion of new s 82A

After section 82—

insert—

82A Mining and Resources Coroner

- (1) The Governor in Council may appoint a local coroner as the Mining and Resources Coroner.
- (2) Before making a recommendation to the Governor in Council about the appointment of the Mining and Resources Coroner, the Minister must first consult with the Chief Magistrate and the State Coroner.
- (3) In addition to the functions and powers of a magistrate and coroner, the Mining and Resources Coroner has the functions and powers of the Mining and Resources Coroner under this or another Act.
- (4) The person appointed as the Mining and Resources Coroner may, by written notice to the Minister, resign as Mining and Resources Coroner.
- (5) However, on resigning as Mining and Resources Coroner, the person does not stop being a magistrate.
- (6) A person stops being the Mining and Resources Coroner—

[s 19]

- (a) while the person is suspended as a magistrate; or
- (b) if the person stops being a magistrate.
- (7) For a magistrate who is the Mining and Resources Coroner, the duties of office mentioned in the *Magistrates Act 1991*, section 43(4) include the duties of the Mining and Resources Coroner.

19 Amendment of s 91K (Chairperson)

Section 91K(1), ‘the Deputy’—

omit, insert—

a Deputy

20 Insertion of new pt 6, div 7

Part 6—

insert—

Division 7	Transitional provisions for Coroners (Mining and Resources Coroner) Amendment Act 2025
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118 Application of Act to mining related reportable deaths after commencement

- (1) This Act as amended by the amendment Act applies to a mining related reportable death that happens after the commencement whether the mining related injury happened before, or happens after, the commencement.
- (2) In this section—

amendment Act means the *Coroners (Mining and Resources Coroner) Amendment Act 2025*.

119 Application of Act to particular pre-commencement mining deaths

- (1) This section applies in relation to a pre-commencement mining death if—
 - (a) immediately before the commencement, the coroner investigating the death has not made all the findings of an investigation into the death; and
 - (b) before the commencement—
 - (i) the investigation has not gone to an inquest; and
 - (ii) a pre-inquest conference has not been held into the death; and
 - (iii) the coroner has not stopped investigating the death under section 12(2).
- (2) On the commencement, the State Coroner is taken to have reassigned the investigation of the pre-commencement mining death to the Mining and Resources Coroner under section 63.
- (3) This Act as in force from the commencement applies to the pre-commencement mining death as if the death were a mining related reportable death.
- (4) However, despite new section 27(1)(a)(iv) and subsection (5), the Mining and Resources Coroner must comply with a decision or order of the State Coroner made under section 30, or a subsequent decision or order of the District Court made under section 30, in relation to the pre-commencement mining death, whether the decision or order was or is made before or after the commencement.
- (5) Also, despite new section 27(1)(a)(iv), the Mining and Resources Coroner need not hold an inquest into the pre-commencement mining death if the

Mining and Resources Coroner is satisfied it is not in the public interest for the inquest to be held.

- (6) In deciding whether it is not in the public interest to hold the inquest, the Mining and Resources Coroner must—
- (a) consult with and consider the views of a family member of the deceased person; and
 - (b) consider the length of time since the death happened; and
 - (c) consider when the investigation is likely to be completed.

- (7) In this section—

new section 27(1)(a)(iv) means section 27(1)(a)(iv) as in force from the commencement.

pre-commencement mining death means the death of a person before the commencement that would have been a mining related reportable death if the person had died after the commencement.

21 Amendment of sch 2 (Dictionary)

- (1) Schedule 2—

insert—

mining related reportable death see section 11AAA(3).

- (2) Schedule 2, definition *coroner*, paragraph (b), ‘the Deputy’—
omit, insert—

a Deputy

- (3) Schedule 2, definition *coroner*—

insert—

(ca) the Mining and Resources Coroner; or

- (4) Schedule 2, definition *coroner*, paragraphs (ca) and (d)—

renumber as paragraphs (d) and (e).

Schedule 1 Other amendments

section 2

1 Section 10AA(5)—

insert—

health procedure means a dental, medical, surgical or other health related procedure, including, for example, the administration of an anaesthetic, analgesic, sedative or other drug.

2 Section 35(3)—

omit.

3 Section 38(1), ‘conference held under section 34’—

omit, insert—

pre-inquest conference

4 Section 47, heading, ‘comments and findings’—

omit, insert—

findings and comments

5 Sections 68 and 69(1), example, ‘conferences held under section 34’—

omit, insert—

pre-inquest conferences

6 Schedule 2, definition *health procedure*—

omit.

7 Schedule 2—

insert—

pre-inquest conference means a conference mentioned in section 34.

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