



Queensland

Queensland Productivity Commission Regulation 2015

Subordinate Legislation 2015 No. 170

made under the

City of Brisbane Act 2010

Local Government Act 2009

Queensland Productivity Commission Act 2015

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Queensland Productivity Commission Regulation 2015*.

Part 2 Prescribed matters

2 Prescribed competitive neutrality policy—Act, s 36

The policy prescribed for the Act, section 36(2), definition *prescribed competitive neutrality policy*, is the policy contained in the document called ‘Competitive Neutrality and Queensland Government Business Activities’, published by the Queensland Government and dated July 1996.

3 Prescribed functions for power to require information—Act, s 46

(1) The functions prescribed for the Act, section 46(1)(b), are that of processing, investigating and reporting on competitive neutrality complaints under—

- (a) the *City of Brisbane Regulation 2012*, chapter 3, part 2, division 6; or
- (b) the *Local Government Regulation 2012*, chapter 3, part 2, division 7.

(2) In this section—

competitive neutrality complaint see the *City of Brisbane Act 2010*, section 52(2) or the *Local Government Act 2009*, section 48(2).

[s 4]

Part 3 **Consequential and other amendments**

Division 1 **Amendment of City of Brisbane Regulation 2012**

4 **Regulation amended**

This division amends the *City of Brisbane Regulation 2012*.

5 **Amendment of s 182 (Other contents)**

Section 182(1)(j)—

omit, insert—

- (j) the council's responses in the financial year to any recommendations, made under section 40(5), relating to competitive neutrality complaints;

6 **Replacement of ch 10, pt 2, hdg (Transitional provisions)**

Chapter 10, part 2, heading—

omit, insert—

Part 2 **Transitional provisions for City of Brisbane Regulation 2012 SL No. 235**

7 **Insertion of new ch 10, pt 3**

Chapter 10—

insert—

Part 3 **Transitional provision for Queensland Productivity Commission Act 2015**

284 Transfer of existing competitive neutrality complaints to QPC

- (1) This section applies to a competitive neutrality complaint if, immediately before the commencement—
 - (a) the QCA had not finished processing, investigating or reporting on the complaint under chapter 3, part 2, division 6; and
 - (b) the complaint had not been withdrawn.
- (2) From the commencement—
 - (a) the responsibility for processing, investigating or reporting on the complaint is transferred to the QPC; and
 - (b) all records of the QCA relating to the complaint become records of the QPC.
- (3) In this section—

QCA means the Queensland Competition Authority established under the *Queensland Competition Authority Act 1997*, section 7.

Division 2 **Amendment of Local Government Regulation 2012**

8 **Regulation amended**

This division amends the *Local Government Regulation 2012*.

[s 9]

9 Insertion of new ch 14

After chapter 13—

insert—

**Chapter 14 Transitional
provision for
Queensland
Productivity
Commission Act
2015**

**349 Transfer of existing competitive neutrality
complaints to QPC**

- (1) This section applies to a competitive neutrality complaint if, immediately before the commencement—
 - (a) the QCA had not finished processing, investigating or reporting on the complaint under chapter 3, part 2, division 7; and
 - (b) the complaint had not been withdrawn.
- (2) From the commencement—
 - (a) the responsibility for processing, investigating or reporting on the complaint is transferred to the QPC; and
 - (b) all records of the QCA relating to the complaint become records of the QPC.
- (3) In this section—

QCA means the Queensland Competition Authority established under the *Queensland Competition Authority Act 1997*, section 7.

ENDNOTES

- 1 Made by the Governor in Council on 3 December 2015.
- 2 Notified on the Queensland legislation website on 4 December 2015.
- 3 The administering agency is Queensland Treasury.

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