



QUEENSLAND PARLIAMENT **COMMITTEES**

**Report on subordinate legislation tabled between 17 September 2025
and 18 November 2025**

Justice, Integrity and Community Safety Committee



Report No. 25

58th Parliament, January 2026

Overview

The Justice, Integrity and Community Safety Committee (committee) is responsible for examining subordinate legislation within its portfolio area.¹ This report summarises the committee's findings for subordinate legislation tabled between 17 September and 18 November 2025.

The report discusses any issues identified by the committee relating to the policy to be given effect by the legislation, fundamental legislative principles, lawfulness, and compatibility with the *Human Rights Act 2019* (HRA).² It also considers the human rights certificates tabled with the subordinate legislation³ and the explanatory notes compliance with the *Legislative Standards Act 1992* (LSA).⁴

Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date
122	Evidence and Other Legislation Amendment Regulation 2025	14 October 2025	12 February 2026
NA	Public Trustee (Fees and Charges Notice) (No. 1) 2025	27 October 2025	4 March 2026
133	Public Trustee (Interest Rate) Amendment Regulation (No. 3) 2025	28 October 2025	5 March 2026
134	Police Service Administration (Information Sharing) Amendment Regulation 2025	18 November 2025	26 March 2026
137	Disaster Management Amendment Regulation 2025	18 November 2025	26 March 2026

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

Committee consideration of the subordinate legislation

Committee Comment



The committee did not identify any significant issues regarding the policy, consistency with fundamental legislative principles, lawfulness of the subordinate legislation or 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 tabled human rights certificates provide a sufficient level of information to facilitate understanding of the subordinate legislation in relation to their compatibility with the HRA.⁵

¹ *Parliament of Queensland Act 2001*, s 93.

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

³ HRA, s 41.

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

⁵ 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. 222 – Evidence and Other Legislation Amendment Regulation 2025

The Evidence and Other Legislation Amendment Regulation 2025 (SL No. 122) amends the Evidence Regulation 2017 to:

- prescribe the Childrens Court in Brisbane, Townsville, Caboolture, Cleveland and Redcliffe as additional places where the sexual offence expert evidence panel may be engaged
- prescribe notice requirements for a party seeking to adduce tendency evidence or coincidence evidence in a criminal proceeding.

SL No. 122 also amends the Uniform Civil Procedure (Fees) Regulation 2019 to:

- exempt a person applying for a complainant privacy order from paying a fee
- correct a typographical error in a fee unit amount for a filling fee.⁶

No issues of fundamental legislative principle were identified.

2 Public Trustee (Fees and Charges Notice) (No. 1) 2025

On 27 October 2025, Hon Deb Frecklington MP⁷ tabled the Public Trustee (Fees and Charges Notice) (No. 1) 2025 (fees and charges notice), along with the explanatory notes and the human rights certificate. The fees and charges notice had been notified in the *Queensland Government Gazette* on 20 June 2025.⁸

The fees and charges notice is exempt subordinate legislation.⁹ Exempt subordinate legislation is a statutory rule, other than a regulation, declared to be exempt subordinate legislation either by an Act or by a regulation made under the LSA.¹⁰ Exempt subordinate legislation does not form part of the usual numbered subordinate legislation series, and it is not drafted by the Office of the Queensland Parliamentary Counsel (OQPC).¹¹ Rather than being notified by publication on the OQPC Queensland legislation website, exempt subordinate legislation is required to be notified by being published in the *Queensland Government Gazette*.¹²

Like other subordinate legislation, exempt subordinate legislation:

- must be tabled within 14 sitting days of being notified¹³
- is subject to disallowance¹⁴
- is able to be considered and reported on by a committee.¹⁵

The fees and charges notice was tabled within 14 sitting days of it being notified.

The *Public Trustee Act 1978* provides that the Public Trustee may, by gazette notice, fix

⁶ SL No. 122, s 7(1).

⁷ Attorney-General and Minister for Justice and Minister for Integrity.

⁸ *Queensland Government Gazette* No. 41, 20 June 2025, pp 332-357.

⁹ Public Trustee Act 1978 (PT Act), s 17(6).

¹⁰ LSA, s 27, sch 1.

¹¹ LSA, s 7.

¹² Statutory Instruments Act 1992 (SI Act), s 47(4).

¹³ SI Act, s 49.

Explanatory notes and a human rights certificate must be tabled with the subordinate legislation. LSA, s 22; *Human Rights Act 2019* (HRA), s 41.

¹⁴ SI Act, s 50.

¹⁵ *Parliament of Queensland Act 2001*, ss 92, 93.

fees and charges for services that the Public Trustee performs or provides.¹⁶ These fees and charges include the administration of deceased estates, trustee services, acting as attorney under the *Powers of Attorney Act 1998*, and financial administration under the *Guardianship and Administration Act 2000*.¹⁷

The fees and charges notice, which commenced on 1 July 2025,¹⁸ revoked all previous fees and charges notices.¹⁹ The fees and charges remain the same as were previously imposed under the Public Trustee (Fees and Charges Notice) (No. 1) 2021.²⁰ However, the fee waiver that was in place for customers making power of attorney documents where the Public Trustee is appointed as primary attorney has been removed.²¹ The explanatory notes state that this is consistent with ‘the Public Trustee’s practice of not actively encouraging its will making customers to appoint the Public Trustee as their executor’, aligns with ‘the Public Trustee’s strategy to primarily focus on providing services for people who cannot afford to obtain these services from the private sector’, and will improve ‘competitive neutrality by eliminating an unnecessary subsidy’.²²

No issues of fundamental legislative principle were identified.

3 SL No. 133 - Public Trustee (Interest Rate) Amendment Regulation (No. 3) 2025

The Public Trustee (Interest Rate) Amendment Regulation (No. 3) 2025 (SL No. 133) amends the Public Trustee Regulation 2023 (Regulation), commencing on 1 November 2025.²³

SL No. 133 amends the interest rates payable under the Regulation on amounts held in the Public Trustee’s common fund. It sets ‘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’.²⁴

Specifically, SL No. 133 lowers the current interest rate payable on funds held for:

- Class 1 and Class 5 amounts, other than a term deposit amount, from 0.18 per cent to 0.17 per cent²⁵
- Class 2(c) and Class 3 amounts, other than a term deposit amount, from 1.41 per cent to 1.20 per cent.²⁶

No issues of fundamental legislative principle were identified.

¹⁶ PT Act, s 17(1).

¹⁷ Explanatory notes, p 1.

¹⁸ Fees and charges notice, s 2.

¹⁹ Fees and charges notice, s 3.

²⁰ Explanatory notes, p 3.

²¹ Explanatory notes, p 2.

²² Explanatory notes, p 2.

²³ SL No. 133, ss 2, 3.

²⁴ SL No. 133, explanatory notes, p 1.

²⁵ This applies to funds held for General Trusts, Minor Beneficiaries, Life Interest Estates, Trusts and Deceased Estates. SL No. 133, s 4(1); SL No. 133, explanatory notes, p 1.

²⁶ 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. 133, explanatory notes, p 2.

4 SL No. 134 - Police Service Administration (Information Sharing) Amendment Regulation 2025

The Police Service Administration (Information Sharing) Amendment Regulation 2025 (SL No. 134) amends the Police Service Administration Regulation 2016 to include the Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry (Commission of Inquiry)²⁷ as an approved agency.²⁸ This would allow information held by the Queensland Police Service (QPS) to be more effectively shared with the Commission of Inquiry as it ‘allows the Commissioner to share information with a Commission of Inquiry without waiting for compulsive notices to be issued’.²⁹

No issues of fundamental legislative principle were identified.

Right to privacy

In relation to compatibility with human rights, the human rights certificate acknowledges that SL No. 134 will limit the right to privacy as the information held by the QPS and shared with the Commission of Inquiry ‘is likely to include personal information about particular persons and, in some cases, may impact a person’s social and professional reputation’.³⁰ Under the HRA, a person has the right not to have the person’s privacy, family, home or correspondence unlawfully or arbitrarily interfered with, and not to have the person’s reputation unlawfully attacked.³¹

According to the human rights certificate, it is in the public interest that information disclosed to a commission of inquiry is not restricted ‘as these commissions are crucial in maintaining public trust and accountability for individuals and institutions in our communities’.³²

The human rights certificate states that SL No. 134 will achieve its purpose of improving the effectiveness and efficiency of information sharing with the Commission of Inquiry by removing the need to wait for a statutory notice to compel the QPS to produce the relevant information.³³ The limitation on human rights is restricted through existing statutory provisions in the *Commissions of Inquiry Act 1950* that prohibit the disclosure of confidential information.³⁴

²⁷ Being, a commission of inquiry established by Commissions of Inquiry Order (No. 2) 2025 under the *Commissions of Inquiry Act 1950*. SL No. 134, explanatory notes, pp 1-2.

²⁸ Being, an approved agency under section 67 of the Police Service Administration Regulation 2016. Section 10.2L of the *Police Service Administration Act 1990* allows the Police Commissioner to give the head of an entity prescribed as an ‘approved agency’ all or any information in a Queensland Police Service database. SL No. 134, s 3.

²⁹ SL No. 134, s 3.

³⁰ SL No. 134, human rights certificate, p 2.

³¹ HRA, s 25.

³² SL No. 134, human rights certificate, p 2.

³³ SL No. 134, human rights certificate, p 2.

³⁴ Section 32N of the *Commissions of Inquiry Act 1950*. SL No. 134, human rights certificate, p 2.

Committee Comment

On balance, the committee considers that the limitation on the right to privacy and reputation is justified because it assists in enabling matters of public interest to be appropriately investigated by the Commission of Inquiry.

5 SL No. 137 - Disaster Management Amendment Regulation 2025

The *Disaster Management Act 2003* (DM Act) provides that a local government must establish a Local Disaster Management Group (LDMG) for the local government's area.³⁵ A LDMG's functions include ensuring disaster management and operations in the area are consistent with the Queensland Disaster Management Committee's policy framework.³⁶ The Disaster Management Regulation 2014 (DM Regulation) prescribes the members of a LDMG, including who is to be appointed as chairperson and deputy chairperson.³⁷

Currently, the DM Regulation provides that the chairperson and deputy chairperson of a LDMG are the persons appointed by the relevant local government and that the chairperson must be a councillor of a local government.³⁸ The Disaster Management Amendment Regulation 2025 (SL No. 137), which commenced on 1 December 2025,³⁹ amends this to provide that the chairperson of the LDMG must be the mayor of the relevant local government, or a nominee of the mayor who is a councillor of the relevant local government.⁴⁰

According to the explanatory notes, the amendment is intended to ensure 'optimal communication and information sharing by LDMGs with other agencies and the community'⁴¹ and to 'enhance Queensland's disaster management arrangements'.⁴²

No issues of fundamental legislative principle were identified.

³⁵ DM Act, s 29.

³⁶ DM Act, s 30. Amongst other functions, the QDMC provides strategic leadership for disaster management and operations for the State. DM Act, s 18.

³⁷ DM Act, ss 33, 34; DM Regulation, s 9, 10.

³⁸ DM Regulation, s 10.

³⁹ SL No. 137, s 2.

⁴⁰ SL No. 137, s 4. In the case of a combined local government, the chairperson must be the mayor of any of the local governments comprising the combined local government or a nominee of a mayor of any of the local governments comprising the combined local government who is a councillor of any of the local governments comprising the combined local government.

⁴¹ SL No. 137, explanatory notes, p 1.

⁴² SL No. 137, explanatory notes, p 3.



Recommendation 1

The committee recommends that the Legislative Assembly note this report.

Marty Hunt MP

Chair

Justice, Integrity and Community Safety Committee

Chair

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Deputy Chair

Mr Peter Russo MP, Member for Toohey

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Mr Russell Field MP, Member for Capalaba

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