



Report to the Legislative Assembly under section 56A of the *Statutory Instruments Act 1992*

Attorney-General and Minister for Justice
Minister for the Prevention of Domestic and Family Violence

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Background

Section 54 of the *Statutory Instruments Act 1992* (the SI Act) provides for subordinate legislation to expire on 1 September first occurring after the 10th anniversary of the day of its making unless it is sooner repealed or expires, or a regulation is made exempting it from expiry.

Under section 56A(1) of the SI Act, a regulation may exempt subordinate legislation other than uniform subordinate legislation from expiry for a stated period of not more than one year on a number of grounds, including that the Act or provision under which the subordinate legislation, or part of the subordinate legislation, is made or preserved is subject to review. Section 56A(2) permits the period of exemption stated in the regulation to be further extended by regulation (called an extension regulation) for further periods of not more than one year if the Act or provision under which the subordinate legislation, or part of the subordinate legislation, is made or preserved is subject to review.

If an extension regulation is made, the Minister responsible for the exempted subordinate legislation is required, under section 56A(4) of the SI Act, to table a report in the Legislative Assembly within seven sitting days after the extension regulation is made. The report must state how the Act or provision is subject to review and, if the Act or provision is being reviewed by the Minister, the extent to which the Act or provision is being reviewed and when the Minister expects the review to end.

Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2024

The *Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2024* provides for the period of exemption for the expiry of each of the following regulations to be extended under section 56A(2) of the *Statutory Instruments Act 1992*, to a period ending at midnight on 31 August 2025.

Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Regulation 2008

Exemption from expiry: The extension regulation for the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Regulation 2008* (JLOM Regulation) was made on the basis that Part 4 of the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984* (JLOM Act) is under review.

Details of review: The review of Part 4 of the JLOM Act and the JLOM Regulation is being informed and guided by the feedback of statutory community justice groups.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Associations Incorporation Regulation 1999

Exemption from expiry: The extension regulation for the *Associations Incorporation Regulation 1999* was made on the basis the *Associations Incorporation Act 1981* is subject to review.

Details of review: The legislation regulating Queensland's not-for-profit sector remains under review. The review aims to modernise the relevant legislation and reduce red tape for the sector.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Body Corporate and Community Management Regulation 2008

Exemption from expiry: The extension regulation for the *Body Corporate and Community Management Regulation 2008* was made on the basis the *Body Corporate and Community Management Act 1997* (BCCM Act) is subject to review.

Details of review: The review of the BCCM Act is being informed by an extensive review of Queensland property law undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology. The review of the BCCM Act is also being informed by the views of the Community Titles Legislation Working Group, which was established to consider a range of community titles sector issues.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011

Exemption from expiry: The extension regulation for the *Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011* was made on the basis the BCCM Act is subject to review.

Details of review: The review of the BCCM Act is being informed by an extensive review of Queensland property law undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology. The review of the BCCM Act is also being informed by the views of the Community Titles Legislation Working Group, which was established to consider a range of community titles sector issues.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Building Units and Group Titles Regulation 2008

Exemption from expiry: The extension regulation for the *Building Units and Group Titles Regulation 2008* was made on the basis the *Building Units and Group Titles Act 1980* (BUGT Act) is subject to review.

Details of review: The review of the BUGT Act is being informed by an extensive review of Queensland property law undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology. The review of the BUGT Act is also

being informed by the views of the Community Titles Legislation Working Group, which was established to consider a range of community titles sector issues.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Casino Control Regulation 1999

Exemption from expiry: The extension regulation for the *Casino Control Regulation 1999* was made on the basis the *Casino Control Act 1982* is subject to review.

Details of review: A review of all gaming and liquor legislation, including the Casino Control Act, is identifying provisions that are not technology neutral and provisions that may provide barriers to the adoption of digital technology. In addition, a review of the Casino Control Act has been underway to facilitate the implementation of 11 recommendations from the External Review of the Queensland operations of the Star Entertainment Group Limited (Gotterson Review). In March 2024, Parliament passed related amendments to the Casino Control Act, with a number of the amended Act provisions not commencing before 31 August 2024.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Charitable and Non-Profit Gaming Regulation 1999

Exemption from expiry: The extension regulation for the *Charitable and Non-Profit Regulation 1999* was made on the basis the *Charitable and Non-Profit Gaming Act 1999* (CNPG Act) is subject to review.

Details of review: The legislation regulating Queensland's not-for-profit sector remains under review. The review aims to modernise the relevant legislation and reduce red tape for the sector. Additionally in 2023, a review of the provisions under the CNPG Act, which allow the conduct of promotional games, was commenced at the request of the Attorney General, which will likely lead to significant amendments to the CNPG Act.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Collections Regulation 2008

Exemption from expiry: The extension regulation for the *Collections Regulation 2008* was made on the basis the *Collections Act 1966* is subject to review.

Details of review: The legislation regulating Queensland's not-for-profit sector remains under review. The review aims to modernise the relevant legislation and reduce red tape for the sector.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Fair Trading (Code of Practice-Fitness Industry) Regulation 2003

Exemption from expiry: The extension regulation for the *Fair Trading (Code of Practice-Fitness Industry) Regulation 2003* was made on the basis that the *Fair Trading Act 1989* is subject to review.

Details of review: The review is considering whether the relevant provisions in the Fair Trading Act, including the provision that allows the making of Codes of Practice, are inconsistent with or duplicate the Australian Consumer Law (ACL). The review is being informed by a current regulation impact assessment process for a potential general unfair trading prohibition to be provided for under the ACL.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Fair Trading (Safety Standards) Regulation 2011

Exemption from expiry: The extension regulation for the *Fair Trading (Safety Standards) Regulation 2011* was made on the basis the *Fair Trading Act 1989* is subject to review.

Details of review: There is a national project underway, being led by Commonwealth Treasury, examining reform options relating to product safety and a potential 'general safety provision' under the *Australian Consumer Law* (ACL), which may impact on the ongoing need for the power to make safety standards under the Fair Trading Act.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Funeral Benefit Business Regulation 2010

Exemption from expiry: The extension regulation for the *Funeral Benefit Business Regulation 2010* was made on the basis the *Funeral Benefit Business Act 1982* is subject to review.

Details of review: The review is considering the ongoing operation of the *Trust Accounts Act 1973*, particularly the interaction with the Funeral Benefit Business Act.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Gaming Machine Regulation 2002

Exemption from expiry: The extension regulation for the *Gaming Machine Regulation 2002* was made on the basis the *Gaming Machine Act 1991* is subject to review.

Details of review: A review of all gaming and liquor legislation, including the Gaming Machine Act, is identifying provisions that are not technology neutral and provisions that may provide barriers to the adoption of digital technology. Further, as part of the *Gambling Harm Minimisation Plan for Queensland 2021-25* approved by the Premier in 2021, the Gaming Machine Act is currently under review for the implementation of a proposed Multi Venue Self Exclusion scheme and a mandatory Code of Practice for gaming machine environments in clubs and hotels.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Information Privacy Regulation 2009

Exemption from expiry: The extension regulation for the *Information Privacy Regulation 2009* was made on the basis that the *Information Privacy Act 2009* (IP Act) is subject to review.

Details of review: The *Information Privacy and Other Legislation Amendment Act 2023* (IPOLA Act) has been enacted following a review of the IP Act. However, the IPOLA Act has not yet entirely commenced.

Timeframe for review: The IPOLA Act is anticipated to commence by proclamation in mid-2025.

Interactive Gambling (Player Protection) Regulation 1998

Exemption from expiry: The extension regulation for the *Interactive Gambling (Player Protection) Regulation 1998* was made on the basis the *Interactive Gambling (Player Protection) Act 1998* is subject to review.

Details of review: A review of all gaming and liquor legislation, including the Interactive Gambling (Player Protection) Act, is identifying provisions that are not technology neutral and provisions that may provide barriers to the adoption of digital technology.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Keno Regulation 2007

Exemption from expiry: The extension regulation for the *Keno Regulation 2007* was made on the basis the *Keno Act 1996* is subject to review.

Details of review: A review of all gaming and liquor legislation, including the Keno Act, is identifying provisions that are not technology neutral and provisions that may provide barriers to the adoption of digital technology.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Liquor (Approval of Adult Entertainment Code) Regulation 2002

Exemption from expiry: The extension regulation for the *Liquor (Approval of Adult Entertainment Code) Regulation 2002* was made on the basis the *Liquor Act 1992* is subject to review.

Details of review: A review of all gaming and liquor legislation, including the Liquor Act, is identifying provisions that are not technology neutral and provisions that may provide barriers to the adoption of digital technology. In addition, in 2023, the Government announced its intention to decriminalise the sex work industry. As a consequence, the Attorney-General has approved a review of the Adult Entertainment provisions of the Liquor Act.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Liquor Regulation 2002

Exemption from expiry: The extension regulation for the *Liquor Regulation 2002* was made on the basis the *Liquor Act 1992* is subject to review.

Details of review: A review of all gaming and liquor legislation, including the Liquor Act, is identifying provisions that are not technology neutral and provisions that may provide barriers to the adoption of digital technology. In addition, in 2023, the Government announced its intention to decriminalise the sex work industry. As a consequence, the Attorney-General has approved a review of the Adult Entertainment provisions of the Liquor Act.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Lotteries Regulation 2007

Exemption from expiry: The extension regulation for the *Lotteries Regulation 2007* was made on the basis the *Lotteries Act 1997* is subject to review.

Details of review: A review of all gaming and liquor legislation, including the Lotteries Act, is identifying provisions that are not technology neutral and provisions that may provide barriers to the adoption of digital technology.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Property Law Regulation 2013

Exemption from expiry: The extension regulation for the *Property Law Regulation 2013* was made on the basis that the *Property Law Act 1974* is subject to review.

Details of review: The *Property Law Act 1974* is subject to review because the *Property Law Act 2023*, which will repeal and replace the *Property Law Act 1974*, was enacted on 2 November 2023 but has not yet commenced. The *Property Law Regulation 2013* will be replaced by a new regulation under the new Act.

Timeframe for review: The *Property Law Act 2023* will commence on a day to be fixed by proclamation and is expected to commence in 2025. The automatic commencement date for the Act was extended to 3 November 2025 by the *Property Law (Postponement) Regulation 2024*.

Right to Information Regulation 2009

Exemption from expiry: The extension regulation for the *Right to Information Regulation 2009* was made on the basis that the *Right to Information Act 2009* (RTI Act) is subject to review.

Details of review: The IPOLA Act, has been enacted following a review of the RTI Act. However, the IPOLA Act has not yet entirely commenced.

Timeframe for review: The IPOLA Act is anticipated to commence by proclamation in mid-2025.

Second-hand Dealers and Pawnbrokers Regulation 2004

Exemption from expiry: The extension regulation for the *Second-hand Dealers and Pawnbrokers Regulation 2004* was made on the basis the *Second-hand Dealers and Pawnbrokers Act 2003* is subject to review.

Details of review: In 2023, the Government announced a parliamentary inquiry into metal theft. As a result, the efficiency and effectiveness of a range of provisions and arrangements under the *Second-hand Dealers and Pawnbrokers Act* are being reviewed.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Security Providers (Crowd Controller Code of Practice) Regulation 2008

Exemption from expiry: The extension regulation for the *Security Providers (Crowd Controller Code of Practice) Regulation 2008* was made on the basis the *Security Providers Act 1993* is subject to review.

Details of review: Among other matters, including in regard to the whole of Government review of gender-specific provisions in statutes, the review is assessing the ongoing need for the power to make codes of practice under the *Security Providers Act*, by way of subordinate legislation.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Security Providers Regulation 2008

Exemption from expiry: The extension regulation for the *Security Providers Regulation 2008* was made on the basis the *Security Providers Act 1993* is subject to review.

Details of review: The *Security Providers Act* is under review, including in regard to the whole of Government review of gender-specific provisions in statutes.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Security Providers (Security Firm Code of Practice) Regulation 2008

Exemption from expiry: The extension regulation for the *Security Providers (Security Firm Code of Practice) Regulation 2008* was made on the basis the *Security Providers Act 1993* is subject to review.

Details of review: Among other matters, including in regard to the whole of Government review of gender-specific provisions in statutes, the review is assessing the ongoing need for the power to make codes of practice under the *Security Providers Act*, by way of subordinate legislation.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Security Providers (Security Officer-Licensed Premises-Code of Practice) Regulation 2008

Exemption from expiry: The extension regulation for the *Security Providers (Security Officer-Licensed Premises-Code of Practice) Regulation 2008* was made on the basis the *Security Providers Act 1993* is subject to review.

Details of review: Among other matters, including in regard to the whole of Government review of gender-specific provisions in statutes, the review is assessing the ongoing need for the power to make codes of practice under the *Security Providers Act*, by way of subordinate legislation.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Tattoo Industry Regulation 2013

Exemption from expiry: The extension regulation for the *Tattoo Industry Regulation 2013* was made on the basis the *Tattoo Industry Act 2013* is subject to review.

Details of review: The review concerns the scope of the regulation making power under the *Tattoo Industry Act* and whether it continues to be fit for purpose.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Tourism Services (Code of Conduct for Inbound Tour Operators) Regulation 2003

Exemption from expiry: The extension regulation for the *Tourism Services (Code of Conduct for Inbound Tour Operators) Regulation 2003* was made on the basis the *Tourism Services Act 2003* is subject to review.

Details of review: The review is considering whether the *Tourism Services Act* (and subordinate legislation) are inconsistent with or duplicate the generic consumer protections in the *Australian Consumer Law (ACL)*.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Tourism Services Regulation 2003

Exemption from expiry: The extension regulation for the *Tourism Services Regulation 2003* was made on the basis that the *Tourism Services Act 2003* is subject to review.

Details of review: The review is considering whether the *Tourism Services Act* (and subordinate legislation) are inconsistent with or duplicate generic consumer protections in the *Australian Consumer Law (ACL)*.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Trust Accounts Regulation 1999

Exemption from expiry: The extension regulation for the *Trust Accounts Regulation 1999* was made on the basis that the *Trust Accounts Act 1973* is subject to review.

Details of review: The review is considering the ongoing operation of the Trust Accounts Act, particularly the interaction with the *Funeral Benefit Business Act 1992*.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Wagering Regulation 1999

Exemption from expiry: The extension regulation for the *Wagering Regulation 1999* was made on the basis that the *Wagering Act 1998* is subject to review.

Details of review: A review of all gaming and liquor legislation, including the Wagering Act, is identifying provisions that are not technology neutral and provisions that may provide barriers to the adoption of digital technology. In addition, as part of the *Gambling Harm Minimisation Plan for Queensland 2021-25* approved by the Premier in 2021, a further review of the Wagering Act commenced in 2024 with the aim of developing a statutory Code of Practice to enhance regulatory compliance with the harm minimisation objective of the Act.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.

Wine Industry Regulation 2009

Exemption from expiry: The exemption regulation for the *Wine Industry Regulation 2009* was made on the basis the *Wine Industry Act 1994* is subject to review.

Details of review: A review of all gaming and liquor legislation, including the Wine Industry Act, is identifying provisions that are not technology neutral and provisions that may provide barrier to the adoption of digital technology.

Timeframe for review: The review was not completed before 31 August 2024 and is expected to continue into 2025.