

**Portfolio subordinate legislation tabled
between 6 May 2015 and 14 July 2015**

Report No. 11, 55th Parliament
Legal Affairs and Community Safety Committee
October 2015

Legal Affairs and Community Safety Committee

Chair Mr Mark Furner MP, Member for Ferny Grove
Deputy Chair Mrs Tarnya Smith MP, Member for Mt Ommaney
Members Mr Jon Krause MP, Member for Beaudesert
Mr Jim Madden MP, Member for Ipswich West
Mr Tony Perrett MP, Member for Gympie
Mr Mark Ryan MP, Member for Morayfield

Committee Staff Ms Bernice Watson, Research Director
Ms Kelli Longworth, Principal Research Officer
Mr Gregory Thomson, Principal Research Officer
Ms Lorraine Bowden, Executive Assistant

Technical Scrutiny Secretariat Ms Renée Easten, Research Director
Mr Michael Gorringer, Principal Research Officer
Ms Kellie Moule, Principal Research Officer
Ms Tamara Vitale, Executive Assistant

Contact details Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000

Telephone +61 7 3553 6641

Fax +61 7 3553 6699

Email lacsc@parliament.qld.gov.au

Web www.parliament.qld.gov.au/lacsc

1. Introduction

1.1 Role of the Committee

The Legal Affairs and Community Safety Committee (committee) is a portfolio committee of the Legislative Assembly. It commenced on 27 March 2015 under the *Parliament of Queensland Act 2001* and the *Standing Rules and Orders of the Legislative Assembly* (Standing Orders).¹

The committee's primary areas of responsibility include the portfolio areas of:

- Justice and Attorney-General
- Police
- Fire and Emergency Services
- Training and Skills.

Section 93(1) of the *Parliament of Queensland Act 2001* provides that a portfolio committee is responsible for examining each Bill and item of subordinate legislation in its portfolio areas to consider:

- the policy to be given effect by the legislation
- the application of fundamental legislative principles to the legislation
- for subordinate legislation – its lawfulness.

In considering the application of fundamental legislative principles and lawfulness, portfolio committees consider similar situations issued by the former Parliamentary Scrutiny of Legislation Committee, which undertook this function prior to the commencement of standing portfolio committees in 2011; and from the Office of Queensland Parliamentary Counsel, which has statutory responsibility for advising on the application of FLPs to proposed legislation.

1.2 Subordinate legislation examined

This report advises of subordinate legislation examined and, where applicable, presents any concerns the committee has identified in respect of subordinate legislation relevant to its portfolio tabled between 6 May 2015 and 14 July 2015. The relevant legislation is summarised in the table below.

Subordinate legislation tabled in the 55th Parliament

SL No.	Subordinate Legislation	Tabled Date	Disallowance Date
35	Disaster Management Amendment Regulation (No. 1) 2015	14/07/2015	11 November 2015
36	State Buildings Protective Security Amendment Regulation (No. 1) 2015	14/07/2015	11 November 2015
47	Civil Liability and Other Legislation Amendment Regulation (No.1) 2015	14/07/2015	11 November 2015
53	Justice Legislation (Fees) Amendment Regulation (No.1) 2015	14/07/2015	11 November 2015
54	Liquor Amendment Regulation (No.1) 2015	14/07/2015	11 November 2015
55	Public Trustee Amendment Regulation (No.3) 2015	14/07/2015	11 November 2015

¹ Parliament of Queensland Act 2001, section 88 and Standing Rules and Orders of the Legislative Assembly, Standing Order 194.

SL No.	Subordinate Legislation	Tabled Date	Disallowance Date
56	Public Safety Legislation Amendment Regulation (No.1) 2015	14/07/2015	11 November 2015
67	Professional Standards (New South Wales Bar Association Scheme) Notice 2015	14/07/2015	11 November 2015
Ex.	Public Trustee (Fees & Charges Notice) (No. 1) 2015	21/12/2015	TBA 2016

2. Subordinate legislation examined

The committee reports on the following policy, fundamental legislative principle or lawfulness issues:

2.1 Finance and Administration Committee

The committee noted the potential relevance of the subject matter of subordinate legislation 47 of 2015 to the portfolio of the Finance and Administration Committee, and invited that committee to provide written comment on any matters relating to authorising laws administered by Queensland Treasury which are raised in this subordinate legislation.

In its written response to the committee dated 22 October 2015, the Finance and Administration Committee advised it:

- has considered both the subordinate legislation and the Technical Scrutiny Secretariat advice; and
- has no additional comments to make on any matters relating to the authorising laws administered by Queensland Treasury which are raised in the subordinate legislation.

Recommendation 1

The committee recommends the House note the contents of this report.



Mr Mark Furner MP

Chair