

**Attorney-General and Minister for Justice and  
Leader of the House**

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

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***Background***

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to expire on the 1 September first occurring after the 10th anniversary of the day of its making unless it is sooner repealed or expires, or a regulation is made exempting it from expiry.

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

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

***Statutory Instruments Amendment Regulation (No. 1) 2018***

The Statutory Instruments Amendment Regulation (No. 1) 2018 provides for the expiry of each of the following regulations to be extended under section 56A(2) of the *Statutory Instruments Act 1992* to a period ending at midnight on 31 August 2019.

***Associations Incorporation Regulation 1999***

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

Details of review: The legislation regulating Queensland's not-for-profit sector has been under review for some time. Public discussion papers were released in 2010 and 2012, and consultation was refreshed through a not-for-profit stakeholder reference group over 2014-16. The review aims to modernise the relevant legislation and reduce red tape for the sector.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Body Corporate and Community Management (Accommodation Module) Regulation 2008***

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

Details of review: The review of the *Body Corporate and Community Management Act 1997* is being informed by an extensive review of Queensland property law that has been undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology (QUT).

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Body Corporate and Community Management (Commercial Module) Regulation 2008***

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

Details of review: The review of the *Body Corporate and Community Management Act 1997* is being informed by an extensive review of Queensland property law that has been undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology (QUT).

Timeframe for review: The review will continue into 2019.

### ***Body Corporate and Community Management Regulation 2008***

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

Details of review: The review of the *Body Corporate and Community Management Act 1997* is being informed by an extensive review of Queensland property law that has been undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology (QUT).

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Body Corporate and Community Management (Small Schemes Module) Regulation 2008***

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

Details of review: The review of the *Body Corporate and Community Management Act 1997* is being informed by an extensive review of Queensland property law that has been undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology (QUT).

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Body Corporate and Community Management (Standard Module) Regulation 2008***

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

Details of review: The review of the *Body Corporate and Community Management Act 1997* is being informed by an extensive review of Queensland property law that has been undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology (QUT).

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Building Units and Group Titles Regulation 2008***

Exemption from expiry: The extension regulation for the *Building Units and Group Titles Regulation 2008* was made on the basis that the *Building Units and Group Titles Act 1980* and the *Body Corporate and Community Management Act 1997* are subject to review.

Details of review: The review of the *Building Units and Group Titles Act 1980* and the *Body Corporate and Community Management Act 1997* is being informed by an extensive review of Queensland property law that has been undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology (QUT).

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Casino Control Regulation 1999***

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

Details of review: A review of the gambling Acts was commenced in 2014-15 with the aim of consolidating common administrative provisions across the current gambling Acts, so as to create a more simplified and user-friendly legislative framework. A suitable legislative model remains under consideration for development.

Timeframe for review: Consideration of a suitable legislative model for development is not anticipated to be completed before 31 August 2019.

### ***Charitable and Non-Profit Gaming Regulation 1999***

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

Details of review: The legislation regulating Queensland's not-for-profit sector has been under review for some time. Public discussion papers were released in 2010 and 2012, and consultation was refreshed through a not-for-profit stakeholder reference group over 2014-2016. The review aims to modernise the relevant legislation and reduce red tape for the sector.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Collections Regulation 2008***

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

Details of review: The legislation regulating Queensland's not-for-profit sector has been under review for some time. Public discussion papers were released in 2010 and 2012, and consultation was refreshed through a not-for-profit stakeholder reference group over 2014-2016. The review aims to modernise the relevant legislation and reduce red tape for the sector. Additionally, there are a range of developments at the national level that may further impact the review of the Collections Act.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

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

Exemption from expiry: The extension regulation for the *Fair Trading (Code of Practice-Fitness Industry) Regulation 2003* was made on the basis that the Regulation-making provisions and the related 'codes of practice'—making provisions in the *Fair Trading Act 1989* are subject to review.

Details of review: The review is considering whether the relevant provisions in the Act are inconsistent with or duplicate the Australian Consumer Law (ACL). The review is being informed by the recommendations and findings of the recent national review of the ACL, which are expected to be further considered by Commonwealth, state and territory fair trading ministers on 26 October 2018.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Gaming Machine Regulation 2002***

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

Details of review: A review of the gambling Acts was commenced in 2014-15 with the aim of consolidating common administrative provisions across the current gambling Acts, so as to create a more simplified and user-friendly legislative framework. A suitable legislative model remains under consideration for development.

Timeframe for review: Consideration of a suitable legislative model for development is not anticipated to be completed before 31 August 2019.

### ***Interactive Gambling (Player Protection) Regulation 1998***

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

Details of review: A review of the gambling Acts was commenced in 2014-15 with the aim of consolidating common administrative provisions across the current gambling Acts, so as to create a more simplified and user-friendly legislative framework. A suitable legislative model remains under consideration for development.

Timeframe for review: Consideration of a suitable legislative model for development is not anticipated to be completed before 31 August 2019.

### ***Introduction Agents Regulation 2002***

Exemption from expiry: The extension regulation for the *Introduction Agents Regulation 2002* was made on the basis that the *Introduction Agents Act 2001* is subject to review.

Details of review: The review is considering whether the legislation is inconsistent with or duplicates the Australian Consumer Law (ACL). The review is being informed by the recommendations and findings of the recent national review of the ACL.

Timeframe for review: The review is expected to conclude by 1 September 2019.

### ***Keno Regulation 2007***

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

Details of review: A review of the gambling Acts was commenced in 2014-15 with the aim of consolidating common administrative provisions across the current gambling Acts, so as to create a more simplified and user-friendly legislative framework. A suitable legislative model remains under consideration for development.

Timeframe for review: Consideration of a suitable legislative model for development is not anticipated to be completed before 31 August 2019.

## ***Liquor (Approval of Adult Entertainment Code) Regulation 2002***

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

Details of review: In 2012, a review was commenced of all liquor and gaming legislation in order to reduce unnecessary regulatory burden and to help build Queensland tourism. In 2014, 2015 and 2016 significant amendments to the *Liquor Act 1992* were progressed to tackle alcohol and drug-related violence and to enhance compliance and enforcement. In 2017, following an interim evaluation review of the 2016 changes, subsequent amendments were made. The *Liquor Act 1992* remains subject to significant review and likely amendment as a result of the on-going formal evaluation of the 2016 and 2017 measures.

Timeframe for review: The timeframe for review will be determined after receipt of the independent evaluation of the *Tackling Alcohol-Fuelled Violence Policy*, which is likely to be provided in the first quarter of calendar year 2019.

## ***Liquor Regulation 2002***

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

Details of review: In 2012, a review was commenced of all liquor and gaming legislation, in order to reduce unnecessary regulatory burden and to help build Queensland tourism. In 2014, 2015 and 2016 significant amendments to the *Liquor Act 1992* were progressed to tackle alcohol and drug-related violence and to enhance compliance and enforcement. In 2017, following an interim evaluation review of the 2016 changes, subsequent amendments were made. The *Liquor Act 1992* remains subject to significant review and likely amendment as a result of the on-going formal evaluation of the 2016 and 2017 measures.

Timeframe for review: The timeframe for review will be determined after receipt of the independent evaluation of the *Tackling Alcohol-Fuelled Violence Policy*, which is likely to be provided in the first quarter of calendar year 2019.

## ***Lotteries Regulation 2007***

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

Details of review: A review of the gambling Acts was commenced in 2014-15 with the aim of consolidating common administrative provisions across the current gambling Acts, so as to create a more simplified and user-friendly legislative framework. A suitable legislative model remains under consideration for development.

Timeframe for review: Consideration of a suitable legislative model for development is not anticipated to be completed before 31 August 2019.

### ***Second-hand Dealers and Pawnbrokers Regulation 2004***

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

Details of review: The *Second-hand Dealers and Pawnbrokers Act 2004* is currently being considered in a joint review by the Department of Justice and Attorney-General and the Queensland Police Service.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Security Providers (Crowd Controller Code of Practice) Regulation 2008***

Exemption from expiry: The extension regulation for the *Security Providers (Crowd Controller Code of Practice) Regulation 2008* was made on the basis that the regulation-making provisions under the *Security Providers Act 1993* are under review.

Details of review: The review of regulation-making provisions under the *Security Providers Act 1993* and the existing regulations, has commenced and is being informed by related targeted stakeholder consultation.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Security Providers Regulation 2008***

Exemption from expiry: The extension regulation for the *Security Providers Regulation 2008* was made on the basis that regulation-making provisions under the *Security Providers Act 1993* are under review.

Details of review: The review of regulation-making provisions under the *Security Providers Act 1993* has commenced and is being informed by related targeted stakeholder consultation.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Security Providers (Security Firm Code of Practice) Regulation 2008***

Exemption from expiry: The extension regulation for the *Security Providers (Security Firm Code of Practice) Regulation 2008* was made on the basis that regulation-making provisions under the *Security Providers Act 1993* are under review.

Details of review: The review of regulation-making provisions under the *Security Providers Act 1993* has commenced and is being informed by related targeted stakeholder consultation.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.



### ***Security Providers (Security Officer—Licensed Premises—Code of Practice) Regulation 2008***

Exemption from expiry: The extension regulation for the *Security Providers (Security Officer—Licensed Premises—Code of Practice) Regulation 2008* was made on the basis that regulation-making provisions under the *Security Providers Act 1993* are under review.

Details of review: The review of regulation-making powers under the *Security Providers Act 1993* has commenced and is being informed by related targeted stakeholder consultation.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

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

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

Details of review: The review is considering whether the legislation is inconsistent with or duplicates the Australian Consumer Law (ACL). The review is being informed by the recommendations and findings of the recent national review of the ACL, which are expected to be further considered by Commonwealth, state and territory fair trading ministers on 26 October 2018.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Tourism Services Regulation 2003***

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

Details of review: The review is considering whether the legislation is inconsistent with or duplicates the Australian Consumer Law (ACL). The review is being informed by the recommendations and findings of the recent national review of the ACL, which are expected to be further considered by Commonwealth, state and territory fair trading ministers on 26 October 2018.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Trust Accounts Regulation 1999***

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

Details of review: The TAA once regulated the trust accounts of solicitors, accountants and funeral benefit businesses. The relevant provisions for

solicitors' trust accounts are now included in the *Legal Profession Act 2007*. Queensland is the only State that regulates accountants' trust accounts and the application of the TAA to these accounts is under review.

Timeframe for review: The review is not anticipated to be completed before 31 August 2019.

### ***Wagering Regulation 1999***

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

Details of review: A review of the gambling Acts was commenced in 2014-15 with the aim of consolidating common administrative provisions across the current gambling Acts, so as to create a more simplified and user-friendly legislative framework. A suitable legislative model remains under consideration for development.

Timeframe for review: Consideration of a suitable legislative model for development is not anticipated to be completed before 31 August 2019.