

Queensland



Subordinate Legislation 2003 No. 297

Coroners Act 2003

CORONERS REGULATION 2003

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DICTIONARY

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

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

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4 For fees payable for postmortems or other examinations conducted for a pre-commencement death—see section 100 (When repealed Act still applies) of the Act and the *Coroners Rules 1959*.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

6 For witness expenses payable to persons attending an inquest for a pre-commencement death—see section 100 (When repealed Act still applies) of the Act and the *Coroners Rules 1959*.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

- (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 fee for a copy of each page of an investigation document is 20c.

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
- (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—

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

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

- (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.

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

1. Made by the Governor in Council on 27 November 2003.
2. Notified in the gazette on 28 November 2003.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Justice and Attorney-General.