

# Natural Resources and Mines Legislation (Fees) Amendment Regulation (No. 1) 2015

Explanatory notes for SL 2015 No. 39

made under the

*Acquisition of Land Act 1967*

*Building Units and Group Titles Act 1980*

*Coal Mining Safety and Health Act 1999*

*Explosives Act 1999*

*Foreign Ownership of Land Register Act 1988*

*Fossicking Act 1994*

*Geothermal Energy Act 2010*

*Greenhouse Gas Storage Act 2009*

*Land Act 1994*

*Land Protection (Pest and Stock Route Management) Act 2002*

*Land Title Act 1994*

*Land Valuation Act 2010*

*Mineral Resources Act 1989*

*Mining and Quarrying Safety and Health Act 1999*

*Petroleum Act 1923*

*Petroleum and Gas (Production and Safety) Act 2004*

*Surveyors Act 2003*

*Valuers Registration Act 1992*

*Vegetation Management Act 1999*

*Water Act 2000*

## General Outline

### Short title

*Natural Resources and Mines Legislation (Fees) Amendment Regulation (No. 1) 2015.*

### Authorising law

Section 42(3) of the *Acquisition of Land Act 1967*

Section 134 of the *Building Units and Group Titles Act 1980*

Section 282 of the *Coal Mining Safety and Health Act 1999*

Section 135 of the *Explosives Act 1999*  
Section 45 of the *Foreign Ownership of Land Register Act 1988*  
Section 107 of the *Fossicking Act 1994*  
Section 385 of the *Geothermal Energy Act 2010*  
Section 429 of the *Greenhouse Gas Storage Act 2009*  
Section 448(2)(b) of the *Land Act 1994*  
Section 309(2)(a) of the *Land Protection (Pest and Stock Route Management) Act 2002*  
Section 199 of the *Land Title Act 1994*  
Section 265 of the *Land Valuation Act 2010*  
Section 417 of the *Mineral Resources Act 1989*  
Section 262 of the *Mining and Quarrying Safety and Health Act 1999*  
Section 149 of the *Petroleum Act 1923*  
Section 859 of the *Petroleum and Gas (Production and Safety) Act 2004*  
Section 192 of the *Surveyors Act 2003*  
Section 66 of the *Valuers Registration Act 1992*  
Section 72 of the *Vegetation Management Act 1999*  
Section 1014(2)(a) of the *Water Act 2000*

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

The objective of the *Natural Resources and Mines Legislation (Fees) Amendment Regulation (No. 1) 2015* is to index regulatory fees for the Department of Natural Resources and Mines. Regulatory fees are reviewed annually in accordance with government policy.

Minor amendments identified by the Office of the Queensland Parliamentary Counsel are also being made. This meets the policy objective to keep legislation current and consistent.

## **Achievement of policy objectives**

The amendment regulation will achieve its objective by increasing fees and charges under the Acts administered by the Department of Natural Resources and Mines. An index figure of 3.5% has been applied (with rounding for coinable amounts), as advised by Queensland Treasury.

The net present value formula (Section 25C of the *Land Regulation 2009*) has been adjusted in response to advice from the Queensland Treasury Corporation. This is to align this formula with yearly market movements.

Two fees relating to *Land Title Regulation 2005* survey plans have increased above the indexation rate to incorporate royalty payments that the State has to make to Copyright Agency Limited for each plan copy that is sold.

The minor amendments will achieve consistency and currency of the Department of Natural Resources and Mines' legislation in line with government objectives.

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

The amendment regulation is consistent with the objective of the relevant Acts.

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

The amendment regulation is not inconsistent with any policy objectives of any legislation.

## **Benefits and costs of implementation**

The indexation of fees provides a mechanism understood by the community and industry to maintain price relativity, aiding the government in formulating the state and departmental budgets.

There are no additional costs associated with implementing the regulation.

## **Consistency with fundamental legislative principles**

The amendment regulation is consistent with fundamental legislative principles.

## **Consultation**

Consultation has been undertaken with the Office of Best Practice Regulation, Queensland Competition Authority in determining that the proposed amendments were excluded from the requirement to undertake a Regulatory Impact Statement.