



Queensland

# **Treasury and Trade and Other Legislation Amendment Bill 2013**

**Includes amendments agreed during Consideration**





## Queensland

# Treasury and Trade and Other Legislation Amendment Bill 2013

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# 2013

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## A Bill

for

**An Act to amend the *Acts Interpretation Act 1954*, the *Evidence Act 1977*, the *Financial Accountability Act 2009*, the *Industrial Relations Act 1999*, the *Legislative Standards Act 1992*, the *Motor Accident Insurance Act 1994*, the *Parliament of Queensland Act 2001*, the *Queensland Competition Authority Act 1997*, the *Queensland Treasury Corporation Act 1988*, the *Reprints Act 1992*, the *State Financial Institutions and Metway Merger Facilitation Act 1996*, the *Statistical Returns Act 1896* and the *Statutory Instruments Act 1992* for particular purposes, to repeal the *Anzac Square Development Project Act 1982*, the *Commonwealth and State Statistical Agreement Act 1958*, the *Commonwealth Savings Bank of Australia Agreement Act 1966*, the *Energy Assets (Restructuring and Disposal) Act 2006*, the *Government Inscribed Stock Act 1920*, the *Government Loan Act 1986*, the *Government Loans Redemption and Conversion Act 1923* and the *Government Stock Act 1912*, and to make minor and consequential amendments of the Acts stated in schedules 1 to 4 for particular purposes**

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[s 1]

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**The Parliament of Queensland enacts—**

## **Chapter 1 Preliminary**

### **1 Short title**

This Act may be cited as the *Treasury and Trade and Other Legislation Amendment Act 2013*.

### **1A Commencement**

Chapter 4 is taken to have commenced on 1 July 2013, immediately after the *Industrial Relations (Transparency and Accountability of Industrial Organisations) and Other Acts Amendment Act 2013*, part 2 commenced.

## **Chapter 2 Provisions for Treasury and Trade matters**

### **Part 1 Amendment of Financial Accountability Act 2009**

#### **2 Act amended**

This part amends the *Financial Accountability Act 2009*.

#### **3 Amendment of s 22 (Quarterly statement by Treasurer)**

Section 22(5), from ‘publish’—  
*omit, insert—*

make the statement publicly available.

*Example of making the statement publicly available—*

publishing the statement on the treasury department's website

**4 Amendment of s 48 (Delegation by Treasurer of particular powers)**

Section 48(2), after '71,'—

*insert—*

77, 78,

**5 Amendment of s 61 (Functions of accountable officers and statutory bodies)**

Section 61(a), 'to ensure'—

*omit, insert—*

to achieve reasonable value for money by ensuring

## **Part 2 Amendment of Motor Accident Insurance Act 1994**

**6 Act amended**

This part amends the *Motor Accident Insurance Act 1994*.

*Note—*

See also the amendments in schedules 2 and 3.

**7 Amendment of s 4 (Definitions)**

Section 4—

*insert—*

[s 8]

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*agricultural machine* means an agricultural machine for which registration is required under the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*.

## **8 Amendment of s 5 (Application of this Act)**

(1) Section 5(3)(a), after ‘machinery’—

*insert—*

, other than an agricultural machine

(2) Section 5(3)(b), ‘implement’—

*omit, insert—*

machine

## **9 Amendment of s 10 (Commission’s functions)**

Section 10(1)—

*insert—*

- (o) conduct research and collect statistics about the statutory insurance scheme.

## **10 Amendment of s 23 (Statutory policy of insurance)**

Section 23(6)—

*insert—*

- (c) a payment received electronically by transport administration for the premium, or for an amount including the premium, on a CTP insurance policy is subsequently withdrawn;

---

**11 Amendment of s 33 (Nominal Defendant as the insurer)**

Section 33(3), from 'if'—

*omit, insert—*

if—

- (a) the liability arises under subsection (2); or
- (b) the personal injury is caused by, through or in connection with a motor vehicle that is gratuitously insured under section 23(7).

**12 Insertion of new s 37B**

After section 37A—

*insert—*

**37B Witness information request made by insurer**

- (1) An insurer may, by written notice, ask an emergency service to give the insurer information to help the insurer identify or contact a person who witnessed a motor vehicle accident if the insurer—
  - (a) is given notice of a motor vehicle accident claim for the motor vehicle accident; and
  - (b) reasonably believes the information is necessary—
    - (i) to decide the accuracy of matters relating to the claim; and
    - (ii) to help the insurer resolve the claim under this division.
- (2) If an insurer asks an emergency service for information under this section, the emergency service may give the information to the insurer despite any other law that would otherwise prohibit or restrict the giving of the information.

[s 13]

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- (3) A person, acting honestly, is not liable, civilly, criminally or under an administrative process, for giving information under this section.
- (4) In this section—  
*emergency service* means each of the following—
- (a) the Queensland Ambulance Service;
  - (b) the Queensland Fire and Rescue Service;
  - (c) the Queensland Police Service.

**13 Amendment of s 38 (Multiple insurers)**

Section 38(1) and (4)(a), after ‘5’—

*insert—*

, 5A

## **Part 3 Amendment of Queensland Competition Authority Act 1997**

**14 Act amended**

This part amends the *Queensland Competition Authority Act 1997*.

*Note—*

See also the amendments in schedule 1.

**15 Omission of s 6 (Things done in relation to Ministers)**

Section 6—

*omit.*



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**16 Amendment of s 39 (Significant business activity)**

(1) Section 39(1) and (2), ‘Ministers’—

*omit, insert—*

Minister

(2) Section 39(2), example and editor’s note—

*omit, insert—*

*Example of policy for subsection (2)—*

Competitive neutrality and Queensland government business activities—a Queensland government policy statement

**17 Amendment of s 49 (Matters to be considered by authority for investigation)**

Section 49(1), examples of policies for subsection (1)(d), paragraphs 1 and 2 and editor’s note—

*omit, insert—*

- 1 Commercialisation of government business activities in Queensland—policy framework
- 2 Full cost pricing policy—a Queensland government policy statement
- 3 Competitive neutrality and Queensland government business activities—a Queensland government policy statement

**18 Amendment of s 145 (Power of authority to conduct investigation)**

Section 145, from ‘investigation—’

*omit, insert—*

investigation for preparing or approving a draft access undertaking mentioned in section 144.

[s 19]

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**19 Amendment of s 250 (Saving of declarations of particular services)**

Section 250(3)(a)(iv), ‘Abbott’—

*omit, insert—*

Abbot

**20 Replacement of pt 16 (Transitional provision for South-East Queensland Water (Distribution and Retail Restructuring) and Other Legislation Amendment Act 2012)**

Part 16—

*omit, insert—*

**Part 16 Transitional provision  
for Treasury and Trade  
and Other Legislation  
Amendment Act 2013**

**254 References to, and acts etc. by, Ministers**

- (1) In a document brought into existence before the commencement of this section, a reference to the Ministers under the pre-amended Act may be taken, if the context permits, to be a reference to the Minister under the amended Act.
- (2) A direction, referral, declaration, revocation, decision or other act by the Ministers under the pre-amended Act may be taken, if the context permits, to be a direction, referral, declaration, revocation, decision or other act by the Minister under the amended Act.
- (3) In this section—

*amended Act* means this Act as amended by the *Treasury and Trade and Other Legislation Amendment Act 2013*.

*pre-amended Act* means this Act as in force before the commencement of this section.

**21 Replacement of sch 1 (Central Queensland coal network rail infrastructure)**

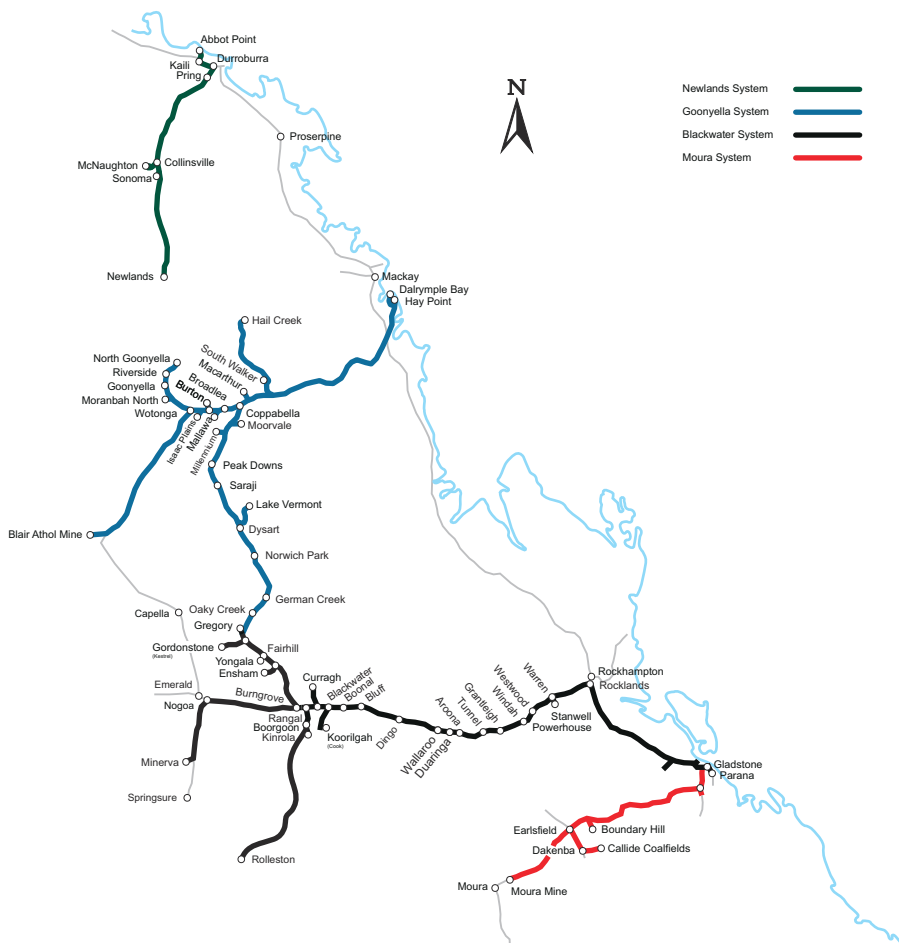
Schedule 1—

*omit, insert*—

[s 21]

# Schedule 1 Central Queensland coal network rail infrastructure

section 250



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**22 Amendment of sch 2 (Dictionary)**

- (1) Schedule 2, definitions *Ministers* and *water authority*—  
*omit.*
- (2) Schedule 2, definition *related body corporate*, paragraph (b),  
'section 3'—  
*omit, insert—*  
section 2
- (3) Schedule 2, definition *responsible Minister*, paragraph (d),  
from 'nominated'—  
*omit, insert—*  
nominated to be responsible for the government  
agency by the Minister administering this Act.

**Part 4 Amendment of Queensland  
Treasury Corporation Act 1988**

**23 Act amended**

This part amends the *Queensland Treasury Corporation Act 1988*.

**24 Amendment of s 4 (Definitions)**

Section 4, definitions *attributed amount*, *outstanding amount* and  
*performance dividend*—  
*omit.*

**25 Omission of pt 3, div 3 (Performance dividends)**

Part 3, division 3—  
*omit.*

[s 26]

---

**26 Renumbering of pt 3, div 4 (Power of the Corporation to invest and enter into other financial arrangements and other powers generally)**

Part 3, division 4—

*renumber* as part 3, division 3.

**27 Omission of s 41 (Regulations about performance dividends and attributed amounts)**

Section 41—

*omit.*

**Part 5 Amendment of State Financial Institutions and Metway Merger Facilitation Act 1996**

**28 Act amended**

This part amends the *State Financial Institutions and Metway Merger Facilitation Act 1996*.

**29 Amendment of long title**

Long title, ‘facilitate’—

*omit, insert*—

provide for particular requirements about

**30 Amendment of s 1 (Short title)**

Section 1, ‘*Facilitation*’—

*omit.*

---

**31 Omission of s 2 (Commencement)**

Section 2—

*omit.*

**32 Amendment of s 4 (Object of this Act)**

Section 4, from ‘facilitate’—

*omit, insert—*

provide for particular requirements about the merger of the State financial institutions mentioned in section 5 and Metway.

*Note—*

Repealed parts 3 to 5 of this Act facilitated the restructure of the State financial institutions to enable them to merge with Metway.

**33 Omission of pts 3–5**

Parts 3 to 5—

*omit.*

**34 Amendment of s 70 (Obligation for existing QIDC liabilities)**

Section 70(3), before ‘part 4 or 5’—

*insert—*

repealed

**35 Amendment of s 72 (Obligation for liabilities transferred from QIDC, SIF or a wholly-owned subsidiary of SIF)**

Section 72(1), ‘is transferred under’—

*omit, insert—*

was transferred under repealed

[s 36]

---

**36 Amendment of s 75 (Guarantee fee)**

Section 75(1), before ‘part 4 or 5’—

*insert—*

repealed

**37 Omission of pts 8 and 9**

Parts 8 and 9—

*omit.*

**38 Amendment of sch 3 (Dictionary)**

(1) Schedule 3, definitions, *applied provisions, Book 3, Prudential Standards for Building Societies, candidate company, charge, company GOC, excluded asset, excluded liability, GOC Act, government entity, instrument, legal proceedings, members, participating entity, QOFS, rule preconversion reserve, SBS preconversion reserve, SBS’s rules, scheme of amalgamation, security, State tax, statutory GOC, tax, transfer day, transferee entity, transferor entity, transferred asset, transferred liability and undertaking—*

*omit.*

(2) Schedule 3—

*insert—*

***repealed part 4 or 5***, means part 4 or 5 as in force before the commencement of the *Treasury and Trade and Other Legislation Amendment Act 2013*, chapter 2, part 5.



---

## Part 6                      Amendment of Statistical Returns Act 1896

### 39      Act amended

This part amends the *Statistical Returns Act 1896*.

### 40      Insertion of new s 2

After section 1—

*insert—*

#### 2      Act binds all persons

This Act binds all persons, including the State.

### 41      Amendment of s 4 (Government statistician may collect and publish statistical information)

(1) Section 4(1)(s)—

*renumber* as section 4(1)(v).

(2) Section 4(1)—

*insert—*

- (s) building and construction industries;
- (t) energy sources and industries;
- (u) the environment;

## Part 7                      Repeals

### 42      Repeals

The following Acts are repealed—

[s 43]

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- Anzac Square Development Project Act 1982, No. 26
- Commonwealth and State Statistical Agreement Act 1958, No. 4
- Commonwealth Savings Bank of Australia Agreement Act 1966, No. 3
- Energy Assets (Restructuring and Disposal) Act 2006, No. 42
- Government Inscribed Stock Act 1920, No. 10
- Government Loan Act 1986, No. 30
- Government Loans Redemption and Conversion Act 1923, No. 37
- Government Stock Act 1912, No. 2.

## **Part 8**

# **Minor and consequential amendments of Acts**

### **43 Acts amended in sch 1**

Schedule 1 amends the Acts it mentions.

*Note—*

An Act amended in schedule 1 may also be amended in another schedule.

---

## Chapter 3      Amendments about access to legislation and related matters

### Part 1              Amendment of Acts Interpretation Act 1954

#### 44      Act amended

This part amends the *Acts Interpretation Act 1954*.

*Note—*

See also the amendment in schedule 3.

#### 45      Amendment of s 14B (Use of extrinsic material in interpretation)

(1) Section 14B(3), definition *extrinsic material*, paragraph (a)—  
*omit, insert—*

(a) material set out in an official copy of the  
Act; and

(2) Section 14B(3), definition *extrinsic material*, paragraph (f),  
editor's note—

*omit, insert—*

*Note—*

See section 53 in relation to Bills introduced  
before the commencement of that section.

(3) Section 14B(3), definition *extrinsic material*, paragraph (g)—  
*omit, insert—*

(g) material in an official record of proceedings  
in the Legislative Assembly; and

[s 46]

---

**46 Amendment of s 14G (References to enactments)**

(1) Section 14G(2)—

*omit, insert—*

(2) The reference is to be made according to an official copy of—

- (a) the Act; or
- (b) the Act as amended.

(2) Section 14G(3)—

*insert—*

*official copy—*

- (a) of an Act of Queensland or an Act of Queensland as amended—see schedule 1, definition *official copy*; or
- (b) of an Act of another jurisdiction or an Act of another jurisdiction as amended—means a copy, including a reproduction in electronic form, of the Act or the Act as amended that, under a law of the jurisdiction, is presumed to be a correct copy of the Act or the Act as amended, in the absence of evidence to the contrary.

**47 Amendment of s 15D (Commencement by proclamation etc.)**

Section 15D(2), ‘in the gazette’—

*omit.*

**48 Omission of s 16 (Evidence of date of assent)**

Section 16—

*omit.*

---

**49 Amendment of s 36 (Meaning of commonly used words and expressions)**

(1) Section 36, definitions *gazetted* and *reprint*—  
*omit.*

(2) Section 36—  
*insert—*

*appropriately qualified*—

- (a) for a function or power—means having the qualifications, experience or standing appropriate to perform the function or exercise the power; or
- (b) for appointment to an office—means having the qualifications, experience or standing appropriate to perform the functions of the office.

*Example of standing*—

a person's classification level in the public service

*exempt subordinate legislation* has the same meaning as in the *Legislative Standards Act 1992*.

*gazetted* means published in the gazette.

*notified*, for subordinate legislation, means notified under the *Statutory Instruments Act 1992*, section 47.

*official copy*, in relation to Queensland legislation, means a copy of the legislation—

- (a) printed by or under the authority of the government printer; or
- (b) authorised by the parliamentary counsel and published on the Queensland legislation website.

[s 49]

---

***parliamentary counsel*** means the Queensland Parliamentary Counsel under the *Legislative Standards Act 1992*.

***proceedings in the Legislative Assembly*** means proceedings in the Assembly within the meaning of the *Parliament of Queensland Act 2001*.

***Queensland legislation*** means—

- (a) an Act, including an agreement or other instrument in or attached to the Act; or
- (b) subordinate legislation, including an agreement or other instrument in or attached to the subordinate legislation; or
- (c) an agreement or other instrument not mentioned in paragraph (a) or (b) that has the same force of law as an Act or subordinate legislation; or
- (d) a reprint.

***Queensland legislation website*** means the website with the URL <www.legislation.qld.gov.au> or another website authorised by the parliamentary counsel to provide access to Queensland legislation.

***reprint*** means—

- (a) a reprint authorised under the *Legislative Standards Act 1992*, section 10A; or
- (b) a pre-1992 reprint within the meaning of the *Reprints Act 1992*.

(3) Section 36, ‘In an Act—’—

*omit, insert—*

- (1) In an Act, a term defined in schedule 1 has the meaning stated in that schedule.

- (2) In an Act, a reference to schedule 1 of this Act includes, if the context permits, a reference to this section.
- (4) Section 36, all definitions—  
*relocate* to schedule 1, as inserted by this Act.

**50 Insertion of new pt 12A hdg**

After part 12—  
*insert*—

**Part 12A Forms**

**51 Renumbering of s 48A (Verification of documents)**

Section 48A—  
*renumber* as section 49.

**52 Amendment of s 49 (Forms)**

- (1) Section 49, heading, ‘Forms’—  
*omit, insert*—

**Compliance with forms**

- (2) Section 49(4)—  
*omit*.
- (3) Section 49(5)—  
*renumber* as section 49(4).
- (4) Section 49, as amended—  
*relocate* to part 12A, as inserted by this Act and *renumber* as section 48A.

[s 53]

---

### **53 Insertion of new s 50**

After section 49A—

*insert—*

#### **50 Making or amendment of subordinate legislation by an Act**

- (1) The making or amendment of subordinate legislation by an Act does not affect—
  - (a) the power of the empowered entity for the subordinate legislation to amend or further amend the subordinate legislation or to repeal it; or
  - (b) for subordinate legislation required under a law to be approved by another entity—the power of the other entity to approve, or to disapprove, an amendment or further amendment of the subordinate legislation or the repeal of it.

- (2) In this section—

***approve*** means approve, confirm or otherwise consent to.

***disapprove*** means disapprove or otherwise disallow.

***empowered entity***, for subordinate legislation, means the entity empowered under a law to make the subordinate legislation.

### **54 Insertion of new pt 14 hdg and pt 14, div 1 hdg**

After section 52—

*insert—*



---

## **Part 14            Transitional provisions**

### **Division 1            Transitional provision for Parliamentary Service and Other Acts Amendment Act 2011**

#### **55    Insertion of new pt 14, div 2**

After section 53—

*insert—*

### **Division 2            Transitional provisions for Treasury and Trade and Other Legislation Amendment Act 2013**

#### **54    Definitions for div 2**

In this division—

*commencement* means the commencement of this section.

*subordinate legislation* does not include exempt subordinate legislation.

#### **55    References to s 36, 48A or 49**

- (1) This section applies to references made before the commencement in an instrument.
- (2) If the context permits, from the commencement—
  - (a) a reference to section 36 of this Act is taken to include a reference to schedule 1 of this Act; and

[s 56]

---

- (b) a reference to section 48A of this Act is taken to be a reference to section 49 of this Act; and
- (c) a reference to section 49 of this Act is taken to be a reference to section 48A of this Act.

## **56 References to gazetted**

In an instrument, a reference to gazetted in relation to subordinate legislation is taken to be a reference to—

- (a) for subordinate legislation notified or published in the gazette before the commencement—notified or published in the gazette; or
- (b) otherwise—notified under the *Statutory Instruments Act 1992*, section 47.

## **57 References to notified in the gazette**

In an instrument, a reference to notified in the gazette in relation to subordinate legislation is taken to be a reference to—

- (a) for subordinate legislation notified in the gazette before the commencement—notified in the gazette under the *Statutory Instruments Act 1992*, section 47 as in force before the commencement; or
- (b) otherwise—notified under the *Statutory Instruments Act 1992*, section 47.

## **56 Insertion of new sch 1**

After part 14, division 2, as inserted by this Act—

*insert—*

---

## **Schedule 1      Meaning of commonly used words and expressions**

section 36

## **Part 2                      Amendment of Evidence Act 1977**

### **57      Act amended**

This part amends the *Evidence Act 1977*.

*Note—*

See also the amendment in schedule 2.

### **58      Amendment of s 43 (Acts and statutory instruments to be judicially noticed)**

Section 43—

*insert—*

- (d) when every Act was assented to;
- (e) when and by whom every item of subordinate legislation was made, approved, confirmed or otherwise consented to;
- (f) when and how every item of subordinate legislation was notified;
- (g) when every item of subordinate legislation was laid before the Legislative Assembly;

[s 59]

---

(h) every official copy of Queensland legislation.

**59 Amendment of s 46 (Proof of printing by government printer etc.)**

(1) Section 46, heading—

*omit, insert—*

**46 Proof regarding government printer, parliamentary counsel and Legislative Assembly**

(2) Section 46(1), from ‘shall’—

*omit, insert—*

is evidence the document was printed by the government printer or by that authority.

(3) Section 46—

*insert—*

(3) The production of a document purporting to be published under the authority of the Legislative Assembly is evidence the document was published under that authority.

**60 Replacement of s 46A (Presumption of accuracy of copy of legislation)**

Section 46A—

*omit, insert—*

**46A Presumption of accuracy of official copy of Queensland legislation**

(1) An official copy of Queensland legislation is, in the absence of evidence to the contrary, taken to correctly show—

- (a) for Queensland legislation other than a reprint—the legislation as at the relevant date; or
  - (b) for a reprint—the law in force included in the reprint as at the relevant date.
- (2) The date of assent appearing in an official copy of an Act or a reprint of an Act is, in the absence of evidence to the contrary, evidence of the date of assent.
- (3) A statement of any of the following matters appearing in an official copy of subordinate legislation or a reprint of subordinate legislation is, in the absence of evidence to the contrary, evidence of the matter—
- (a) when and by whom the subordinate legislation was made;
  - (b) when and how the subordinate legislation was notified;
  - (c) when the subordinate legislation was laid before the Legislative Assembly;
  - (d) that the subordinate legislation was disallowed and the date of the disallowance.
- (4) A document purporting to be a copy of, or extract from, an official copy of Queensland legislation is, in the absence of evidence to the contrary, taken to be a correct copy of, or extract from, the official copy.
- (5) For an official copy of a reprint authorised under the *Legislative Standards Act 1992*, section 10A, **extract** from the copy, for subsection (4), includes a document containing—
- (a) 1 or more pages of the copy; and
  - (b) a page of the copy containing the note mentioned in section 10A(2) of that Act.

[s 61]

---

(6) In this section—

*made*, for subordinate legislation, means made, approved, confirmed or otherwise consented to.

*relevant date*, for an official copy of Queensland legislation, means—

- (a) for an Act as passed, or an agreement or other instrument in or attached to the Act—the day the Act was assented to; or
- (b) for subordinate legislation as made, or an agreement or other instrument in or attached to the subordinate legislation—the day the subordinate legislation was made; or
- (c) for an agreement or other instrument not mentioned in paragraph (a) or (b) that has not been amended—the day the agreement or other instrument came into the same force of law as an Act or subordinate legislation; or
- (d) for a reprint—the day or days, however described or identified in the official copy, for which the law included in the copy is or was the law in force.

**61 Amendment of s 46B (Court or tribunal may inform itself about Act or statutory instrument)**

Section 46B(1), examples, ‘an authorised reprint under the *Reprints Act 1992*’—

*omit, insert—*

a reprint of the Act authorised under the *Legislative Standards Act 1992*, section 10A

---

**62 Amendment of s 47 (Proof of votes and proceedings of Legislature and of legislative material)**

(1) Section 47, heading and subsection (1)—

*omit, insert—*

**47 Proof of Legislative Assembly's proceedings or legislative material**

(1) A document purporting to be a copy of an official record of proceedings in the Legislative Assembly printed by the government printer or published under the authority of the Legislative Assembly is, on its production, evidence of the record.

*Note—*

See also the *Parliament of Queensland Act 2001*, section 57.

(1A) A document purporting to be a copy of legislative material printed by the government printer, authorised by the parliamentary counsel or published under the authority of the Legislative Assembly is, on its production, evidence of the legislative material.

(2) Section 47(2), definition *Votes and Proceedings*—

*omit.*

(3) Section 47(1A) and (2)—

*renumber* as section 47(2) and (3).

**63 Replacement of s 48 (Proof of proclamations, orders in council etc.)**

Section 48—

*omit, insert—*

**48 Proof of particular instruments**

(1) This section applies to an instrument made—

[s 63]

---

- (a) by the Governor or Governor in Council; or
  - (b) by or under the authority of a Minister or of a public entity.
- (2) Evidence of the instrument may be given by producing any of the following documents—
- (a) the gazette purporting to contain it;
  - (b) a document purporting to be a copy of it and purporting to be printed by or under the authority of the government printer;
  - (c) for an instrument made by the Governor or Governor in Council—a copy or extract purporting to be certified as a true copy or extract by the clerk of the Executive Council;
  - (d) for an instrument made by or under the authority of a Minister—a copy or extract purporting to be certified as a true copy or extract by a Minister.
- (3) If the document states any of the following matters about the instrument, the document is evidence of the matter—
- (a) who made it, or under whose authority it was made;
  - (b) when it was made;
  - (c) how it, or notice of its making, was published, and when;
  - (d) when it was tabled in the Legislative Assembly.
- (4) In this section—
- made* means made, approved, confirmed or otherwise consented to.



*public entity* means an agency, authority, commission, corporation, instrumentality, office, or other entity, established under an Act or under State authorisation for a public or State purpose.

## Part 3                      **Amendment of Legislative Standards Act 1992**

### **64      Act amended**

This part amends the *Legislative Standards Act 1992*.

*Note—*

See also the amendments in schedule 4.

### **65      Amendment of s 2 (Definitions)**

- (1) Section 2, definition, *exempt subordinate legislation*, editor's note—

*omit, insert—*

*Note—*

See also section 27 in relation to references to exempt instruments that are subordinate legislation.

- (2) Section 2, 'In this Act—'—

*omit, insert—*

Schedule 1 defines particular words used in this Act.

- (3) Section 2, all definitions—

*relocate* to schedule 1, as inserted by this Act.

[s 66]

---

**66 Amendment of s 3 (Purposes of Act)**

Section 3(1)(c), ‘in both printed and electronic form’—  
*omit.*

**67 Amendment of s 7 (Functions of office)**

Section 7(k)(i), ‘of Queensland legislation’—  
*omit, insert—*  
under the *Reprints Act 1992*

**68 Amendment of s 9 (Drafting of exempt instruments)**

Section 9(2)(d), ‘printing and’—  
*omit.*

**69 Insertion of new s 10A**

Part 3, division 1—  
*insert—*

**10A Authorisation relating to Queensland  
legislation and Bills**

- (1) The parliamentary counsel may authorise—
  - (a) a reprint prepared under the *Reprints Act 1992*; or
  - (b) a copy of Queensland legislation; or
  - (c) a copy of a Bill introduced into, moved in, tabled in, or circulated to members of, the Legislative Assembly.
- (2) A note that the parliamentary counsel has authorised a document mentioned in subsection (1) must appear in the document in an appropriate place.

- (3) The production of a document mentioned in subsection (1) purporting to have been authorised by the parliamentary counsel is, in the absence of evidence to the contrary, taken to have been authorised by the parliamentary counsel.

*Note—*

See the *Evidence Act 1977*, sections 43(h), 46A and 47 for evidentiary provisions relating to documents authorised under subsection (1).

**70 Amendment of s 24 (Content of explanatory note for subordinate legislation)**

Section 24(1)(a), including editor's note—

*omit, insert—*

- (a) the legislation's short title and, for subordinate legislation other than exempt subordinate legislation, the number given to the legislation when it is notified;

**71 Insertion of new sch 1**

After section 27—

*insert—*

**Schedule 1 Dictionary**

section 2

[s 72]

---

## Part 4 **Amendment of Parliament of Queensland Act 2001**

### 72 **Act amended**

This part amends the *Parliament of Queensland Act 2001*.

*Note*—

See also the amendment in schedule 3.

### 73 **Amendment of s 51 (Assembly taken to have authorised particular publication)**

(1) Section 51(4), definition *authorised parliamentary record*, paragraph (a)—

*omit, insert*—

(a) the Record of Proceedings;

(2) Section 51(4), definition *authorised parliamentary record*, paragraph (d)—

*omit, insert*—

(d) transcripts or other reports of proceedings in a committee or an inquiry;

### 74 **Amendment of s 57 (Printed reports of debates taken to be true and correct record)**

(1) Section 57, heading ‘Printed’—

*omit, insert*—

#### **Published**

(2) Section 57(1), ‘printed’—

*omit, insert*—

written

(3) Section 57(1)—

---

*insert—*

*Note—*

See also the *Evidence Act 1977*, section 47 in relation to copies of official records of proceedings in the Assembly.

**75 Amendment of s 59 (Tabling of report when Assembly not sitting)**

Section 59(4), ‘Votes and’—

*omit, insert—*

Record of

## **Part 5 Amendment of Reprints Act 1992**

**76 Act amended**

This part amends the *Reprints Act 1992*.

*Note—*

See also the amendments in schedule 4.

**77 Amendment of s 3 (Definitions)**

(1) Section 3, definitions *law, make, previous reprint, reprint, reprint date* and *subordinate legislation—*

*omit.*

(2) Section 3—

*insert—*

*law* includes a pre-1992 reprint.

*made* includes enacted.

[s 77]

---

***pre-1992 reprint*** means a reprint—

- (a) authorised under any of the following laws as in force at any time before 1 June 1992—
  - (i) the repealed *Acts Shortening Act 1867*, section 29A;
  - (ii) the repealed *Statute Law Revision Act 1908*, section 3;
  - (iii) the repealed *Statutes Reprint Act 1936*;
  - (iv) the repealed *Statutory Instruments Reprint Act 1952*;
  - (v) the repealed *Queensland Statutes (1962 Reprint) Act 1962*;
  - (vi) the repealed *Acts Interpretation Act 1954*, section 47; and
- (b) printed by or under the authority of the government printer.

***remade*** includes re-enacted.

***reprint*** means a reprint prepared under this Act.

***reprint date***, for a reprint, means the day, however described or identified in the reprint, from which the law included in the reprint is the law in force.

- (3) Section 3, ‘In this Act—’—

*omit, insert*—

The dictionary in schedule 1 defines particular words used in this Act.

- (4) Section 3, all definitions—

*relocate* to schedule 1, as inserted by this Act.

---

**78 Replacement of pt 2 (Reprints to which Act applies)**

Part 2—

*omit, insert—*

**Part 2 Preparation of reprints**

**4 Parliamentary counsel may prepare reprints**

The parliamentary counsel may prepare a reprint of a law under this Act, including a law that has not been amended and a reprint in electronic form.

**79 Amendment of s 5 (Amendments)**

Section 5(c), ‘the day specified in the reprint as’—

*omit.*

**80 Amendment of s 9 (Effect of editorial changes)**

Section 9, from ‘If’ to ‘the text of the law’—

*omit, insert—*

If, in a reprint authorised by the parliamentary counsel under the *Legislative Standards Act 1992*, section 10A, the text of a law

**81 Omission of pt 6 (Authorisation of reprints)**

Part 6—

*omit.*

**82 Amendment of pt 7 hdg (Effect of reprints)**

Part 7, heading, after ‘of’—

*insert—*

**official copies of**

[s 83]

---

**83 Omission of s 48 (Reprint taken as correct etc.)**

Section 48—

*omit.*

**84 Amendment of s 49 (Amendment of and reference to reprinted law etc.)**

(1) Section 49(1)—

*insert—*

*Note—*

See the *Evidence Act 1977*, sections 43(h) and 46A for evidentiary provisions relating to reprints.

(2) Section 49(2) and (3), ‘specified in’—

*omit, insert—*

for

(3) Section 49—

*insert—*

(6) In this section—

*reprint* means an official copy of a reprint.

**85 Insertion of new pt 9**

After part 8—

*insert—*



---

## Part 9                      Transitional provision for Treasury and Trade and Other Legislation Amendment Act 2013

### 51 Reprints authorised under previous pt 6

(1) An existing authorised reprint is, from the commencement, taken to be a reprint authorised by the parliamentary counsel under the *Legislative Standards Act 1992*, section 10A.

(2) In this section—

*commencement* means the commencement of this section.

*existing authorised reprint* means a reprint—

(a) authorised by the parliamentary counsel under part 6 as in force before the commencement; and

(b) printed by or under the authority of the government printer or published on the Queensland legislation website.

### 86 Insertion of new sch 1

After part 9, as inserted by this Act—

*insert*—

## Schedule 1                      Dictionary

section 3



- (b) material set out in—
  - (i) if the statutory instrument is subordinate legislation—an official copy of the subordinate legislation; or
  - (ii) otherwise—a document containing the text of the statutory instrument as printed by or under the authority of the government printer; and
- (2) Section 15, definition *extrinsic material*, paragraph (g)—  
*omit, insert—*
  - (g) material in an official record of proceedings in the Legislative Assembly; and

**92 Replacement of s 17 (Modified application—s 36 (def provision))**

Section 17—

*omit, insert—*

**17 Modified application—s 36 and sch 1 (definition provision)**

For the purposes of applying section 36 and schedule 1 of the *Acts Interpretation Act 1954*, insert after paragraph (c) of the definition *provision* in schedule 1—

‘(d) any words of notification.’.

**93 Amendment of s 32 (Prospective commencement)**

Section 32(1)(a) and (b) and (2), after ‘be notified’—

*insert—*

under section 47

[s 94]

---

**94 Amendment of s 33 (Commencement of citation and commencement provisions)**

Section 33(1)(a) and (b), after ‘be notified’—

*insert—*

under section 47

**95 Omission of pt 4, div 3, sdiv 4 (Evidence of procedural details)**

Part 4, division 3, subdivision 4—

*omit.*

**96 Renumbering of pt 4, div 3, sdiv 5 (Terms and references in statutory instruments)**

Part 4, division 3, subdivision 5—

*renumber* as part 4, division 3, subdivision 4.

**97 Renumbering of pt 4, div 3, sdiv 6 (Miscellaneous)**

Part 4, division 3, subdivision 6—

*renumber* as part 4, division 3, subdivision 5.

**98 Amendment of pt 6, div 1 hdg (Notification and making copies available)**

Part 6, division 1, heading, ‘and making copies available’—

*omit.*

**99 Replacement of s 47 (Notification)**

Section 47—

*omit, insert—*

## 47 Notification

- (1) Subordinate legislation other than exempt subordinate legislation must be notified by publication on the Queensland legislation website (*normal publication*) of—
  - (a) the subordinate legislation; and
  - (b) the date of publication.
- (2) However, if subordinate legislation can not for technical or other reasons be conveniently notified by normal publication, it may be notified (*alternative publication*) by—
  - (a) publishing it and the date of publication in another way decided by the parliamentary counsel; and
  - (b) normal publication as soon as practicable.
- (3) Notification of subordinate legislation by alternative publication happens on publication under subsection 2(a).
- (4) Exempt subordinate legislation must be notified by publication of the subordinate legislation in the gazette.

*Note—*

Exempt subordinate legislation is subordinate legislation that is not drafted by the Office of the Queensland Parliamentary Counsel. See the *Legislative Standards Act 1992*, section 7(e) and schedule 1, definition *exempt subordinate legislation*.

## 100 Omission of s 48 (Copies to be available)

Section 48—

*omit.*

[s 101]

---

**101 Amendment of s 49 (Subordinate legislation must be tabled)**

- (1) Section 49(1), ‘in the gazette’—

*omit, insert—*

under section 47

- (2) Section 49(1), editor’s note—

*omit, insert—*

*Note—*

Under the *Legislative Standards Act 1992*, section 22, explanatory notes must be tabled with subordinate legislation.

**102 Amendment of s 55 (Notice by parliamentary counsel of impending expiry)**

- (1) Section 55(1)(a)—

*omit, insert—*

- (a) subordinate legislation, other than exempt subordinate legislation, published on the Queensland legislation website;

- (2) Section 55(2), ‘6 months’—

*omit, insert—*

1 year

**103 Amendment of s 57 (Part does not apply to some subordinate legislation)**

- (1) Section 57(1), editor’s note—

*omit, insert—*

*Note—*

Under some Acts, for example, the *Nature Conservation Act 1992*, a resolution of the Legislative Assembly is necessary before action can be taken to revoke a

dedication of land or change its status to a lesser category of protection.

(2) Section 57—

*insert—*

- (3) A regulation may list subordinate legislation to which subsection (1) applies.
- (4) However, the application of subsection (1) to subordinate legislation is not affected by whether or not it is listed in a regulation under subsection (3).

**104 Omission of pt 8 hdg (Forms)**

Part 8, heading—

*omit.*

**105 Amendment, relocation and renumbering of s 58 (Forms—notification and availability)**

(1) Section 58(1), ‘or subordinate legislation’—

*omit.*

(2) Section 58(9)—

*omit.*

(3) Section 58, as amended—

*relocate* to the *Acts Interpretation Act 1954*, part 12A as inserted by this Act, and *renumber* as section 48.

**106 Replacement of pt 10, div 3**

Part 10, division 3—

*omit, insert—*

## **Division 3      Transitional provisions for Treasury and Trade and Other Legislation Amendment Act 2013**

### **63    Tabling of subordinate legislation**

- (1) This section applies to subordinate legislation, other than exempt subordinate legislation, that—
  - (a) was notified or published in the gazette before the commencement of this section; and
  - (b) at the commencement, has not been tabled under section 49.
- (2) Section 49 applies in relation to the subordinate legislation as if the reference to notified under section 47 were a reference to notified or published in the gazette.

*Note—*

See also the *Acts Interpretation Act 1954*, section 57 in relation to references to subordinate legislation notified in the gazette.

### **64    Notice of impending expiry**

Section 55 as in force before the commencement of this section continues to apply to subordinate legislation expiring, under this Act, on 1 September first occurring after the commencement.

## **107    Amendment of sch 1 (Provisions of Acts Interpretation Act 1954 that apply to statutory instruments)**

- (1) Schedule 1, '(other than section 36'—  
*omit, insert—*



and schedule 1 (other than schedule 1

(2) Schedule 1, ‘sections 48A–49A’—

*omit, insert—*

part 12A

sections 49 and 49A

**108 Amendment of sch 2A (Subordinate legislation to which part 7 does not apply)**

Schedule 2A, ‘*Nature Conservation (Protected Areas) Regulation 1994*’—

*omit.*

## **Part 7 Other amendments**

**109 Omission of particular provisions**

Each provision of an Act listed in schedule 2—

*omit.*

*Note—*

An Act amended in schedule 2 may also be amended in another schedule.

**110 Schedule 3 amendments**

- (1) Each provision of an Act listed in schedule 3, part 1 is amended by omitting ‘section 36’ and inserting ‘schedule 1’.
- (2) Each provision of an Act listed in schedule 3, part 2 is amended by omitting ‘in the gazette’.
- (3) Each provision of an Act listed in schedule 3, part 3 is amended by omitting ‘gazetted’ and inserting ‘notified’.

[s 111]

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*Note—*

An Act amended in a part of schedule 3 may also be amended in another part of schedule 3 or in another schedule.

## **111 Schedule 4 amendments**

Schedule 4 amends the Acts mentioned in it.

*Note—*

An Act amended in schedule 4 may also be amended in another schedule.

# **Chapter 4 Industrial relations amendments**

## **112 Act amended**

This chapter amends the *Industrial Relations Act 1999*.

## **113 Amendment of s 246C (Deputy presidents (court))**

Section 246C(2)(a), ‘lawyer’—

*omit, insert—*

local lawyer, within the meaning of the *Legal Profession Act 2007*,

## **114 Amendment of s 791 (Appointment of first deputy presidents of the court)**

Section 791(3)—

*insert—*

*Note—*

See also section 806 in relation to how the definition *legally qualified deputy president* applies for this section.

**115 Insertion of new ch 20, pt 17**

Chapter 20—

*insert—*

**Part 17 Transitional provision  
for Treasury and Trade  
and Other Legislation  
Amendment Act 2013**

**806 Definition *legally qualified deputy president*  
for s 791**

- (1) Section 791 is taken to have applied on and from the commencement as if, for the definition *legally qualified deputy president* in section 791(3), the following definition were substituted—

*legally qualified deputy president* means a deputy president of the commission who, immediately before the commencement, is a local lawyer, within the meaning of the *Legal Profession Act 2007*, of at least 5 years standing.

- (2) Subsections (3) and (4) apply to a person who, on the commencement—
- (a) was a legally qualified deputy president within the meaning of section 791 but for the operation of subsection (1); and
- (b) was not a legally qualified deputy president within the meaning of the definition *legally qualified deputy president* substituted under subsection (1).
- (3) The person is taken never to have been appointed as a deputy president (court) under section 791.
- (4) Despite section 258AA, subsection (3) does not affect the person's appointment as a deputy president of the commission under section 258A.

[s 115]

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- (5) This section applies despite section 246D.
- (6) In this section—  
*commencement* means the commencement of section 791.

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## Schedule 1      **Minor and consequential amendments for chapter 2**

section 43

### **Associations Incorporation Act 1981**

**1      Section 58, definition *accountant*, paragraph (c), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters ‘MIPA’ or ‘FIPA’.

### **Building Units and Group Titles Act 1980**

**1      Section 7(1), definition *qualified auditor*, paragraph (d), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters ‘MIPA’ or ‘FIPA’.

### **Charitable and Non-Profit Gaming Act 1999**

**1      Section 85, definition *accountant*, paragraph (d), ‘National Institute of Accountants’—**

*omit, insert—*

Institute of Public Accountants

## **Charitable Funds Act 1958**

**1 Section 24(2)(c)(iv), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters ‘MIPA’ or ‘FIPA’; or

## **Collections Act 1966**

**1 Section 31(1)(f)(iv), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters ‘MIPA’ or ‘FIPA’; or

## **Electricity Act 1994**

**1 Section 20N(b)(ii), ‘National Institute of Accountants’—**

*omit, insert—*

Institute of Public Accountants

## **Funeral Benefit Business Act 1982**

**1 Section 5, definition *authorised accountant*, paragraph (d), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters 'MIPA' or 'FIPA'; or

## **Gaming Machine Act 1991**

**1 Schedule 2, definition *approved accountant*, paragraph (c), 'National Institute of Accountants'—**

*omit, insert—*

Institute of Public Accountants

## **Gas Supply Act 2003**

**1 Section 227(b)(ii), 'National Institute of Accountants'—**

*omit, insert—*

Institute of Public Accountants

## **Integrated Resort Development Act 1987**

**1 Section 168I(8), definition *auditor*, paragraph (b)(i)(C), from 'National'—**

*omit, insert—*

Institute of Public Accountants and entitled to use the letters 'MIPA' or 'FIPA'; and

## **Integrity Act 2009**

**1 Section 41(6), examples, fourth dot-point, ‘National Institute of Accountants’—**

*omit, insert—*

Institute of Public Accountants

## **Land Act 1994**

**1 Section 47(1)(c), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters ‘MIPA’ or ‘FIPA’; or

**2 Sections 180B and 180C—**

*omit.*

## **Metropolitan Water Supply and Sewerage Act 1909**

**1 Section 4, definition *qualified person*, paragraph (c), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters ‘MIPA’ or ‘FIPA’; or



## Mixed Use Development Act 1993

**1 Section 201O(8), definition *auditor*, paragraph (b)(i)(C), from ‘National’—**

*omit, insert—*

Institute of Public Accountants and entitled to use the letters ‘MIPA’ or ‘FIPA’; and

## Petroleum and Gas (Production and Safety) Act 2004

**1 Section 605(2)(a)(iii), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters ‘MIPA’ or ‘FIPA’; or

## Property Agents and Motor Dealers Act 2000

**1 Section 391, definition *qualified auditor*, paragraph (d), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters ‘MIPA’ or ‘FIPA’.

**2 Section 394(5)(c), ‘National Institute of Accountants’—**

*omit, insert—*

Institute of Public Accountants

## Schedule 1

**3 Section 399(3), definition *prescribed entity*, ‘National Institute of Accountants’—***omit, insert—*

Institute of Public Accountants

**Queensland Competition Authority Act 1997****1 References to Ministers**

Each provision mentioned in column 1 is amended by omitting the words mentioned in column 2 and inserting the words mentioned in column 3—

<b>Column 1 Provision</b>	<b>Column 2 Words omitted</b>	<b>Column 3 Words inserted</b>
section 10(a), (aa), (b), (ba), (c), (e), (f), (i), (la), (lb) and (lc)	Ministers	Minister
section 12, heading	Ministers	Minister
section 12(1) to (5)	Ministers	Minister
section 13(1)	Ministers	Minister
section 14	Ministers	Minister
section 14A	Ministers	Minister
section 15	Ministers	Minister
section 18	Ministers	Minister
section 18B(1)	Ministers	Minister
section 19, heading	Ministers	Minister

<b>Column 1 Provision</b>	<b>Column 2 Words omitted</b>	<b>Column 3 Words inserted</b>
section 19(1), (3) to (5) and (7)	Ministers	Minister
section 19(3)	them	the Minister
section 19(5)(a)	Ministers'	Minister's
section 21A, heading	Ministers	Minister
section 21A(1) and (3)	Ministers	Minister
section 21A(3)(a)(ii)	them	the Minister
part 3, division 2A, heading	Ministers	Minister
section 21D(1) and (3)	Ministers	Minister
section 21H(1)	Ministers may	Minister may
section 21H(1)	Ministers are	Minister is
section 21H(3)	Ministers receive	Minister receives
section 21H(3)	Ministers must	Minister must
section 21I	Ministers	Minister
section 21J	Ministers	Minister
section 22(b)	Ministers	Minister
section 23(1), (2) and (4)	Ministers	Minister
section 23A(1) to (3), (6)	Ministers	Minister
section 24, heading	Ministers	Minister

## Schedule 1

<b>Column 1 Provision</b>	<b>Column 2 Words omitted</b>	<b>Column 3 Words inserted</b>
section 24(1)	Ministers	Minister
section 28(1)(b) and (2)(a)	Ministers	Minister
section 30	Ministers	Minister
section 31	Ministers	Minister
section 33(1)(b) and (e)	Ministers	Minister
section 34(1)	Ministers	Minister
section 35(3)	Ministers	Minister
section 36, heading	Ministers	Minister
section 36(2)	Ministers receive	Minister receives
section 36(2)	Ministers must	Minister must
section 36(3) and (4)	Ministers	Minister
section 36A(4)(b)(i)	Ministers	Minister
section 37(1)	Ministers accept	Minister accepts
section 37(2)	Ministers	Minister
section 37A(1)(b)(i)	Ministers'	Minister's
section 37A(2)(d)(ii)	Ministers	Minister
section 47(4)(b)	Ministers	Minister
section 52	Ministers	Minister

<b>Column 1 Provision</b>	<b>Column 2 Words omitted</b>	<b>Column 3 Words inserted</b>
section 55(1)	Ministers receive	Minister receives
section 55(1)	Ministers must	Minister must
section 56(3)	Ministers	Minister
section 57, heading	Ministers	Minister
section 57(1)	Ministers receive	Minister receives
section 57(1)	Ministers must	Minister must
section 57(2)	Ministers	Minister
section 57(3)	Ministers	Minister
section 57(3)	Ministers'	Minister's
section 57(3)	their	the Minister's
section 58	Ministers'	Minister's
section 59	Ministers'	Minister's
section 76(1)(a) and (3)	Ministers	Minister
section 76(1)(b)	Ministers are	Minister is
section 77(1) and (2)	Ministers	Minister
section 79(1) and (5)	Ministers	Minister
section 79A(4)(b)	Ministers	Minister
section 80	Ministers	Minister

## Schedule 1

<b>Column 1 Provision</b>	<b>Column 2 Words omitted</b>	<b>Column 3 Words inserted</b>
part 5, division 2, subdivision 4, heading	Ministers	Minister
section 84(1) to (3)	Ministers	Minister
section 84(3)(a)	Ministers'	Minister's
section 84(4)	Ministers declare	Minister declares
section 84(5)	Ministers decide	Minister decides
section 85(1), (2) and (4) definition <i>designated material</i>	Ministers	Minister
section 85(4), definition <i>relevant day</i> , paragraph (b)	Ministers receive	Minister receives
section 86	Ministers	Minister
section 86	they are	the Minister is
section 87A(1)	Ministers	Minister
section 87A(4), note	Ministers	Minister
section 88(1) and (3)	Ministers	Minister
section 92	Ministers	Minister
section 92(2)(b)	they are	the Minister is
section 93	Ministers	Minister
section 94	Ministers	Minister

<b>Column 1 Provision</b>	<b>Column 2 Words omitted</b>	<b>Column 3 Words inserted</b>
section 117A(4)	Ministers	Minister
section 128(1) to (3)	Ministers	Minister
section 128(2)(b) and (c) and (3)	them	the Minister
section 128(4)	Ministers may	Minister may
section 128(4)	Ministers consider	Minister considers
section 147A(5)(b)	Ministers	Minister
section 168B(1)(a)	Ministers	Minister
section 170C	Ministers	Minister
section 170D	Ministers	Minister
section 170G(1), (2) and (4)	Ministers	Minister
section 170I(1), (5) and (6)	Ministers	Minister
section 170J	Ministers	Minister
part 5A, division 2, subdivision 4, heading	Ministers	Minister
section 170N(1)	Ministers	Minister
section 170N(2)	Ministers declare	Minister declares
section 170O(1), (2) and (4) definition <i>designated material</i>	Ministers	Minister

## Schedule 1

<b>Column 1 Provision</b>	<b>Column 2 Words omitted</b>	<b>Column 3 Words inserted</b>
section 170O(3)	Ministers do	Minister does
section 170O(3)	they are	the Minister is
section 170P	Ministers	Minister
section 170P	they are	the Minister is
section 170R(1) and (3)	Ministers	Minister
section 170V	Ministers	Minister
section 170V(2)(b)	they are	the Minister is
section 170W	Ministers	Minister
section 170X	Ministers	Minister
section 170ZI(1)(d)	Ministers	Minister
section 170ZV(1), (2) and (3)(a)	Ministers	Minister
section 170ZV(2)(b) and (c) and (3)(a) and (b)	them	the Minister
section 170ZV(3)	Ministers must	Minister must
section 170ZV(3)(c)	Ministers consider	Minister considers
section 187(3)(a)	Ministers	Minister
section 211(2)(a)	Ministers	Minister
section 219(4)	Ministers	Minister



<b>Column 1 Provision</b>	<b>Column 2 Words omitted</b>	<b>Column 3 Words inserted</b>
section 219(5)	Ministers otherwise direct	Minister otherwise directs
section 242(d)	Ministers	Minister
section 244	Ministers	Minister
schedule 2, definition <i>applicant</i> , paragraph (b)(ii)	Ministers	Minister
schedule 2, definition <i>declaration</i> , paragraph (a)	Ministers	Minister
schedule 2, definition <i>declaration of a monopoly water supply activity</i>	Ministers	Minister
schedule 2, definition <i>Ministers' decision notice</i>	Ministers'	Minister's
schedule 2, definition <i>monopoly business activity</i>	Ministers	Minister
schedule 2, definition <i>monopoly water supply activity</i>	Ministers	Minister
schedule 2, definition <i>relevant declaration criteria</i> and <i>note</i>	Ministers	Minister

**2 Sections 26(2), 36(3) and 36A(3), 'and water supply determinations'—**

*omit.*

## Queensland Police Welfare Club Act 1970

- 1 Section 2, definition *qualified person*, paragraph (c), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters ‘MIPA’ or ‘FIPA’.

## Retirement Villages Act 1999

- 1 Section 113(2)(c), ‘National Institute of Accountants’—**

*omit, insert—*

Institute of Public Accountants

## Sanctuary Cove Resort Act 1985

- 1 Section 47J(8), definition *auditor*, paragraph (b)(i)(C), from ‘National’—**

*omit, insert—*

Institute of Public Accountants and entitled to use the letters ‘MIPA’ or ‘FIPA’; and

## Security Providers Act 1993

- 1 **Section 6(5), definition *accountant*, paragraph (d), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters ‘MIPA’ or ‘FIPA’.

## South Bank Corporation Act 1989

- 1 **Schedule 4, part 1, section 7(1), definition *qualified auditor*, paragraph (d), from ‘National’—**

*omit, insert—*

Institute of Public Accountants who is entitled to use the letters ‘MIPA’ or ‘FIPA’.

## Statutory Bodies Financial Arrangements Act 1982

- 1 **Section 16A(1)(a), ‘prescribed period’—**

*omit, insert—*

financial year

- 2 **Section 16A(4)—**

*omit.*

## **Trust Accounts Act 1973**

- 1 Section 15(1)(d)(iii), ‘National Institute of Accountants’—**  
*omit, insert—*  
Institute of Public Accountants

## **Trusts Act 1973**

- 1 Section 5(1), definition *public accountant*, paragraph (c),**  
**‘National Institute of Accountants’—**  
*omit, insert—*  
Institute of Public Accountants

## **Wagering Act 1998**

- 1 Schedule 2, definition *approved accountant*, paragraph**  
**(c), ‘National Institute of Accountants’—**  
*omit, insert—*  
Institute of Public Accountants

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## **Schedule 2      Omission of provisions about subordinate legislation amended by an Act**

section 109

*Aboriginal and Torres Strait Islander Land Holding Act 2013*, section 96

*Aboriginal Land Act 1991*, part 25, division 1

*Agricultural Standards Act 1994*, part 9

*Airport Assets (Restructuring and Disposal) Act 2008*, section 113

*Appeal Costs Fund Act 1973*, sections 27 and 29

*Births, Deaths and Marriages Registration Act 2003*, section 64

*Body Corporate and Community Management Act 1997*, chapter 8, part 5,  
section 396 and chapter 8, part 10, division 5

*City of Brisbane Act 2010*, chapter 8, part 3

*Civil Liability Act 2003*, sections 78 and 86

*Cooperatives Act 1997*, section 485

*Corrective Services Act 2006*, section 476A

*Criminal Organisation Act 2009*, section 142(4)

*Drugs Misuse Act 1986*, sections 140 and 144

*Electoral Act 1992*, part 13, division 4

*Electrical Safety Act 2002*, section 246 and part 19

*Electricity Act 1994*, chapter 14, parts 8A and 10 and section 330

*Energy and Water Ombudsman Act 2006*, section 100

*Energy Assets (Restructuring and Disposal) Act 2006*, section 63

*Environmental Protection Act 1994*, chapter 13, part 12

*Evidence Act 1977*, part 9, division 6

*Forestry Act 1959*, section 132

*Gas Supply Act 2003*, chapter 7, part 3

*Guardianship and Administration Act 2000*, chapter 12, part 12

*Health Act 1937*, part 8, division 2

*Health Quality and Complaints Commission Act 2006*, section 230

*Industrial Relations Act 1999*, sections 759, 762, 763, 779 and 785 and chapter 20, part 14

*Land Valuation Act 2010*, section 295

*Liquor Act 1992*, section 307

*Major Sports Facilities Act 2001*, part 6, divisions 4 and 5

*Mental Health Act 2000*, section 617

*Motor Accident Insurance Act 1994*, part 7, division 5

*Parliamentary Service Act 1988*, part 7, division 2

*Penalties and Sentences Act 1992*, section 225

*Personal Injuries Proceedings Act 2002*, chapter 4, part 7

*Pest Management Act 2001*, section 144

*Petroleum and Gas (Production and Safety) Act 2004*, section 955

*Plumbing and Drainage Act 2002*, section 187

*Police Powers and Responsibilities Act 2000*, section 864 and chapter 24, part 12

*Police Service Administration Act 1990*, sections 11.4, 11.7 and 11.10 and part 11, division 3

*Private Employment Agents Act 2005*, section 53

*Property Agents and Motor Dealers Act 2000*, section 651 and chapter 19, part 9

*Prostitution Act 1999*, section 164

*Public Service Act 2008*, section 279 and chapter 9, part 8

*Queensland Civil and Administrative Tribunal Act 2009*, sections 279, 281 and 287 and chapter 10, division 1

*Queensland Rail Transit Authority Act 2013*, section 103

*Racing Act 2002*, section 444

*Recording of Evidence Act 1962*, section 14(2)

*Relationships Act 2011*, section 47

*South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, section 107

*State Penalties Enforcement Act 1999*, part 10, divisions 4, 5 and 7

*Strategic Cropping Land Act 2011*, section 291

*Supreme Court of Queensland Act 1991*, section 95

*Sustainable Planning Act 2009*, chapter 10, part 7

*Tobacco and Other Smoking Products Act 1998*, section 55

*Torres Strait Islander Land Act 1991*, part 19, division 1

*Transport Infrastructure Act 1994*, sections 545 and 555, chapter 18, part 11, section 575 and chapter 21, part 2

*Transport Operations (Marine Pollution) Act 1995*, part 17, division 5

*Transport Operations (Passenger Transport) Act 1994*, chapter 13, parts 4 and 8

*Transport Operations (Road Use Management) Act 1995*, chapter 7, parts 14 and 16

*Transport Planning and Coordination Act 1994*, part 7

*Vegetation Management Act 1999*, sections 86 and 104

*Vocational Education, Training and Employment Act 2000*, sections 322 and 346

*Wagering Act 1998*, part 17, division 4

*Water Act 2000*, sections 1167, 1208 and 1241

*Water Supply (Safety and Reliability) Act 2008*, section 651

*Weapons Act 1990*, sections 182, 184 and 191

*Workers' Compensation and Rehabilitation Act 2003*, sections 659, 662 and 670

*Work Health and Safety Act 2011*, part 16, division 3

*Youth Justice Act 1992*, section 350

## **Schedule 3      Consequential amendments relating to definitions in the Acts Interpretation Act 1954**

section 110

### **Part 1                      References to section 36 of Acts Interpretation Act 1954**

#### **1            Acts Interpretation Act 1954**

- section 14(4), second example

#### **2            Auditor-General Act 2009**

- section 12(10)
- section 12A(3)
- section 36A(2), note

#### **3            Body Corporate and Community Management Act 1997**

- schedule 6, definition *improvement*, note

#### **4            Building Boost Grant Act 2011**

- schedule, definition *electronic document*

#### **5            Child Employment Act 2006**

- section 5, note

#### **6            Civil Proceedings Act 2011**

- section 67(7), definition *relationship*, paragraphs (b) and (c)



- 
- 7 Commonwealth Games Arrangements Act 2011**
- section 28(9)
- 8 Criminal Proceeds Confiscation Act 2002**
- section 19, note
  - section 103(1), note
- 9 Education and Care Services National Law (Queensland) Act 2011**
- section 6(2)(a), examples, example 1
  - section 7, definition *de facto relationship*
- 10 Electoral Act 1992**
- section 2, definition *electronic document*
- 11 Fair Trading Act 1989**
- section 5, definition *Magistrates Court*
- 12 Food Act 2006**
- schedule 2, item 4, definition *local government*
- 13 Gaming Machine Act 1991**
- schedule 2, definition *approved financier*, paragraph (a)
- 14 Guardianship and Administration Act 2000**
- section 11(1), note
  - section 80A, definition *chapter 5A application*
  - section 80L(2), note
  - schedule 1, section 9(2), notes
-

**15 Heavy Vehicle National Law Act 2012**

- section 5(7)(a), example

**16 Hospital and Health Boards Act 2011**

- section 201, definition *electronic document*

**17 Information Privacy Act 2009**

- section 21(1), note

**18 Integrity Act 2009**

- section 10(2)
- section 72C(1), note
- section 80(1), note

**19 Ministerial and Other Office Holder Staff Act 2010**

- section 23

**20 Ombudsman Act 2001**

- section 63A(1), note
- section 63A(10)
- section 63B(3)

**21 Parliament of Queensland Act 2001**

- section 69B(5)

**22 Public Service Act 2008**

- section 65(4)
- section 101(1), note

- 23 Racing Act 2002**
- section 9BJ(10)
  - section 9CL(8)
- 24 Research Involving Human Embryos and Prohibition of Human Cloning for Reproduction Act 2003**
- section 5(8), second dot point
- 25 Right to Information Act 2009**
- section 16(1), note
  - section 140A(1), note
  - section 140A(10)
  - section 140B(3)
- 26 Strategic Cropping Land 2011**
- schedule 2, definition *electronic document*
- 27 Succession Act 1981**
- section 5, definition *document*, paragraph (b)
  - section 5AA(1)(c) and (3)(a)
- 28 Surrogacy Act 2010**
- section 7(2), notes, note 2
- 29 Transport Operations (Marine Pollution) Act 1995**
- schedule, definition *coastal waters*, note
- 30 Waste Reduction and Recycling Act 2011**
- section 181, definition *electronic document*

**31 Work Health and Safety Act 2011**

- section 255(3), note

**Part 2 References to notified in the gazette**

**1 Building Act 1975**

- section 130(2)
- section 246BB(2)

**2 Business Names (Commonwealth Powers) Act 2011**

- section 8(2) and (4)

**3 Casino Control Act 1982**

- section 51(5)(a)

**4 Civil Liability Act 2003**

- section 75(6)

**5 Electrical Safety Act 2002**

- section 42(3)(a)

**6 Infrastructure Investment (Asset Restructuring and Disposal) Act 2009**

- section 10A(4)

- 7 Motor Accident Insurance Act 1994**
- section 14A(3)(a)(i) and (b)
  - section 100A(6)
- 8 Personal Injuries Proceedings Act 2002**
- section 75A(6)
- 9 Recreation Areas Management Act 2006**
- section 102(4)(b)
- 10 Transport Operations (Passenger Transport) Act 1994**
- section 80A(5)
- 11 Vocational Education and Training (Commonwealth Powers) Act 2012**
- section 7(2)
- 12 Water Act 2000**
- section 360P(3)(a)
- 13 Workers' Compensation and Rehabilitation Act 2003**
- section 306V(6)

## **Part 3 References to gazetted**

- 1 Animal Care and Protection Act 2001**
- section 14(2)

Schedule 3

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**2 Architects Act 2002**

- section 109(2)

**3 Co-operative Schemes (Administrative Actions) Act 2001**

- section 4(2)

**4 Disaster Management Act 2003**

- section 67(2)
- section 72(2)

**5 Fisheries Act 1994**

- section 96(5)

**6 Professional Engineers Act 2002**

- section 109(2)

**7 Public Health Act 2005**

- section 323(2)

**8 Water Act 2000**

- section 51(1)

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## Schedule 4      Miscellaneous minor and consequential amendments for chapter 3 amendments

section 111

### Building and Construction Industry Payments Act 2004

- 1      **Schedule 2, definition *business day*, from ‘in the’ to ‘36’—**  
*omit, insert—*  
by the *Acts Interpretation Act 1954*, schedule 1

### Cremations Act 2003

- 1      **Section 6(1)(b), editor’s note—**  
*omit, insert—*

*Note—*

Under the *Acts Interpretation Act 1954*, schedule 1, a *personal representative* of a deceased person is the executor or administrator of the deceased person’s estate.

- 2      **Section 14(1)(a), editor’s note—**  
*omit, insert—*

*Note—*

Under the *Acts Interpretation Act 1954*, schedule 1, a *record* includes information stored or recorded by means of a computer.

**3 Schedule, definition *doctor*, editor's note—**

*omit, insert—*

*Note—*

Under the *Acts Interpretation Act 1954*, schedule 1, a *doctor* is a medical practitioner as defined under that Act.

## **Criminal Code**

**1 Section 119A(1)(c)(i)(A), editor's note—**

*omit, insert—*

*Note—*

'Aboriginal tradition' is defined under the *Acts Interpretation Act 1954*. See schedule 1 of that Act.

**2 Section 119A(1)(c)(ii)(A), editor's note—**

*omit, insert—*

*Note—*

'Island custom' is defined under the *Acts Interpretation Act 1954*. See schedule 1 of that Act.

**3 Section 359A, definition *property*, paragraph (a), editor's note—**

*omit, insert—*

*Note—*

Under the *Acts Interpretation Act 1954*, schedule 1—  
*interest*, in relation to land or other property, means—

- (a) a legal or equitable estate in the land or other property; or



- (b) a right, power or privilege over, or in relation to, the land or other property.

## **Domestic and Family Violence Protection Act 2012**

- 1 Section 15(1), note, ‘sections 36 and 32DA’—**  
*omit, insert—*  
schedule 1 and section 32DA

## **Heavy Vehicle National Law Act 2012**

- 1 Section 17(1)(b), ‘in the gazette’—**  
*omit, insert—*  
under section 47

## **Legislative Standards Act 1992**

- 1 Section 4(1), editor’s note—**  
*omit, insert—*

*Note—*

Under section 7, a function of the Office of the Queensland Parliamentary Counsel is to advise on the application of fundamental legislative principles to proposed legislation.

- 2 Section 5, heading, after ‘The’—**  
*insert—*

Queensland

**3 Sections 5(3), 6(1), 8, 9(1), 9A(2) and (3), 10, 12 and 13(1) and (2), part 3, division 4, heading, and sections 14 to 21, 'Parliamentary Counsel'—**

*omit, insert—*

parliamentary counsel

**4 Section 22(2), editor's note—**

*omit, insert—*

*Note—*

See the *Statutory Instruments Act 1992*, section 49 for the requirement to table subordinate legislation.

## **Magistrates Act 1991**

**1 Section 44(9), definition *indictment*, editor's note—**

*omit, insert—*

*Note—*

For indictments under a law of the State, see—

- (a) the Criminal Code, section 1, definition *indictment*; and
- (b) the *Acts Interpretation Act 1954*, schedule 1, definition *indictment*.

**2 Section 53P(9), definition *indictment*, note—**

*omit, insert—*

*Note—*

For indictments under a law of the State, see—

- (a) the Criminal Code, section 1, definition *indictment*; and

- (b) the *Acts Interpretation Act 1954*, schedule 1, definition *indictment*.

## Penalties and Sentences Act 1992

- 1 **Section 15E(1)(c), editor's note—**  
*omit, insert—*

*Note—*

Under the *Acts Interpretation Act 1954*, schedule 1—

*indictable offence* includes an act or omission committed outside Queensland that would be an indictable offence if it were committed in Queensland.

## Reprints Act 1992

- 1 **Section 19(2), example, editor's note—**  
*omit, insert—*

Note, however, that section 18 has also been applied to this example.

- 2 **Section 21A(2), definition *made*—**  
*omit.*

- 3 **Section 22(5), definitions *made* and *remade*—**  
*omit.*

**4 Section 29, examples, example 27, editor's note—**

*omit, insert—*

Note also that if the replaced terms are defined, the definition of the term may be omitted as redundant under section 39. See also section 7(1)(g) for other editorial changes that may be made.

**5 Section 35, examples, example 4, editor's note—**

*omit, insert—*

Note also that section 34 could also be applied to this example.

**6 Section 39, examples, example 2, all editor's notes—**

*omit.*

## **Statutory Instruments Act 1992**

**1 Section 51(1), editor's note—**

*omit, insert—*

*Note—*

Section 49 deals with tabling of subordinate legislation and section 50 deals with disallowance of subordinate legislation.

**2 Section 54(1)(b), editor's note—**

*omit, insert—*

*Note—*

Sections 56 and 56A specify the subordinate legislation that may be exempted from expiry, and how long the exemption lasts.

---

**3 Schedule 2, ‘section 7’—**

*omit.*

**4 Schedule 3, definition *exempt subordinate legislation*—**

*omit.*

**Supreme Court of Queensland Act 1991****1 Section 86(2)(b), ‘notifies in the gazette’—**

*omit, insert—*

gives notice of

**Survey and Mapping Infrastructure Act 2003****1 Section 9(1), from ‘notifies’ to ‘notice’—**

*omit, insert—*

gives notice of its making

**2 Section 9(2)—**

*omit, insert—*

(2) The standard takes effect—

(a) on the day the notice is notified; or

(b) if a later day is stated in the notice—on the later day.

**3 Section 9(3) and (4), ‘gazette’—**

*omit.*

## Transport Operations (Marine Pollution) Act 1995

**1 Section 94(5), from ‘The Minister’ to ‘ways’—**

*omit, insert—*

After notification of the declaration, the Minister may publish it in the ways

**2 Section 94(7), ‘gazetted’—**

*omit, insert—*

notified

## Workers’ Compensation and Rehabilitation Act 2003

**1 Section 21(1)(c), editor’s note—**

*omit, insert—*

*Note—*

For the definition *chief executive (corrective services)*, see the *Acts Interpretation Act 1954*, schedule 1.