

## Explanatory Notes

## FOR

## Amendments To Be Moved During Consideration In Detail By The Honourable Yvette D'Ath MP

Queensland Legislative Assembly	
Number: <u>561871798</u>	Tabled <input checked="" type="checkbox"/>
 01 NOV 2018	By Leave <input type="checkbox"/>
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Clerk's Signature: <u>[Signature]</u>	

### Title of the Bill

Crime and Corruption and Other Legislation Amendment Bill 2018.

### Objectives of the Amendments

The proposed amendments to be moved during consideration in detail amend the Crime and Corruption and Other Legislation Amendment Bill 2018 (the Bill) as a consequence of the commencement of the *Public Service Regulation 2018*.

The Bill in clauses 94 to 96 amends the *Public Service Regulation 2008* (2008 Regulation) to omit certain references no longer required due the substantive amendments contained in the Bill, namely the:

- amendment to section 335 of the *Crime and Corruption Act 2001* (CC Act) and section 9.7 of the *Police Service Administration Act 1990* which will align the civil liability protections with the protections afforded State employees under section 26C of the *Public Service Act 2008*; and
- amendments to the CC Act which provide the Crime and Corruption Commission with a complete disciplinary framework, including the provisions which deal with post-separation discipline, the sharing of disciplinary information and the notification of prosecution proceedings to the Crime and Corruption Commission.

The *Public Service Regulation 2018* commenced on 24 August 2018 to replace the 2008 Regulation, which was due to expire on 1 September 2018 pursuant to section 54 of the *Statutory Instruments Act 1992*.

The *Public Service Regulation 2018* provides for the same matters as the 2008 Regulation but with minor changes, including changes to reflect current drafting practices.

The amendments to the Bill will ensure the relevant provisions of the *Public Service Regulation 2018* are amended. The proposed amendments are consistent with the objectives of the Bill introduced and are consequential in nature.

## **Achievement of the Objectives**

The policy objectives are achieved by amending clauses 94 to 96 of the Bill to ensure the clauses amend the provisions of *Public Service Regulation 2018* as intended.

## **Alternative Ways of Achieving Policy Objectives**

The policy objectives can only be achieved through legislative amendment.

## **Estimated Cost for Government Implementation**

There are no anticipated additional costs associated with these amendments.

## **Consistency with Fundamental Legislative Principles**

The amendments are consistent with fundamental legislative principles.

## **Consultation**

Consultation occurred with key stakeholders in relation to the Bill. No further consultation has occurred in relation to these amendments given their consequential nature.

## **NOTES ON PROVISIONS**

*Amendment 1* omits the heading Part 9 Amendment of Public Service Regulation 2008.

*Amendment 2* omits clauses 94 to 96 of the Bill.

*Amendment 3* inserts the new heading Part 9 Amendment of Public Service Regulation 2018 and new clauses 94 to 97 as a consequence of the making of the *Public Service Regulation 2018*, which replaced the *Public Service Regulation 2008*.

*Amendment 4* amends the long title to omit the reference to the *Public Service Regulation 2008* and insert the *Public Service Regulation 2018*.