

Transport and Other Legislation Amendment Bill 2014

Explanatory Notes

For

Amendments To Be Moved During Consideration In Detail By The Honourable Scott Emerson MP, Minister for Transport and Main Roads

Short title

Transport and Other Legislation Amendment Bill 2014

Objectives of the Amendments

The objective of the amendments to be moved during consideration in detail is to amend the *G20 (Safety and Security) Act 2013* (the Act) to make a number of clarifying amendments to schedule 1 of the Act.

The Act provides for special police powers and arrangements to allow for the 2014 G20 meetings and events to be held safely in Cairns and Brisbane. The Act provides for three different types of G20 security areas being restricted areas, declared areas and motorcade areas. The Act also allows additional security areas to be declared by regulation or by written order of the Commissioner of Police.

It has recently been identified that the Act could be interpreted to only allow an area in Brisbane or Cairns to be declared as an additional security area. The amendment confirms the original intent of the Act and removes any doubt about additional security areas outside of Brisbane and Cairns being able to be declared.

Also, the amendment will clarify that the Act will apply to any additional declared or restricted areas for the dates stated in the regulation or order declaring the area.

Achievement of policy objectives

The objective is achieved by amending schedule 1 of the Act.

Amendments are made to parts 1 and 2 in schedule 1 of the Act to clarify that an additional declared or restricted area can be declared in Cairns for a period, other than a period ending on 22 September 2014, and in Brisbane for a period, other than a period ending on 17 November 2014.

An amendment is also made to insert a new part 3 into schedule 1 of the Act to clarify that the Act allows additional security areas outside of Brisbane and Cairns to be declared by regulation or written order of the Commissioner of Police for the periods stated in the regulation or order.

Alternative ways of achieving the policy objectives

There is no alternative way to achieve the policy objective.

Estimated cost for government implementation

Increased costs may be incurred if additional security areas are required to be declared. There is an agreement in place between the Commonwealth and the State about the costs of providing security for the G20 events. Any variation to this agreement as a result of the need to declare additional security areas will be dealt with under that agreement.

Consistency with fundamental legislative principles

The proposed amendments are clarifying in nature and consistent with fundamental legislative principles.

Consultation

Consultation has been undertaken with the Department of the Premier and Cabinet, the Queensland Police Service and the Office of the Queensland Parliamentary Counsel.

Notes on provisions

Amendment 1 inserts a new part 2A into the Bill which includes new clauses 4A and 4B.

Clause 4A provides that new part 2A amends the *G20 (Safety and Security) Act 2013* (the Act).

Clause 4B makes a number of clarifying amendments to schedule 1 of the Act as outlined below.

Sub-clauses 4B(1) to (3) make a clarifying amendment to schedule 1, part 1 of the Act. It clarifies that the date that the Act applies to an additional declared or restricted area in Cairns is for the period stated in the regulation or order declaring the area. This amendment ensures that an additional declared or restricted area can be declared in Cairns for a period, other than a period ending on 22 September 2014. For example, an additional declared or restricted area may only be required to be declared for a limited period of time.

Sub-clauses 4B(4) to (6) make a clarifying amendment to schedule 1, part 2 of the Act. It clarifies that the date that the Act applies to an additional declared or restricted area in Brisbane is for the period stated in the regulation or order declaring the area. This amendment ensures that an additional declared or restricted area can be declared in Brisbane for a period, other than a period ending on 17 November 2014. For example, an additional declared or restricted area may only be required to be declared for a limited period of time.

Sub-clause 4B(7) is a clarifying amendment to insert a new part 3 into schedule 1 of the Act. This part specifies that the Act applies to an area, other than an area in Brisbane or Cairns, that is declared to be an additional declared or restricted area for the dates stated in the regulation or order.

The amendment is made to clarify that additional declared or restricted areas, outside of Brisbane or Cairns, may be declared by regulation or by written order of the Commissioner of Police. The amendment is required to ensure section 8 of the Act applies the Act to additional declared or restricted areas outside of Brisbane or Cairns.

Amendment 2 amends the long title of the Bill to include the *G20 (Safety and Security) Act 2013*.