

Public Records Regulation 2014

Explanatory Notes for SL 185

made under the

Public Records Act 2002

General Outline

Short title

The *Public Records Regulation 2014*.

Authorising law

Section 57 of the *Public Records Act 2002*.

Policy objectives and the reasons for them

The *Public Records Act 2002* (the Act) provides, among other things, for the making, managing, keeping and preserving of public records in Queensland. Section 57 of the Act provides that the Governor in Council may make regulations under the Act.

Pursuant to section 54 of the *Statutory Instruments Act 1992*, subordinate legislation expires on 1 September, first occurring after the 10th anniversary of the day of its making unless it is sooner repealed or expires or a regulation is made exempting it from expiry.

The *Public Records Regulation 2004* (the Regulation) was made by the Governor in Council on 22 July 2004 and therefore expires on 1 September 2014.

The Regulation currently provides for the appointment of relevant and responsible public authorities for public records affected by machinery of government changes. There is a need to maintain the Regulation and it is therefore proposed that the Regulation be remade in its current form with minor amendments to reflect current Queensland drafting practice.

Achievement of policy objectives

The regulation will achieve the objectives by remaking the *Public Records Regulation 2004*.

Consistency with policy objectives of authorising law

The regulation is consistent with its authorising Act.

Inconsistency with policy objectives of other legislation

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

Alternative ways of achieving policy objectives

The regulation is the only effective means of achieving the policy objectives.

Benefits and costs of implementation

The regulation does not impose an appreciable cost on government or the community.

Consistency with fundamental legislative principles

The regulation is consistent with the fundamental legislative principles set out in the *Legislative Standards Act 1992*.

Consultation

Consultation has taken place with the Queensland State Archives, the Office of Best Practice Regulation within the Queensland Competition Authority, Queensland Treasury and Trade and the Department of Justice and Attorney-General. All parties consulted support the regulation.

The Office of Best Practice Regulation advised that the proposed regulation is excluded from the Regulatory Impact Statement system on the basis that it relates to the internal management of the public sector.