



Queensland

Transport and Other Legislation Amendment Regulation (No. 2) 2012

Explanatory Notes for SL 2012 No. 217

made under the

Crime and Misconduct Act 2001

Motor Accident Insurance Act 1994

State Penalties Enforcement Act 1999

Statutory Bodies Financial Arrangements Act 1982

Transport Operations (Passenger Transport) Act 1994

Transport (Rail Safety) Act 2010

Travel Agents Act 1988

General outline

Short title

Transport and Other Legislation Amendment Regulation (No. 2) 2012.

Authorising law

Section 348 of the *Crime and Misconduct Act 2001*

Section 100 of the *Motor Accident Insurance Act 1994*

Section 165 of the *State Penalties Enforcement Act 1999*

Section 78 of the *Statutory Bodies Financial Arrangements Act 1982*

Section 155 of the *Transport Operations (Passenger Transport) Act 1994*

Section 284 of the *Transport (Rail Safety) Act 2010*

Section 57 of the *Travel Agents Act 1988*

Policy objectives and the reasons for them

The policy objectives of the amendments are to:

- ensure consistency with primary legislation as a consequence of the changes made by the *Transport Operations (Passenger Transport) and Other Legislation Amendment Act 2012*;
- provide an effective response to the unlawful use of taximeters in vehicles other than taxis; and
- clarify a reference to ‘general route services’ in the *Transport Operations (Passenger Transport) Regulation 2005* (the Passenger Transport Regulation).

Achievement of policy objectives

The amendment regulation will achieve the policy objectives by amending the *Crime and Misconduct Regulation 2005*, *Motor Accident Insurance Regulation 2004*, *State Penalties Enforcement Regulation 2000*, *Statutory Bodies Financial Arrangements Regulation 2007*, *Passenger Transport Regulation*, *Transport (Rail Safety) Regulation 2010* and *Travel Agents Regulation 1998*.

The amendments will:

- omit references to the TransLink Transit Authority (TransLink) and *Transport Operations (TransLink Transit Authority) Act 2008*;
- replace references to a ‘TransLink service contract’ with an ‘integrated mass transit service contract’ to reflect new terminology adopted in the *Transport Operations (Passenger Transport) Act 1994* (the Act);
- provide an exemption to the chief executive and agents of the chief executive from the requirements of the *Travel Agents Act 1988* for the sale of prepaid rights to travel;
- remove definitions that have been relocated to the Act;
- clarify that the reference to ‘general route services’ in schedule 1 of the *Passenger Transport Regulation* excludes air services and ferry services; and
- prescribe infringement notice fines of 12 penalty units for offences relating to the use of taximeters in vehicles other than taxis.

Consistency with policy objectives of authorising law

The amendments are consistent with the policy objectives of the authorising laws.

Benefits and costs of implementation

There are no costs associated with implementing these amendments.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

Relevant Queensland Government agencies have been consulted and support the amendments.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Transport and Main Roads.

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