



Economics and Governance Committee

Report No. 58, 57th Parliament

Subordinate legislation tabled between 11 October 2023 and 14 November 2023

1 Aim of this report

This report summarises the findings of the Economics and Governance Committee (committee) following our examination of the subordinate legislation within our portfolio areas tabled between 11 October 2023 and 14 November 2023.

It reports on any identified issues relating to the policy to be given effect by the legislation, its consistency with fundamental legislative principles,¹ its compatibility with human rights,² and its lawfulness.³

It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (LSA).⁴

2 Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date*
161	Proclamation No. 3 – <i>Queensland Veterans' Council Act 2021</i>	14 November 2023	21 March 2024

*The disallowance date is 14 sitting days after the tabling date. (See section 50 of the *Statutory Instruments Act 1992*.) Disallowance dates are based on proposed sitting dates as advised by the Leader of the House. These dates are subject to change.

3 Committee consideration of the subordinate legislation

No issues were identified with the policy, consistency with fundamental legislative principles, lawfulness, or compatibility with human rights of the Proclamation made under the *Queensland Veterans' Council Act 2021* (SL No. 161).

The committee was satisfied that the explanatory notes tabled with the proclamation comply with part 4 of the LSA.

No human rights certificate was required to be tabled with the proclamation.⁵

A summary of the subordinate legislation is provided below.

¹ Fundamental legislative principles are the principles relating to legislation that underlie a parliamentary democracy based on the rule of law. These principles include requiring that legislation has sufficient regard to the rights and liberties of individuals and the institution of Parliament. See *Legislative Standards Act 1992* (LSA), s 4.

² *Human Rights Act 2019* (HRA), s 8.

³ *Parliament of Queensland Act 2001*, s 93.

⁴ LSA, pt 4 (s 24).

⁵ Section 41(4A)(a) of the HRA provides that the requirement to prepare and table a human rights certificate for subordinate legislation does not apply in relation to subordinate legislation that is 'a proclamation or other instrument that fixes a single day for the commencement of all of the provisions of an Act that are not in force'.

4 Proclamation No. 3 – Queensland Veterans’ Council Act 2021

SL No. 161 fixes 3 November 2023 as the date to commence the remaining provisions of the *Queensland Veterans’ Council Act 2021* (Act).

The explanatory notes advise that the remaining provisions of the Act provide for:

... the establishment of the Queensland Veterans’ Council’s function to manage, maintain, preserve and develop Anzac Square as the State’s war memorial; the transfer of trusteeship of Anzac Square under the *Land Act 1994* from the Brisbane City Council to the Queensland Veterans’ Council; and other transitional matters.⁶

4.1 Consistency with fundamental legislative principles

As noted above, no issues of fundamental legislative principle were identified.

4.2 Explanatory notes

The explanatory notes comply with part 4 of the LSA.

4.3 Compatibility with human rights

The committee is satisfied that SL No. 161 is compatible with human rights.

5 Recommendation

The committee recommends that the House notes this report.



Linus Power MP

Chair

December 2023

Economics and Governance Committee

Chair	Mr Linus Power MP, Member for Logan
Deputy Chair	Mr Ray Stevens MP, Member for Mermaid Beach
Members	Mr Michael Crandon MP, Member for Coomera
	Mrs Melissa McMahon MP, Member for Macalister
	Mr Daniel Purdie MP, Member for Ninderry
	Mr Adrian Tantari MP, Member for Hervey Bay

⁶ SL No. 161, explanatory notes, p 1.