



Queensland

Local Government Act 1993

Local Government Reform Implementation (Transferring Areas) Regulation 2007

Reprinted as in force on 30 November 2007

Reprint No. 1

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the Office of the Queensland Parliamentary Counsel
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Information about this reprint

This regulation is reprinted as at 30 November 2007.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- omit provisions that are no longer required (s 40)
- make all necessary consequential amendments (s 7(1)(k)).

This page is specific to this reprint. A table of reprints is included in the endnotes.

Also see endnotes for information about when provisions commenced.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Local Government Reform Implementation (Transferring Areas) Regulation 2007*.

Note—

Under section 159ZZA of the Act, chapter 3, part 1B of the Act expires at the end of 31 December 2011 or at an earlier time fixed under a regulation. This regulation (other than part 3) will expire on the same day chapter 3, part 1B of the Act expires.

2 Main purpose of regulation

- (1) This regulation is a reform implementation regulation.
- (2) The main purpose of this regulation is to make provision for empowering and directing the commission to make decisions about the allocation of employees, assets, liabilities and property of any kind between local governments whose areas have a transferring area included in them or excluded from them.

3 Application of definitions for ch 3, pt 1B of the Act

Words defined for chapter 3, part 1B of the Act have the same meaning in this regulation.

4 Definitions

The dictionary in the schedule defines particular words used in this regulation.

Part 2 Transition matters for particular transferring areas

Division 1 Preliminary

5 Application of pt 2

This part applies in relation to transferring areas A, B, C, D, E, F, G and H.

Division 2 Making allocation methodology

6 Purpose of allocation methodology

The chief executive may make a methodology directed at ensuring the proper allocation of employees, assets, liabilities and property of any kind between the local governments of new and adjusted local government areas in relation to transferring areas (the *allocation methodology*).

7 When allocation methodology takes effect

- (1) The chief executive must notify the making of the allocation methodology by publishing the methodology on the department's website.
- (2) The allocation methodology takes effect—
 - (a) on the day the methodology is published on the department's website; or
 - (b) if a later day is stated in the allocation methodology—on the later day.

8 Notification of allocation methodology

The chief executive must, as soon as practicable after the allocation methodology or an amendment of the methodology takes effect, advise all responsible entities of the taking effect

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of the allocation methodology or the amendment of the methodology.

Division 3 Process after making of allocation methodology

9 Complying with allocation methodology

Each responsible entity must take all reasonable steps to comply with the allocation methodology.

10 Role of commission

The commission must make decisions as provided for under the allocation methodology.

11 Public notification of decisions

When the commission makes a decision in relation to an employee, asset, liability or property of any kind, it must publish the decision in the gazette.

12 When decisions take effect

- (1) On the changeover day for a new or adjusted local government area, all decisions gazetted under this division, including, for example, transfers or vesting of assets or property of any kind, assumptions of liability and transfers of employees, provided for in the decisions in relation to the local government for the new or adjusted local government area, take effect.
- (2) The registrar of titles or other person responsible for keeping a register for dealings in assets or property of any kind must, if asked by a local government, record the transfer or the vesting of any asset or property under this section in the local government.

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Division 4 Miscellaneous

13 Direction for the Act, s 159YQ

This regulation directs for section 159YQ(6) of the Act that chapter 3, part 3, divisions 3 to 5 of the Act do not apply to the commission for the purposes of making decisions under this regulation.

Schedule Dictionary

section 4

allocation methodology see section 6.

responsible entity means a person or other entity having responsibilities under the allocation methodology.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Local Government Reform Implementation (Transferring Areas) Regulation 2007 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

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3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	30 November 2007	

5 List of legislation

**Local Government Reform Implementation (Transferring Areas) Regulation 2007
SL No. 293**

made by the Governor in Council on 29 November 2007

notfd gaz 30 November 2007 pp 1824–6

commenced on date of notification

exp 31 December 2011 (see 1993 No. 70 s 159ZZA)

6 List of annotations

**PART 3—AMENDMENT OF LOCAL GOVERNMENT (INTERNAL
BOUNDARIES) REGULATION 2007**
pt 3 (ss 14–15) om R1 (see RA ss 7(1)(k) and 40)