



Queensland

Coroners (Mining and Resources Coroner) Amendment Bill 2025



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2025

A Bill

for

An Act to amend the *Coroners Act 2003* for particular purposes

[s 1]

The Parliament of Queensland enacts—	1
Clause 1 Short title	2
This Act may be cited as the <i>Coroners (Mining and Resources Coroner) Amendment Act 2025</i> .	3 4
Clause 2 Act amended	5
This Act amends the <i>Coroners Act 2003</i> .	6
<i>Note—</i>	7
See also the amendments in schedule 1.	8
Clause 3 Amendment of s 7 (Duty to report deaths)	9
(1) Section 7(3)(a), ‘the Deputy’—	10
<i>omit, insert—</i>	11
a Deputy	12
(2) Section 7(3)(b), before ‘Deputy’—	13
<i>insert—</i>	14
a	15
Clause 4 Amendment of s 11 (Deaths to be investigated)	16
(1) Section 11, heading, after ‘investigated’—	17
<i>insert—</i>	18
—generally	19
(2) Section 11(1)—	20
<i>insert—</i>	21
<i>Note—</i>	22
See also section 11AAA.	23
(3) Section 11(7)(b), ‘the Deputy’—	24

omit, insert—

a Deputy

Clause 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

[s 5]

-
- (d) the person's injury is not intentionally self-inflicted. 1
2
- (4) For subsection (3), a ***mining related injury*** is an injury from— 3
4
- (a) coal mining operations under the *Coal Mining Safety and Health Act 1999*, schedule 3; or 5
6
7
- (b) operations under the *Mining and Quarrying Safety and Health Act 1999*, section 10; or 8
9
- (c) data acquisition activities; or 10
- (d) petroleum tenure activities; or 11
- (e) water monitoring activities. 12
- (5) In this section— 13
- 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. 14
15
16
17
18
- coal mine***— 19
- (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 20
21
22
23
24
- (b) includes a mining railway to which that Act would apply in the absence of section 5A of that Act. 25
26
27
- data acquisition activities*** see the *Petroleum and Gas (Production and Safety) Act 2004*, section 176(1). 28
29
30
- data acquisition authority*** see the *Petroleum and Gas (Production and Safety) Act 2004*, section 18(1)(c). 31
32
33
- mine***— 34
-

-
- (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
-

[s 6]

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.

Clause 6 Amendment of s 11AA (Preliminary examinations) 28

Section 11AA(1), from ‘police’ to ‘section 7(4)’— 29

omit, insert— 30

person’s death has been reported to a coroner
under section 7 31
32

Clause 7	Amendment of s 27 (When inquest must be held)	1
	Section 27(1)(a)—	2
	<i>insert—</i>	3
	(iv) a mining related reportable death; or	4
Clause 8	Amendment of s 34 (Pre-inquest conferences)	5
	Section 34—	6
	<i>insert—</i>	7
	(5) This section applies despite section 29.	8
Clause 9	Insertion of new s 47A	9
	After section 47—	10
	<i>insert—</i>	11
	47A Coroner's findings and comments for mining related reportable deaths	12
	(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.	13
	(2) The coroner must give a written copy of the findings and comments—	14
	(a) to the Attorney-General; and	15
	(b) to the CEO under the <i>Resources Safety and Health Queensland Act 2020</i> ; and	16
	(c) to the Minister administering the <i>Resources Safety and Health Queensland Act 2020</i> .	17
Clause 10	Amendment of s 71 (Functions and powers of State Coroner)	18
	Section 71(1)(e), 'the Deputy'—	19
	<i>omit, insert—</i>	20
	each Deputy	21

[s 11]

Clause 11	Amendment of s 74 (Acting as State Coroner)	1
	(1) Section 74(6), ‘the Deputy State Coroner may’—	2
	<i>omit, insert—</i>	3
	the Chief Magistrate may appoint a Deputy State Coroner to	4
		5
	(2) Section 74(7), definition <i>Deputy State Coroner</i> , ‘the Deputy’—	6
		7
	<i>omit, insert—</i>	8
	a Deputy	9
Clause 12	Amendment of pt 4, div 3, hdg (Deputy State Coroner)	10
	Part 4, division 3, heading, ‘Coroner’—	11
	<i>omit, insert—</i>	12
	Coroners	13
Clause 13	Amendment of s 78 (Appointment of Deputy State Coroner)	14
		15
	(1) Section 78(1), ‘the Deputy’—	16
	<i>omit, insert—</i>	17
	a Deputy	18
	(2) Section 78(2)—	19
	<i>omit, insert—</i>	20
	(2) A Deputy State Coroner holds office for the term stated in the Deputy State Coroner’s instrument of appointment.	21
		22
		23
	(3) Section 78(4), ‘the Deputy’—	24
	<i>omit, insert—</i>	25
	a Deputy	26

Clause 14	Amendment of s 79 (Functions and powers of Deputy State Coroner)	1 2
	Section 79, ‘the Deputy’—	3
	<i>omit, insert—</i>	4
	a Deputy	5
Clause 15	Amendment of s 79A (Resignation of Deputy State Coroner)	6 7
	(1) Section 79A(1), ‘The person’—	8
	<i>omit, insert—</i>	9
	A person	10
	(2) Section 79A(1) and (2), before ‘Deputy’—	11
	<i>insert—</i>	12
	a	13
Clause 16	Amendment of s 80 (When person stops being the Deputy State Coroner)	14 15
	(1) Section 80, heading, ‘the’—	16
	<i>omit.</i>	17
	(2) Section 80(1) and (2), ‘the Deputy’—	18
	<i>omit, insert—</i>	19
	a Deputy	20
Clause 17	Amendment of s 81 (Acting as Deputy State Coroner)	21
	(1) Section 81(1)(a), ‘the Deputy’—	22
	<i>omit, insert—</i>	23
	a Deputy	24
	(2) Section 81(1)(b)—	25
	<i>omit, insert—</i>	26

[s 18]

- (b) a Deputy State Coroner is not available to perform the functions of a Deputy State Coroner because of absence or another reason. 1
2
3
4
- (3) Section 81(2), ‘the Deputy’— 5
omit, insert— 6
a Deputy 7

Clause 18 Insertion of new s 82A 8

After section 82— 9
insert— 10

82A Mining and Resources Coroner 11

- (1) The Governor in Council may appoint a local coroner as the Mining and Resources Coroner. 12
13
- (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. 14
15
16
17
18
- (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. 19
20
21
22
23
- (4) The person appointed as the Mining and Resources Coroner may, by written notice to the Minister, resign as Mining and Resources Coroner. 24
25
26
27
- (5) However, on resigning as Mining and Resources Coroner, the person does not stop being a magistrate. 28
29
30
- (6) A person stops being the Mining and Resources Coroner— 31
32

- (a) while the person is suspended as a magistrate; or 1
2
- (b) if the person stops being a magistrate. 3
- (7) For a magistrate who is the Mining and Resources 4
Coroner, the duties of office mentioned in the 5
Magistrates Act 1991, section 43(4) include the 6
duties of the Mining and Resources Coroner. 7

Clause 19 Amendment of s 91K (Chairperson) 8
Section 91K(1), ‘the Deputy’— 9
omit, insert— 10
a Deputy 11

Clause 20 Insertion of new pt 6, div 7 12
Part 6— 13
insert— 14

Division 7 Transitional provisions for 15
Coroners (Mining and 16
Resources Coroner) 17
Amendment Act 2025 18

118 Application of Act to mining related reportable 19
deaths after commencement 20

- (1) This Act as amended by the amendment Act 21
applies to a mining related reportable death that 22
happens after the commencement whether the 23
mining related injury happened before, or 24
happens after, the commencement. 25

- (2) In this section— 26
amendment Act means the *Coroners (Mining and 27*
Resources Coroner) Amendment Act 2025. 28

119 Application of Act to particular	1
pre-commencement mining deaths	2
(1) This section applies in relation to a	3
pre-commencement mining death if—	4
(a) immediately before the commencement, the	5
coroner investigating the death has not made	6
all the findings of an investigation into the	7
death; and	8
(b) before the commencement—	9
(i) the investigation has not gone to an	10
inquest; and	11
(ii) a pre-inquest conference has not been	12
held into the death; and	13
(iii) the coroner has not stopped	14
investigating the death under section	15
12(2).	16
(2) On the commencement, the State Coroner is taken	17
to have reassigned the investigation of the	18
pre-commencement mining death to the Mining	19
and Resources Coroner under section 63.	20
(3) This Act as in force from the commencement	21
applies to the pre-commencement mining death as	22
if the death were a mining related reportable	23
death.	24
(4) However, despite new section 27(1)(a)(iv) and	25
subsection (5), the Mining and Resources	26
Coroner must comply with a decision or order of	27
the State Coroner made under section 30, or a	28
subsequent decision or order of the District Court	29
made under section 30, in relation to the	30
pre-commencement mining death, whether the	31
decision or order was or is made before or after	32
the commencement.	33
(5) Also, despite new section 27(1)(a)(iv), the Mining	34
and Resources Coroner need not hold an inquest	35
into the pre-commencement mining death if the	36

	Mining and Resources Coroner is satisfied it is not in the public interest for the inquest to be held.	1 2
(6)	In deciding whether it is not in the public interest to hold the inquest, the Mining and Resources Coroner must—	3 4 5
	(a) consult with and consider the views of a family member of the deceased person; and	6 7
	(b) consider the length of time since the death happened; and	8 9
	(c) consider when the investigation is likely to be completed.	10 11
(7)	In this section—	12
	<i>new section 27(1)(a)(iv)</i> means section 27(1)(a)(iv) as in force from the commencement.	13 14
	<i>pre-commencement mining death</i> 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.	15 16 17 18 19
Clause 21	Amendment of sch 2 (Dictionary)	20
(1)	Schedule 2—	21
	<i>insert—</i>	22
	<i>mining related reportable death</i> see section 11AAA(3).	23 24
(2)	Schedule 2, definition <i>coroner</i> , paragraph (b), ‘the Deputy’—	25
	<i>omit, insert—</i>	26
	a Deputy	27
(3)	Schedule 2, definition <i>coroner</i> —	28
	<i>insert—</i>	29
	(ca) the Mining and Resources Coroner; or	30
(4)	Schedule 2, definition <i>coroner</i> , paragraphs (ca) and (d)—	31

[s 21]

renumber as paragraphs (d) and (e).

1

Schedule 1	Other amendments	1
	section 2	2
1	Section 10AA(5)—	3
	<i>insert—</i>	4
	<i>health procedure</i> means a dental, medical, surgical or other health related procedure, including, for example, the administration of an anaesthetic, analgesic, sedative or other drug.	5 6 7 8
2	Section 35(3)—	9
	<i>omit.</i>	10
3	Section 38(1), ‘conference held under section 34’—	11
	<i>omit, insert—</i>	12
	pre-inquest conference	13
4	Section 47, heading, ‘comments and findings’—	14
	<i>omit, insert—</i>	15
	findings and comments	16
5	Sections 68 and 69(1), example, ‘conferences held under section 34’—	17 18
	<i>omit, insert—</i>	19
	pre-inquest conferences	20
6	Schedule 2, definition <i>health procedure</i>—	21
	<i>omit.</i>	22

Schedule 1

7 Schedule 2—

insert—

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

1
2
3
4

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