



Queensland

# **Housing and Public Works Legislation (Fees) Amendment Regulation (No. 1) 2013**

## **Explanatory Notes for SL 2013 No. 128**

made under the

*Architects Act 2002*

*Building Act 1975*

*Building and Construction Industry Payments Act 2004*

*Domestic Building Contracts Act 2000*

*Housing Act 2003*

*Plumbing and Drainage Act 2002*

*Professional Engineers Act 2002*

*Queensland Building Services Authority Act 1991*

*Residential Services (Accreditation) Act 2002*

*Retirement Villages Act 1999*

---

## **General outline**

### **Short title**

*Housing and Public Works Legislation (Fees) Amendment Regulation  
(No. 1) 2013.*

### **Authorising law**

Section 143 of the *Architects Act 2002*

Section 261 of the *Building Act 1975*

Section 111 of the *Building and Construction Industry Payments Act 2004*

Section 101 of the *Domestic Building Contracts Act 2000*

Section 101 of the *Housing Act 2003*

Section 145 of the *Plumbing and Drainage Act 2002*

Section 144 of the *Professional Engineers Act 2002*

Section 116 of the *Queensland Building Services Authority Act 1991*

Section 184 of the *Residential Services (Accreditation) Act 2002*

Section 228 of the *Retirement Villages Act 1999*

### **Policy objectives and the reasons for them**

The objective of the Regulation is to increase, by 3.5% in accordance with the current Government indexation policy, the prescribed fees in the *Architects Regulation 2003*; the *Building Regulation 2006*; the *Building and Construction Industry Payments Regulation 2004*; the *Domestic Building Contracts Regulation 2010*; the *Housing Regulation 2003*; the *Plumbing and Drainage Regulation 2003*; the *Professional Engineers Regulation 2003*; the *Queensland Building Services Authority Regulation 2003*; the *Residential Services (Accreditation) Regulation 2002* and the *Retirement Villages Regulation 2010*.

Note that that the two fees of \$35 that are provided for in Schedule 4, Item 4 of the *Plumbing and Drainage Regulation 2003* relating to notifiable works are not being increased at this time due to a significant number of workbooks being distributed to plumbers and drainers which reflect the current fee. The administrative cost to update the books to reflect an increased fee would be much higher than the proposed 3.5% increase and consequently the annual Government indexation rate will not be applied to these fees for the financial year 2013/2014.

### **Achievement of policy objectives**

The amendments will achieve the objectives of ensuring the prescribed fees adhere to Government policy, which will increase the fees in the regulations by 3.5%.

### **Consistency with policy objectives of authorising law**

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

### **Alternative ways of achieving policy objectives**

This amendment Regulation is the only effective means of meeting Government policy and ensuring that the prescribed fees under the Regulation remain relevant to contemporary needs and expectations with respect to inflation over time.

### **Benefits and costs of implementation**

Increasing fees by 3.5% in accordance with Government policy means that fees will remain relevant and appropriate with respect to inflation over time. The amendments do not impose a significant appreciable cost on fee-payers.

The costs to Government associated with implementation of the increased fees are minor administrative costs. These are not considered to be significant and will be funded by existing budget allocations.

### **Consistency with fundamental legislative principles**

The amendments are consistent with fundamental legislative principles.

### **Consultation**

Queensland Treasury and Trade requires Government fees and charges to be indexed annually. No consultation has been undertaken with external stakeholders.

The Queensland Competition Authority was consulted in relation to the increase in fees and advised that a Regulatory Impact Statement is not required as the regulation proposes standard annual fee variations in line with a government-endorsed indexation factor.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Housing and Public Works.

© State of Queensland 2013