

## Education, Employment and Training Committee

### Report No. 34, 57<sup>th</sup> Parliament

#### Subordinate legislation tabled between 22 February and 28 March 2023

#### 1 Aim of this report

This report summarises the findings of the Education, Employment and Training Committee (the committee) following its examination of subordinate legislation within its portfolio areas.

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
- its compatibility with human rights
- its lawfulness.

It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (LSA), and the human rights certificates with the *Human Rights Act 2019* (HRA).

#### 2 Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date
14	Proclamation made under the <i>Racing Integrity Amendment Act 2022</i>	28 March 2023	15 June 2023

\*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, human rights compatibility, or lawfulness of the subordinate legislation covered by this report.

The committee considers that the explanatory notes tabled with the subordinate legislation comply with the requirements of part 4 of the LSA

No human rights certificate was tabled with the subordinate legislation. This is consistent with s 4A(a) of the HRA, which provides that the responsible Minister is not required to prepare a human rights certificate in relation to subordinate legislation that is a proclamation fixing a single day for the commencement of all the provisions of an Act that are not in force.

The following sections provide a brief overview of the subordinate legislation.

#### 4 Proclamation made under the *Racing Integrity Amendment Act 2022*

The Proclamation made under the *Racing Integrity Amendment Act 2022* (the Amendment Act) sets a commencement date of 31 March 2023 for the provisions not previously in force. The relevant provisions comprise Part 3 and Schedule 1, Part 2 of the Amendment Act.

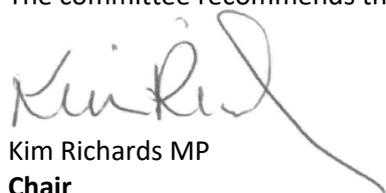
These provisions:

- establish the Racing Appeals Panel as the new independent review body for racing decisions made by stewards<sup>1</sup>
- provide the Queensland Racing Integrity Commission with a clear authority to publish stewards' racing reports.<sup>2</sup>

The majority of the Amendment Act entered into force on 31 October 2022. Section 2 of the Amendment Act provided for a delay in the commencement of the provisions identified above 'to allow sufficient time to operationally prepare for the establishment of the Racing Appeals Panel, and for communication activities to occur, including necessary process changes.'<sup>3</sup>

## 5 Recommendations

The committee recommends that the Legislative Assembly notes this report.



Kim Richards MP  
**Chair**

**May 2023**

### Education, Employment and Training Committee

**Chair**

**Deputy Chair**

**Members**

Ms Kim Richards MP, Member for Redlands  
Mr James Lister MP, Member for Southern Downs  
Mr Mark Boothman MP, Member for Theodore  
Mr Nick Dametto MP, Member for Hinchinbrook  
Mr Barry O'Rourke MP, Member for Rockhampton  
Mr Jimmy Sullivan MP, Member for Stafford

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<sup>1</sup> *Racing Integrity Amendment Act 2022*, ss 21-24, ss 26-28, and Schedule 1, Part 1.

<sup>2</sup> *Racing Integrity Amendment Act 2022*, s 25.

<sup>3</sup> Explanatory notes for SL 2023 No. 14, p 1.