

Transport and Resources Committee

Report No. 47, 57th Parliament

Subordinate legislation tabled between 11 October 2023 and 14 December 2023

1 Aim of this report

This report summarises the committee's findings following its examination of the subordinate legislation within its portfolio areas tabled between 11 October 2023 and 14 December 2023. It reports on any issues identified by the committee relating to the policy to be given effect by the legislation, fundamental legislative principles and lawfulness. It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (LSA).¹

The report also notes any issues identified by the committee in its consideration of compliance with the *Human Rights Act 2019* (HRA) and the human rights certificates tabled with the subordinate legislation.²

2 Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date*
149	Petroleum and Gas (Safety) (Fee Unit Conversion) Amendment Regulation 2023	24 October 2023	7 March 2024
151	National Energy Retail Law (Queensland) Amendment Regulation 2023	14 November 2023	21 March 2024

*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 issues regarding the policy, consistency with fundamental legislative principles, the lawfulness of the subordinate legislation or non-compliance with the HRA.

The committee considers the explanatory notes tabled with the subordinate legislation comply with the requirements of section 24 of the LSA and that 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 their compatibility with the HRA.

¹ *Legislative Standards Act 1992*, Part 4.

² *Human Rights Act 2019*, s 41.

4 Petroleum and Gas (Safety) (Fee Unit Conversion) Amendment Regulation 2023

The Petroleum and Gas (Safety) (Fee Unit Conversion) Amendment Regulation 2023 (SL No. 149) amends the Petroleum and Gas (Safety) Regulation 2018 (the P&G Regulation) to convert methane/biogas fees prescribed under the P&G Regulation into the fee unit model.³

Under the *Queensland Treasury Principles for Fees and Charges*, the fee unit model required that by 1 July 2022 all fees captured by the Government's indexation policy be displayed as a number of fee units, not a dollar amount, in agencies' respective regulations, unless an exemption has been provided.⁴

The conversion for methane/biogas fees was granted an exemption by Queensland Treasury and therefore planned to commence on 1 July 2023; however, due to a drafting error it did not commence. SL No. 149 rectifies this drafting error.

5 National Energy Retail Law (Queensland) Amendment Regulation 2023

The objective of the National Energy Retail Law (Queensland) Amendment Regulation 2023 (SL No. 151) is to amend the National Energy Retail Law (Queensland) Regulation 2014⁵ to enable Queensland specific electricity bill messaging⁶ to appear on the front page of residential customer electricity bills⁷ as far as practicable by electricity retailers operating in Queensland.⁸

6 Recommendation

The committee recommends that the House notes this report.



Melissa McMahon MP
Acting Chair
January 2024

Transport and Resources Committee

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³ SL No. 149, explanatory notes, p 1; SL No. 149, s 3.

⁴ SL No. 149, explanatory notes, p 1. For more information, see Queensland Government, *Queensland Treasury Principles for Fees and Charges*, October 2021.

⁵ The main purpose of the *National Energy Retail Law (Queensland) Act 2014* is to enable the application of the National Energy Retail Law as a law of Queensland as well as the Queensland derogations from the national framework. SL No. 151, human rights certificate, p 1.

⁶ Specifically, the following words: 'The Queensland Government is providing a cost of living rebate to your household. The Australian Government is contributing funds for customers eligible under the Energy Price Relief Plan.' SL No. 151, s 3.

⁷ In relation to a bill issued during the financial year starting 1 July 2023. The effect of SL No. 151 is due to expire on 1 July 2024. SL No. 151, s 3; explanatory notes, p 1.

⁸ SL No. 151, explanatory notes, p 1.