1. In response to a key recommendation arising from the 2017 Best Practice Review of Workplace Health and Safety Queensland, the *Work Health and Safety and Other Legislation Amendment Act 2017* established the Office of the Work Health and Safety Prosecutor – an independent statutory office, led by a Prosecutor, to institute and defend all work health and safety prosecutions.
2. As per Schedule 2, section 25 of the *Work Health and Safety Act 2011* (WHS Act), there must be a Work Health and Safety Prosecutor.
3. Section 31 of the WHS Act, the Work Health and Safety Prosecutor is appointed by the Governor in Council on the recommendation of the Minister.
4. The functions of the Work Health and Safety Prosecutor are:
	* to conduct and defend proceedings under the WHS Act before a court or tribunal; and
	* to advise the Work Health and Safety Regulator on matters relating to the WHS Act.
5. In addition to this, the Work Health and Safety Prosecutor also institutes and defends proceedings under the *Electrical Safety Act 2002*, *Safety in Recreational Water Activities Act 2011*, *Coal Mining Safety and Health Act 1999*, *Explosives Act 1999*, *Mining and Quarrying Safety and Health Act 1999* and *Petroleum and Gas* *(Production and Safety) Act 2004*.
6. Cabinet endorsed that Mr Simon Nicholson be recommended to the Governor in Council for appointment as the Work Health and Safety Prosecutor for a term of five years commencing from 31 October 2022 up to and including 30 October 2027.
7. *Attachments*:
* Nil