



***Statutory Instruments Act 1992***

# **Statutory Instruments Regulation 2022**

**Current as at 31 August 2022**

**Reprint note**

The *Statutory Instruments Regulation 2022* commenced 31 August 2022 at the end of the day.

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Queensland

# Statutory Instruments Regulation 2022

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# Statutory Instruments Regulation 2022

## 1 Short title

This regulation may be cited as the *Statutory Instruments Regulation 2022*.

## 2 Commencement

This regulation commences on 31 August 2022 at the end of the day.

## 3 Statutory instruments that are subordinate legislation—Act, s 9

- (1) For section 9(1)(c) of the Act, a statutory instrument is declared to be 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.

- (2) Subsection (1) does not apply to a statutory instrument that is declared by an Act to be, or not to be, subordinate legislation.
- (3) A statutory instrument mentioned in schedule 1 is subordinate legislation.

#### 4 Exemptions from expiry for uniform subordinate legislation—Act, s 56

- (1) For section 56 of the Act, an instrument of uniform subordinate legislation mentioned in schedule 2, column 1 is exempt from expiry for the period ending at midnight on the expiry day mentioned in schedule 2, column 3 opposite the instrument (the *expiry day*).
- (2) The ground for exempting an instrument mentioned in schedule 2, column 1 is stated in schedule 2, column 2 opposite the instrument.
- (3) If an instrument of subordinate legislation mentioned in schedule 2 stops having effect before midnight on the expiry day for the instrument, the exemption ends.
- (4) 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.

#### 5 Exemptions from expiry for other subordinate legislation—Act, s 56A

- (1) For section 56A of the Act, an instrument of subordinate legislation mentioned in schedule 3, column 1 is exempt from expiry for the period ending at midnight on 31 August 2023 (the *expiry day*).
- (2) The ground for exempting an instrument mentioned in schedule 3, column 1 is stated in schedule 3, column 2 opposite the instrument.

- (3) If an instrument of subordinate legislation mentioned in schedule 3 stops having effect before midnight on the expiry day, the exemption ends.
- (4) The following table explains the grounds for exemption mentioned in schedule 3—

<b>Ground for exemption</b>	<b>Explanation</b>
being replaced	Subordinate legislation to replace the instrument is being drafted and is proposed to be made before midnight on the expiry day. The instrument is exempted under section 56A(1)(a)(i) 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.
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 Repeal**

The Statutory Instruments Regulation 2012, SL No. 143 is repealed.

## **Schedule 1      Statutory instruments that are subordinate legislation**

### section 3

- 1 a notice making a determination, other than an administrative determination, under the *Explosives Regulation 2017*, section 145B
- 2 a notice making a determination, other than an administrative determination, under the *Transport Infrastructure (Dangerous Goods by Rail) Regulation 2018*, section 20 or 21
- 3 a notice making a determination, other than an administrative determination, under the *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2018*, section 23 or 24



## Schedule 2 Exemptions from expiry for uniform subordinate legislation

### section 4

Column 1 Instrument	Column 2 Ground for exemption	Column 3 Expiry day
Proclamations made under the <i>Maintenance Act 1965</i> , section 98	further exemption: uniform	30/06/27
<i>Note—</i>		
The proclamations make declarations for the purposes of particular countries becoming reciprocating countries.		
<i>Maintenance Regulations 1967</i>	further exemption: uniform	30/06/27
<i>Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004</i>	further exemption: uniform	31/08/25
<i>Mutual Recognition (Queensland) Regulation 2009</i>	further exemption: uniform	31/08/26
<i>Prisoners (Interstate Transfer) Regulation 1993</i>	further exemption: uniform	31/08/23
<i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i>	uniform	01/09/25
<i>Work Health and Safety Regulation 2011</i>	uniform	31/08/27

## Schedule 3 Exemptions from expiry for other subordinate legislation

section 5

*Note—*

An instrument mentioned in this schedule expires on 31 August 2023—see section 5(1).

<b>Column 1 Instrument</b>	<b>Column 2 Ground for exemption</b>
<i>Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Regulation 2008</i>	further exemption: review
<i>Aboriginal Land Regulation 2011</i>	subject to review
<i>Animal Care and Protection Regulation 2012</i>	subject to review
<i>Appeal Costs Fund Regulation 2010</i>	further exemption: review
<i>Associations Incorporation Regulation 1999</i>	further exemption: review
<i>Body Corporate and Community Management Regulation 2008</i>	further exemption: review
<i>Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011</i>	subject to review
<i>Brands Regulation 2012</i>	subject to review
<i>Building Fire Safety Regulation 2008</i>	further exemption: review
<i>Building Units and Group Titles Regulation 2008</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>Child Protection Regulation 2011</i>	subject to review
<i>Civil Partnerships Regulation 2012</i>	being replaced

<b>Column 1 Instrument</b>	<b>Column 2 Ground for exemption</b>
<i>Collections Regulation 2008</i>	further exemption: review
<i>Court Funds Regulation 2009</i>	further exemption: review
<i>Electricity Regulation 2006</i>	further exemption: review
<i>Fair Trading (Code of Practice—Fitness Industry) Regulation 2003</i>	further exemption: review
<i>Fair Trading (Safety Standards) Regulation 2011</i>	subject to review
<i>Fire and Emergency Services Regulation 2011</i>	further exemption: review
<i>Funeral Benefit Business Regulation 2010</i>	further exemption: review
<i>Gaming Machine Regulation 2002</i>	further exemption: review
<i>Gas Supply Regulation 2007</i>	further exemption: review
<i>Hospital and Health Boards Regulation 2012</i>	being replaced
<i>Information Privacy Regulation 2009</i>	further exemption: review
<i>Integrity Regulation 2011</i>	subject to review
<i>Interactive Gambling (Player Protection) Regulation 1998</i>	further exemption: review
<i>Keno Regulation 2007</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>Local Government Electoral Regulation 2012</i>	being replaced
<i>Lotteries Regulation 2007</i>	further exemption: review
<i>Public Sector Ethics Regulation 2010</i>	further exemption: review
<i>Public Trustee Regulation 2012</i>	being replaced
<i>Residential Tenancies and Rooming Accommodation Regulation 2009</i>	further exemption: review
<i>Right to Information Regulation 2009</i>	further exemption: review

<b>Column 1 Instrument</b>	<b>Column 2 Ground for exemption</b>
<i>Rural and Regional Adjustment Regulation 2011</i>	further exemption: review
<i>Safety in Recreational Water Activities Regulation 2011</i>	being replaced
<i>Second-hand Dealers and Pawnbrokers Regulation 2004</i>	further exemption: review
<i>Security Providers (Crowd Controller Code of Practice) Regulation 2008</i>	further exemption: review
<i>Security Providers Regulation 2008</i>	further exemption: review
<i>Security Providers (Security Firm Code of Practice) Regulation 2008</i>	further exemption: review
<i>Security Providers (Security Officer—Licensed Premises—Code of Practice) Regulation 2008</i>	further exemption: review
<i>State Buildings Protective Security Regulation 2008</i>	further exemption: review
<i>Stock Route Management Regulation 2003</i>	further exemption: review
<i>Survey and Mapping Infrastructure (Survey Standards—Requirements for Mining Tenures) Notice (No.1) 2011</i>	subject to review
<i>Torres Strait Islander Land Regulation 2011</i>	subject to review
<i>Tourism Services (Code of Conduct for Inbound Tour Operators) Regulation 2003</i>	further exemption: review
<i>Tourism Services Regulation 2003</i>	further exemption: review
<i>Tow Truck Regulation 2009</i>	further exemption: review
<i>Transport Infrastructure (Public Marine Facilities) Regulation 2011</i>	further exemption: review
<i>Transport Operations (Passenger Transport) Standard 2010</i>	further exemption: review
<i>Trust Accounts Regulation 1999</i>	further exemption: review

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<b>Column 1 Instrument</b>	<b>Column 2 Ground for exemption</b>
<i>Vegetation Management Regulation 2012</i>	subject to review
<i>Wagering Regulation 1999</i>	further exemption: review
<i>Waste Reduction and Recycling Regulation 2011</i>	subject to review
<i>Wine Industry Regulation 2009</i>	further exemption: review