



Statutory Instruments Act 1992

Statutory Instruments Regulation 2012

Current as at 25 October 2013

Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at www.legislation.qld.gov.au.

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at www.legislation.qld.gov.au/Leg_Info/information.htm.
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



Queensland

Statutory Instruments Regulation 2012

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Statutory Instruments Regulation 2012

[as amended by all amendments that commenced on or before 25 October 2013]

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]

- (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 2014 (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.

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

Ground for exemption	Explanation
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]

Ground for exemption	Explanation
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.

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	31/08/18
<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	31/08/18

Column 1 Instrument	Column 2 Ground for exemption	Column 3 Expiry date
<i>Travel Agents Regulation 1998</i>	further exemption: uniform	31/08/18

Part 2 **Other subordinate legislation**

Note—

An instrument mentioned in this part expires on 31 August 2014—see section 3(2).

Column 1 Instrument	Column 2 Ground for exemption
<i>Acquisition of Land Regulation 2003</i>	being replaced
<i>Agricultural Chemicals Distribution Control Regulation 1998</i>	further exemption: review
<i>Agricultural Standards Regulation 1997</i>	further exemption: review
<i>Ambulance Service Regulation 2003</i>	subject to review
<i>Apiaries Regulation 1998</i>	further exemption: review
<i>Architects Regulation 2003</i>	being replaced
<i>Associations Incorporation Regulation 1999</i>	further exemption: review
<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>Child Care Regulation 2003</i>	being replaced

Column 1 Instrument	Column 2 Ground for exemption
<i>Coal Mining Safety and Health Regulation 2001</i>	further exemption: review
<i>Criminal Code (Animal Valuers) Regulation 1999</i>	further exemption: review
<i>Diseases in Timber Regulation 1997</i>	further exemption: review
<i>Education (Accreditation of Non-State Schools) Regulation 2001</i>	further exemption: review
<i>Education (Overseas Students) Regulation 1998</i>	further exemption: review
<i>Education (Queensland Studies Authority) Regulation 2002</i>	further exemption: review
<i>Electrical Safety (Codes of Practice) Notice 2002</i>	being replaced
<i>Electrical Safety 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>Explosives Regulation 2003</i>	subject to review
<i>Fair Trading (Code of Practice—Fitness Industry) Regulation 2003</i>	subject to review
<i>Food Production (Safety) Regulation 2002</i>	being replaced
<i>Forestry Regulation 1998</i>	further exemption: review
<i>Gaming Machine Regulation 2002</i>	subject to review
<i>Health (Drugs and Poisons) Regulation 1996</i>	further exemption: review

Column 1 Instrument	Column 2 Ground for exemption
<i>Health Regulation 1996</i>	further exemption: review
<i>Interactive Gambling (Player Protection) Regulation 1998</i>	further exemption: review
<i>Introduction Agents Regulation 2002</i>	subject to review
<i>Land Protection (Pest and Stock Route Management) Regulation 2003</i>	subject to review
<i>Land Sales Regulation 2000</i>	further exemption: review
<i>Liquor (Approval of Adult Entertainment Code) Regulation 2002</i>	further exemption: review
<i>Liquor Regulation 2002</i>	further exemption: review
<i>Major Sports Facilities Regulation 2002</i>	further exemption: review
<i>Maritime Safety Queensland Regulation 2002</i>	subject to review
<i>Mental Health Regulation 2002</i>	further exemption: review
<i>Mining and Quarrying Safety and Health Regulation 2001</i>	further exemption: review
<i>Motor Racing Events Regulation 2003</i>	subject to review
<i>Mt. Gravatt Showgrounds By-law 2001</i>	further exemption: review
<i>Nature Conservation (Protected Plants) Conservation Plan 2000</i>	further exemption: review
<i>Pastoral Workers' Accommodation Regulation 2003</i>	subject to review
<i>Personal Injuries Proceedings Regulation 2002</i>	further exemption: review
<i>Plant Protection (Approved Sugarcane Varieties) Declaration 2003</i>	subject to review

Column 1 Instrument	Column 2 Ground for exemption
<i>Plant Protection Regulation 2002</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
<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>Professional Engineers Regulation 2003</i>	subject to 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

Column 1 Instrument	Column 2 Ground for exemption
<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>Queensland Building Services Authority Regulation 2003</i>	subject to review
<i>Queensland University of Technology (Conduct of Elections for Elected Members of Council) Statute 2003</i>	subject to review
<i>Queensland University of Technology Statute No. 3 (Fees) 2003</i>	subject to review
<i>Residential Services (Accreditation) Regulation 2002</i>	further exemption: review
<i>South Bank Corporation (Modified Building Units and Group Titles) Regulation 2003</i>	being replaced
<i>South Bank Corporation Regulation 2003</i>	being replaced
<i>State Penalties Enforcement Regulation 2000</i>	further exemption: review
<i>Stock Regulation 1988</i>	further exemption: review
<i>Transport Infrastructure (Busway) Regulation 2002</i>	subject to review
<i>Trust Accounts Regulation 1999</i>	further exemption: review
<i>Veterinary Surgeons Regulation 2002</i>	further exemption: review
<i>Vocational Education, Training and Employment Regulation 2000</i>	further exemption: review
<i>Wagering Regulation 1999</i>	further exemption: review

**Column 1
Instrument**

**Column 2
Ground for exemption**

Water Regulation 2002

further exemption: review

Weapons Regulation 1996

further exemption: review

*Workers' Compensation and
Rehabilitation Regulation 2003*

subject to review

Youth Justice Regulation 2003

subject to review

Endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the *Reprints Act 1992*, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 25 October 2013. 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 version
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 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3237 0466 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

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

Current as at	Amendments included	Notes
10 May 2013	2013 SL No. 61	
31 August 2013	2013 SL No. 162 2013 SL No. 172	
25 October 2013	2013 SL No. 206	

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. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

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.

amending legislation—

**Nature Conservation and Other Legislation Amendment and Repeal Regulation
(No. 1) 2013 SL No. 61 pts 1, 7**

notfd gaz 10 May 2013 pp 49–50
commenced on date of notification

Statutory Instruments Amendment Regulation (No. 1) 2013 SL No. 162

notfd gaz 23 August 2013 pp 1026–7
ss 1–2 commenced on date of notification
remaining provisions commenced 31 August 2013 (see s 2)

Statutory Instruments Amendment Regulation (No. 2) 2013 SL No. 172

notfd gaz 30 August 2013 pp 1069–70
ss 1–2 commenced on date of notification
remaining provisions commenced 31 August 2013 immediately after the
commencement of the Statutory Instruments Amendment Regulation (No. 1)
2013 (see s 2)

**Treasury and Trade Legislation Amendment and Repeal Regulation (No. 1) 2013 pts
1, 4**

notfd <www.legislation.qld.gov.au> 25 October 2013
commenced on date of notification

6 List of annotations

Exemptions from expiry—Act, pt 7

s 3 amd 2013 SL No. 162 s 4

SCHEDULE 2—EXEMPTIONS FROM EXPIRY UNDER PART 7 OF THE ACT

amd 2013 SL No. 61 s 34; 2013 SL No. 162 s 5; 2013 SL No. 172 s 4; 2013
SL No. 206 s 11

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