



QUEENSLAND PARLIAMENT **COMMITTEES**

**Report on subordinate legislation tabled between
20 May 2025 and 24 June 2025**

Justice, Integrity and Community Safety Committee



Report No. 14

58th Parliament, August 2025

Overview

This report summarises the findings of the Justice, Integrity and Community Safety Committee's (committee) examination of the subordinate legislation within its portfolio areas tabled between 20 May 2025 and 24 June 2025. 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 explanatory notes compliance with the Legislative Standards Act 1992 (LSA).¹

The report notes any issues identified by the committee in its consideration of compliance with the Human Rights Act 2019 (HRA)² and the human rights certificates tabled with the subordinate legislation.³

Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date
30	Penalties and Sentences (Penalty Unit Value) Amendment Regulation 2025	20 May 2025	17 September 2025
32	Legal Profession (Barristers Rules) Notice 2025	20 May 2025	17 September 2025
35	State Penalties Enforcement (Property Occupations) Amendment Regulation 2025	10 June 2025	15 October 2025
36	Public Trustee (Interest Rate) Amendment Regulation 2025	10 June 2025	15 October 2025
37	Proclamation—Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Act 2023	10 June 2025	15 October 2025
38	Proclamation—Corrective Services (Promoting Safety) and Other Legislation Amendment Act 2024	10 June 2025	15 October 2025
39	Corrective Services (Prescribed Surveillance Devices) Amendment Regulation 2025	10 June 2025	15 October 2025
44	Justice Legislation (Allowances) Amendment Regulation 2025	24 June 2025	29 October 2025
50	Body Corporate and Community Management (Body Corporate Certificate Fees) and Other Legislation Amendment Regulation 2025	24 June 2025	29 October 2025
54	Civil Liability Indexation Notice 2025	24 June 2025	29 October 2025
55	Personal Injuries Proceedings Indexation Notice 2025	24 June 2025	29 October 2025

*Disallowance dates are based on proposed sitting dates as advised by the Leader of the House. These dates are subject change.

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

² *Human Rights Act 2019* (HRA), ss 8, 13.

³ HRA, s 41.

Committee consideration of the subordinate legislation

Committee Comment



The committee did not identify any significant issues regarding the policy, consistency with fundamental legislative principles, the lawfulness of the subordinate legislation or non-compliance with the HRA.

Similarly, the committee considers that the explanatory notes tabled with the subordinate legislation comply with the requirements of section 24 of the LSA. This includes advice about consultation, 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.⁴

1 SL No. 30 – Penalties and Sentences (Penalty Unit Value) Amendment Regulation 2025

The Penalties and Sentences (Penalty Unit Value) Amendment Regulation 2025 (SL No. 30) amends the Penalties and Sentences Regulation 2015 to increase the monetary value of a penalty unit for particular purposes under the Penalties and Sentences Act 1992 (PS Act) by 3.5 per cent from \$161.30 to \$166.90.⁵

Under section 5A of the PS Act, the monetary value of a penalty unit may be increased once in a financial year by 3.5 per cent or by a percentage change published by the Treasurer in the Queensland Government Gazette (gazette) on or before 31 March.⁶

As no percentage change was published in the gazette by 31 March 2025, the penalty unit value will be indexed by 3.5 per cent.⁷ The new penalty unit value commences on 1 July 2025.⁸

The explanatory notes state that the increase in penalty unit value ‘preserves the deterrent and punitive effect of financial penalties for prescribed criminal and regulatory offences’.⁹

2 SL No. 32 – Legal Profession (Barristers Rules) Notice 2025

The Legal Profession Act 2007 (LP Act) provides for the Bar Association of Queensland (BAQ) to make barristers rules, which have no effect unless the Minister notifies the making of them.¹⁰ The notice is subordinate legislation.¹¹

⁴ Section 8 of the HRA relevantly provides that a statutory provision is compatible with human rights if the provision does not limit a human right or limits a human right only to the extent that is reasonable and demonstrably justifiable in accordance with section 13 of the HRA. Section 13 of the HRA provides that a human right may be subject under law only to reasonable limits that can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom.

⁵ SL No. 30, s 4.

⁶ Penalties and Sentences Act 1992, s 5A.

⁷ SL No. 30, s 2.

⁸ SL No. 30, s 2.

⁹ SL No. 30, explanatory notes, p 1.

¹⁰ LP Act, s 225(1)(b).

¹¹ LP Act, s 225(2).

The Legal Profession (Barristers Rules) Notice 2025 (SL No. 32) repeals the Legal Profession (Barristers Rules) Notice 2024 (SL No. 236)¹² and gives notice of the making of the 'Barristers' Conduct Rules, as amended' (amended rules) as barristers rules.¹³

According to the explanatory notes, the amended rules incorporate amendments to rules 1 and 9(c).¹⁴

The amendments to rule 9(c):

- replace the term 'employed by the Crown' with 'a government legal officer' to be consistent with the definitions and terminology of the LP Act
- extend to barristers employed by Legal Aid Queensland and the Aboriginal and Torres Strait Islander Legal Service the exemption from compliance with certain rules currently afforded to barristers 'employed by the Crown or who hold a statutory office'
- remove the inclusion of rule 15 from the exemption, so that all barristers, whether employed or not, are required to engage in one or more forms of barristers' work when practising as a legal practitioner
- remove the inclusion of rule 100 from the exemption, relating to speculative fee agreements.¹⁵

3 SL No. 35 – State Penalties Enforcement (Property Occupations) Amendment Regulation 2025

The State Penalties Enforcement (Property Occupations) Amendment Regulation 2025 (SL No. 35) reflects amendments made to the Property Occupations Act 2014 (PO Act) by the Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Act 2024 to introduce mandatory continuing professional development (CPD) for property agents from 6 June 2025.¹⁶

SL No. 35 amends the State Penalties Enforcement Regulation 2014 (SPE Regulation) to prescribe that the failure of property agents to comply with CPD record keeping obligations under the PO Act¹⁷ are penalty infringement notice (PIN) offences.

¹² SL No. 32, s 3.

¹³ SL No. 32, s 2; SL No. 32, explanatory notes, p 1.

¹⁴ The amendment to rule 1 includes providing for the commencement of the Rules on the date of notification. SL No. 32, explanatory notes, pp 1, 2.

¹⁵ SL No. 32, explanatory notes, pp 1-2.

¹⁶ See Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Act 2024, part 1, section 2(2) for commencement provision and part 3, divisions 2 and 4 for CPD requirements.

¹⁷ That is, PO Act, ss 92C or 151C.

According to the explanatory notes, by prescribing PIN offences SL No. 35 will provide Office of Fair Trading inspectors with the option to issue PIN fines to property agents who fail to comply with CPD record keeping obligations under the PO Act.¹⁸ The PIN offences will each attract a fine of 2 penalty units (\$322,60).¹⁹



3.1 Legislative Standards Act 1992

To have sufficient regard to the rights and liberties of individuals, penalties should generally be proportionate to the offences, and those penalties within legislation should be consistent with each other.²⁰

SL No. 35 prescribes 4 new record keeping obligations in the SPE Regulation as PIN offences.

The explanatory notes advise:

The PIN fine amounts are relatively low (two penalty units), reflecting the administrative nature of the offences. Also, the PIN fine amounts are commensurate with fine amounts for PIN offences for similar record keeping obligations under sections 15 and 16 of the Property Occupations Regulation 2014 ... where the PIN fine amounts are set at two penalty units (with a maximum penalty of 10 penalty units applying to contraventions of these requirements).²¹

4 SL No. 36 – Public Trustee (Interest Rate) Amendment Regulation 2025

The Public Trustee (Interest Rate) Amendment Regulation 2025 (SL No. 36) amends the Public Trustee Regulation 2023 (Regulation), commencing on 1 June 2025.²²

The policy objective of SL No. 36 is to amend the interest rates payable under the Regulation on amounts held in the Public Trustee's common fund by setting 'a rate of interest that reflects the market rate of return of a comparative set of competitive financial products and prevailing economic conditions'.²³

SL No. 36 lowers the current interest rate payable on funds held for:

- Class 1 and Class 5 amounts, other than a term deposit amount, from 0.21 per cent to 0.19 per cent ²⁴
- Class 2(c) and Class 3 amounts, other than a term deposit amount, from 1.78 per cent to 1.63 per cent. ²⁵

¹⁸ SL No. 35, explanatory notes, p 2.

¹⁹ See page 2 of the explanatory notes for a list of the prescribed PIN offences. The value of a penalty unit is currently \$161.30. The value will increase to \$166.90 from 1 July 2025. See Penalties and Sentences (Penalty Unit Value) Amendment Regulation 2025, s 4; Penalties and Sentences Regulation 2015, s 3; Penalties and Sentences Act 1992, s 5A.

²⁰ LSA, s 4(2)(a).

²¹ SL No. 35, explanatory notes, p 4.

²² SL No. 36, ss 2 and 3.

²³ SL No. 36, explanatory notes, p 1.

²⁴ This applies to funds held for General Trusts, Minor Beneficiaries, Life Interest Estates, Trusts and Deceased Estates. SL No. 36, s 4(1); SL No. 36, explanatory notes, p 2.

²⁵ This applies to funds held for Agency Deposit At Call Accounts, Financial Management Customers and Enduring Powers of Attorney Accounts. SL No. 36, s 4(2); SL No. 36, explanatory notes, p 2.

5 SL No. 37 – Proclamation—Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Act 2023

The Proclamation made under the Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Act 2023 (Emerging Technologies and Security Act) (SL No. 37) fixes a commencement date of 2 June 2025 for the commencement of the provisions of the Act that are not in force.²⁶

According to the explanatory notes, the commencing provisions amend the Corrective Services Act 2006 (CS Act) to:

- provide a clear head of power for the Queensland Corrective Services chief executive to authorise the use of a prescribed surveillance device within a corrective services facility to monitor and record activity in and around the facility
- provide a related transitional provision.²⁷

The commencement of these provisions was previously postponed from 3 June 2024 to the end of 2 June 2025.²⁸ The justification for the postponement was to provide the opportunity to seek Governor in Council approval to proclaim amendments in the Corrective Service (Promoting Safety) and Other Legislation Amendment Bill 2024, and to prescribe surveillance devices in the Corrective Services Regulation 2017.²⁹

SL No. 37 merely commences the remaining provisions of the Emerging Technologies and Security Act.

6 SL No. 38 – Proclamation—Corrective Services (Promoting Safety) and Other Legislation Amendment Act 2024

The Proclamation made under the Corrective Services (Promoting Safety) and Other Legislation Amendment Act 2024 (Promoting Safety Act) (SL No. 38) fixes a commencement date of 2 June 2025³⁰ for the commencement of the provisions of the Act that are not in force.³¹

According to the explanatory notes, the commencing provisions amend the CS Act to:

- strengthen powers to respond to abuse of prisoner communication channels to protect the community from prisoners who seek to inflict harm from behind bars
- clarify the authority for corrective services officers to use body-worn cameras while in the community to promote the safety of frontline corrective services officers
- clarify the limits of the chief executive's authorisation to use a prescribed surveillance device at a corrective services facility

²⁶ The remaining provisions are sections 19 (insertion of new ch 4, part 3A) and 35 (insertion of new s 490ZH) of the Emerging Technologies and Security Act. SL No. 37, explanatory notes, p 1.

²⁷ SL No. 37, explanatory notes, pp 1-2.

²⁸ See SL No. 66 of 2024.

²⁹ SL No. 66 of 2024, explanatory notes, p 2.

³⁰ To commence immediately after the commencement of section 19 of the Emerging Technologies and Security Act. See SL No. 37.

³¹ SL No. 38, explanatory notes, p 1.

- confirm arrangements for corrective services officers supporting proper officers of courts.³²

Further, the explanatory notes state that the commencing provisions amend the Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 and Police Powers and Responsibilities Act 2000 to enable the use of certain police powers for reportable child sex offenders being supervised under the Dangerous Prisoners (Sexual Offenders) Act 2003.³³ SL No. 38 merely commences the remaining provisions of the Promoting Safety Act.

7 SL No. 39 – Corrective Services (Prescribed Surveillance Devices) Amendment Regulation 2025

The Corrective Services (Prescribed Surveillance Devices) Amendment Regulation 2025 (SL No. 39) amends the Corrective Services Regulation 2017, commencing on 2 June 2025.³⁴

SL No. 39:

- prescribes the surveillance devices able to be authorised by the chief executive for use in accordance with section 173A of the CS Act, including by identifying classes of device, made distinct by the technology underpinning each device and the purpose of each device³⁵
- changes the name of the Southern Queensland Correctional Complex to the Southern Queensland Correctional Precinct to align with the name of the site that is master planned for multiple corrective services facilities.³⁶



7.1 Human Rights Act 2019

SL No. 39 may limit a person's right to privacy and reputation as well as their right to humane treatment while deprived of liberty.

Privacy and reputation

A person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with, and the right not to have their reputation unlawfully attacked.³⁷

The use of surveillance devices within a corrective services facility would limit an individual's right to privacy. According to the human rights certificate:

Surveillance devices enable prisoners, corrective services officers and visitors to a facility to be monitored; for example, while having conversations or undertaking activities and tasks. Footage can also be recorded and stored for future review of incidents, thereby increasing the extent of this impact on individual privacy.³⁸

³² SL No. 38, explanatory notes, p 1.

³³ SL No. 38, explanatory notes, p 1.

³⁴ SL No. 39, ss 2 and 3.

³⁵ SL No. 39, s 4; SL No. 39, explanatory notes, p 2.

³⁶ SL No. 39, s 5; SL No. 39, explanatory notes, p 1.

³⁷ HRA, s 25.

³⁸ SL No. 39, human rights certificate, p 2.

In addition, benefits would result from the use of the surveillance devices and their use would be regulated:

Surveillance devices are essential tools for promoting safety and good order in corrective services facilities, and for preventing corruption and misconduct. The Amendment Regulation supports the use of prescribed devices in a framework that justifies that use and ensures that surveillance devices and the data they record are handled responsibly, to protect as much as possible the privacy of staff, visitors, and prisoners in accordance with section 173A of the CS Act.³⁹

The human rights certificate concludes that the use of surveillance technology within the correctional environment is an essential precaution to ensure the safety of persons within that environment, and the monitoring is only to the extent that is reasonable and necessary.⁴⁰

Right to humane treatment while deprived of liberty

All persons deprived of liberty must be treated with humanity and with respect for the inherent dignity of the human person.⁴¹

The use of surveillance devices within a corrective services facility may limit an individual's right to humane treatment while deprived of liberty. According to the human rights certificate, surveillance is more intrusive in the correctional environment than in other spaces and includes the monitoring of intimate or sensitive activities such as removal of clothing searches.⁴² The human rights certificate acknowledges that the use of a device to monitor more intimate activities can limit the right, however, concludes that such interferences are necessary and justified to ensure the safety of persons within correctional facilities.⁴³

Committee Comment



The committee is satisfied that the potential limitations on a person's right to privacy and reputation, and right to humane treatment while deprived of liberty are justified. Noting the need for surveillance of those in corrective services facilities to ensure the safety of others and that surveillance already occurs within those facilities, the limitation on the right strikes an appropriate balance. On this basis, the committee is satisfied that the subordinate legislation is compatible with human rights.⁴⁴

³⁹ SL No. 39, human rights certificate, p 3.

⁴⁰ SL No. 39, human rights certificate, p 4.

⁴¹ HRA, s 30(1).

⁴² SL No. 39, human rights certificate, p 2.

⁴³ SL No. 39, human rights certificate, p 4.

⁴⁴ Section 8 of the HRA relevantly provides that a statutory provision is compatible with human rights if the provision does not limit a human right or limits a human right only to the extent that is reasonable and demonstrably justifiable in accordance with section 13 of the HRA. Section 13 of the HRA provides that a human right may be subject under law only to reasonable limits that can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom.

8 SL No. 44 – Justice Legislation (Allowances) Amendment Regulation 2025

The Justice Legislation (Allowances) Amendment Regulation 2025 (SL No. 44) applies the government indexation rate of 3.4% to the allowances and remuneration prescribed by the following regulations:

- Criminal Code (Animal Valuers) Regulation 2014
- Criminal Practice (Fees and Allowances) Regulation 2021
- Jury Regulation 2017
- Queensland Civil and Administrative Tribunal Regulation 2019
- Uniform Civil Procedure (Fees) Regulation 2019.⁴⁵

This is to ensure that the allowances and remuneration amounts maintain their value over time.⁴⁶ SL No. 44 commences on 1 July 2025.

9 SL No. 50 – Body Corporate and Community Management (Body Corporate Certificate Fees) and Other Legislation Amendment Regulation 2025

As a result of changes to the Body Corporate and Community Management Act 1997 (BCCM Act) and the Building Units and Group Titles Act 1980 (BUGT Act) to replace various existing disclosure statements and information certificates with the new body corporate certificate⁴⁷, the Body Corporate and Community Management (Body Corporate Certificate Fees) and Other Legislation Amendment Regulation 2025 (SL No. 50) amends the specified regulations⁴⁸ to:

- prescribe fees relating to a request for a new body corporate certificate⁴⁹ under section 205 of the BCCM Act⁵⁰ and section 40AA of the BUGT Act
- remove the fees relating to existing certificates under the BCCM Act and the BUGT Act.⁵¹

⁴⁵ SL No. 44, explanatory notes, p 1. The allowances include, for example, travelling and meal allowances for prosecution witnesses (see SL No. 44, s 6) and remuneration and allowances for jurors (see SL No. 44, s 8).

⁴⁶ SL No. 44, explanatory notes, p 1.

⁴⁷ SL No. 50, human rights certificate, p 1.

⁴⁸ That is, the Body Corporate and Community Management (Accommodation Module) Regulation 2020, the Body Corporate and Community Management (Body Corporate Certificates) and Other Legislation Amendment Regulation 2024, the Body Corporate and Community Management (Commercial Module) Regulation 2020, the Body Corporate and Community Management (Small Schemes Module) Regulation 2020, the Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011, the Body Corporate and Community Management (Standard Module) Regulation 2020 and the Building Units and Group Titles Regulation 2008.

⁴⁹ The body corporate certificate forms part of the seller disclosure scheme for the sale of existing lots in Queensland to be introduced by the Property Law Act 2023. SL No. 50, explanatory notes, p 1.

⁵⁰ SL No. 50 inserts fees relating to the body corporate certificate in the relevant regulation modules under the BCCM Act. SL No. 50, explanatory notes, p 2.

⁵¹ The provisions commence on 1 August 2025, concurrently with the Property Law Act 2023. SL No. 50, explanatory notes, p 3.

According to the explanatory notes:

*The prescribed fees relating to the body corporate certificate are designed to compensate the body corporate for preparing the body corporate certificate, while also capping the amount a body corporate can charge an interested person for a body corporate certificate so that the amounts charged are reasonable and appropriate.*⁵²

10 SL No. 54 – Civil Liability Indexation Notice 2025

The Civil Liability Act 2003 (CL Act) provides for the annual indexation of various monetary caps and thresholds relating to damages for personal injury.⁵³ Under the CL Act, the Minister must, before each financial year starts, make a notice for the financial year fixing these amounts.⁵⁴

The amounts fixed are to be the amounts last fixed by the Minister, adjusted by the percentage change in average weekly earnings between the current financial year and the last financial year and rounded to the nearest 10 dollars.⁵⁵

The Civil Liability Indexation Notice 2025 (SL No. 54), which commences on 1 July 2025,⁵⁶ fixes the required indexed amounts for or under the CL Act for the 2025-26 financial year.⁵⁷

11 SL No. 55 – Personal Injuries Proceedings Indexation Notice 2025

The Personal Injuries Proceedings Act 2002 (PIP Act) provides for the annual indexation of various costs and offer limits relating to damages for personal injury.⁵⁸ Under the PIP Act, the Minister must, before each financial year starts, make a notice for the financial year fixing amounts as the declared costs limit, lower offer limit and upper offer limit.⁵⁹ These limits are the monetary thresholds used to determine whether, and to what extent, legal costs are recoverable under the PIP Act.⁶⁰

The amounts fixed are to be the amounts last fixed by the Minister, adjusted by the percentage change in average weekly earnings between the current financial year and the last financial year and rounded to the nearest 10 dollars.⁶¹

The Personal Injuries Proceedings Indexation Notice 2025 (SL No. 55), which commences on 1 July 2025,⁶² fixes the indexed amounts for the declared costs limit, lower offer limit and upper offer limit for the 2025-26 financial year.⁶³

⁵² SL No. 50, explanatory notes, p 2. The fee for the body corporate certificate is close to the fee for existing certificates under the BCCM Act and BUGT Act. SL No. 50, explanatory notes, p 3.

⁵³ SL No. 54, explanatory notes, p 1.

⁵⁴ CL Act, s 75(1).

⁵⁵ CL Act, s 75(2).

⁵⁶ SL No. 54, s 2.

⁵⁷ Being those for or under CL Act ss 58(1)(b), 62(2)(a) and (b) and 64(2).

⁵⁸ SL No. 55, explanatory notes, p 1.

⁵⁹ PIP Act, s 75A(1).

⁶⁰ SL No. 55, explanatory notes, p 1.

⁶¹ PIP Act, s 75A(2).

⁶² SL No. 55, s 2.

⁶³ SL No. 55, explanatory notes, p 1; SL No. 55, ss 3 - 5.



Recommendation 1

The committee recommends that the Legislative Assembly note this report.

Marty Hunt MP

Chair

Justice, Integrity and Community Safety Committee

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Deputy Chair

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