



Resources Safety and Health Queensland and Other Legislation Amendment Bill 2026



Queensland

Resources Safety and Health Queensland and Other Legislation Amendment Bill 2026

Contents

		Page
Part 1	Preliminary	
1	Short title	8
2	Commencement	8
Part 2	Amendment of Coal Mining Safety and Health Act 1999	
3	Act amended	8
4	Amendment of s 76 (Primary function of committee)	8
5	Amendment of s 76A (Other functions of committee)	9
6	Amendment of s 77 (Annual report)	9
7	Amendment of s 78 (Membership of committee)	9
8	Amendment of s 250 (Proof of appointments and authority unnecessary)	9
9	Amendment of s 251 (Proof of signatures unnecessary)	10
10	Amendment of s 252 (Evidentiary aids)	10
11	Insertion of new pt 20, div 13	10
	Division 13 Transitional provisions for Resources Safety and Health Queensland and Other Legislation Amendment Act 2026	
	342 Definitions for division	10
	343 Chairperson of committee	11
	344 Continuation of acts and matters	11
	345 Functions and powers	11
	346 References to former chairperson	12
12	Amendment of sch 3 (Dictionary)	12
Part 3	Amendment of Coexistence Queensland Act 2013	
13	Act amended	12

Contents

14	Amendment of s 9 (Membership of Coexistence Queensland) . .	13
15	Amendment of s 30 (Employment of chief executive officer) . . .	13
16	Amendment of s 36 (Delegation)	13
Part 4	Amendment of Land Access Ombudsman Act 2017	
17	Act amended	14
18	Amendment of s 4 (How purpose is achieved)	14
19	Replacement of pt 2, div 1, sdiv 1 and pt 2, div 1, sdiv 2, hdg . .	14
	9 Land access ombudsman	14
	10 Conditions of office	14
	11 Removal from office	15
	12 Acting land access ombudsman	15
20	Amendment of s 16 (Functions)	15
21	Omission of pt 2, div 1, sdiv 3 (Miscellaneous)	16
22	Amendment of s 31 (Alternative staffing arrangements)	16
23	Insertion of new pt 2A	17
	Part 2A Advisory Council	
	31A Establishment	17
	31B Functions	17
	31C Members	18
	31D Conditions of office	18
	31E Leave of absence	19
	31F Resignation or removal from office	19
	31G Acting chairperson or other member	20
24	Amendment of s 50 (General powers of land access ombudsman after entering dispute land)	20
25	Amendment of s 60 (Secrecy)	20
26	Replacement of ss 61 and 62	21
	61 Delegation	21
	62 Protection from liability	21
27	Insertion of new pt 7, div 3	22
	Division 3 Transitional provisions for Resources Safety and Health Queensland and Other Legislation Amendment Act 2026	
	74 Acting land access ombudsman	22
	75 Leave of absence for member of advisory council . .	23
	76 Acting chairperson or other member of advisory council	23
28	Amendment of sch 1 (Dictionary)	24

Part 5	Amendment of Mineral and Energy Resources and Other Legislation Amendment Act 2024	
29	Act amended	24
30	Amendment of s 2 (Commencement)	25
31	Amendment of s 48 (Insertion of new pt 2, div 2, sdiv 2 and sdiv 3, hdg)	25
32	Omission of s 50 (Insertion of new pt 2, div 3 and new pt 2A) . .	25
33	Amendment of s 67 (Amendment of sch 1 (Dictionary))	26
Part 6	Amendment of Mineral Resources Act 1989	
34	Act amended	26
35	Amendment of s 4B (Notice to local government and chief executive (planning) of particular mining tenements)	26
36	Amendment of s 11 (Mining districts)	27
37	Amendment of s 93 (Renewal of mining claim)	27
38	Replacement of s 93A (Continuation of claim while application being dealt with)	27
	93A Continuation of mining claim while application being dealt with	27
39	Amendment of s 106 (Contravention by holder of mining claim) .	28
40	Amendment of s 147 (Application for renewal of exploration permit)	28
41	Replacement of s 147C (Continuation of permit while application being dealt with)	28
	147C Continuation of exploration permit while application being dealt with	28
42	Amendment of s 160 (Contravention by holder of exploration permit)	29
43	Amendment of s 197 (Application for renewal of mineral development licence)	29
44	Replacement of s 197C (Continuation of licence while application being dealt with)	30
	197C Continuation of mineral development licence while application being dealt with	30
45	Amendment of s 209 (Contravention by holder of mineral development licence)	30
46	Amendment of s 231G (Conditions of mineral development licence (194))	31
47	Amendment of s 252A (Giving and publication of mining lease notice and other information)	31
48	Amendment of s 286 (Application for renewal of mining lease) .	31
49	Replacement of s 286C (Continuation of lease while application being dealt with)	32

Contents

	286C	Continuation of mining lease while application being dealt with	32
50		Amendment of s 308 (Contravention by holder of mining lease)	33
51		Amendment of s 317J (Initial development plan requirements—proposed mining lease)	33
52		Amendment of s 317K (Initial development plan requirements—mining lease)	33
53		Amendment of s 318AAD (Application for grant of mining lease (245))	33
54		Amendment of s 318DT (General requirements)	34
55		Amendment of s 386R (Required way for defining boundary of proposed mining tenement)	34
Part 7		Amendment of Mining and Quarrying Safety and Health Act 1999	
56		Act amended	34
57		Amendment of s 67 (Primary function of committee)	34
58		Amendment of s 67A (Other functions of committee)	35
59		Amendment of s 68 (Annual report)	35
60		Amendment of s 69 (Membership of committee)	35
61		Amendment of s 229 (Proof of appointments and authority unnecessary)	35
62		Amendment of s 230 (Proof of signatures unnecessary)	36
63		Amendment of s 231 (Evidentiary aids)	36
64		Insertion of new pt 20, div 9	36
	Division 9	Transitional provisions for Resources Safety and Health Queensland and Other Legislation Amendment Act 2026	
	303	Definitions for division	36
	304	Chairperson of committee	37
	305	Continuation of acts and matters	37
	306	Functions and powers	37
	307	References to former chairperson	37
65		Amendment of sch 2 (Dictionary)	38
Part 8		Amendment of Resources Safety and Health Queensland Act 2020	
66		Act amended	38
67		Amendment of long title	38
68		Amendment of s 4 (Main purposes)	39
69		Amendment of s 7 (Membership)	39
70		Amendment of s 14 (Appointment)	39

71	Amendment of s 16 (Criminal history report)	39
72	Replacement of s 19 (Removal by Governor in Council)	40
	19 Removal by Governor in Council	40
73	Amendment of s 22 (Conflicts of interest)	40
74	Amendment of s 23 (Functions)	40
75	Insertion of new s 24A	40
	24A Relationship between CEO and Board	40
76	Insertion of new s 27A	41
	27A Nomination of suitable candidate for CEO by board	41
77	Amendment of s 28 (Annual report)	41
78	Amendment of s 30 (Employing office represents the State)	42
79	Amendment of s 35 (Appointment)	42
80	Replacement of s 39 (Removal by Governor in Council)	42
	39 Removal by Governor in Council	42
81	Replacement of pt 4 (Commissioner for Resources Safety and Health)	
	43
	Part 4 Resources Safety and Health Queensland Board	
	Division 1 Establishment	
	48 Establishment	43
	Division 2 Functions and powers	
	49 Functions	43
	50 Powers	45
	Division 3 Membership	
	51 Appointment	45
	52 Disqualification as member	46
	53 Conditions of appointment	47
	54 Term of appointment	47
	55 Chairperson	47

Contents

	56	Deputy chairperson	48
	57	Resignation	48
	58	Vacancy in office	49
	Division 4	Business	
	59	Conduct of business	49
	60	Meetings	49
	61	Committees	50
	62	Disclosure of interests	51
	Division 5	Role of Minister	
	63	Statement of expectations	53
82		Insertion of new pt 7	53
	Part 7	Transitional provisions for Resources Safety and Health Queensland and Other Legislation Amendment Act 2026	
	72	Definitions for part	54
	73	CEO appointed before commencement	54
	74	Office of commissioner abolished	54
	75	Board successor in law of former commissioner	55
	76	Continuation of acts and matters	55
	77	Functions and powers	55
	78	Assets and liabilities	55
	79	Records and other documents	56
	80	Contracts, agreements, undertakings and other arrangements	56
	81	Proceedings not yet started	56
	82	Current proceedings	56
	83	References to former commissioner	57
83		Amendment of sch 1 (Dictionary)	57

2026

A Bill

for

An Act to amend the *Coal Mining Safety and Health Act 1999*, the *Coexistence Queensland Act 2013*, the *Land Access Ombudsman Act 2017*, the *Mineral and Energy Resources and Other Legislation Amendment Act 2024*, the *Mineral Resources Act 1989*, the *Mining and Quarrying Safety and Health Act 1999* and the *Resources Safety and Health Queensland Act 2020* for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Resources Safety and Health Queensland and Other Legislation Amendment Act 2026*. 4
5

Clause 2 Commencement 6

(1) Parts 3 and 4 commence on 1 July 2026. 7

(2) Part 5 commences on the date of assent. 8

(3) The remaining provisions of this Act commence on a day to 9
be fixed by proclamation. 10

Part 2 Amendment of Coal Mining 11

Safety and Health Act 1999 12

Clause 3 Act amended 13

This part amends the *Coal Mining Safety and Health Act 1999*. 14
15

Clause 4 Amendment of s 76 (Primary function of committee) 16

Section 76(1)— 17

omit, insert— 18

(1) The primary function of the committee is to give 19
advice and make recommendations about 20
promoting and protecting the safety and health of 21
persons at coal mines and persons who may be 22
affected by coal mining operations to either or 23

	both of the following—	1
	(a) the Minister;	2
	(b) the RSHQ board.	3
Clause 5	Amendment of s 76A (Other functions of committee)	4
	Section 76A(h)—	5
	<i>omit, insert—</i>	6
	(h) periodically reviewing the effectiveness of this Act, the regulations made under this Act, and the recognised standards.	7 8 9
Clause 6	Amendment of s 77 (Annual report)	10
	Section 77(1), ‘commissioner, as chairperson of the committee,’—	11 12
	<i>omit, insert—</i>	13
	chairperson of the committee	14
Clause 7	Amendment of s 78 (Membership of committee)	15
	Section 78(2)—	16
	<i>omit, insert—</i>	17
	(2) The Minister must appoint a member of the RSHQ board, other than the chairperson of the RSHQ board, to be chairperson of the committee.	18 19 20
	(3) In appointing the chairperson of the committee, the Minister must consider any advice about the appointment given to the Minister by the chairperson of the RSHQ board.	21 22 23 24
Clause 8	Amendment of s 250 (Proof of appointments and authority unnecessary)	25 26
	(1) Section 250(1)(a), ‘the commissioner’—	27

[s 9]

omit, insert— 1

a member of the RSHQ board 2

(2) Section 250(1)(b), ‘commissioner’— 3

omit, insert— 4

RSHQ board 5

Clause 9 Amendment of s 251 (Proof of signatures unnecessary) 6

Section 251, ‘commissioner’— 7

omit, insert— 8

RSHQ board 9

Clause 10 Amendment of s 252 (Evidentiary aids) 10

Section 252(5), definition *certificate*, ‘commissioner’— 11

omit, insert— 12

RSHQ board 13

Clause 11 Insertion of new pt 20, div 13 14

Part 20— 15

insert— 16

Division 13 Transitional provisions for 17

Resources Safety and 18

Health Queensland and 19

Other Legislation 20

Amendment Act 2026 21

342 Definitions for division 22

In this division— 23

former chairperson means the person who, 24

immediately before the commencement, was the 1
commissioner under the *Resources Safety and* 2
Health Queensland Act 2020, section 48(1) as in 3
force before the commencement. 4

new section 78 means section 78 of this Act as in 5
force from the commencement. 6

new chairperson means— 7

(a) the chairperson of the committee appointed 8
under new section 78; or 9

(b) if, on the commencement, no chairperson 10
has been appointed under new section 11
78—the inspector nominated under section 12
343(1). 13

343 Chairperson of committee 14

- (1) On the commencement, if the Minister has not 15
appointed a chairperson of the committee under 16
new section 78, an inspector nominated by the 17
Minister is taken to be appointed as the 18
chairperson of the committee. 19
- (2) The appointment of the inspector under 20
subsection (1) ends when the Minister appoints a 21
chairperson under new section 78. 22

344 Continuation of acts and matters 23

Anything done, or started but not completed, 24
under this Act, by the former chairperson before 25
the commencement is, if the context permits, 26
taken to have been done or started, and may be 27
completed, by the new chairperson. 28

345 Functions and powers 29

A function performed, or power exercised, under 30
this Act by the former chairperson before the 31

[s 12]

commencement is, if the context permits, taken to
have been performed, or exercised, by the new
chairperson. 1
2
3

346 References to former chairperson 4

In a document, a reference to the former
chairperson may, if the context permits and to the
extent the reference relates to the former
chairperson's functions as chairperson of the
committee, be taken to be a reference to the new
chairperson. 5
6
7
8
9
10

Clause 12 Amendment of sch 3 (Dictionary) 11

(1) Schedule 3, definition *commissioner*— 12
omit. 13

(2) Schedule 3— 14
insert— 15

RSHQ board means the board under the
Resources Safety and Health Queensland Act
2020. 16
17
18

(3) Schedule 3, definition *official*, paragraph (d)— 19
omit, insert— 20

(d) a member of the RSHQ board; or 21

Part 3 Amendment of Coexistence Queensland Act 2013 22 23

Clause 13 Act amended 24

This part amends the *Coexistence Queensland Act 2013*. 25

Clause 14	Amendment of s 9 (Membership of Coexistence Queensland)	1 2
	Section 9—	3
	<i>insert—</i>	4
	<i>Note—</i>	5
	The members of Coexistence Queensland are also members of the advisory council established under the <i>Land Access Ombudsman Act 2017</i> —see section 31C of that Act.	6 7 8 9
Clause 15	Amendment of s 30 (Employment of chief executive officer)	10 11
	Section 30(1)—	12
	<i>insert—</i>	13
	<i>Note—</i>	14
	The chief executive officer is also the land access ombudsman under the <i>Land Access Ombudsman Act 2017</i> —see section 9(2) of that Act.	15 16 17
Clause 16	Amendment of s 36 (Delegation)	18
	(1) Section 36—	19
	<i>insert—</i>	20
	(1A) However, the chairperson may not delegate to the chief executive officer the chairperson’s function under section 23(1) or 24(1) in relation to a written notice to be given to the office of the land access ombudsman or the land access ombudsman.	21 22 23 24 25 26
	(2) Section 36(4)—	27
	<i>insert—</i>	28
	<i>land access ombudsman</i> see the <i>Land Access Ombudsman Act 2017</i> , schedule 1.	29 30
	<i>office of the land access ombudsman</i> see the	31

[s 17]

	<i>Land Access Ombudsman Act 2017</i> , schedule 1.	1
(3)	Section 36(1A) to (4)—	2
	<i>renumber</i> as section 36(2) to (5).	3
Part 4	Amendment of Land Access Ombudsman Act 2017	4 5
Clause 17	Act amended	6
	This part amends the <i>Land Access Ombudsman Act 2017</i> .	7
Clause 18	Amendment of s 4 (How purpose is achieved)	8
	Section 4(a), ‘the appointment of’—	9
	<i>omit</i> .	10
Clause 19	Replacement of pt 2, div 1, sdiv 1 and pt 2, div 1, sdiv 2, hdg	11 12
	Part 2, division 1, subdivision 1 and part 2, division 1, subdivision 2, heading—	13 14
	<i>omit, insert</i> —	15
	9 Land access ombudsman	16
	(1) There is to be a land access ombudsman.	17
	(2) The land access ombudsman is the chief executive officer of Coexistence Queensland.	18 19
	<i>Note</i> —	20
	See the <i>Coexistence Queensland Act 2013</i> , section 30(1) for the employment of the chief executive officer of Coexistence Queensland.	21 22 23
	10 Conditions of office	24
	(1) The land access ombudsman is to be paid the	25

remuneration and allowances decided by the Minister.	1 2
(2) The land access ombudsman holds office on the terms and conditions, not provided for by this Act, that are decided by the Minister.	3 4 5
(3) The remuneration and allowances mentioned in subsection (1) are in addition to the person's remuneration and allowances as chief executive officer of Coexistence Queensland.	6 7 8 9
(4) Subsection (2) is not affected by the terms and conditions of the person's employment as chief executive officer of Coexistence Queensland, other than to the extent provided for in sections 11 and 12.	10 11 12 13 14
11 Removal from office	15
If the chief executive officer of Coexistence Queensland is removed from office under the <i>Coexistence Queensland Act 2013</i> , section 30(3), the person stops holding office as land access ombudsman under this Act.	16 17 18 19 20
12 Acting land access ombudsman	21
(1) This section applies if a person is appointed to act in the office of the chief executive officer of Coexistence Queensland under the <i>Coexistence Queensland Act 2013</i> , section 30(4).	22 23 24 25
(2) While the appointment is in effect, the person is taken to also be acting as the land access ombudsman under this Act.	26 27 28
Clause 20 Amendment of s 16 (Functions)	29
Section 16—	30
<i>insert—</i>	31

[s 21]

	(2)	In this Act, a reference to a function of the land access ombudsman applies only to the extent the function is conferred on the ombudsman in the person's capacity as land access ombudsman.	1 2 3 4
		<i>Note—</i>	5
		See section 9(2) in relation to who is the land access ombudsman.	6 7
Clause 21	Omission of pt 2, div 1, sdiv 3 (Miscellaneous)		8
		Part 2, division 1, subdivision 3—	9
		<i>omit.</i>	10
Clause 22	Amendment of s 31 (Alternative staffing arrangements)		11
	(1)	Section 31, before subsection (1)—	12
		<i>insert—</i>	13
		(1AA) The chief executive officer of Coexistence Queensland may make available to the land access ombudsman the services of other staff, or the facilities, of Coexistence Queensland.	14 15 16 17
	(2)	Section 31(1), after 'government entity'—	18
		<i>insert—</i>	19
		other than Coexistence Queensland	20
	(3)	Section 31(2), 'whose services are made available under subsection (1)'—	21 22
		<i>omit, insert—</i>	23
		of a government entity whose services are made available under subsection (1) or (2)	24 25
	(4)	Section 31(1AA) to (2)—	26
		<i>renumber</i> as section 31(1) to (3).	27

Clause 23	Insertion of new pt 2A	1
	After section 31—	2
	<i>insert—</i>	3
	Part 2A	
	Advisory Council	4
	31A Establishment	5
	An advisory council is established.	6
	31B Functions	7
	(1) The advisory council’s functions are to—	8
	(a) monitor the land access ombudsman’s independence; and	9 10
	(b) advise the land access ombudsman on the following—	11 12
	(i) policy and procedural issues relating to this Act;	13 14
	(ii) the operation of this Act for—	15
	(A) holders of resource authorities; and	16 17
	(B) owners or occupiers of private land;	18 19
	(iii) the preparation of annual budgets under section 25A;	20 21
	(iv) the development of procedural guidelines under section 65; and	22 23
	(c) advise the Minister on the funding of the land access ombudsman’s functions; and	24 25
	(d) as soon as practicable after the end of each financial year, prepare and provide the Minister with advice about—	26 27 28

[s 23]

(i)	matters arising in relation to the land access ombudsman’s independence during the financial year; and	1 2 3
(ii)	matters arising in relation to a matter mentioned in paragraph (b) during the financial year.	4 5 6
(2)	In this Act, a reference to a function of the advisory council applies only to the extent the function is conferred on the council in its capacity as the advisory council.	7 8 9 10
	<i>Note—</i>	11
	See section 31C in relation to who comprises the advisory council.	12 13
31C	Members	14
(1)	The advisory council consists of—	15
(a)	a full-time or part-time member, who is the chairperson; and	16 17
(b)	up to 6 part-time members.	18
(2)	The chairperson of the advisory council is the chairperson of Coexistence Queensland.	19 20
(3)	The other members of the advisory council are the other members of Coexistence Queensland.	21 22
	<i>Note—</i>	23
	See the <i>Coexistence Queensland Act 2013</i> , section 9 for the appointment of the chairperson, and other members, of Coexistence Queensland.	24 25 26
31D	Conditions of office	27
(1)	Each member of the advisory council is to be paid the remuneration and allowances decided by the Minister.	28 29 30
(2)	Each member holds office on the terms and conditions, not provided for by this Act, that are	31 32

-
- decided by the Minister. 1
- (3) The remuneration and allowances mentioned in 2
subsection (1) are in addition to the person’s 3
remuneration and allowances as the chairperson, 4
or another member, of Coexistence Queensland. 5
- (4) Subsection (2) is not affected by the terms and 6
conditions of the person’s appointment as the 7
chairperson, or another member, of Coexistence 8
Queensland, other than to the extent provided for 9
in sections 31E to 31G. 10
- 31E Leave of absence 11**
- (1) This section applies to a person who is on a leave 12
of absence from office as a member of 13
Coexistence Queensland that has been approved 14
by the Minister under the *Coexistence 15
Queensland Act 2013*, section 15. 16
- (2) While the approved leave of absence is in effect, 17
the person is taken to also be on a leave of absence 18
from office as a member of the advisory council. 19
- 31F Resignation or removal from office 20**
- (1) This section applies if a person— 21
- (a) resigns as a member of Coexistence 22
Queensland under the *Coexistence 23
Queensland Act 2013*, section 13; or 24
- (b) is removed from office as a member of 25
Coexistence Queensland under the 26
Coexistence Queensland Act 2013, section 27
14. 28
- (2) The person stops holding office as a member of 29
the advisory council under this Act. 30

[s 24]

31G Acting chairperson or other member

- (1) This section applies if the Minister appoints a person to act as the chairperson or another member of Coexistence Queensland under the *Coexistence Queensland Act 2013*, section 16.
- (2) While the appointment is in effect, the person is taken to also be acting as—
- (a) if the appointment is to act as the chairperson of Coexistence Queensland—the chairperson of the advisory council; or
- (b) otherwise—another member of the advisory council.

- Clause 24 Amendment of s 50 (General powers of land access ombudsman after entering dispute land)**
- Section 50(1), ‘section 16(a)’—
omit, insert—
section 16(1)(a)

- Clause 25 Amendment of s 60 (Secrecy)**
- (1) Section 60(1)(a) and (b)—
omit, insert—
- (a) is, or has been—
- (i) the land access ombudsman; or
- (ii) a member of the advisory council; or
- (iii) an officer; or
- (iv) a contractor of the land access ombudsman; and

	(b) obtains confidential information in the course of, or because of, the performance of a function under this Act.	1 2 3
(2)	Section 60(3)(a)— <i>omit, insert</i> —	4 5
	(a) in the performance of a function under this Act; or	6 7
Clause 26	Replacement of ss 61 and 62	8
	Sections 61 and 62— <i>omit, insert</i> —	9 10
	61 Delegation	11
	(1) The land access ombudsman may delegate any of the ombudsman’s functions to an appropriately qualified officer.	12 13 14
	(2) The land access ombudsman may delegate a function of the ombudsman mentioned in section 16(1)(a) or (b) to an appropriately qualified contractor of the ombudsman.	15 16 17 18
	(3) However, the land access ombudsman must not delegate to a contractor mentioned in subsection (2) the giving of advice, recommendations or reasons under section 51(6)(b).	19 20 21 22
	(4) In this section— <i>functions</i> includes powers.	23 24
	62 Protection from liability	25
	(1) None of the following persons incur civil liability for an act done, or omission made, honestly and without negligence under this Act—	26 27 28
	(a) the land access ombudsman;	29
	(b) a member of the advisory council;	30

[s 27]

	(c) a contractor of the land access ombudsman.	1
	(2) If subsection (1) prevents a civil liability attaching to a person, the liability attaches instead to the State.	2 3 4
	<i>Note—</i>	5
	For protection from civil liability for officers, see the <i>Public Sector Act 2022</i> , sections 268 and 269.	6 7
Clause 27	Insertion of new pt 7, div 3	8
	Part 7—	9
	<i>insert—</i>	10
	Division 3	Transitional provisions for
		Resources Safety and
		Health Queensland and
		Other Legislation
		Amendment Act 2026
		11 12 13 14 15
	74 Acting land access ombudsman	16
	(1) This section applies to the person who, immediately before the commencement, was acting as the land access ombudsman as appointed under former section 22.	17 18 19 20
	(2) The person’s appointment ends on the commencement.	21 22
	(3) No compensation is payable to the person because of subsection (2).	23 24
	(4) To remove any doubt, it is declared that subsection (3) does not limit or otherwise affect the person’s right to a benefit or an entitlement that had accrued or was accruing before the commencement.	25 26 27 28 29
	(5) In this section—	30

<i>former</i> , in relation to a provision of this Act, means the provision as in force immediately before the commencement.	1 2 3
75 Leave of absence for member of advisory council	4 5
(1) This section applies to a person if—	6
(a) before the commencement, the Minister had approved a leave of absence for the person under the <i>Coexistence Queensland Act 2013</i> , section 15; and	7 8 9 10
(b) immediately before the commencement, the approved leave of absence was still in effect.	11 12
(2) From the commencement until the time the approved leave of absence stops having effect, the person is taken to also be on a leave of absence from office as a member of the advisory council.	13 14 15 16
76 Acting chairperson or other member of advisory council	17 18
(1) This section applies if—	19
(a) before the commencement, the Minister appointed a person to act as the chairperson or another member of <i>Coexistence Queensland</i> under the <i>Coexistence Queensland Act 2013</i> , section 16; and	20 21 22 23 24
(b) immediately before the commencement, the appointment was still in effect.	25 26
(2) From the commencement until the time the appointment stops having effect, the person is taken to also be acting as—	27 28 29
(a) if the appointment was to act as the chairperson of <i>Coexistence</i>	30 31

	Queensland—the chairperson of the advisory council; or	1 2
	(b) otherwise—another member of the advisory council.	3 4
Clause 28	Amendment of sch 1 (Dictionary)	5
	(1) Schedule 1—	6
	<i>insert—</i>	7
	<i>advisory council</i> means the advisory council established under section 31A.	8 9
	<i>Coexistence Queensland</i> means Coexistence Queensland under the <i>Coexistence Queensland Act 2013</i> .	10 11 12
	<i>contractor</i> , of the land access ombudsman, means a person, other than a member of the advisory council or an officer, who provides services for the land access ombudsman under a contract between the person and the ombudsman.	13 14 15 16 17
	(2) Schedule 1, definition <i>land access ombudsman</i> , ‘appointed’—	18
	<i>omit.</i>	19
Part 5	Amendment of Mineral and Energy Resources and Other Legislation Amendment Act 2024	20 21 22 23
Clause 29	Act amended	24
	This part amends the <i>Mineral and Energy Resources and Other Legislation Amendment Act 2024</i> .	25 26

Clause 30	Amendment of s 2 (Commencement)	1
	(1) Section 2, ‘The’—	2
	<i>insert</i> —	3
	(1) Subject to subsection (2), the	4
	(2) Section 2—	5
	<i>insert</i> —	6
	(2) The provisions of this Act that are not in force commence on 1 July 2026.	7 8
Clause 31	Amendment of s 48 (Insertion of new pt 2, div 2, sdiv 2 and sdiv 3, hdg)	9 10
	(1) Section 48, inserted section 25A(1), ‘, having regard to expected cost recovery fees for the year’—	11 12
	<i>omit.</i>	13
	(2) Section 48, inserted section 25A(4) and (6), ‘the advisory council and’—	14 15
	<i>omit.</i>	16
	(3) Section 48, inserted section 25A(7)—	17
	<i>omit.</i>	18
	(4) Section 48, inserted section 25A(8) and (9)—	19
	<i>renumber</i> as inserted section 25A(7) and (8).	20
	(5) Section 48, inserted section 25B—	21
	<i>omit.</i>	22
	<i>Editor’s note</i> —	23
	Legislation ultimately amended—	24
	• <i>Land Access Ombudsman Act 2017</i>	25
Clause 32	Omission of s 50 (Insertion of new pt 2, div 3 and new pt 2A)	26 27
	Section 50—	28

[s 33]

omit. 1

Editor's note— 2

Legislation ultimately amended— 3

- *Land Access Ombudsman Act 2017* 4

Clause 33 Amendment of s 67 (Amendment of sch 1 (Dictionary)) 5

Section 67(2), inserted schedule 1 definitions *advisory council, cost recovery fee* and *prescribed resource authority—* 6
7

omit. 8

Editor's note— 9

Legislation ultimately amended— 10

- *Land Access Ombudsman Act 2017* 11

Part 6 Amendment of Mineral Resources Act 1989 12
13

Clause 34 Act amended 14

This part amends the *Mineral Resources Act 1989*. 15

Clause 35 Amendment of s 4B (Notice to local government and chief executive (planning) of particular mining tenements) 16
17
18

Section 4B(3)— 19

omit, insert— 20

- (3) An entity given a notice under subsection (2) must 21
make a note that is connected to the spatial data 22
relating to each planning scheme of each local 23
government mentioned in subsection (2)(a) held 24
by the entity. 25

Clause 36	Amendment of s 11 (Mining districts)	1
	Section 11(2)(b), ‘map’—	2
	<i>omit, insert</i> —	3
	spatial data	4
Clause 37	Amendment of s 93 (Renewal of mining claim)	5
	Section 93(1), from ‘, at’ to ‘more than’—	6
	<i>omit, insert</i> —	7
	within	8
Clause 38	Replacement of s 93A (Continuation of claim while application being dealt with)	9
	Section 93A—	10
	<i>omit, insert</i> —	11
	93A Continuation of mining claim while application being dealt with	12
	(1) This section applies if the term (the <i>previous term</i>) of a mining claim ends before an application for renewal of the mining claim is decided.	13
	(2) Despite the ending of the previous term, the mining claim continues in effect until the earlier of the following to happen—	14
	(a) the start of any renewed term of the mining claim;	15
	(b) a refusal of the application takes effect;	16
	(c) the application is withdrawn;	17
	(d) the mining claim is cancelled under this Act.	18
	(3) If the mining claim is renewed, subsection (2) is taken never to have applied in the period starting at the end of the previous term of the claim and	19
		20
		21
		22
		23
		24
		25
		26
		27
		28
		29

[s 39]

	ending on the renewal of the claim.	1
Clause 39	Amendment of s 106 (Contravention by holder of mining claim)	2 3
	(1) Section 106(1)(b), from ‘thereunder’ to ‘thereof’—	4
	<i>omit, insert—</i>	5
	under or in respect of the mining claim	6
	(2) Section 106(1)(c), from ‘, other’ to ‘or (b)’—	7
	<i>omit.</i>	8
	(3) Section 106(2)—	9
	<i>omit.</i>	10
	(4) Section 106(3) to (5)—	11
	<i>renumber</i> as section 106(2) to (4).	12
Clause 40	Amendment of s 147 (Application for renewal of exploration permit)	13 14
	(1) Section 147(1), ‘the renewal period’—	15
	<i>omit, insert—</i>	16
	6 months before the current term expires	17
	(2) Section 147(5)—	18
	<i>omit.</i>	19
Clause 41	Replacement of s 147C (Continuation of permit while application being dealt with)	20 21
	Section 147C—	22
	<i>omit, insert—</i>	23
	147C Continuation of exploration permit while application being dealt with	24 25
	(1) This section applies if the term (the <i>previous term</i>) of an exploration permit ends before an	26 27

	application for renewal of the permit is decided.	1
	(2) Despite the ending of the previous term, the exploration permit continues in effect until the earlier of the following to happen—	2 3 4
	(a) the start of any renewed term of the permit;	5
	(b) a refusal of the application takes effect;	6
	(c) the application is withdrawn;	7
	(d) the permit is cancelled under this Act.	8
	(3) If the exploration permit is renewed, subsection (2) is taken never to have applied in the period starting at the end of the previous term of the permit and ending on the renewal of the permit.	9 10 11 12
Clause 42	Amendment of s 160 (Contravention by holder of exploration permit)	13 14
	(1) Section 160(1)(b), from ‘(other’ to ‘thereof’— <i>omit, insert</i> —	15 16
	payable under or in respect of the exploration permit	17 18
	(2) Section 160(1)(c), from ‘, other’ to ‘or (b)’— <i>omit.</i>	19 20
	(3) Section 160(2)— <i>omit.</i>	21 22
	(4) Section 160(3) to (5)— <i>renumber</i> as section 160(2) to (4).	23 24
Clause 43	Amendment of s 197 (Application for renewal of mineral development licence)	25 26
	(1) Section 197(1), ‘the renewal period’— <i>omit, insert</i> —	27 28

[s 44]

	1 year before the current term expires	1
(2)	Section 197(3)—	2
	<i>omit.</i>	3
Clause 44	Replacement of s 197C (Continuation of licence while application being dealt with)	4
	Section 197C—	5
	<i>omit, insert—</i>	6
	197C Continuation of mineral development licence while application being dealt with	7
	(1) This section applies if the term (the <i>previous term</i>) of a mineral development licence ends before an application for renewal of the licence is decided.	8
		9
	(2) Despite the ending of the previous term, the mineral development licence continues in effect until the earlier of the following to happen—	10
	(a) the start of any renewed term of the licence;	11
	(b) a refusal of the application takes effect;	12
	(c) the application is withdrawn;	13
	(d) the licence is cancelled under this Act.	14
	(3) If the mineral development licence is renewed, subsection (2) is taken never to have applied in the period starting at the end of the previous term of the licence and ending on the renewal of the licence.	15
		16
		17
		18
		19
		20
		21
		22
		23
		24
		25
Clause 45	Amendment of s 209 (Contravention by holder of mineral development licence)	26
	(1) Section 209(1)(b), from ‘(other’ to ‘thereof’—	27
	<i>omit, insert—</i>	28
	payable under or in respect of the mineral	29
		30

	development licence	1
(2)	Section 209(1)(c), from ‘, other’ to ‘or (b)’— <i>omit.</i>	2 3
(3)	Section 209(2)— <i>omit.</i>	4 5
(4)	Section 209(3) to (5)— <i>renumber</i> as section 209(2) to (4).	6 7
Clause 46	Amendment of s 231G (Conditions of mineral development licence (194))	8 9
	Section 231G(1)(h)(i), ‘maps’— <i>omit, insert—</i>	10 11
	spatial data	12
Clause 47	Amendment of s 252A (Giving and publication of mining lease notice and other information)	13 14
(1)	Section 252A(3)(b), ‘a map or’— <i>omit, insert—</i>	15 16
	spatial data or a	17
(2)	Section 252A(3)(b)(ii), ‘map’— <i>omit, insert—</i>	18 19
	spatial data	20
Clause 48	Amendment of s 286 (Application for renewal of mining lease)	21 22
(1)	Section 286(1), ‘the renewal period’— <i>omit, insert—</i>	23 24
	1 year before the current term expires	25
(2)	Section 286(5)—	26

[s 49]

omit.

1

Clause 49 Replacement of s 286C (Continuation of lease while application being dealt with)

2

3

Section 286C—

4

omit, insert—

5

286C Continuation of mining lease while application being dealt with

6

7

(1) This section applies if the term (the *previous term*) of a mining lease ends before an application for renewal of the mining lease is decided.

8

9

10

(2) Despite the ending of the previous term, the mining lease continues in effect until the earlier of the following to happen—

11

12

13

(a) the start of any renewed term of the lease;

14

(b) a refusal of the application takes effect;

15

(c) the application is withdrawn;

16

(d) the lease is cancelled under this Act.

17

(3) If the mining lease is a prescribed mineral mining lease, the lease is taken to have a development plan—

18

19

20

(a) while the lease continues in effect under subsection (2); and

21

22

(b) even if the plan period for the current development plan ends.

23

24

(4) If the mining lease is renewed, subsection (2) is taken never to have applied in the period starting at the end of the previous term of the lease and ending on the renewal of the lease.

25

26

27

28

Clause 50	Amendment of s 308 (Contravention by holder of mining lease)	1 2
	(1) Section 308(1)(b), from ‘thereunder’ to ‘thereof’— <i>omit, insert</i> — under or in respect of the mining lease	3 4 5
	(2) Section 308(1)(c), from ‘, other’ to ‘or (b)’— <i>omit.</i>	6 7
	(3) Section 308(2)— <i>omit.</i>	8 9
	(4) Section 308(3) to (5)— <i>renumber</i> as section 308(2) to (4).	10 11
Clause 51	Amendment of s 317J (Initial development plan requirements—proposed mining lease)	12 13
	Section 317J(2)(d), ‘maps or other’— <i>omit, insert</i> — spatial data or	14 15 16
Clause 52	Amendment of s 317K (Initial development plan requirements—mining lease)	17 18
	Section 317K(2)(d), ‘maps or other’— <i>omit, insert</i> — spatial data or	19 20 21
Clause 53	Amendment of s 318AAD (Application for grant of mining lease (245))	22 23
	Section 318AAD(h), ‘map’— <i>omit, insert</i> — spatial data	24 25 26

[s 54]

Clause 54	Amendment of s 318DT (General requirements)	1
	Section 318DT(1)(d), ‘maps that show’—	2
	<i>omit, insert</i> —	3
	spatial data that shows	4
Clause 55	Amendment of s 386R (Required way for defining boundary of proposed mining tenement)	5
	Section 386R(2)(b), examples, dot point 3, ‘a map or’—	6
	<i>omit, insert</i> —	7
	spatial data or an	8
		9
Part 7	Amendment of Mining and Quarrying Safety and Health Act 1999	10
		11
		12
Clause 56	Act amended	13
	This part amends the <i>Mining and Quarrying Safety and Health Act 1999</i> .	14
		15
Clause 57	Amendment of s 67 (Primary function of committee)	16
	Section 67(1)—	17
	<i>omit, insert</i> —	18
	(1) The primary function of the committee is to give advice and make recommendations about promoting and protecting the safety and health of persons at mines and persons who may be affected by mining operations to either or both of the following—	19
		20
		21
		22
		23
		24
	(a) the Minister;	25
	(b) the RSHQ board.	26

Clause 58	Amendment of s 67A (Other functions of committee)	1
	Section 67A(h)—	2
	<i>omit, insert—</i>	3
	(h) periodically reviewing the effectiveness of this Act, the regulations made under this Act, and the guidelines.	4 5 6
Clause 59	Amendment of s 68 (Annual report)	7
	Section 68(1), ‘commissioner, as chairperson of the committee,’—	8 9
	<i>omit, insert—</i>	10
	chairperson of the committee	11
Clause 60	Amendment of s 69 (Membership of committee)	12
	Section 69(2)—	13
	<i>omit, insert—</i>	14
	(2) The Minister must appoint a member of the RSHQ board, other than the chairperson of the RSHQ board, to be chairperson of the committee.	15 16 17
	(3) In appointing the chairperson of the committee, the Minister must consider any advice about the appointment given to the Minister by the chairperson of the RSHQ board.	18 19 20 21
Clause 61	Amendment of s 229 (Proof of appointments and authority unnecessary)	22 23
	(1) Section 229(1)(a), ‘the commissioner’—	24
	<i>omit, insert—</i>	25
	a member of the RSHQ board	26
	(2) Section 229(1)(b), ‘commissioner’—	27
	<i>omit, insert—</i>	28

[s 62]

	RSHQ board	1
Clause 62	Amendment of s 230 (Proof of signatures unnecessary)	2
	Section 230, ‘commissioner’—	3
	<i>omit, insert</i> —	4
	RSHQ board	5
Clause 63	Amendment of s 231 (Evidentiary aids)	6
	Section 231(5), definition <i>certificate</i> , ‘commissioner’—	7
	<i>omit, insert</i> —	8
	RSHQ board	9
Clause 64	Insertion of new pt 20, div 9	10
	Part 20—	11
	<i>insert</i> —	12
	Division 9	Transitional provisions for
		Resources Safety and
		Health Queensland and
		Other Legislation
		Amendment Act 2026
		13
		14
		15
		16
		17
	303 Definitions for division	18
	In this division—	19
	<i>former chairperson</i> means the person who,	20
	immediately before the commencement, was the	21
	commissioner under the <i>Resources Safety and</i>	22
	<i>Health Queensland Act 2020</i> , section 48(1) as in	23
	force before the commencement.	24
	<i>new section 69</i> means section 69 of this Act as in	25
	force from the commencement.	26

<i>new chairperson</i> means—	1
(a) the chairperson of the committee appointed under new section 69; or	2 3
(b) if, on the commencement, no chairperson has been appointed under new section 69—the inspector nominated under section 304(1).	4 5 6 7
304 Chairperson of committee	8
(1) On the commencement, if the Minister has not appointed a chairperson of the committee under new section 69, an inspector nominated by the Minister is taken to be appointed as the chairperson of the committee.	9 10 11 12 13
(2) The appointment of the inspector under subsection (1) ends when the Minister appoints a chairperson under new section 69.	14 15 16
305 Continuation of acts and matters	17
Anything done, or started but not completed, under this Act, by the former chairperson before the commencement is, if the context permits, taken to have been done or started, and may be completed, by the new chairperson.	18 19 20 21 22
306 Functions and powers	23
A function performed, or power exercised, under this Act by the former chairperson before the commencement is, if the context permits, taken to have been performed, or exercised, by the new chairperson.	24 25 26 27 28
307 References to former chairperson	29
In a document, a reference to the former	30

[s 65]

	chairperson may, if the context permits and to the extent the reference relates to the former chairperson’s functions as chairperson of the committee, be taken to be a reference to the new chairperson.	1 2 3 4 5
Clause 65	Amendment of sch 2 (Dictionary)	6
	(1) Schedule 2, definition <i>commissioner</i> — <i>omit.</i>	7 8
	(2) Schedule 2— <i>insert</i> —	9 10
	<i>RSHQ board</i> means the board under the <i>Resources Safety and Health Queensland Act 2020</i> .	11 12 13
	(3) Schedule 2, definition <i>official</i> , paragraph (d)— <i>omit, insert</i> —	14 15
	(d) a member of the RSHQ board; or	16
Part 8	Amendment of Resources Safety and Health Queensland Act 2020	17 18 19
Clause 66	Act amended	20
	This part amends the <i>Resources Safety and Health Queensland Act 2020</i> .	21 22
Clause 67	Amendment of long title	23
	Long title, from ‘, establish’— <i>omit, insert</i> —	24 25
	, and to establish an employing office	26

Clause 68	Amendment of s 4 (Main purposes)	1
	Section 4(c)—	2
	<i>omit.</i>	3
Clause 69	Amendment of s 7 (Membership)	4
	Section 7—	5
	<i>insert—</i>	6
	(c) the board.	7
Clause 70	Amendment of s 14 (Appointment)	8
	(1) Section 14(1)—	9
	<i>omit, insert—</i>	10
	(1) There must be a chief executive officer of RSHQ (the <i>CEO</i>).	11 12
	(1A) The CEO is appointed by the Governor in Council on the recommendation of the Minister.	13 14
	(1B) In recommending a person for appointment to the Governor in Council, the Minister must have regard to the nomination of a suitable candidate by the board under section 27A.	15 16 17 18
	(2) Section 14(1A) to (3)—	19
	<i>renumber</i> as section 14(2) to (5).	20
Clause 71	Amendment of s 16 (Criminal history report)	21
	Section 16, after ‘Minister’—	22
	<i>insert—</i>	23
	or the board	24

[s 72]

Clause 72	Replacement of s 19 (Removal by Governor in Council)	1
	Section 19—	2
	<i>omit, insert—</i>	3
	19 Removal by Governor in Council	4
	(1) The Governor in Council may, at any time, remove the CEO from office on the recommendation of the Minister.	5 6 7
	(2) The Minister may recommend the removal of the CEO for any reason or none.	8 9
	(3) This section does not limit the Governor in Council’s powers under the <i>Acts Interpretation Act 1954</i> , section 25.	10 11 12
Clause 73	Amendment of s 22 (Conflicts of interest)	13
	Section 22, after ‘Minister’—	14
	<i>insert—</i>	15
	and the board	16
Clause 74	Amendment of s 23 (Functions)	17
	Section 23(1)—	18
	<i>omit, insert—</i>	19
	(1) The CEO has the function of managing the organisational unit under the control of the CEO.	20 21
Clause 75	Insertion of new s 24A	22
	After section 24—	23
	<i>insert—</i>	24
	24A Relationship between CEO and Board	25
	(1) In performing the CEO’s functions, other than a function under another Act, the CEO must give	26 27

	effect to any policy or direction of the board relevant to the function.	1 2
	(2) However, the CEO must act independently of the board when making a decision to disclose information under section 67.	3 4 5
	(3) The CEO must—	6
	(a) report regularly to the board on the administration of this Act; and	7 8
	(b) at the request of the board, provide the board with a report on a particular subject relevant to the board’s functions.	9 10 11
Clause 76	Insertion of new s 27A	12
	After section 27—	13
	<i>insert—</i>	14
	27A Nomination of suitable candidate for CEO by board	15 16
	(1) The board may—	17
	(a) seek a suitable candidate for the office of CEO; and	18 19
	(b) give the Minister the name of a suitable candidate for the office.	20 21
	(2) In this section—	22
	<i>suitable candidate</i> means an appropriately qualified person suitable for recommendation by the Minister to the Governor in Council for appointment as CEO.	23 24 25 26
Clause 77	Amendment of s 28 (Annual report)	27
	Section 28(1)—	28
	<i>insert—</i>	29

[s 78]

	(e) details of—	1
	(i) each statement of expectations given by the Minister under section 63 during the financial year to which the report relates; and	2 3 4 5
	(ii) action taken by the board or RSHQ because of the statement of expectations.	6 7 8
Clause 78	Amendment of s 30 (Employing office represents the State)	9 10
	Section 30(2), ‘status,’—	11
	<i>omit.</i>	12
Clause 79	Amendment of s 35 (Appointment)	13
	Section 35(2)—	14
	<i>omit, insert—</i>	15
	(2) The executive officer is appointed by the Governor in Council on the recommendation of the Minister.	16 17 18
Clause 80	Replacement of s 39 (Removal by Governor in Council)	19
	Section 39—	20
	<i>omit, insert—</i>	21
	39 Removal by Governor in Council	22
	(1) The Governor in Council may, at any time, remove the executive officer from office on the recommendation of the Minister.	23 24 25
	(2) The Minister may recommend the removal of the executive officer for any reason or none.	26 27
	(3) This section does not limit the Governor in Council’s powers under the <i>Acts Interpretation</i>	28 29

	<i>Act 1954, section 25.</i>	1
Clause 81	Replacement of pt 4 (Commissioner for Resources Safety and Health)	2
	Part 4—	3
	<i>omit, insert—</i>	4
	Part 4	5
	Resources Safety and Health Queensland Board	6
		7
		8
	Division 1	9
	Establishment	
	48 Establishment	10
	The Resources Safety and Health Queensland Board (the <i>board</i>) is established.	11
		12
	Division 2	13
	Functions and powers	
	49 Functions	14
	(1) The board has the following functions—	15
	(a) deciding the strategies and the operational, administrative and financial policies to be followed by RSHQ;	16
		17
		18
	(b) ensuring RSHQ performs its functions and exercises its powers in a proper, effective and efficient way;	19
		20
		21
	(c) providing guidance and leadership to each of the following—	22
		23
	(i) the CEO;	24

[s 81]

- (ii) the coal mining safety and health advisory committee; 1
2
 - (iii) the mining safety and health advisory committee; 3
4
 - (iv) any committee established by the board under section 61; 5
6
- (d) nominating a suitable candidate for the office of CEO under section 27A; 7
8
- (e) managing the performance, including, for example, by setting performance expectations and key performance indicators, of each of the following— 9
10
11
12
 - (i) the CEO; 13
 - (ii) a committee mentioned in paragraph (c); 14
15
- (f) advising the Minister on matters relating to safety and health in the resources sector; 16
17
- (g) responding to requests by the Minister for advice on particular matters, including, for example, the strategic direction of RSHQ; 18
19
20
- (h) giving advice to the Minister about filling vacancies for the following roles— 21
22
 - (i) chairperson of the coal mining safety and health advisory committee; 23
24
 - (ii) chairperson of the mining safety and health advisory committee; 25
26
- (i) requesting advice on particular matters from the committees mentioned in paragraph (c); 27
28
- (j) ensuring any information received from the committees mentioned in paragraph (c) is considered in the performance of RSHQ's functions; 29
30
31
32

-
- (k) ensuring RSHQ and the committees mentioned in paragraph (c) have appropriate and effective arrangements for sharing information relevant to their functions; 1
2
3
4
- (l) engaging with representatives of the resources industry and its workforce about matters relating to safety and health in the resources sector; 5
6
7
8
- (m) monitoring, reviewing, and reporting to the Minister on the performance of the functions of each of the following— 9
10
11
- (i) RSHQ; 12
- (ii) the CEO; 13
- (iii) a committee mentioned in paragraph (c). 14
15
- (2) The board also has the functions given to it under this Act or another Act. 16
17
- 50 Powers** 18
- (1) The board has all the powers to do anything necessary or convenient to be done in the performance of its functions. 19
20
21
- (2) Anything done in the name of, or for, RSHQ by the board, or with the authority of the board, is taken to have been done by RSHQ. 22
23
24

Division 3 Membership 25

- 51 Appointment** 26
- (1) The board consists of not more than 5 members appointed by the Governor in Council on the recommendation of the Minister. 27
28
29
- (2) In recommending a person as a member, the 30

[s 81]

- Minister must ensure the board collectively has sufficient knowledge and experience of each of the following—
- (a) governance, risk and assurance;
 - (b) regulation of safety and health in the mining, petroleum and gas, and explosives industries;
 - (c) stakeholder engagement with government, industry and workforce representatives;
 - (d) investigations and enforcement;
 - (e) occupational health, hygiene and psychosocial hazards;
 - (f) organisational effectiveness, culture and regulatory performance;
 - (g) financial management and strategic oversight.
- (3) The members are appointed under this Act and not the *Public Sector Act 2022*.
- (4) To remove any doubt, it is declared that a member may satisfy 2 or more paragraphs of subsection (2).

52 Disqualification as member

- A person is disqualified from becoming, or continuing as, a member if the person—
- (a) has a recorded conviction, other than a spent conviction, for an indictable offence; or
 - (b) is an insolvent under administration; or
 - (c) is not able to manage a corporation because of the Corporations Act, part 2D.6; or
 - (d) is an employee or contractor of RSHQ or the employing office; or

(e) contravenes section 62.	1
53 Conditions of appointment	2
(1) A member is to be paid the remuneration and allowances decided by the Governor in Council.	3 4
(2) For matters not provided for by this Act, a member holds office on the terms and conditions decided by the Governor in Council.	5 6 7
54 Term of appointment	8
(1) A member is appointed for the term, of not more than 4 years, stated in the member's instrument of appointment.	9 10 11
(2) However, a person's appointment as a member ends if, during the term of the appointment, the person becomes disqualified under section 52.	12 13 14
55 Chairperson	15
(1) The chairperson of the board is appointed by the Governor in Council on the recommendation of the Minister.	16 17 18
(2) In recommending a member as chairperson, the Minister must ensure the member has advanced knowledge or experience of the matters mentioned in section 51(2)(a) and (c).	19 20 21 22
(3) A person may be appointed as the chairperson when the person is appointed as a member.	23 24
(4) The chairperson holds office for the term, ending no later than the person's term of appointment as a member, stated in the person's instrument of appointment as chairperson.	25 26 27 28
(5) However, a person's appointment as chairperson ends if, during the term of the appointment, the person stops being a member.	29 30 31

[s 81]

- 56 Deputy chairperson** 1
- (1) The deputy chairperson of the board is appointed 2
by the Governor in Council on the 3
recommendation of the Minister. 4
- (2) The deputy chairperson holds office for the term, 5
ending no later than the person's term of 6
appointment as a member, stated in the person's 7
instrument of appointment as deputy chairperson. 8
- (3) However, a person's appointment as deputy 9
chairperson ends if, during the term of the 10
appointment, the person stops being a member. 11
- (4) The deputy chairperson must act as chairperson— 12
- (a) during a vacancy in the office of 13
chairperson; and 14
- (b) during all periods when the chairperson is 15
absent from duty or, for another reason, can 16
not perform the functions of the office. 17
- (5) A person may be appointed as the deputy 18
chairperson when the person is appointed as a 19
member. 20
- 57 Resignation** 21
- (1) A member may resign by signed notice given to 22
the Minister. 23
- (2) Also, a member may resign the office of 24
chairperson or deputy chairperson by signed 25
notice given to the Minister. 26
- (3) The resignation takes effect— 27
- (a) on the day the notice is given; or 28
- (b) if a later day is stated in the notice—on the 29
later day. 30
- (4) A person resigning from the office of chairperson 31
or deputy chairperson may continue to be a 32

member.	1
58 Vacancy in office	2
(1) The office of a member becomes vacant if the member—	3 4
(a) completes a term of office and is not reappointed; or	5 6
(b) is disqualified from office under section 52: or	7 8
(c) resigns from office under section 57; or	9
(d) is removed from office by the Governor in Council under subsection (2).	10 11
(2) The Governor in Council may, at any time, remove the member from office on the recommendation of the Minister.	12 13 14
(3) The Minister may recommend the removal of the member for any reason or none.	15 16
(4) This section does not limit the Governor in Council’s power under the <i>Acts Interpretation Act 1954</i> , section 25.	17 18 19

Division 4 Business 20

59 Conduct of business	21
Subject to this division and any requirement prescribed by regulation, the board may conduct its business, including its meetings, in the way it considers appropriate.	22 23 24 25

60 Meetings	26
(1) The board may hold its meetings when it decides.	27

[s 81]

- (2) However, the board must meet at least 4 times a year. 1
2
- (3) The chairperson of the board— 3
 - (a) may call a board meeting at any time; and 4
 - (b) must call a board meeting if asked by at least 2 of the other members. 5
6
- (4) The chairperson of the board presides at all board meetings at which the chairperson is present. 7
8
- (5) If the chairperson is absent, the deputy chairperson presides. 9
10
- (6) If both the chairperson and deputy chairperson are absent, the member chosen by the members present at the board meeting presides. 11
12
13
- (7) At a board meeting— 14
 - (a) the number of members that is half the number appointed at the time of the meeting constitutes a quorum; and 15
16
17
 - (b) a question is to be decided by a majority of votes of the members present and voting at the meeting; and 18
19
20
 - (c) each member present has 1 vote on any question arising for decision and, if the votes are equal, the member presiding at the meeting has a casting vote. 21
22
23
24
- (8) For subsection (7)(a), if the number of members that is half the number appointed at the time of the meeting is not a whole number, the number must be rounded up to the nearest whole number. 25
26
27
28
- (9) The board must keep minutes of its meetings. 29

61 Committees 30

- (1) The board may establish 1 or more committees to advise and make recommendations to the board 31
32

-
- on particular subjects, including, for example, the following—
- (a) finance and audit;
 - (b) risk management;
 - (c) regulatory practice;
 - (d) people and culture;
 - (e) stakeholder engagement.
- (2) A committee established under subsection (1) consists of the persons, including, for example, members of the board, chosen by the board.
- (3) The board may choose a member of the committee to be chairperson of the committee.
- (4) The document establishing a committee must include information about—
- (a) the committee’s terms of reference; and
 - (b) the procedures, if any, with which the committee is required to comply; and
 - (c) the composition of the committee’s membership.
- (5) The board may amend the document mentioned in subsection (4) at any time.
- (6) RSHQ must publish a copy of the document mentioned in subsection (4), and any amendments under subsection (5), on a Queensland Government website.

62 Disclosure of interests

- (1) This section applies to a member if—
- (a) the member has an interest in an issue being considered, or about to be considered, by the board; and

[s 81]

- (b) the interest conflicts or may conflict with the proper performance of the member's duties about the consideration of the issue. 1
2
3
- (2) After the relevant facts come to the member's knowledge, the member must disclose the nature of the interest to a board meeting. 4
5
6
- (3) Unless the board otherwise directs, the member must not— 7
8
 - (a) be present when the board considers the issue; or 9
10
 - (b) take part in a decision of the board about the issue. 11
12
- (4) The member must not be present when the board is considering whether to give the direction. 13
14
- (5) If there is another person who must, under subsection (2), also disclose an interest in the issue, the other person must not— 15
16
17
 - (a) be present when the board is considering whether to give the direction; or 18
19
 - (b) take part in making the decision about giving the direction. 20
21
- (6) Subsections (7) and (8) apply if— 22
 - (a) because of this section, a member is not present at a board meeting for considering or deciding the issue, or for considering or deciding whether to give the direction; and 23
24
25
26
 - (b) there would be a quorum if the member were present. 27
28
- (7) The remaining members present are a quorum of the board for considering or deciding the issue, or for considering or deciding whether to give the direction, at the meeting. 29
30
31
32
- (8) If there are no members who may remain present for considering or deciding the issue, the Minister 33
34

	may consider and decide the issue.	1
(9)	The disclosure must be recorded in the minutes of the board meeting.	2 3
Division 5	Role of Minister	4
63	Statement of expectations	5
(1)	The Minister may give the board a written statement (a <i>statement of expectations</i>) about the Minister's expectations for the performance of the board's functions.	6 7 8 9
(2)	Without limiting subsection (1), the statement of expectations may—	10 11
(a)	state a particular period for which the statement applies; and	12 13
(b)	provide for the nature and scope of the board's activities for a particular period.	14 15
(3)	The board must have regard to the statement of expectations in performing the board's functions.	16 17
(4)	RSHQ must publish a copy of the statement of expectations, and any amendments to the statement, on a Queensland Government website.	18 19 20
Clause 82	Insertion of new pt 7	21
	After part 6—	22
	<i>insert—</i>	23
	Part 7	24
	Transitional provisions	25
	for Resources Safety	26
	and Health Queensland	27
	and Other Legislation	28
	Amendment Act 2026	

72 Definitions for part	1
In this part—	2
<i>former commissioner</i> see section 74(1).	3
73 CEO appointed before commencement	4
(1) This section applies to a person who, immediately before the commencement, held an appointment under former section 14 as CEO.	5 6 7
(2) The person continues to be CEO under new section 14 on the same terms of appointment that applied to the person immediately before the commencement.	8 9 10 11
(3) However, new section 19 applies to the person despite any contract or other document or another law.	12 13 14
(4) No compensation is payable to the person because of subsection (3).	15 16
(5) To remove any doubt, it is declared that subsections (3) and (4) do not limit or otherwise affect the person’s right to a benefit or entitlement that had accrued under the person’s instrument of appointment before the removal.	17 18 19 20 21
(6) In this section—	22
<i>former</i> , in relation to a provision of this Act, means the provision as in force from time to time before the commencement.	23 24 25
<i>new</i> , in relation to a provision of this Act, means the provision as in force from the commencement.	26 27
74 Office of commissioner abolished	28
(1) On commencement, the office of Commissioner for Resources Safety and Health (the <i>former commissioner</i>) is abolished.	29 30 31

(2)	No compensation is payable to a person because of subsection (1).	1 2
(3)	To remove any doubt, it is declared that subsection (2) does not limit or otherwise affect a person's right to a benefit or entitlement that had accrued under the person's instrument of appointment before the commencement.	3 4 5 6 7
75	Board successor in law of former commissioner	8 9
(1)	The board is the successor in law of the former commissioner.	10 11
(2)	Subsection (1) is not limited by another provision of this part.	12 13
76	Continuation of acts and matters	14
(1)	Anything done, or started but not completed, under this Act, by the former commissioner before the commencement is, if the context permits, taken to have been done or started, and may be completed, by the board.	15 16 17 18 19
(2)	Subsection (1) is not limited by another provision of this part.	20 21
77	Functions and powers	22
	A function performed, or power exercised, under this Act by the former commissioner before the commencement is, if the context permits, taken to have been performed, or exercised, by the board.	23 24 25 26
78	Assets and liabilities	27
	On the commencement, the assets and liabilities of the former commissioner immediately before the commencement become the assets and	28 29 30

[s 82]

liabilities of the board.	1
79 Records and other documents	2
On the commencement, the records and other documents of the former commissioner immediately before the commencement become the records and other documents of the board.	3 4 5 6
80 Contracts, agreements, undertakings and other arrangements	7 8
(1) This section applies in relation to a contract, agreement, undertaking or arrangement—	9 10
(a) to which the former commissioner was a party immediately before the commencement; and	11 12 13
(b) that is still in effect on the commencement.	14
(2) On the commencement, the board becomes a party to the contract, agreement, undertaking or arrangement in place of the former commissioner.	15 16 17
81 Proceedings not yet started	18
(1) This section applies if, immediately before the commencement, a proceeding could have been started by or against the former commissioner within a particular period.	19 20 21 22
(2) The proceeding may be started by or against the board within the period.	23 24
82 Current proceedings	25
(1) This section applies to a proceeding that, immediately before the commencement, had not ended and to which the former commissioner was a party.	26 27 28 29

- (2) On the commencement, the board becomes a party to the proceeding in place of the former commissioner. 1
2
3

83 References to former commissioner 4

In a document, a reference to the former commissioner may, if the context permits, be taken to be a reference to— 5
6
7

(a) to the extent the reference relates to the former commissioner’s advisory, governance or reporting functions—the board; or 8
9
10
11

(b) to the extent the reference relates to administrative or operational matters—the CEO; or 12
13
14

(c) to the extent the reference relates to the former commissioner’s functions as chairperson of the coal mining safety and health advisory committee—the chairperson of that committee; or 15
16
17
18
19

(d) to the extent the reference relates to the former commissioner’s functions as chairperson of the mining safety and health advisory committee—the chairperson of that committee. 20
21
22
23
24

Clause 83 Amendment of sch 1 (Dictionary) 25

(1) Schedule 1, definition *commissioner*— 26
omit. 27

(2) Schedule 1— 28
insert— 29

board see section 48. 30

member means member of the board. 31

[s 83]

© State of Queensland 2026