

Resources Safety and Health Queensland Bill 2019

Erratum to Explanatory Notes

Title of Bill

Resources Safety and Health Queensland Bill 2019

Reasons for Erratum

The erratum is necessary to ensure the effect of the provisions are accurately described in the following sections of the explanatory notes. These corrections address the statutory appointment to the positions of chief executive officer (CEO), executive officer and commissioner by the Governor in Council; clarification of the publication of the annual report by the commissioner; and correction of references to the head offices of Resources Safety and Health Queensland (RSHQ) and the department.

Notes on Provisions

The following explanatory notes require rewording to accurately reflect the intent of the provisions in the Bill.

Clause 19 Amendment of s 19 (Removal by Governor in Council)

On page 11, insert a new paragraph after the last paragraph under the heading ‘Amendment of s 19 (Removal by Governor in Council)’, as follows:

Appointment to the position of CEO is by the Governor in Council under clause 14. This is a statutory appointment with limited grounds for removal from the position as detailed in this clause. Procedural fairness is implied and the presumption exists that the legislature intends the power to be reasonably exercised. This includes the right to present the case to remain in the position and the right to an unbiased decision maker when deciding whether to remove the CEO from the position.

Clause 39 Amendment of s 39 (Removal by Governor in Council)

On page 15, insert a new paragraph after the last paragraph under the heading ‘Amendment of s 39 (Removal by Governor in Council)’, as follows:

Appointment to the position of executive officer is by the Governor in Council under clause 35. This is a statutory appointment with limited grounds for removal from the

position as detailed in this clause. Procedural fairness is implied and the presumption exists that the legislature intends the power to be reasonably exercised. This includes the right to present the case to remain in the position and the right to an unbiased decision maker when deciding whether to remove the executive officer from the position.

Clause 54 Amendment of s 54 (Removal by Governor in Council)

On page 18, insert a new paragraph after the last paragraph under the heading ‘Amendment of s 54 (Removal by Governor in Council)’, as follows:

Appointment to the position of commissioner is by the Governor in Council under clause 48. This is a statutory appointment with limited grounds for removal from the position as detailed in this clause. Procedural fairness is implied and the presumption exists that the legislature intends the power to be reasonably exercised. This includes the right to present the case to remain in the position and the right to an unbiased decision maker when deciding whether to remove the commissioner from the position.

Clause 64 Amendment of s 64 (Annual report)

On page 21, under the heading ‘Amendment of s 64 (Annual report)’, remove the reference to ‘a Queensland government website’ and replace it with ‘the RSHQ website and the Commissioner for Resources Safety and Health website’.

Clause 121 Amendment of s 734AC (Access to register)

On page 40, under the heading ‘Amendment of s 734AC (Access to register)’, replace the reference to the department’s ‘register’ with the department’s ‘head office’ and replace the reference to RSHQ’s ‘register’ with RSHQ’s ‘head office’.