

# ***Mineral and Energy Resources (Common Provisions) Act 2014***

Explanatory notes for SL 2015 No. 50

made under the

*Mineral and Energy Resources (Common Provisions) Act 2014*

## **General Outline**

### **Short title**

*Mineral and Energy Resources (Common Provisions) Act 2014*

### **Authorising law**

Section 2 of the *Mineral and Energy Resources (Common Provisions) Act 2014*

### **Policy objectives and the reasons for them**

The objective of the proclamation is to commence chapter 8 of the *Mineral and Energy Resources (Common Provisions) Act 2014*.

Chapter 8 of the *Mineral and Energy Resources (Common Provisions) Act 2014* repeals the *Coal and Oil Shale Mine Workers' Superannuation Act 1989* to remove the compulsory requirement for employer and employee superannuation contributions for Queensland coal and oil shale mine workers to be paid into the AUSCOAL Superannuation Fund.

### **Achievement of policy objectives**

The policy objective is achieved by fixing a commencement date of 1 July 2015 for chapter 8 of the *Mineral and Energy Resources (Common Provisions) Act 2014* listed above.

### **Consistency with policy objectives of authorising law**

The proclamation is consistent with the objectives of the *Mineral and Energy Resources (Common Provisions) Act 2014*, in particular to repeal the *Coal and Oil Shale Mine*

*Workers' Superannuation Act 1989* to provide freedom of choice to coal and oil shale mine workers with regards to their superannuation fund.

## **Inconsistency with policy objectives of other legislation**

This proclamation is not inconsistent with any policy objectives of any other legislation.

## **Alternative ways of achieving policy objectives**

There are no alternative means for achieving commencement.

## **Benefits and costs of implementation**

There will not be any implementation costs to government associated with commencing chapter 8 of the *Mineral and Energy Resources (Common Provisions) Act 2014*.

Despite the repeal of the *Coal and Oil Shale Mine Workers' Superannuation Act 1989*, employees will still be able to elect the AUSCOAL Superannuation Fund as their preferred superannuation fund, as the fund exists independently of the *Coal and Oil Shale Mine Workers' Superannuation Act 1989*.

## **Consistency with fundamental legislative principles**

The proclamation is consistent with fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

## **Consultation**

Consultation was undertaken with the Office of Best Practice Regulation within the Queensland Competition Authority in determining that the proclamation is excluded from the requirement to undertake a Regulatory Impact Statement.

Consultation was carried out during the drafting of the *Mineral and Energy Resources (Common Provisions) Act 2014* to which this proclamation relates. A commencement date of 1 July 2015 was negotiated with the AUSCOAL Superannuation Fund Pty Ltd.

The AUSCOAL Superannuation Fund Pty Ltd, NSW Mining and Queensland Resources Council were supportive of the proposal to repeal the *Coal and Oil Shale Mine Workers' Superannuation Act 1989*. Feedback was sought from the Construction, Forestry, Mining and Energy Union, however they did not provide a response.