

Economics and Governance Committee

Report No. 28, 57th Parliament

Subordinate legislation tabled between
11 May 2022 and 24 May 2022

1 Aim of this report

This report summarises the Economics and Governance Committee's (committee) findings following its examination of the subordinate legislation within its portfolio areas tabled between 11 May 2022 and 24 May 2022.

It reports on any issues identified by the committee relating to the policy to be given effect by the legislation, its consistency with fundamental legislative principles (FLPs),¹ its compatibility with human rights,² and its lawfulness.³ It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (LSA)⁴ and on the committee's consideration of compliance with the *Human Rights Act 2019* (HRA) and the human rights certificate tabled with the subordinate legislation.⁵

2 Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date*
053	Revenue Legislation (Fee Unit Conversion) Amendment Regulation 2022	24 May 2022	14 September 2022
055	Proclamation – <i>Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Act 2021</i>	24 May 2022	14 September 2022

*The disallowance date is 14 sitting days after the tabling date. (See section 50 of the *Statutory Instruments Act 1992*.) Disallowance dates are based on proposed sitting dates as advised by the Leader of the House. These dates are subject to change.

3 Committee consideration of the subordinate legislation

The committee did not identify any significant issues with the policy, consistency with FLPs, lawfulness, or compatibility with human rights of the above subordinate legislation.

The committee considered that the explanatory notes tabled with the subordinate legislation comply with the requirements of section 24 of the LSA. Further, the human rights certificates tabled with the subordinate legislation provide a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with the HRA.

¹ *Legislative Standards Act 1992* (LSA) s 4.

² *Human Rights Act 2019* (HRA) s 8.

³ *Parliament of Queensland Act 2001* (POQA) s 93.

⁴ LSA, Part 4.

⁵ HRA, s 41.

A brief overview of the subordinate legislation is set out below.

4 Revenue Legislation (Fee Unit Conversion) Amendment Regulation 2022

The objective of the Revenue Legislation (Fee Unit Conversion) Amendment Regulation 2022 (SL No. 53) is to amend the Duties Regulation 2013, Land Tax Regulation 2021, Mineral Resources Regulation 2013, Petroleum and Gas (Royalty) Regulation 2021 and the State Penalties Enforcement Regulation 2014 to convert prescribed fees from dollar amounts to a number of fee units in accordance with the *Acts Interpretation Act 1954* and Queensland Treasury's Principles for Fees and Charges.⁶

According to the explanatory notes:

This initial conversion from dollar amounts to a number of fee units does not increase fees. Dollar amounts converted to fee units in this Regulation are based on the value of a fee unit for each Act being \$1. This is pursuant to section 48B(4)(b) of the *Acts Interpretation Act 1954*.⁷

The amendments will ensure the fees reflect the change in the mechanism for how fees are updated each year.⁸

5 Proclamation – Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Act 2021

The Proclamation made under the *Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Act 2021* (SL No. 55) fixes a commencement date of 23 May 2022 for the remaining provisions of the Act that are not in force.

The remaining provisions amend chapter 8, part 7AA of the *Public Health Act 2005* to enable:

- third party payment of quarantine fees if a person wishes to accept liability for payment of quarantine fees for another person, for example, to allow invoices to be directly made out to businesses, enabling them to pay for their employees' expenses (such as employees of shipping agents, mining companies, seasonal workers and other overseas and local companies)
- regulations to be made to implement prepayment of quarantine fees, if required in the future.⁹

6 Recommendation

The committee recommends that the House notes this report.



Linus Power MP

Chair

July 2022

⁶ SL No. 53, explanatory notes, pp 1-2.

⁷ SL No. 53, explanatory notes, p 2.

⁸ SL No. 53, explanatory notes, p 1.

⁹ SL No. 55, explanatory notes, p 2.

Economics and Governance Committee

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	Mr Adrian Tantari MP, Member for Hervey Bay

¹⁰ From 3 June 2022.

¹¹ Up to 2 June 2022.