



QUEENSLAND PARLIAMENT **COMMITTEES**

**Report on subordinate legislation tabled between 27 August 2025 and
16 September 2025**

Justice, Integrity and Community Safety Committee



Report No. 24

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 27 August 2025 and 16 September 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 explanatory notes compliance with the *Legislative Standards Act 1992* (LSA).¹

The report notes any identified issues regarding 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
111	Domestic and Family Violence Protection Amendment Rule 2025	16 September 2025	11 December 2025
114	Queensland Community Safety (Postponement) Regulation (No. 2) 2025	16 September 2025	11 December 2025

* 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 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 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.⁴

1 SL No. 111 – Domestic and Family Violence Protection Amendment Rule 2025

The Domestic and Family Violence Protection Amendment Rule 2025 made under the *Magistrates Courts Act 1921* (SL No. 111) amends the Domestic and Family Violence Protection Rules 2014 (DFVP Rules) to support the operation of amendments made to

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

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

³ HRA, s 41.

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.

the *Corrective Services Act 2006* (CS Act) by the *Queensland Community Safety Act 2024* (QCS Act).⁵

The QCS Act inserted new section 348B in the CS Act to enable a corrective services officer to serve a prescribed domestic violence document (document) under the *Domestic and Family Violence Protection Act 2012*, that would otherwise need to be served by a police officer, on an incarcerated person, in prescribed circumstances.⁶

SL No. 111 amends the DFVP Rules to provide that:

- If the document is being served under section 348B of the CS Act, the person serving it must explain to the person being served the nature and effect of the document.⁷ This is consistent with how documents are served by police officers.⁸
- Rule 14 (Statement of police service) does not apply where the chief executive (corrective services) personally serves the document under section 348B of the CS Act, or if the police officer files an affidavit of personal service or a statement of substituted police service.⁹
- If a person serves a document under section 348B of the CS Act, the chief executive (corrective services) must ensure a corrective services statement of service is filed with the registry of the Domestic and Family Violence Protection (DFVP) court hearing the proceeding, unless a DFVP court orders otherwise.¹⁰ The corrective services statement of service is modelled on the existing police statement of service under rule 14.11.
- The chief executive (corrective services) may use electronic means to file a corrective services statement of service.¹²

No issues of fundamental legislative principle were identified.

2 SL No. 114 – Queensland Community Safety (Postponement) Regulation (No. 2) 2025

The Queensland Community Safety (Postponement) Regulation (No. 2) 2025 (SL No. 114) extends the period before the automatic commencement of certain provisions of the QCS Act.¹³ The amendments, which relate to electronic service of certain documents, will now automatically commence on 31 August 2026.¹⁴

The explanatory notes state:

Implementation scoping and planning exercises undertaken by the Queensland Police Service ... identified issues with the operationalisation of the electronic service of initial police banning notices and official warnings for consorting, including

⁵ SL No. 111, explanatory notes, p 1.

⁶ SL No. 111, explanatory notes, p 1.

⁷ SL No. 111, s 5 (DFVP Rules, amends r 12).

⁸ SL No. 111, explanatory notes, p 1.

⁹ SL No. 111, s 6 (DFVP Rules, amends r 14); explanatory notes, pp 1-2.

¹⁰ SL No. 111, s 7 (DFVP Rules, new r 14B).

¹¹ SL No. 111, explanatory notes, p 2.

¹² SL No. 111, s 4 (DFVP Rules, amends r 9). See also SL No. 111, s 7 (DFVP Rules, inserts r 14B); explanatory notes, p 1.

¹³ Being, section 84; and section 88, to the extent it inserts sch 5A, items 1 and 3. SL No. 114, s 2(2).

¹⁴ Upon commencement, section 85 of the Act amends the *Police Powers and Responsibilities Act 2000* by providing a framework to serve prescribed documents by electronic communication. SL No. 114, explanatory notes, p 2.

*technical limitations, which require further consideration prior to commencement of the provisions.*¹⁵

2.1 Fundamental legislative principles

Institution of Parliament – delaying commencement of provisions of an Act

The delaying by the executive of commencement of provisions of an Act may be considered not to have sufficient regard to the institution of Parliament because the executive could be regarded as frustrating the will of the legislature. However, the postponement of the provisions complies with the requirements of the *Acts Interpretation Act 1954* and the rationale for the postponement provided in the explanatory notes appears reasonable.

Committee Comment



Recognising the need to allow further time for the Queensland Police Service to consider the most effective means of implementing the provisions, including resolving any operational and administrative issues,¹⁶ the committee is satisfied that SL No. 114 has sufficient regard to the institution of Parliament, such that it is consistent with fundamental legislative principles.



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

Ms Melissa McMahon MP, Member for Macalister

¹⁵ SL No. 114, explanatory notes, p 1.

¹⁶ SL No. 114, explanatory notes, p 2.