



Queensland

Health Legislation (Fees) Amendment Regulation (No. 1) 2012

Explanatory Notes for SL 2012 No. 152

made under the

Food Act 2006

Health Act 1937

Pest Management Act 2001

Private Health Facilities Act 1999

Radiation Safety Act 1999

General outline

Short title

Health Legislation (Fees) Amendment Regulation (No. 1) 2012.

Authorising law

Section 278 of the *Food Act 2006*

Section 180 of the *Health Act 1937*

Section 130 of the *Pest Management Act 2001*

Section 151 of the *Private Health Facilities Act 1999*

Section 215 of the *Radiation Safety Act 1999.*

Policy objectives and the reasons for them

The following Health portfolio Acts provide for the prescribing of fees and charges—

- the *Food Act 2006* in relation to applications for approval, renewal or replacement of approval as an auditor, or a change in approval conditions;
- the *Health Act 1937*, in relation to applications for an endorsement, or renewal of a drug licence, poison licence, treatment approval or wholesale representative licence and fees for the analysis of a drug or article by an analyst;
- the *Pest Management Act 2001* in relation to pest management licence fees;
- the *Private Health Facilities Act 1999* in relation to private health facility licence fees and approvals; and
- the *Radiation Safety Act 1999* in relation to possession, use, transport and related licences and approvals.

In accordance with Queensland Government policy, agencies are required to set fees and charges at a rate that accurately reflects the cost of providing services. Additionally, Queensland Government policy states that fees and charges administered by agencies are to be indexed annually by 3.5%.

Achievement of policy objectives

The regulation proposes to increase fees and charges in the following regulations by 3.5%, in accordance with the Queensland Government's policy on fees and charges—

- the *Food Regulation 2006*;
- the *Health (Drugs and Poisons) Regulation 1996*;
- the *Health Regulation 1996*;
- the *Pest Management Regulation 2003*;
- the *Private Health Facilities Regulation 2000*; and
- the *Radiation Safety Regulation 2010*.

The increased fees and charges take effect on 1 October 2012.

Consistency with policy objectives of authorising law

The regulation is consistent with the main objectives of each of the authorising laws which provide that the Governor in Council may make regulations about fees and charges.

Inconsistency with policy objectives of other legislation

The regulation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

There are no costs to the department in implementing these amendments.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

Consultation has been undertaken with Queensland Treasury and Trade in determining that the amendment was excluded from the requirement to undertake a Regulatory Assessment Statement. No specific stakeholder consultation has been undertaken beyond regular industry engagement activities conducted by Queensland Health.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Queensland Health.