



Queensland

# Aboriginal and Torres Strait Islander Land Legislation Amendment Regulation (No. 1) 2013

## Explanatory Notes for SL 2013 No. 137

made under the

*Aboriginal Land Act 1991*

*Torres Strait Islander Land Act 1991*

---

## General outline

### Short title

*Aboriginal and Torres Strait Islander Land Legislation Amendment Regulation (No. 1) 2013.*

### Authorising law

Section 294 of the *Aboriginal Land Act 1991* (ALA) and section 197 of the *Torres Strait Islander Land Act 1991* (TSILA).

### Policy objectives and the reasons for them

On 14 May 2013, assent was given to the *Land, Water and Other Legislation Amendment Act 2013* (LWOLA) which amended the ALA and the TSILA (the Acts), amongst other legislation.

Amendments made to the Acts which relate to giving land trusts power to appoint, suspend or remove their members, and to the relocation of certain provisions from the *Aboriginal Land Regulation 2011* (ALR) and the

*Torres Strait Islander Land Regulation 2011* (TSILR) to the Acts, require that consequential amendments are made to the ALR and TSILR.

The regulation amends the ALR and TSILR to provide for those consequential amendments by omitting provisions that are transferred, and makes minor drafting amendments.

### **Achievement of policy objectives**

The regulation will allow for the consequential changes to the ALR and TSILR, arising from amendments to the Acts through the LWOLA, and for minor drafting amendments.

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

The regulation is consistent with the main objectives of the Acts, which are to provide for the grant of land to Aboriginal and Torres Strait Islander people, and to enable them to use the land for cultural and/or economic purposes.

The regulation attends to consequential amendments to the ALR and TSILR arising from amendments made to the Acts through the LWOLA. Further it makes a number of minor drafting amendments to the ALR and TSILR.

### **Inconsistency with policy objectives of other legislation**

The regulation is not inconsistent with the policy objectives of other legislation.

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

The regulation makes consequential and minor amendments to the ALR and TSILR. The State has existing resources allocated in respect of the administration of the Acts. These resources will not be affected by the making of the regulation.

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

The regulation is consistent with fundamental legislative principles. It complies with relevant requirements of section 4(5) of the *Legislative Standards Act 1992*, namely it:

- (a) is within the power that, under an Act or subordinate legislation (the authorising law), allows the subordinate legislation to be made; and
- (b) is consistent with the policy objectives of the authorising law; and
- (c) contains only matter appropriate to subordinate legislation; and
- (d) amends statutory instruments only.

### **Consultation**

No consultation has occurred in respect of the regulation as it only makes consequential and minor drafting amendments.

---

#### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Natural Resources and Mines.

© State of Queensland 2013