



Queensland

*Statutory Instruments Act 1992*

# **Statutory Instruments Regulation 2012**

**Current as at 31 August 2012**

# Information about this reprint

This regulation is reprinted as at 31 August 2012.

This page is specific to this reprint. A table of reprints is included in the endnotes.

**Also see endnotes for information about when provisions commenced.**

## Spelling

The spelling of certain words or phrases may be inconsistent with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, 'lodgement' has replaced 'lodgment').

## Dates shown on reprints

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

**Replacement reprint date** If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

# Statutory Instruments Regulation 2012

## Contents

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		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title . . . . .	3
<b>Part 2</b>	<b>Instruments that are subordinate legislation</b>	
2	Statutory instruments that are subordinate legislation—Act, s 9(1)(c) . . . . .	3
<b>Part 3</b>	<b>Exemptions from expiry</b>	
3	Exemptions from expiry—Act, pt 7 . . . . .	4
<b>Part 4</b>	<b>Repeal</b>	
4	Repeal . . . . .	6
<b>Schedule 1</b>	<b>Statutory instruments that are subordinate legislation . . . . .</b>	<b>7</b>
<b>Schedule 2</b>	<b>Exemptions from expiry under part 7 of the Act . . . . .</b>	<b>8</b>
 <b>Endnotes</b>		
1	Index to endnotes . . . . .	14
2	Date to which amendments incorporated . . . . .	14
3	Key . . . . .	14
4	Table of reprints . . . . .	15
5	List of legislation . . . . .	15



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# Statutory Instruments Regulation 2012

[reprinted as in force on 31 August 2012]

## 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.

[s 3]

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- (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.

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(5) The following table explains the grounds for exemption mentioned in schedule 2—

<b>Ground for exemption</b>	<b>Explanation</b>
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.
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.

[s 4]

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<b>Ground for exemption</b>	<b>Explanation</b>
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.



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## 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

<b>Column 1 Instrument</b>	<b>Column 2 Ground for exemption</b>	<b>Column 3 Expiry date</b>
<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).

<b>Column 1 Instrument</b>	<b>Column 2 Ground for exemption</b>
<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

<b>Column 1 Instrument</b>	<b>Column 2 Ground for exemption</b>
<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

<b>Column 1 Instrument</b>	<b>Column 2 Ground for exemption</b>
<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

<b>Column 1 Instrument</b>	<b>Column 2 Ground for exemption</b>
<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

<b>Column 1 Instrument</b>	<b>Column 2 Ground for exemption</b>
<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 Index to endnotes

	Page
2 Date to which amendments incorporated . . . . .	14
3 Key . . . . .	14
4 Table of reprints . . . . .	15
5 List of legislation . . . . .	15

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Statutory Instruments Regulation 2012 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		



## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	31 August 2012	

## 5 List of legislation

### *Regulatory impact statements*

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### *Explanatory notes*

All subordinate legislation made on or after 1 January 2011 has an explanatory note.

### **Statutory Instruments Regulation 2012 SL No. 143**

made by the Governor in Council on 30 August 2012

notfd gaz 31 August 2012 pp 1097–9

commenced on date of notification

exp 1 September 2022 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.