



Queensland

Statutory Instruments Regulation 2012

Subordinate Legislation 2012 No. 143

made under the

Statutory Instruments Act 1992

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[s 1]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Statutory Instruments Regulation 2012*.

Part 2 Instruments that are subordinate legislation

2 Statutory instruments that are subordinate legislation—Act, s 9(1)(c)

- (1) A statutory instrument is subordinate legislation if—
- (a) the statutory instrument is made under a provision of an Act that commenced before the commencement of the *Statutory Instruments Act 1992*; and
 - (b) had the statutory instrument been made immediately before the commencement of the *Statutory Instruments Act 1992*—it would have been required to be tabled in, and subject to disallowance by, the Legislative Assembly.

Note—

The commencement of the *Statutory Instruments Act 1992* is 1 June 1992.

- (2) Subsection (1) does not apply to an instrument that, under a declaration made by an Act, is, or is not, subordinate legislation.
- (3) A statutory instrument mentioned in schedule 1 is subordinate legislation.

Part 3 Exemptions from expiry

3 Exemptions from expiry—Act, pt 7

- (1) An instrument of uniform subordinate legislation mentioned in schedule 2, part 1, column 1 is exempt, under section 56 of the Act, from expiry for the period ending at midnight on the expiry date mentioned in schedule 2, part 1, column 3 opposite the instrument (the *expiry date*).
- (2) An instrument of subordinate legislation mentioned in schedule 2, part 2, column 1 is exempt, under section 56A of the Act, from expiry for the period ending at midnight on 31 August 2013 (also the *expiry date*).
- (3) A reference in schedule 2 to an instrument includes a reference to the instrument as amended from time to time.
- (4) The ground for exempting an instrument referred to in schedule 2 is mentioned in schedule 2, column 2 opposite the instrument.
- (5) The following table explains the grounds for exemption mentioned in schedule 2—

Ground for exemption	Explanation
uniform	The instrument is uniform subordinate legislation. The instrument is exempted under section 56(1) of the Act.
further exemption: uniform	The instrument is uniform subordinate legislation and has previously been exempted from expiry under section 56(1) of the Act. The instrument is further exempted under section 56(2) of the Act.

[s 3]

Ground for exemption	Explanation
being replaced	Subordinate legislation to replace the instrument is being drafted and is proposed to be made before midnight on the expiry date for the instrument. The instrument is exempted under section 56A(1)(a)(i) of the Act.
no replacement	The instrument is not proposed to be replaced by other subordinate legislation made under the Act under which or in relation to which it was made or preserved when it expires at midnight on the expiry date for the instrument. The instrument is exempted under section 56A(1)(a)(ii) of the Act.
subject to review	The Act or provision under which or in relation to which the instrument, or part of the instrument, is made or preserved is subject to review. The instrument is exempted under section 56A(1)(b) of the Act.
further exemption: review	The instrument has previously been exempted from expiry under section 56A(1) of the Act and the Act or provision under which or in relation to which the instrument, or part of the instrument, is made or preserved is subject to review. The instrument is further exempted under section 56A(2) of the Act.

- (6) If an instrument of subordinate legislation mentioned in schedule 2 stops having effect before midnight on the expiry date for the instrument, the exemption ends.

Part 4 **Repeal**

4 **Repeal**

The Statutory Instruments Regulation 2002, SL No. 218 is repealed.

Schedule 1 Statutory instruments that are subordinate legislation

section 2(3)

- 1 a notice declaring a harvest period under a conservation plan under the *Nature Conservation Act 1992*
- 2 a notice making a determination, other than an administrative determination, under the *Transport Infrastructure (Dangerous Goods by Rail) Regulation 2008*, section 21 or 22

Editor's note—

Transport Infrastructure (Dangerous Goods by Rail) Regulation 2008, section 21 (Determination about dangerous goods and packaging) or 22 (Determinations about vehicles, routes, areas etc.)

- 3 a notice making a determination, other than an administrative determination, under the *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008*, section 24 or 25

Editor's note—

Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008, section 24 (Determination about dangerous goods and packaging) or 25 (Determinations about vehicles, routes, areas etc.)

Schedule 2 Exemptions from expiry under part 7 of the Act

section 3

Part 1 Uniform subordinate legislation

Column 1 Instrument	Column 2 Ground for exemption	Column 3 Expiry date
<i>Classification of Publications (Approval of Codes of Conduct) Order 1992</i>	further exemption: uniform	31/08/13
<i>Editor's note—</i>		
The <i>Classification of Publications (Approved Distributors) Code of Conduct 1992</i> and the <i>Classification of Publications (Sellers) Code of Conduct 1992</i> are set out in the <i>Classification of Publications (Approval of Codes of Conduct) Order 1992</i> , schedules 1 and 2, respectively.		
<i>Cooperatives Regulation 1997</i>	uniform	31/08/17
<i>Gene Technology Regulation 2002</i>	uniform	31/08/17
Proclamations made under the <i>Maintenance Act 1965</i> , section 98	further exemption: uniform	30/06/17
<i>Editor's note—</i>		
The proclamations make declarations for the purposes of certain countries becoming reciprocating countries.		
<i>Maintenance Regulations 1967</i>	further exemption: uniform	30/06/17
<i>Prisoners (Interstate Transfer) Regulation 1993</i>	further exemption: uniform	31/08/13

Column 1 Instrument	Column 2 Ground for exemption	Column 3 Expiry date
<i>Travel Agents Regulation 1998</i>	uniform	31/08/13

Part 2 Other subordinate legislation

Note—

An instrument mentioned in this part expires on 31 August 2013—see section 3(2).

Column 1 Instrument	Column 2 Ground for exemption
<i>Agricultural Chemicals Distribution Control Regulation 1998</i>	further exemption: review
<i>Agricultural Standards Regulation 1997</i>	further exemption: review
<i>Apiaries Regulation 1998</i>	further exemption: review
<i>Associations Incorporation Regulation 1999</i>	further exemption: review
<i>Building and Construction Industry (Portable Long Service Leave) Regulation 2002</i>	being replaced
<i>Casino Control Regulation 1999</i>	further exemption: review
<i>Charitable and Non-Profit Gaming Regulation 1999</i>	further exemption: review
<i>Chemical Usage (Agricultural and Veterinary) Control Regulation 1999</i>	further exemption: review
<i>Coal Mining Safety and Health Regulation 2001</i>	further exemption: review

Column 1 Instrument	Column 2 Ground for exemption
<i>Criminal Code (Animal Valuers) Regulation 1999</i>	further exemption: review
<i>Dental Technicians Registration Regulation 2002</i>	no replacement
<i>Diseases in Timber Regulation 1997</i>	further exemption: review
<i>Duties Regulation 2002</i>	subject to review
<i>Education (Accreditation of Non-State Schools) Regulation 2001</i>	subject to review
<i>Education (Overseas Students) Regulation 1998</i>	further exemption: review
<i>Education (Queensland Studies Authority) Regulation 2002</i>	subject to review
<i>Electoral Regulation 2002</i>	being replaced
<i>Environmental Protection (Waste Management) Regulation 2000</i>	further exemption: review
<i>Exotic Diseases in Animals Regulation 1998</i>	further exemption: review
<i>Forestry Regulation 1998</i>	further exemption: review
<i>Health (Drugs and Poisons) Regulation 1996</i>	further exemption: review
<i>Health Regulation 1996</i>	further exemption: review
<i>Interactive Gambling (Player Protection—Disqualified Persons) Regulation 1999</i>	further exemption: review
<i>Interactive Gambling (Player Protection) Regulation 1998</i>	further exemption: review
<i>Land Sales Regulation 2000</i>	further exemption: review

Column 1 Instrument	Column 2 Ground for exemption
<i>Liquor (Approval of Adult Entertainment Code) Regulation 2002</i>	subject to review
<i>Liquor Regulation 2002</i>	subject to review
<i>Local Government (Aboriginal Lands) Regulation 2001</i>	no replacement
<i>Major Sports Facilities Regulation 2002</i>	subject to review
<i>Mental Health Regulation 2002</i>	being replaced
<i>Mining and Quarrying Safety and Health Regulation 2001</i>	further exemption: review
<i>Mt. Gravatt Showgrounds By-Law 2001</i>	subject to review
<i>Nature Conservation (Dugong) Conservation Plan 1999</i>	further exemption: review
<i>Nature Conservation (Protected Plants) Conservation Plan 2000</i>	further exemption: review
<i>Nature Conservation (Whales and Dolphins) Conservation Plan 1997</i>	further exemption: review
<i>Parliamentary Service By-law 2002</i>	subject to review
<i>Personal Injuries Proceedings Regulation 2002</i>	being replaced
<i>Plant Protection Regulation 2002</i>	subject to review
<i>Police Powers and Responsibilities Regulation 2000</i>	further exemption: review
<i>Police Service Administration Regulation 1990</i>	further exemption: review
<i>Police Service Administration (Review of Decisions) Regulation 1990</i>	further exemption: review

Column 1 Instrument	Column 2 Ground for exemption
<i>Police Service (Discipline) Regulations 1990</i>	further exemption: review
<i>Police Service (Ranks) Regulation 1991</i>	further exemption: review
<i>Private Health Facilities Regulation 2000</i>	further exemption: review
<i>Private Health Facilities (Standards) Notice 2000</i>	further exemption: review
<i>Property Agents and Motor Dealers (Auctioneering Practice Code of Conduct) Regulation 2001</i>	further exemption: review
<i>Property Agents and Motor Dealers (Commercial Agency Practice Code of Conduct) Regulation 2001</i>	further exemption: review
<i>Property Agents and Motor Dealers (Motor Dealing Practice Code of Conduct) Regulation 2001</i>	further exemption: review
<i>Property Agents and Motor Dealers (Property Developer Practice Code of Conduct) Regulation 2001</i>	further exemption: review
<i>Property Agents and Motor Dealers (Real Estate Agency Practice Code of Conduct) Regulation 2001</i>	further exemption: review
<i>Property Agents and Motor Dealers Regulation 2001</i>	further exemption: review
<i>Property Agents and Motor Dealers (Restricted Letting Agency Practice Code of Conduct) Regulation 2001</i>	further exemption: review
<i>Prostitution Regulation 2000</i>	further exemption: review
<i>Residential Services (Accreditation) Regulation 2002</i>	being replaced

Column 1 Instrument	Column 2 Ground for exemption
<i>River Improvement Trust Regulation 1998</i>	further exemption: review
<i>Soil Conservation Regulation 1998</i>	further exemption: review
<i>Speech Pathologists Registration Regulation 2001</i>	no replacement
<i>State Penalties Enforcement Regulation 2000</i>	further exemption: review
<i>Statistical Returns Regulation 2001</i>	further exemption: review
<i>Stock Regulation 1988</i>	further exemption: review
<i>Transport Infrastructure (Gold Coast Waterways) Management Plan 2000</i>	further exemption: review
<i>Transport Infrastructure (Sunshine Coast Waterways) Management Plan 2000</i>	further exemption: review
<i>Trust Accounts Regulation 1999</i>	further exemption: review
<i>Veterinary Surgeons Regulation 2002</i>	subject to review
<i>Vocational Education, Training and Employment Regulation 2000</i>	further exemption: review
<i>Wagering Regulation 1999</i>	further exemption: review
<i>Water Regulation 2002</i>	subject to review
<i>Water Resource (Boyne River Basin) Plan 2000</i>	further exemption: review
<i>Water Resource (Burnett Basin) Plan 2000</i>	further exemption: review
<i>Weapons Regulation 1996</i>	further exemption: review

ENDNOTES

- 1 Made by the Governor in Council on 30 August 2012.
- 2 Notified in the gazette on 31 August 2012.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of the Premier and Cabinet.

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