



QUEENSLAND PARLIAMENT **COMMITTEES**

**Report on subordinate legislation tabled between
25 June 2025 and 26 August 2025**

Justice, Integrity and Community Safety Committee



Report No. 21

58th Parliament, November 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 25 June 2025 and 26 August 2025. It reports on any issues identified by the committee in its consideration of:

- the policy to be given effect by the legislation
- fundamental legislative principles and lawfulness
- the explanatory notes compliance with the *Legislative Standards Act 1992* (LSA)¹
- 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*
69	Professional Standards (New South Wales Bar Professional Standards Scheme) Notice 2025	30 June 2025	19 November 2025
70	Professional Standards (Western Australian Bar Professional Standards Scheme) Notice 2025	30 June 2025	19 November 2025
71	Professional Standards (Chartered Accountants Australia and New Zealand Professional Standards Scheme) Notice 2025	30 June 2025	19 November 2025
72	Professional Standards (Victorian Bar Professional Standards Scheme) Notice 2025	30 June 2025	19 November 2025
101	Professional Standards (CPA Australia Professional Standards Scheme) Notice 2025	19 August 2025	19 November 2025
57	Uniform Civil Procedure (Fees) Amendment Regulation 2025	26 August 2025	20 November 2025
61	Disability Services (Fees) Amendment Regulation 2025	26 August 2025	20 November 2025
62	Gaming Machine Amendment Regulation 2025	26 August 2025	20 November 2025
63	Proclamation— Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2024	26 August 2025	20 November 2025
73	Proclamation—Information Privacy and Other Legislation Amendment Act 2023	26 August 2025	20 November 2025
74	Right to Information Regulation 2025	26 August 2025	20 November 2025

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

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

³ HRA, s 41.

75	Information Privacy Regulation 2025	26 August 2025	20 November 2025
77	Evidence Amendment Regulation 2025	26 August 2025	20 November 2025
78	Proclamation— Police Powers and Responsibilities (Making Jack’s Law Permanent) and Other Legislation Amendment Act 2025	26 August 2025	20 November 2025
81	Public Trustee (Interest Rate) Amendment Regulation (No. 2) 2025	26 August 2025	20 November 2025
82	Proclamation—Making Queensland Safer Act 2024	26 August 2025	20 November 2025
102	Supreme Court of Queensland Regulation 2025	26 August 2025	20 November 2025
103	District Court of Queensland Regulation 2025	26 August 2025	20 November 2025
104	Cremations Regulation 2025	26 August 2025	20 November 2025
106	Penalties and Sentences Regulation 2025	26 August 2025	20 November 2025
109	Civil Liability Regulation 2025	26 August 2025	20 November 2025
110	Personal Injuries Proceedings Regulation 2025	26 August 2025	20 November 2025

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

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

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.

1 SL No. 69—Professional Standards (New South Wales Bar Professional Standards Scheme) Notice 2025

The Professional Standards (New South Wales Bar Association Professional Standards Scheme) Notice 2025 (SL No. 69) gives notice of the approval⁵ of the New South Wales Bar Association Professional Standards Scheme (NSW Scheme) by the Professional Standards Council of New South Wales.⁶ This allows the NSW Scheme to have effect in Queensland.⁷

The NSW Scheme limits the occupational liability⁸ of all members of the New South Wales Bar Association who hold a New South Wales barrister's practising certificate and have the required level of professional indemnity insurance.⁹

The explanatory notes for SL No. 69 state:

*Each state and territory in Australia has similar professional standards legislation which is designed to reduce the cost of, and facilitate the obtaining of, professional indemnity insurance for members of an occupational association that has an approved scheme. The professional standards legislation in each jurisdiction provides for a professional standards council to approve and monitor schemes.*¹⁰

The NSW Scheme was tabled in the Legislative Assembly on 30 June 2025.

No issues of fundamental legislative principle were identified.

2 SL No. 70—Professional Standards (Western Australian Bar Association Professional Standards Scheme) Notice 2025

The Professional Standards (Western Australian Bar Association Professional Standards Scheme) Notice 2025 (SL No. 70) gives notice of the approval¹¹ of the Western Australian Bar Association Professional Standards Scheme (WA Scheme) by the Professional Standards Council of Western Australia.¹² This allows the WA Scheme to have effect in Queensland.¹³

⁵ *Professional Standards Act 2004*, s 14, requires the minister to give notice of the approval of an interstate scheme by the Professional Standards Council for the jurisdiction in which the scheme was prepared. Such a notice is subordinate legislation.

⁶ SL No. 69 repeals the Professional Standards (New South Wales Bar Association Professional Standards Scheme) Notice 2020, SL No. 47. SL No. 69, s 4.

⁷ SL No. 69, explanatory notes, p 2.

⁸ To the amount of the monetary ceiling for the Scheme. SL No. 69, explanatory notes, p 1.

⁹ SL No. 69, explanatory notes, pp 1-2. The NSW Scheme also applies to officers of bodies corporate, employees of a person or partners in a partnership arrangement to whom the NSW Scheme applies, unless the officer, employee or partner is entitled to be a member of the NSW Bar but is not a member. SL No. 69, explanatory notes, p 2.

¹⁰ SL No. 69, explanatory notes, p 1.

¹¹ *Professional Standards Act 2004*, s 14, requires the minister to give notice of the approval of an interstate scheme by the Professional Standards Council for the jurisdiction in which the scheme was prepared. Such a notice is subordinate legislation.

¹² SL No. 70 repeals the Professional Standards (Western Australian Bar Association Professional Standards Scheme) Notice 2020, SL No. 98. SL No. 70, s 4.

¹³ SL No. 70, explanatory notes, p 2.

The WA Scheme limits the occupational liability¹⁴ of all members of the Western Australian Bar Association other than: members to whom an exemption is granted by the Association's Bar Council; interstate members; and honorary, judicial, magistrate or ex officio members.¹⁵

The explanatory notes for SL No. 70 refer to each Australian state and territory having similar professional standards legislation which is designed to reduce the cost of and facilitate professional indemnity insurance for members of an occupational association that has an approved scheme.¹⁶

The WA Scheme was tabled in the Legislative Assembly on 30 June 2025.

No issues of fundamental legislative principle were identified.

3 SL No. 71—Professional Standards (Chartered Accountants Australia and New Zealand Professional Standards Scheme) Notice 2025

The Professional Standards (Chartered Accountants Australia and New Zealand Professional Standards Scheme) Notice 2025 (SL No. 71) gives notice of the approval¹⁷ of the Chartered Accountants Australia and New Zealand Professional Standards Scheme (Chartered Accountants Scheme) by the Professional Standards Council of New South Wales.¹⁸ This allows the Chartered Accountants Scheme to have effect in Queensland.¹⁹

The Chartered Accountants Scheme limits the occupational liability²⁰ of all Australian resident Chartered Accountants Australia and New Zealand members who hold a current Certificate of Public Practice, are Affiliate Members or are incorporated Practice Entity Members.²¹

The explanatory notes for SL No. 71 refer to each Australian state and territory having similar professional standards legislation which is designed to reduce the cost of and facilitate professional indemnity insurance for members of an occupational association that has an approved scheme.²²

¹⁴ To the amount of the monetary ceiling for the Scheme. SL No. 70, explanatory notes, p 1.

¹⁵ SL No. 70, explanatory notes, pp 1-2. The WA Scheme also applies to officers of bodies corporate, employees of a person or partners in a partnership arrangement to whom the WA Scheme applies, unless the officer, employee or partner is entitled to be a member of the WA Bar but is not a member. SL No. 70, explanatory notes, p 2.

¹⁶ SL No. 70, explanatory notes, p 1.

¹⁷ *Professional Standards Act 2004*, s 14, requires the minister to give notice of the approval of an interstate scheme by the Professional Standards Council for the jurisdiction in which the scheme was prepared. Such a notice is subordinate legislation.

¹⁸ SL No. 71 repeals the Professional Standards (Chartered Accountants Australia and New Zealand Professional Standards Scheme) Notice 2019, SL No. 199. SL No. 71, s 4.

¹⁹ SL No. 71, explanatory notes, p 2.

²⁰ To the amount of the monetary ceiling for the Scheme. SL No. 71, explanatory notes, p 1.

²¹ SL No. 71, explanatory notes, p 2. The Chartered Accountants Scheme also applies to officers of bodies corporate, employees of a person or partners in a partnership arrangement to whom the Chartered Accountants Scheme applies, unless the officer, employee or partner is entitled to be a member of the Chartered Accountants Australia and New Zealand but is not a member. SL No. 71, explanatory notes, p 2.

²² SL No. 71, explanatory notes, p 1.

The Chartered Accountants Scheme was tabled in the Legislative Assembly on 30 June 2025.

No issues of fundamental legislative principle were identified

4 SL No. 72—Professional Standards (Victorian Bar Professional Standards Scheme) Notice 2025

The Professional Standards (Victorian Bar Professional Standards Scheme) Notice 2025 (SL No. 72) gives notice of the approval²³ of the Victorian Bar Professional Standards Scheme (Victorian Scheme) by the Professional Standards Council of Victoria.²⁴ This allows the Victorian Scheme to have effect in Queensland.²⁵

The Victorian Scheme limits the occupational liability²⁶ of all members of the Victorian Bar who hold a current barristers' practising certificate, have been admitted to membership of the Scheme by resolution of the Victorian Bar Council, and whose names remain on the Scheme register.²⁷

The explanatory notes for SL No. 72 refer to each Australian state and territory having similar professional standards legislation which is designed to reduce the cost of and facilitate professional indemnity insurance for members of an occupational association that has an approved scheme.²⁸

The Victorian Scheme was tabled in the Legislative Assembly on 30 June 2025.

No issues of fundamental legislative principle were identified.

5 SL No. 101—Professional Standards (CPA Australia Professional Standards Scheme) Notice 2025

The Professional Standards (CPA Australia Professional Standards Scheme) Notice 2025 (SL No. 101) gives notice of the approval²⁹ of the CPA Australia Professional Standards

²³ *Professional Standards Act 2004*, s 14, requires the minister to give notice of the approval of an interstate scheme by the Professional Standards Council for the jurisdiction in which the scheme was prepared. Such a notice is subordinate legislation.

²⁴ SL No. 72 repeals the Professional Standards (Victorian Bar Professional Standards Scheme) Notice 2019, SL No. 79. SL No. 72, s 4.

²⁵ SL No. 72, explanatory notes, p 2.

²⁶ To the amount of the monetary ceiling for the Scheme. SL No. 72, explanatory notes, p 1.

²⁷ SL No. 72, explanatory notes, p 1. The Victorian Scheme also applies to officers of bodies corporate, employees of a person or partners in a partnership arrangement to whom the Victorian Scheme applies, unless the officer, employee or partner is entitled to be a member of the Victorian Bar but is not a member. SL No. 72, explanatory notes, p 1.

²⁸ SL No. 72, explanatory notes, p 1.

²⁹ *Professional Standards Act 2004*, s 14, requires the minister to give notice of the approval of an interstate scheme by the Professional Standards Council for the jurisdiction in which the scheme was prepared. Such a notice is subordinate legislation.

Scheme (Scheme) by the Professional Standards Council of New South Wales.³⁰ This allows the Scheme to have effect in Queensland.³¹

The Scheme limits the occupational liability³² of all members of CPA Australia who hold a current Public Practice Certificate issued by CPA Australia.³³

The explanatory notes refer to each Australian state and territory having similar professional standards legislation which is designed to reduce the cost of and facilitate professional indemnity insurance for members of an occupational association that has an approved scheme.³⁴

The Scheme was tabled in the Legislative Assembly on 19 August 2025.

No issues of fundamental legislative principle were identified.

6 SL No. 57—Uniform Civil Procedure (Fees) Amendment Regulation 2025

The Uniform Civil Procedure (Fees) Amendment Regulation 2025 (SL No. 57) amends the Uniform Civil Procedure (Fees) Regulation 2019 (Fees Regulation)³⁵ to:

- prescribe the adjusted service and enforcement fees for the 2025-26 financial year to increase and align the fees in the Magistrates Courts with those in the Supreme and District Courts³⁶
- prescribe the Consumer Price Index (CPI)³⁷ as the method for calculating all adjusted service and enforcement fees for each subsequent financial year³⁸
- provide for the adjustment of relevant service and enforcement fees to include the applicable superannuation guarantee charge

³⁰ SL No. 101 repeals the Professional Standards (The CPA Australia Ltd Professional Standards (Accountants) Scheme) Notice 2019, SL No. 266. SL No. 101, s 4.

³¹ SL No. 101, explanatory notes, p 2.

³² To the amount of the monetary ceiling for the Scheme. SL No. 101, explanatory notes, p 1.

³³ SL No. 101, explanatory notes, p 1. The New South Wales Scheme also applies to officers of bodies corporate, employees of a person or partners in a partnership arrangement to whom the Scheme applies, unless the officer, employee or partner is entitled to be a member of the CPA Australia but is not a member. SL No. 101, explanatory notes, p 1.

³⁴ SL No. 101, explanatory notes, p 1.

³⁵ The Fees Regulation prescribes the fees payable for service and enforcement functions performed in the Supreme, District and Magistrates Courts. SL No. 57, explanatory notes, p 2.

³⁶ The fee amounts have been adjusted to reflect the change in Consumer Price Index (CPI) over the previous financial year, with relevant fee amounts further adjusted to include the applicable superannuation guarantee charge (12 per cent, as at 1 July 2025). This is intended to ensure full cost recovery and end government subsidisation of services for private benefit. SL No. 57, ss 6, 12 (Fees Regulation, inserts s 14D and sch 2A); SL No. 57, explanatory notes, pp 2, 3; SL No. 57, human rights certificate, p 2. SL No. 57, ss 6, 12 (Fees Regulation, inserts s 14A and sch 2A); SL No. 57, explanatory notes, pp 2, 3.

³⁷ Instead of the Government Indexation Rate.

³⁸ This is intended to minimise devaluation of fees over time. SL No. 57, ss 6, 12 (Fees Regulation, inserts s 14E and sch 2A); SL No. 57, explanatory notes, pp 2, 3.

- provide that from 2026-27, the chief executive must publish the fee amounts on the Department of Justice's website.^{39,40}

Previously, service and enforcement fees were prescribed in schedule 1 of the Fees Regulation for the Supreme and District Courts and schedule 2, part 2 for the Magistrates Courts. SL No. 57 combines the fees in new schedule 2A which prescribes the service and enforcement fees applying to all courts.⁴¹

According to the explanatory notes, 'bailiffs will be entitled to the same fees for performing those functions regardless of the court jurisdiction in which they are working'.⁴²

No issues of fundamental legislative principle were identified.

7 SL No. 61—Disability Services (Fees) Amendment Regulation 2025

The Disability Services (Fees) Amendment Regulation 2025 (SL No. 61) amends the Disability Services Regulation 2017 (Disability Services Regulation) to increase the fees payable from 1 July 2025 for National Disability Insurance Scheme (NDIS) worker screening applications.

The explanatory notes state that the increases in fees are in accordance with the Queensland Government Principles for Fees and Charges,⁴³ using an indexation method to help achieve cost recovery in the longer term.⁴⁴ Further, that this method has regard to the costs incurred by the Government in conducting NDIS worker screening, including the checking of criminal history and other relevant information, and the subsequent issuing of a physical clearance card.⁴⁵

No issues of fundamental legislative principle were identified.

8 SL No. 62 Gaming Machine Amendment Regulation 2025

The Gaming Machine Amendment Regulation 2025 (SL No. 62) amends the Gaming Machine Regulation 2002 (Gaming Machine Regulation) to extend an existing trial period related to the authorised sale of gaming machine operating authorities by category 1 (hotel) licensees under the *Gaming Machine Act 1991*.⁴⁶

Prior to the trial, hotel licensees who were successful in selling authorities via the authorised sale process received, for each authority sold, the average sale price paid by successful purchasers, less 33 per cent. However, since the commencement of the trial

³⁹ The Queensland Government has published relevant information pertaining to the new costs for bailiff service and enforcement fees: <https://www.qld.gov.au/law/court/court-services/enforce-a-court-order-and-disputes-about-money/service-fees>. The webpage includes a link to the Fees Regulation, as amended by SL No. 57 from 1 July 2025, which sets out the fees. Queensland Courts has also published the fees: <https://www.courts.qld.gov.au/about/fees/fees-in-the-courts/magistrates-court-fees>.

⁴⁰ SL No. 57, s 6 (Fees Regulation, inserts s 14F); SL No. 57, explanatory notes, pp 3, 4.

⁴¹ SL No. 57, explanatory notes, p 3.

⁴² SL No. 57, explanatory notes, p 4.

⁴³ Queensland Treasury, *Principles for fees and charges*, October 2021, <https://www.treasury.qld.gov.au/files/principles-for-fees-and-charges.pdf>.

⁴⁴ SL No. 61, explanatory notes, pp 1-2. The cost of a single application prior to 30 June 2025 was \$147.00. SL No. 61 prescribes the cost as \$156.00 from 1 July 2025.

⁴⁵ SL No. 61, explanatory notes, p 2.

⁴⁶ SL No. 62, explanatory notes, p 2.

on 30 June 2022, the Gaming Machine Regulation has provided that the amount to be paid into the consolidated fund is temporarily reduced to 15 per cent.⁴⁷

SL No. 62 extends the trial period by an additional 3 years until 30 June 2028.⁴⁸ The explanatory notes state that the extension will allow for ‘further assessment of the effect of the reduced payments on the authority market, alongside other recent (non-legislative) adjustments to trial parameters.’⁴⁹

No issues of fundamental legislative principle were identified.

9 SL No. 63 Proclamation—Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2024

The Proclamation made under the *Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2024* (SL No. 63) commences certain provisions of that Act on 1 July 2025.⁵⁰ The explanatory notes state that the commencing provisions include those that:

- amend the *Disability Services Act 2006* and the *Working with Children (Risk Management and Screening) Act 2000* (WWC Act) to provide for greater alignment between the two Acts, including providing for more consistent information sharing and confidentiality provisions relating to worker screening
- provide the chief executive with a new power to ask a person or entity for information to facilitate compliance with the WWC Act
- require employers to keep a register about persons employed in regulated employment
- provide an exemption for interstate or international emergency workers deployed to Queensland as part of a declaration of a state of fire emergency made under the *Fire Services Act 1990* or a disaster situation under the *Disaster Management Act 2003*
- include new stand-alone categories of regulated employment and regulated business for justice and detention services which better capture workers providing services to children in detention or subject to an order under the *Youth Justice Act 1992*.⁵¹

No issues of fundamental legislative principle were identified.

10 SL No. 73 Proclamation—Information Privacy and Other Legislation Amendment Act 2023

The Proclamation made under the *Information Privacy and Other Legislation Amendment Act 2023* (IPOLA Act) (SL No. 73) fixes the following days for the commencement of the

⁴⁷ SL No. 62, explanatory notes, pp 1-2. See also, *Gaming Machine Act 1991*, ss 109A, 109E. See also Gaming Machine Regulation 2002, ss 10B, 10BA. The original 12 month trial has twice previously been extended by 12 months. SL No. 62, explanatory notes, p 2.

⁴⁸ SL No. 62, s 3; Gaming Machine Regulation 2002, s 10BA.

⁴⁹ SL No. 62, explanatory notes, p 2.

⁵⁰ SL No. 63, explanatory notes, p 2.

⁵¹ SL No. 63, explanatory notes, p 1.

specified provisions of the IPOLA Act:

- 1 July 2025 for the stated provisions⁵²
- 1 July 2026 for the provisions that are not in force and not otherwise commenced under SL No. 73.⁵³

The explanatory notes state that the objective of SL No. 73 is to commence the remaining provisions so that:

- the new processes for applying for Government information under the *Right to Information Act 2009* (RTI Act) will start on 1 July 2025
- agencies will need to comply with the Queensland Privacy Principles from 1 July 2025
- the Mandatory Notification of Data Breach Scheme (MNDB Scheme) will commence on 1 July 2025, but with deferred commencement for local government until 1 July 2026
- the changes to annual reporting requirements (including transferring responsibility for the preparation of the annual report to the Office of the Information Commissioner) will commence on 1 July 2026, and
- from 1 July 2025, the Ombudsman must not investigate administrative action taken by the Information Commissioner in the performance of the Commissioner's functions under section 135 or 136 of the *Information Privacy Act 2009* (IP ACT).⁵⁴

No issues of fundamental legislative principle were identified.

11 SL No. 74 Right to Information Regulation 2025

The Right to Information Regulation 2025 (SL No. 74) repeals and remakes the Right to Information Regulation 2009 (RTI Regulation).⁵⁵

A new RTI regulation was recommended in the sunset review of the RTI Regulation 'to ensure ongoing support for existing processes ... and functions and to improve the overall effective and efficient administration of the amended RTI and IP Acts'.⁵⁶

SL No. 74:

⁵² Being: part 3, other than section 67, and section 73 to the extent it inserts section 226; part 4; part 5, to the extent it is not in force, other than the following provisions— • section 133 • section 135, to the extent it inserts section 206R; and schedule 1, part 2, to the extent it is not in force. SL No. 73, sch.

⁵³ According to the explanatory notes, the remaining provisions of the IPOLA Act that are not in force amend the *Right to Information Act 2009*, *Information Privacy Act 2009* and *Ombudsman Act 2001*, with minor consequential amendments to a range of other Acts. The remaining provisions implement or respond to recommendations for legislative change to Queensland's information privacy and right to information frameworks as detailed in the specified reports. See SL No. 73, schedule; SL No. 73, explanatory notes, p 2.

⁵⁴ SL No. 73, explanatory notes, p 2.

⁵⁵ SL No. 74, explanatory notes, p 1.

⁵⁶ SL No. 74, explanatory notes, p 3.

- sets out the requirements for evidence of identity for individuals applying to access or amend personal information under the RTI Act
- prescribes the matters to be included in the Information Commissioner's report under section 184(2) of the RTI Act
- prescribes the matters to be included in the report to the Legislative Assembly on the operation of the RTI Act under section 185 of the RTI Act
- declares 'principal officers' for public authorities under schedule 5 of the RTI Act, such as, in relation to a department, the chief executive of the department
- declares the Bar Association of Queensland as a public authority, under section 16A of the RTI Act
- includes various transitional amendments to clarify requirements for annual reports.⁵⁷

SL No. 74 commences on 1 July 2025, concurrent with the amendments made to the RTI Act by the IPOLA Act.⁵⁸

No issues of fundamental legislative principle were identified.

12 SL No. 75 Information Privacy Regulation 2025

The Information Privacy Regulation 2025 (SL No. 75) repeals and remakes the Information Privacy Regulation 2009 (IP Regulation).⁵⁹

A new IP regulation was recommended in the sunset review of the IP Regulation 'to ensure ongoing support for existing processes ... and functions and to improve the overall effective and efficient administration of the amended RTI and IP Acts'.⁶⁰

SL No. 75:

- prescribes the matters to be included in the Information Commissioner's report under section 193(2) of the IP Act
- prescribes the matters to be included in the report to the Legislative Assembly on the operation of the IP Act under section 194 of the IP Act
- prescribes a 'disclosing agency' (which may provide certain personal information to another agency in limited circumstances under section 54(1) of the IP Act)
- declares 'principal officers' for public authorities under schedule 5 of the IP Act, such as, in relation to a department, the chief executive of the department
- includes consequential amendments to ensure alignment with changes under the IPOLA Act

⁵⁷ SL No. 74, explanatory notes, p 2.

⁵⁸ SL No. 74, explanatory notes, p 2.

⁵⁹ SL No. 75, explanatory notes, p 1.

⁶⁰ SL No. 75, explanatory notes, p 3.

- includes transitional provisions to clarify the requirements for annual reports.⁶¹

SL No. 75 commences on 1 July 2025, concurrent with the amendments made to the IP Act by the IPOLA Act.⁶²

No issues of fundamental legislative principle in the subordinate legislation were identified.

Compatibility with human rights

Right to privacy

Under the HRA, the right to privacy protects unlawful or arbitrary interferences with the person's privacy, including their personal information.⁶³

SL No. 75 engages the right to privacy because it prescribes the Registrar under the *Births, Deaths and Marriages Registration Act 2023* (Registrar) as a 'disclosing agency' and all agencies as 'receiving agencies', thereby empowering disclosure and receipt of personal information about an individual where information is requested as a part of the MNDB Scheme.⁶⁴ That is, particular agencies that are the subject of certain data breaches will be permitted to collect personal information from, and disclose personal information to, other particular agencies where it is reasonably necessary to confirm the name and contact details of certain individuals or whether an individual is deceased.⁶⁵

The ability to disclose such information limits the right to privacy.

Information sharing under the MNDB Scheme is intended to enable individuals to promptly take action to mitigate harm that may arise from a data breach, which could include further interferences with the person's privacy.⁶⁶

The human rights certificate contends that the purpose of the limitation on the right to privacy is 'to increase the effectiveness of notifications to living individuals and minimise distress to friends and family of deceased individuals'.⁶⁷

Committee comment



The committee is satisfied that the limitation on the right to privacy is reasonable and demonstrably justified as a part of the wider implementation of the MNDB Scheme. SL No. 75 authorises the collection and disclosure of personal information, however, this is only permitted to occur in specified and limited circumstances contained in the IP Act, and where an entity is prescribed by regulation.

⁶¹ SL No. 75, explanatory notes, pp 1-2.

⁶² SL No. 75, explanatory notes, p 2.

⁶³ HRA, s 25; Human Rights Bill 2018, explanatory notes, p 22.

⁶⁴ SL No. 75, human rights certificate, pp 2-3. See also, IP Act, ss 53, 54.

⁶⁵ IP Act, s 54; SL No. 75, human rights certificate, p 2.

⁶⁶ SL No. 75, human rights certificate, p 3.

⁶⁷ SL No. 75, human rights certificate, p 3.

13 SL No. 77 Evidence Amendment Regulation 2025

The Evidence Amendment Regulation 2025 (SL No. 77) expands the pilot of the sexual offence expert evidence panel by prescribing the Childrens Court in Brisbane and Townsville as places for relevant proceedings.⁶⁸

The sexual offence expert evidence panel was established as part of the affirmative model of consent introduced by the *Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024*. Its purpose is ‘to facilitate the provision of expert evidence in relation to the defence of mistake of fact as to consent under the Criminal Code’.⁶⁹

The explanatory notes provide that the expert evidence is required if:

*... an accused is to rely on the defence of mistake of fact as to consent but did not, immediately before or at the time of the act, say or do anything to ascertain whether the complainant consented to the act. If an accused failed to say or do anything in these circumstances, the defence of mistake of fact as to consent will only be available if the accused can prove at the time of the act they had a cognitive or mental health impairment which was a substantial cause of the accused not saying or doing anything ...*⁷⁰

Members on the sexual offence expert evidence panel can be engaged by parties to provide evidence in a relevant proceeding.⁷¹ According to the explanatory notes, SL No. 77 supports the pilot of the sexual offence expert evidence panel by ensuring that child and adult defendants are provided the same access to expert witnesses in the pilot locations.⁷² According to the human rights certificate:

*This is important as child defendants may have a more pressing need to access expert evidence to ascertain if they have a cognitive or mental health impairment in circumstances where they are still experiencing cognitive development and may not have had the opportunity to receive professional care, or a diagnosis, compared to adult defendants.*⁷³

No issues of fundamental legislative principle were identified.

SL No. 78 Proclamation—Police Powers and Responsibilities (Making Jack’s Law Permanent) and Other Legislation Amendment Act 2025

The Proclamation made under the *Police Powers and Responsibilities (Making Jack’s Law Permanent) and Other Legislation Amendment Act 2025* (MJLP Act) (SL No. 78) fixes

⁶⁸ SL No. 77, s 3. See also Evidence Regulation 2017, s 4B; *Evidence Act 1977*, s 103ZZD; SL No. 77, explanatory notes p 1. ‘Relevant proceeding’ is a criminal proceeding for an offence against a provision of the Criminal Code, chapter 32 (Rape and sexual assaults) in which the matters mentioned in the Criminal Code, section 348A(4) (cognitive or mental health impairment) are likely to be relevant, and the proceeding is held before a court at a place prescribed by regulation. *Evidence Act 1977*, s 103ZZD.

⁶⁹ SL No. 77, explanatory notes p 1. See also Criminal Code, s 348A.

⁷⁰ SL No. 77, explanatory notes, p 1. See also Criminal Code, s 348A(4).

⁷¹ SL No. 77, explanatory notes, p 1.

⁷² SL No. 77, explanatory notes, p 2.

⁷³ SL No. 77, human rights certificate, p 2.

18 July 2025 for the commencement of the provisions of the MJLP Act that are not in force. Amongst other things, these provisions remove the sunset clause for Jack's law (making it permanent) and expand the application of Jack's law to more public places.

No issues of fundamental legislative principle were identified.

14 SL No. 81 Public Trustee (Interest Rate) Amendment Regulation (No. 2) 2025

The Public Trustee (Interest Rate) Amendment Regulation (No. 2) 2025 (SL No. 81) amends the Public Trustee Regulation 2023 (Regulation), commencing on 1 August 2025.⁷⁴

SL No. 81 amends the interest rates payable under the Regulation on amounts held in the Public Trustee's common fund by setting 'a rate of interest payable on monies held in the common fund that reflects the market rate of return of a comparative set of competitive financial products and prevailing economic conditions'.⁷⁵

Specifically, SL No. 81 lowers the current interest rate payable on funds held for:

- Class 1 and Class 5 amounts, other than a term deposit amount, from 0.19 per cent to 0.18 per cent⁷⁶
- Class 2(c) and Class 3 amounts, other than a term deposit amount, from 1.63 per cent to 1.41 per cent.⁷⁷

No issues of fundamental legislative principle were identified.

15 SL No. 82 Proclamation—Making Queensland Safer Act 2024

The Proclamation made under the *Making Queensland Safer Act 2024* (MQS Act) (SL No. 82) fixes 18 July 2025 for the commencement of the provisions of the MQS Act that are not in force.⁷⁸ The provisions relate to the 'eligible persons register' (register) established under the *Youth Justice Act 1992*.

Once added to the register, victims of violent or sexual offences committed by a young person are able to be kept informed about 'the offender's custody movements, including for example any leave of absence, transfers between facilities, and release dates'.⁷⁹

According to the explanatory notes, the amendments to be commenced by SL No. 82 will:

... create an 'opt out' model for direct victims or immediate family members of victims who have died as a result of the offence, meaning those persons are automatically registered unless they opt out.⁸⁰ Other persons currently eligible for

⁷⁴ SL No. 81, ss 2 and 3.

⁷⁵ SL No. 81, explanatory notes, p 1.

⁷⁶ This applies to funds held for General Trusts, Minor Beneficiaries, Life Interest Estates, Trusts and Deceased Estates. SL No. 81, s 4(1); SL No. 81, explanatory notes, p 1.

⁷⁷ This applies to funds held for Agency Deposit At Call Accounts, Financial Management Customers and Enduring Powers of Attorney Accounts. SL No. 81, s 4(2); SL No. 81, explanatory notes, p 2.

⁷⁸ Being, sections 54-57 of the MQS Act.

⁷⁹ SL No. 82, explanatory notes, p 1.

⁸⁰ The register is administered by the Department of Youth Justice and Victim Support. SL No. 82, explanatory notes, p 1.

*the register will still need to apply, because their registration depends on, for example, a sufficient connection with the offence.*⁸¹

The automatic registration process entails the Queensland Police Service or the Office of the Director of Public Prosecutions contacting eligible persons to ask if they would like to be registered.⁸² If a person agrees, their details are provided to the Department of Youth Justice and Victim Support. Alternatively, the person can fill out an application form.⁸³

No issues of fundamental legislative principle were identified.

16 SL No. 102 Supreme Court of Queensland Regulation 2025

The Supreme Court of Queensland Regulation 2025 (SL No. 102) repeals and replaces the Supreme Court of Queensland Regulation 2012 (SCQ 2012 Regulation), which would have automatically expired on 31 August 2025.⁸⁴

With the automatic expiry of the SCQ 2012 Regulation approaching, the Department of Justice undertook a sunset review which determined that it was necessary to retain each of the provisions in the SCQ 2012 Regulation.⁸⁵

SL No. 102, in common with the SCQ 2012 Regulation, prescribes the Supreme Court districts for the purposes of the *Supreme Court Act 1991*.⁸⁶

According to the explanatory notes, SL No. 102 ‘will promote the efficient administration of justice by ensuring that proceedings are started in the appropriate court district’.⁸⁷

No issues of fundamental legislative principle were identified.

17 SL No. 103 District Court of Queensland Regulation 2025

The District Court of Queensland Regulation 2025 (SL No. 103) repeals and replaces the District Court of Queensland Regulation 2015 (DCQ 2015 Regulation), which would have automatically expired on 1 September 2025.⁸⁸

With the automatic expiry of the DCQ 2015 Regulation approaching, the Department of Justice undertook a sunset review which determined that it was necessary to retain each of the provisions in the DCQ 2015 Regulation.⁸⁹

⁸¹ SL No. 82, explanatory notes, p 1.

⁸² Queensland Government, *Victims’ register – youth offenders*, <https://www.qld.gov.au/law/your-rights/victim-rights-and-complaints/victims-registers/youth#how-to-apply>.

⁸³ Queensland Government, *Victims’ register – youth offenders*, <https://www.qld.gov.au/law/your-rights/victim-rights-and-complaints/victims-registers/youth#how-to-apply>.

⁸⁴ Pursuant to *Statutory Instruments Act 1992*, s 54(2). The SCQ 2012 Regulation was originally due to automatically expire on 1 September 2022, but section 95 of the *Supreme Court of Queensland Act 1991* provided that the regulation expires on 1 September 2024 unless it is earlier repealed or exempted from expiry. Sections 4, 5 and schedule 3 of the Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2024 exempted the regulation from expiry due it being subject to review, with its expiry date being 31 August 2025.

⁸⁵ SL No. 102, explanatory notes, p 1.

⁸⁶ See SL No. 102, s 2, sch 1; *Supreme Court Act 1991*, s 57.

⁸⁷ SL No. 102, explanatory notes, p 2.

⁸⁸ Pursuant to *Statutory Instruments Act 1992*, s 54(1).

⁸⁹ SL No. 103, explanatory notes, p 1.

SL No. 103, in common with the DCQ 2015 Regulation, prescribes the places at which the District Court is to be held and the District Court districts for each place, for the purposes of the *District Court Act 1991*.⁹⁰

According to the explanatory notes, SL No. 103 ‘replaces the existing DCQ 2015 Regulation and continues to provide for the effective and undisturbed operationalisation of District Court districts by ensuring that proceedings are started in the appropriate court district’.⁹¹

No issues of fundamental legislative principle were identified.

18 SL No. 104 Cremations Regulation 2025

The Cremations Regulation 2025 (SL No. 104) replaces the Cremations Regulation 2014, which automatically expired on 31 August 2025.⁹²

Prior to the automatic expiry of the Cremations Regulation 2014, the Department of Justice undertook a sunset review which determined that it was necessary to remake the regulation ‘to ensure ongoing regulation of labelling and recordkeeping requirements in the cremation industry’.⁹³

No issues of fundamental legislative principle were identified.

Compatibility with human rights

The right to privacy

The right to privacy and reputation is discussed in the human rights certificate. It suggests that the right is limited because the information prescribed by SL No. 104 includes personal information (such as name and address) obtained from an application for permission to cremate made by a close relative or personal representative of the deceased or another person. The *Cremations Act 2003* enables this information to be shared with the chief executive.⁹⁴

Committee comment



Noting the purpose of the limitation on the right to privacy is ‘to promote compliance with obligations that ensure cremations are conducted lawfully and appropriately’,⁹⁵ and that, according to the human rights certificate, there are no less restrictive and reasonably available ways to achieve the purpose, the committee is satisfied that SL No. 104 is compatible with human rights.

⁹⁰ See SL No. 103, ss 2, 3, sch 1; *District Court Act 1991*, ss 6, 7.

⁹¹ SL No. 103, explanatory notes, p 1.

⁹² Pursuant to *Statutory Instruments Act 1992*, s 54(2). The Cremations Regulation 2014 was originally due to expire on 1 September 2024, but it was exempted from expiry by the Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2024, ss 4, 5, sch 3, with its automatic expiry date becoming 31 August 2025.

⁹³ SL No. 104, explanatory notes, p 1.

⁹⁴ SL No. 104, human rights certificate, p 2.

⁹⁵ SL No. 104, human rights certificate, p 2.

19 SL No. 106 Penalties and Sentences Regulation 2025

The Penalties and Sentences Regulation 2025 (SL No. 106) repeals and replaces the Penalties and Sentences Regulation 2015 (2015 Regulation).⁹⁶ SL No. 106 commenced on 1 September 2025.⁹⁷

Prior to the automatic expiry of the 2015 Regulation, the Department of Justice undertook a sunset review which determined:

*... it was necessary to retain each existing provision of the 2015 Regulation with minor amendments to reflect current drafting standards. Further, it was identified that section 9A required amendment to reflect changes to control order laws in Victoria.*⁹⁸

Corresponding control orders

The *Penalties and Sentences Act 1992* (PS Act) allows a court to make a control order for an offender.⁹⁹ A control order may impose on the offender the conditions the court considers appropriate to protect the public by preventing, restricting or disrupting the offender's involvement in serious criminal activity; and the conditions the court considers necessary to enforce the order.¹⁰⁰ The maximum penalty for contravening a control order, or a registered corresponding control order, is 3 years imprisonment for a first offence and 5 years imprisonment for a subsequent offence.¹⁰¹

A regulation may prescribe an order to be a corresponding control order if the order is made under a law of another State and has the same or a similar effect as a control order.¹⁰² The 2015 Regulation prescribed corresponding control orders of New South Wales, the Northern Territory and South Australia. In addition to these corresponding control orders, SL No. 106 also prescribes corresponding control orders of Victoria.¹⁰³

No issues of fundamental legislative principle were identified.

Compatibility with human rights

Rights to freedom of movement and association

The right to freedom of movement provides that every person lawfully within Queensland has the right to move freely within Queensland and to enter and leave it.¹⁰⁴ The right to

⁹⁶ SL No. 106, s 13.

⁹⁷ SL No. 106, s 2.

⁹⁸ SL No. 106, explanatory notes, p 1.

⁹⁹ PS Act, s 161T.

¹⁰⁰ PS Act, s 161U. For example, a condition may prohibit the offender from associating with a stated person or a person of a stated class, including a person with whom the offender has a personal relationship; or entering or being in the vicinity of a stated place or a place of a stated class; or acquiring or possessing a stated thing or a thing of a stated class. PS Act, s 161U(2).

¹⁰¹ SL No. 161ZI.

¹⁰² PS Act, s 161ZW. See PS Act, ss 161ZX-161ZZC regarding registration of a corresponding control order.

¹⁰³ SL No. 106, s 11; SL No. 106, explanatory notes, p 2. The relevant Victorian legislation, the *Criminal Organisations Control Amendment Act 2014* (Vic) received royal assent on 22 October 2024.

¹⁰⁴ HRA, s 19.

freedom of association allows people to pursue common interests in formal groups (e.g. sporting, political and trade).¹⁰⁵

These rights may be limited by SL No. 106 because conditions imposed on a corresponding control order may restrict an offender's movement (such as prohibiting them from attending particular events or locations or by imposing a curfew) and may prevent an offender from associating with specified persons or class of person (e.g. known co-offenders).¹⁰⁶

The human rights certificate states that the purpose of the limitation on the rights of freedom of movement and association is 'to protect the Queensland community by restricting, preventing or disrupting an offender's involvement in serious criminal activity, in circumstances where an interstate Court has considered such conditions necessary'.¹⁰⁷

According to the human rights certificate, the recognition and enforceability of corresponding control orders:

*... will contribute to ensuring that offenders, who have travelled to Queensland from interstate, cannot evade conditions imposed on them by an interstate court, which are targeted at hindering their activity in serious crime.*¹⁰⁸

Committee comment



The committee considers the limitations on the rights of those subject to corresponding control orders are justified by the purpose of protecting the Queensland community.

20 SL No. 109 Civil Liability Regulation 2025

The Civil Liability Regulation 2025 (SL No. 109) replaces the Civil Liability Regulation 2014 (CL 2014 Regulation), which automatically expired on 31 August 2025.¹⁰⁹ SL No. 109 commenced on 1 September 2025.¹¹⁰

Prior to the automatic expiry of the CL 2014 Regulation, the Department of Justice undertook a sunset review which concluded:

*... the CL 2014 Regulation effectively supported the objectives of the CL Act, and recommended that the CL 2014 Regulation be replaced with the Civil Liability Regulation 2025 ... in substantially the same terms prior to its expiry.*¹¹¹

No issues of fundamental legislative principle were identified.

¹⁰⁵ Queensland Government, Guide: Nature and scope of the human rights protected in the Human Rights Act 2019, version 3, June 2025, p 67. See also, HRA, s 22(2).

¹⁰⁶ SL No. 106, human rights certificate, p 2.

¹⁰⁷ SL No. 106, human rights certificate, p 3.

¹⁰⁸ SL No. 106, human rights certificate, p 3.

¹⁰⁹ SL No. 109, explanatory notes, p 2. The automatic expiry of the CL 2014 Regulation was postponed to 31 August 2025 because it was being replaced. See Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2024, ss 4, 5, sch 3.

¹¹⁰ SL No. 109, s 2.

¹¹¹ SL No. 109, explanatory notes, p 2.

21 SL No. 110 **Personal Injuries Proceedings Regulation 2025**

The Personal Injuries Proceedings Regulation 2025 (SL No. 110) replaces the Personal Injuries Proceedings Regulation 2014 (PIP 2014 Regulation), which automatically expired on 31 August 2025.¹¹²

A sunset review of the PIP 2014 Regulation concluded that the PIP 2014 Regulation 'effectively supported the objectives of the PIP Act [*Personal Injuries Proceedings Act 2002*] and recommended that the PIP 2014 Regulation be replaced with the Personal Injuries Proceedings Regulation 2025 ... in substantially the same terms prior to its expiry'.¹¹³

According to the explanatory notes, the changes between the PIP 2014 Regulation and SL No. 110, which implement stakeholder feedback received during the sunset review, include amendments to:

- improve readability and reflect current drafting standards, including by clarifying information in some provisions and moving provisions about particulars for a notice of claim to Schedule 1
- clarify the documents required to be provided with each part of a notice of claim
- specify that certain particulars are not required for an abuse claim, healthcare claim or dependency claim
- clarify that a claimant may provide an image or diagram of the scene of the incident, if appropriate
- provide that the authority to access documents and other sources of information relevant to a claim authorises the Motor Accident Insurance Commission to release records relevant to the claim, and
- provide a process for a notice of claim to be given by an electronic communication to the proposed respondent under section 44(5) of the PIP Act.¹¹⁴

No issues of fundamental legislative principle were identified.

Compatibility with human rights

Right to privacy

SL No. 110 limits the right to privacy because it sets out the particulars that the claimant must provide in a notice of claim, and it may include particulars about dependents. The particulars include name, address, date of birth, marital status, serious medical conditions or disabilities, and details about income.¹¹⁵

¹¹² Pursuant to *Statutory Instruments Act 1992*, s 56A. SL No. 109, explanatory notes, p 1.

¹¹³ SL No. 110, explanatory notes, p 2.

¹¹⁴ SL No. 110, explanatory notes, p 2.

¹¹⁵ SL No. 110, s 4, sch 1.

The human rights certificate identifies the purpose of the limitation: ‘to ensure that respondents and insurers have the necessary information and access to relevant records to assess, investigate and quantify a claim brought by a claimant’.¹¹⁶

While the provision of information to respondents and insurers limits the right to privacy of claimants, the information provided allows insurers to accurately quantify any compensation payable.



Recommendation 1

The committee recommends that the Legislative Assembly note this report.

Marty Hunt MP

Chair

Justice, Integrity and Community Safety Committee

Chair

Mr Marty Hunt MP, Member for Nicklin

Deputy Chair

Mr Peter Russo MP, Member for Toohey

Members

Mr Michael Berkman MP, Member for Maiwar

Mr Russell Field MP, Member for Capalaba

Ms Natalie Marr MP, Member for Thuringowa

Mrs Melissa McMahon MP, Member for Macalister

¹¹⁶ SL No. 110, human rights certificate, p 3.