

STATUTORY INSTRUMENTS AMENDMENT REGULATION (NO. 1) 2013

Explanatory notes for SL 2013 No.162

made under the

Statutory Instruments Act 1992

General Outline

Short title

Statutory Instruments Amendment Regulation (No. 1) 2013

Authorising law

Section 59 of the *Statutory Instruments Act 1992*

Policy objectives and the reasons for them

Part 7 of the *Statutory Instruments Act 1992* is designed to require regular review of Queensland's subordinate legislation by causing most subordinate legislation to automatically expire on the 1 September after the tenth anniversary of the day of its making.

Section 56 of the Act allows a regulation to be made to exempt uniform subordinate legislation from expiry for a period of not more than five years.

Section 56A(1) of the Act allows a regulation to be made to exempt subordinate legislation from expiry for one year on the following grounds:

- replacement subordinate legislation is being drafted and is proposed to be made before the stated period ends;
- the subordinate legislation is not proposed to be replaced or preserved when it expires at the end of the stated period; or
- the Act or provision under which or in relation to which the subordinate legislation or part of the subordinate legislation is made or preserved is subject to review.

Subordinate legislation may also be further extended for a period of not more than one year under Section 56A(2) if the Act or provision under which or in relation to which the

subordinate legislation or part of the subordinate legislation is made or preserved is subject to review.

The *Statutory Instruments Amendment Regulation (No. 1) 2013* ensures that subordinate legislation may be exempted from expiry or further exempted from expiry where appropriate grounds exist under sections 56 or 56A of the *Statutory Instruments Act 1992*.

Achievement of policy objectives

The objectives are achieved by making the *Statutory Instruments Amendment Regulation (No. 1) 2013*.

Consistency with policy objectives of authorising law

The *Statutory Instruments Amendment Regulation (No. 1) 2013* is consistent with the main objects of the *Statutory Instruments Act 1992*.

Inconsistency with policy objectives of other legislation

The *Statutory Instruments Amendment Regulation (No. 1) 2013* is consistent with the policy objectives of other relevant legislation.

Benefits and costs of implementation

There are no costs to Government in implementing the *Statutory Instruments Amendment Regulation (No. 1) 2013*.

Consistency with fundamental legislative principles

The *Statutory Instruments Amendment Regulation (No. 1) 2013* is consistent with fundamental legislative principles as set out in the *Legislative Standards Act 1992*.

Consultation

All Government departments and their Ministers were consulted and support the making of the *Statutory Instruments Amendment Regulation (No. 1) 2013* with respect to the list of subordinate legislation that is exempt from expiry or further exempt from expiry under sections 56 and 56A of the *Statutory Instruments Act 1992*.