



QUEENSLAND PARLIAMENT **COMMITTEES**

**Report on subordinate legislation tabled between 16 September 2025
and 14 October 2025**

Governance, Energy and Finance Committee



Report No. 15

58th Parliament, November 2025

Overview

This report summarises the committee's findings following its examination of the subordinate legislation within its portfolio areas tabled between 16 September 2025 and 14 October 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 compliance of the explanatory notes with the *Legislative Standards Act 1992* (LSA).¹

The report also 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*
115	Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2025	16 September 2025	11 December 2025
123	Trans-Tasman Mutual Recognition (Endorsement) Notice 2025	14 October 2025	To be confirmed (2026)

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

Committee consideration of the subordinate legislation

Committee comment



Unless noted below, 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, unless noted below, the committee considers that the explanatory notes tabled with the subordinate legislation noted in this report comply with the requirements of section 24 of the LSA, which 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 its compatibility with the HRA.

1 SL No. 115 – Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2025

The Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2025 (SL No. 115) amends the Statutory Instruments Regulation 2022 (SI Regulation) and

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

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

³ HRA, s 41.

commenced on 31 August 2025.

SL No. 115 exempts subordinate legislation from expiry under section 56A of the *Statutory Instruments Act 1992* (SI Act). According to the explanatory notes, the SI Act 'is designed to require regular review of Queensland's subordinate legislation by causing most subordinate legislation to automatically expire on 1 September first occurring after the tenth anniversary of the day of its making'.⁴

There are statutory exemptions to this automatic expiry date, in particular:

- in respect of uniform subordinate legislation which is linked to Commonwealth legislation or the laws of another Australian jurisdiction:
 - the expiry of the subordinate legislation may be extended for a period of not more than 5 years from the date that the regulation would have otherwise expired⁵
 - following an exemption from expiry, the regulation can be further exempted for periods up to 5 years⁶
- in respect of all other subordinate legislation:
 - the expiry of the regulation may be extended by one (1) year on particular grounds⁷
 - following an exemption from expiry on the basis that the parent Act, provision or subordinate legislation is subject to review, the regulation can be further exempted for a period of up to one (1) year.⁸

In accordance with the above, SL No. 115 amends the SI Regulation to exempt:

- one (1) item of uniform subordinate legislation due to expire on 31 August 2025, for a further period of one year⁹
- one (1) item of uniform subordinate legislation due to expire on 31 August 2025, for a further period of five years;¹⁰
- one (1) item of uniform subordinate legislation due to expire on 1 September 2025, for a period of one year¹¹
- 2 items of uniform subordinate legislation due to expire on 1 September 2025, for

⁴ SL No. 115, explanatory notes, p 1.

⁵ *Statutory Instruments Act 1992* (SI Act), s 56(1); SL No. 115, explanatory notes, p 1.

⁶ SI Act, s 56(2); SL No. 115, explanatory notes, p 1.

⁷ SI Act, s 56A(1); SL No. 115, explanatory notes, p 1.

⁸ SI Act, s 56A(2); SL No. 115, explanatory notes, p 1.

⁹ Being the Heavy Vehicle National Law Regulation 2014, which is now due to expire on 31 August 2026: SL No. 115, s 5(2).

¹⁰ Being the Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004, which is now due to expire on 31 August 2030: SL No. 115, s 5(3).

¹¹ Being the National Energy Retail Law (Queensland) Regulation 2014, which is now due to expire on 31 August 2026: SL No. 115, s 5(2).

a period of five years¹²

- one (1) item of uniform subordinate legislation due to expire on 1 September 2025, for a further period of five years¹³
- 4 items of subordinate legislation due to expire on 1 September 2025, for a period of one year as replacement subordinate legislation is being drafted and is proposed to be made before the stated period ends¹⁴
- 13 items of subordinate legislation due to expire for the first time on 1 September 2025, the tenth anniversary of their making, for a period of one year as the Act or provisions under which the subordinate legislation, or part of the subordinate legislation, is made or preserved, is subject to review,¹⁵ and
- 53 items of subordinate legislation due to expire on 31 August 2025, for a further period of one year on the grounds that government departments are reviewing associated Acts prior to finalising amendments to the subordinate legislation.¹⁶

The explanatory notes state that the subordinate legislation to be exempted from expiry in SL No. 115 was identified 'by requesting government departments to assess the relevancy of expiring subordinate legislation and consider the necessity of reviewing the relevant parent Act'.¹⁷

2 SL No. 123 – Trans-Tasman Mutual Recognition (Endorsement) Notice 2025

The objective of the Trans-Tasman Mutual Recognition (Endorsement) Notice 2025 (SL No. 123) is to endorse the proposed Commonwealth Trans-Tasman Mutual Recognition (Continuation of Temporary Exemption of Public Health (Tobacco and Other Products) Act 2023) Regulations 2025 (proposed regulations).¹⁸

The *Trans-Tasman Mutual Recognition Act 1997* (Cth) (Mutual Recognition Act) provides that 'goods that may lawfully be sold in New Zealand may lawfully be sold in an Australian jurisdiction without the necessity for compliance with further requirements imposed under

¹² Being the Electricity-National Scheme (Queensland) Regulation 2014 and the National Gas (Queensland) Regulation 2014, which are now due to expire on 31 August 2030: SL No. 115, s 5(2).

¹³ Being the Transport Operations (Road Use Management-Road Rules) Regulation 2009, which is now due to expire on 31 August 2030: SL No. 115, s 5(2).

¹⁴ Being the Ambulance Service Regulation 2015, the Contract Cleaning Industry (Portable Long Service Leave) Regulation 2015, the Pastoral Workers' Accommodation Regulation 2015 and the Private Employment Agents (Code of Conduct) Regulation 2015, which are now due to expire on 31 August 2026: SL No. 115, s 6.

¹⁵ Being the subordinate legislation contained in Appendix A, which are now due to expire on 31 August 2026: SL No. 115, s 6.

¹⁶ Being the subordinate legislation contained in Appendix B, which are now due to expire on 31 August 2026: SL No. 115, s 6.

¹⁷ SL No. 115, explanatory notes, p 2.

¹⁸ The proposed regulations are made by the Governor-General under section 47 of the *Trans-Tasman Mutual Recognition Act 1997* (Cth): SL No. 123, explanatory notes, p 1; SL No. 123, s 2.

Australian legislation'.¹⁹ The Mutual Recognition Act is adopted as a law of Queensland in the *Trans-Tasman Mutual Recognition (Queensland) Act 2003*.²⁰

However, the *Public Health (Tobacco and Other Products) Act 2023* (Cth) (Tobacco Act) contains specific prohibitions on advertising of tobacco products in Australia to reduce smoking and tobacco use. These prohibitions are not similarly implemented in New Zealand.²¹

To address this issue, the Commonwealth Public Health (Tobacco and Other Products) Regulations 2024 temporarily exempted the Tobacco Act from the Mutual Recognition Act to prevent the sale of tobacco products from New Zealand in Australia where they do not comply with the Tobacco Act.²² This exemption lapsed on 31 March 2025.²³

If the proposed regulations are made by the Governor-General, this temporary exemption will be revived and extended until 31 March 2026.²⁴

In order to make the proposed regulations, at least two-thirds of participating Australian jurisdictions must endorse the proposed regulations.²⁵ In Queensland, this endorsement is required to occur by gazette notice as subordinate legislation (being SL No. 123).²⁶

According to the explanatory notes, SL No. 123 achieves its policy objectives by endorsing the proposed regulations as required under both the Commonwealth and Queensland Trans-Tasman Mutual Recognition Acts.²⁷



Recommendation 1

The committee recommends that the Legislative Assembly note this report.

Michael Crandon MP
Chair

¹⁹ SL No. 123, explanatory notes, p 1; *Public Health (Tobacco and Other Products) Act 2023* (Cth), s 10.

²⁰ *Trans-Tasman Mutual Recognition (Queensland) Act 2003*, s 5.

²¹ SL No. 123, explanatory notes, p 1.

²² Public Health (Tobacco and Other Products) Regulations 2024, reg 12.

²³ SL No. 123, explanatory notes, p 2.

²⁴ SL No. 123, sch 1, ss 5, 6; SL No. 123, explanatory notes, pp 1-2.

²⁵ *Public Health (Tobacco and Other Products) Act 2023* (Cth), s 47(7).

²⁶ *Trans-Tasman Mutual Recognition (Queensland) Act 2003*, s 7(2).

²⁷ SL No. 123, explanatory notes, p 2.

Governance, Energy and Finance Committee

Chair Michael Crandon MP, Member for Coomera

Deputy Chair Chris Whiting MP, Member for Bancroft

Members

Bisma Asif MP, Member for Sandgate

John Barounis MP, Member for Maryborough

Lance McCallum MP, Member for Bundamba

Kendall Morton MP, Member for Caloundra

Appendix A - Subordinate legislation under an Act or provisions, or part of the subordinate legislation, which is subject to review (initial exemption)

- Agents Financial Administration Regulation 2014
- Coroners Regulation 2015
- Crime and Corruption Regulation 2015
- Debt Collectors (Field Agents and Collection Agents) Regulation 2014
- Disaster Management Regulation 2014
- Family Responsibilities Commission Regulation 2014
- Housing Regulation 2015
- Major Events (Motor Racing Events) Regulation 2015
- Motor Dealers and Chattel Auctioneers Regulation 2014
- Partnership Regulation 2015
- Property Occupations Regulation 2014
- Queensland Heritage Regulation 2015
- Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015

Appendix B – Subordinate legislation to be amended following review of associated Acts (further exemption)

- Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Regulation 2008
- Aboriginal Land Regulation 2011
- Associations Incorporation Regulation 1999
- Body Corporate and Community Management Regulation 2008
- Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011
- Brands Regulation 2012
- Building Fire Safety Regulation 2008
- Building Units and Group Titles Regulation 2008
- Casino Control Regulation 1999
- Charitable and Non-Profit Gaming Regulation 1999
- City of Brisbane Regulation 2012
- Collections Regulation 2008
- Criminal Code (Animal Valuers) Regulation 2014
- Education and Care Services Regulation 2013
- Electrical Safety Regulation 2013
- Electricity Regulation 2006
- Environmental Offsets Regulation 2014
- Fair Trading (Code of Practice—Fitness Industry) Regulation 2003
- Fair Trading (Safety Standards) Regulation 2011
- Fire Services Regulation 2011
- Food Production (Safety) Regulation 2014
- Funeral Benefit Business Regulation 2010
- Gaming Machine Regulation 2002
- Gas Supply Regulation 2007
- Interactive Gambling (Player Protection) Regulation 1998
- Justices Regulation 2014
- Keno Regulation 2007
- Liquor Regulation 2002
- Local Government Regulation 2012

- Lotteries Regulation 2007
- Major Sports Facilities Regulation 2014
- Police Powers and Responsibilities Regulation 2012
- Public Guardian Regulation 2014
- Regional Planning Interests Regulation 2014
- Rural and Regional Adjustment Regulation 2011
- Second-hand Dealers and Pawnbrokers Regulation 2004
- Security Providers (Crowd Controller Code of Practice) Regulation 2008
- Security Providers Regulation 2008
- Security Providers (Security Firm Code of Practice) Regulation 2008
- Security Providers (Security Officer—Licensed Premises—Code of Practice) Regulation 2008
- South Bank Corporation By-law 2014
- South Bank Corporation (Modified Building Units and Group Titles) Regulation 2014
- South Bank Corporation Regulation 2014
- State Penalties Enforcement Regulation 2014
- Tattoo Industry Regulation 2013
- Torres Strait Islander Land Regulation 2011
- Tourism Services (Code of Conduct for Inbound Tour Operators) Regulation 2003
- Tourism Services Regulation 2003
- Transport Infrastructure (Waterways Management) Regulation 2012
- Transport Operations (Passenger Transport) Standard 2010
- Trust Accounts Regulation 1999
- Wagering Regulation 1999
- Wine Industry Regulation 2009