



Coroners Act 2003

Coroners Regulation 2015

Current as at 1 July 2017



Queensland

Coroners Regulation 2015

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Coroners Regulation 2015

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Coroners Regulation 2015*.

2 Commencement

This regulation commences on 1 September 2015.

3 Definitions

The dictionary in schedule 2 defines particular words used in this regulation.

Part 2 Fees payable by the State to particular doctors, witnesses or other persons

4 Fees payable by the State to particular persons

Schedule 1 states fees payable under the Act by the State to particular persons.

Part 3 **Fee payable to the State for copy of investigation document**

5 Fee for copy of investigation document—Act, s 99(2)(b)(ii)

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

- (a) first copy—each page—\$2.70;
- (b) maximum fee for first copy—\$70.00;
- (c) additional copy—each page—\$0.65;
- (d) maximum fee for additional copy—\$27.90.

6 Waiver of fee for copy of investigation document—genuine research

- (1) This section applies if—
 - (a) the State Coroner gives a person access to an investigation document under section 53 of the Act for research purposes; and
 - (b) the chief executive is satisfied—
 - (i) the research is not being conducted for profit; and
 - (ii) the fee for a copy of the document would impose an unreasonable financial burden on the person.
- (2) The chief executive may waive the fee for a copy of the investigation document.

7 Waiver of fee for copy of investigation document—financial hardship

- (1) This section applies if a person in financial hardship is given access to an investigation document under section 54 of the Act.

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- (2) For subsection (1), a person is in financial hardship if the person holds a concession card.
 - (3) The chief executive must waive the fee for a 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 in which the *Veterans' Entitlements Act 1986* (Cwlth) is administered.

8 No fee for copy of investigation document for family member of deceased person

- (1) This section applies if a family member of a deceased person is given access to an investigation document under section 54 of the Act.

Note—

See the definition *family member* in schedule 2 of the Act.

- (2) No fee is payable by the family member for a copy of the investigation document.

Part 4 Transitional provisions

Division 1 Transitional provision for SL No. 105 of 2015

9 Fees—autopsy, or person's giving of evidence at inquest, started but not completed

- (1) Subsection (2) applies if, immediately before the commencement, a doctor—

[s 10]

- (a) had started to perform an autopsy as mentioned in the repealed regulation, section 4; and
 - (b) had not completed the autopsy.
- (2) The repealed regulation, section 4 continues to apply to the doctor in relation to the doctor's entitlement to fees as if this regulation had not been made.
- (3) Subsection (4) applies if, immediately before the commencement, a person—
- (a) had started to give evidence at an inquest as mentioned in the repealed regulation, section 5; and
 - (b) had not completed giving the evidence.
- (4) The repealed regulation, section 5 continues to apply to the person in relation to the person's entitlement to fees as if this regulation had not been made.
- (5) In this section—

autopsy includes the autopsy report.

doctor see the schedule of the repealed regulation.

repealed regulation means the repealed *Coroners Regulation 2003*.

Division 2 Transitional provision for Criminal Practice (Fees) and Other Legislation Amendment Regulation 2017

10 Fee payable to particular persons attending inquest before commencement

- (1) This section applies if, before the commencement—
- (a) a person, other than a person to whom schedule 1, section 7 applies, attended an inquest to give evidence; and

- (b) the person had not been paid the fee payable for the attendance under schedule 1, section 8 as in force before the commencement.
- (2) Schedule 1, section 8, as amended by the *Criminal Practice (Fees) and Other Legislation Amendment Regulation 2017*, applies in relation to the person for the attendance.

Schedule 1 Fees payable by the State to particular doctors, witnesses or other persons

section 4

Part 1 Autopsy fees and related fees

1 Fee payable to doctor for conducting particular pre-arranged autopsy or test or pre-arranged preliminary investigation of a body

- (1) This section applies for each of the following services conducted by a doctor, if the provision of the service is arranged with a coroner in advance of the coroner requiring the doctor to conduct the service—
 - (a) an autopsy conducted under the Act that is 1 of the following—
 - (i) an external examination of a body not conducted as part of a preliminary investigation of a body;
 - (ii) an external and partial internal examination of a body;
 - (iii) an external and full internal examination of a body;
 - (iv) an examination of the cremated remains of a body;
 - (b) a preliminary investigation of a body;
 - (c) a test for an autopsy under section 23 of the Act.
- (2) The fee payable to the doctor for conducting the autopsy, preliminary investigation or test is—
 - (a) for each whole hour—\$269.34; and
 - (b) for a part of an hour—\$269.34 multiplied by the percentage representing the part of an hour.
- (3) However, time spent in taking a CT scan is to be disregarded in working out the fee under subsection (2).

Note—

See section 4 (Fee payable to doctor for taking CT scan)

(4) In this section—

autopsy means—

- (a) an autopsy; and
- (b) preparing and giving an autopsy report for the autopsy under section 25(1) of the Act.

preliminary investigation of a body, by a doctor, means an investigation of a body, other than to the extent it is the taking of a CT scan, to decide whether the doctor can form a sufficient opinion as to the probable cause of death for the purpose of completing a cause of death certificate under the *Births, Deaths and Marriages Registration Act 2003*.

Examples of things that may be done by a doctor on a preliminary investigation of a body—

- considering the circumstances of death
- reviewing medical records
- an external examination of the body, including, for example, using an X-ray

2 Fee payable to doctor attending scene of a death, for conducting external examination or for autopsy report, that is not pre-arranged

- (1) This section applies for each of the following services conducted by a doctor, if the provision of the service is not arranged with a coroner in advance of the coroner requiring the doctor to conduct the service—
 - (a) attending the scene of a death and conducting an autopsy under the Act that is the external examination of a body;
 - (b) preparing and giving an autopsy report for the autopsy under section 25(1) of the Act.
- (2) The fee payable to the doctor for conducting the examination or preparing and giving the autopsy report, and for any time reasonably spent travelling to or from the scene—

- (a) during the period from 8a.m. to midnight is—
 - (i) for each whole hour—\$291.45; and
 - (ii) for a part of an hour—\$291.45 multiplied by the percentage representing the part of an hour; or
 - (b) during the period from midnight to 8a.m. is—
 - (i) for each whole hour—\$388.60; and
 - (ii) for a part of an hour—\$388.60 multiplied by the percentage representing the part of an hour.
- (3) However, time spent in taking a CT scan is to be disregarded in working out the fee under subsection (2).

3 Fee payable to doctor for conducting particular urgent autopsy, or test, that is not pre-arranged

- (1) This section applies for each of the following services conducted by a doctor, if the provision of the service is required urgently by a coroner and is not arranged with a coroner in advance of the coroner requiring the doctor to conduct the service—
- (a) an autopsy conducted under the Act that is 1 of the following, other than an external examination of a body to which section 2(1)(a) applies—
 - (i) an external examination of a body;
 - (ii) an external and partial internal examination of a body;
 - (iii) an external and full internal examination of a body;
 - (b) a test for an autopsy under section 23 of the Act.
- (2) The fee payable to the doctor for conducting the autopsy or test—
- (a) during the period from 8a.m. to midnight is—
 - (i) for each whole hour—\$291.45; and
 - (ii) for a part of an hour—\$291.45 multiplied by the percentage representing the part of an hour; or

-
- (b) during the period from midnight to 8a.m. is—
 - (i) for each whole hour—\$388.60; and
 - (ii) for a part of an hour—\$388.60 multiplied by the percentage representing the part of an hour.
 - (3) However, time spent in taking a CT scan is to be disregarded in working out the fee under subsection (2).
 - (4) In this section—

autopsy means—

 - (a) an autopsy; and
 - (b) preparing and giving an autopsy report for the autopsy under section 25(1) of the Act.

4 Fee payable to doctor for taking CT scan

The fee payable to a doctor for taking a CT scan for the Office of the State Coroner, including a CT scan done wholly or partly by another person under the doctor's direction, is \$250.

Part 2 Scientific, technical or administrative support fees

5 Fee payable to laboratory scientist or laboratory technician

- (1) The fee payable to a laboratory scientist for providing scientific support, or to a laboratory technician for providing technical support, to a doctor investigating a death for the Office of the State Coroner is—
 - (a) for each whole hour—\$60; and
 - (b) for a part of an hour—\$60 multiplied by the percentage representing the part of an hour.
- (2) In this section—

laboratory scientist means a scientist who is working in a laboratory as a scientist.

laboratory technician means a technician who is working in a laboratory as a technician.

6 Fee payable to person for providing administrative support

The fee payable to a person for providing administrative support to a doctor investigating a death for the Office of the State Coroner is—

- (a) for each whole hour—\$50; and
- (b) for a part of an hour—\$50 multiplied by the percentage representing the part of an hour.

Part 3 Witness fees for attending inquest

7 Fee payable to doctor for attending inquest to give evidence

- (1) The fee payable to a doctor for attending an inquest to give evidence is—
 - (a) for each whole hour—\$269.34; and
 - (b) for a part of an hour—\$269.34 multiplied by the percentage representing the part of an hour.
- (2) For subsection (1), time spent by the doctor in attending the inquest includes—
 - (a) any time spent by the doctor in waiting to give evidence at the inquest; and
 - (b) any time reasonably spent by the doctor in travelling to or from the inquest.
- (3) Subsection (1) applies whether or not the doctor gives evidence at the inquest.

8 Fee for other persons for attending inquest to give evidence

- (1) The fee payable to a person for attending an inquest to give evidence, other than a person to whom section 7 applies, is the fee that is equal to the prosecution witness allowances that would be payable to the person if—
- (a) the inquest were a criminal proceeding in a court; and
 - (b) the person were a prosecution witness attending court to give evidence in the criminal proceeding.
- (2) In this section—

prosecution witness see the *Criminal Practice (Fees) Regulation 2010*, section 4.

prosecution witness allowance means an amount payable to a prosecution witness under the *Criminal Practice (Fees) Regulation 2010*, section 5.

Schedule 2 Dictionary

section 3

doctor means a doctor who is neither a health service employee nor a public service employee.

Note—

See also definitions *doctor* and *medical practitioner* in the *Acts Interpretation Act 1954*, schedule 1.

fee, for part 2 and schedule 1, includes an allowance and an amount payable for an expense.

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

investigation document has the meaning given by section 100(4) or schedule 2 of the Act.

1 Index to endnotes

- 2 Key
- 3 Table of reprints
- 4 List of legislation
- 5 List of annotations

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
amd	= amendment	prov	= provision
t			
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	renu	= renumbered
		m	
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
)	
notf	= notified	rv	= revised version
d			
num	= numbered	s	= section

Key	Explanation	Key	Explanation
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 m	= 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 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.

Current as at	Amendments included	Notes
1 September 2015	none	
1 July 2016	2016 SL No. 85	

Current as at	Amendments included	Notes
13 April 2017	2017 SL No. 52	
1 July 2017	2017 SL No. 109	

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.

Coroners Regulation 2015 SL No. 105

made by the Governor in Council on 27 August 2015
 notfd <www.legislation.qld.gov.au> 28 August 2015
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 September 2015 (see s 2)
 exp 1 September 2025 (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 Legislation (Fees) Amendment Regulation (No. 1) 2016 SL No. 85 pts 1, 18

notfd <www.legislation.qld.gov.au> 17 June 2016
 ss 1–2 commenced on date of notification
 pt 18 commenced 1 July 2016 (see s 2)

Criminal Practice (Fees) and Other Legislation Amendment Regulation 2017 SL No. 52

notfd <www.legislation.qld.gov.au> 13 April 2017
 pts 1–2 commenced on date of notification

Justice Legislation (Fees) Amendment Regulation (No. 1) 2017 SL No. 109

notfd <www.legislation.qld.gov.au> 30 June 2017
 ss 1–2 commenced on date of notification
 pt 18 commenced 1 July 2017 (see s 2)

5 List of annotations

Fee for copy of investigation document—Act, s 99(2)(b)(ii)

s 5 amd 2016 SL No. 85 s 36; 2017 SL No. 52 s 3; 2017 SL No. 109 s 39

PART 4—TRANSITIONAL PROVISIONS

pt hdg amd 2017 SL No. 52 s 4

Division 1—Transitional provision for SL No. 105 of 2015

div hdg ins 2017 SL No. 52 s 5

Division 2—Transitional provision for Criminal Practice (Fees) and Other Legislation Amendment Regulation 2017

div hdg ins 2017 SL No. 52 s 6

Fee payable to particular persons attending inquest before commencement

s 10 ins 2017 SL No. 52 s 6

SCHEDULE 1—FEES PAYABLE BY THE STATE TO PARTICULAR DOCTORS, WITNESSES OR OTHER PERSONS

Fee for other persons for attending inquest to give evidence

s 8 amd 2017 SL No. 52 s 7

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