

Public Safety Legislation Amendment Regulation (No. 1) 2015

Explanatory notes for SL 2015 No. 56

made under the

Building Act 1975

Fire and Emergency Services Act 1990

Weapons Act 1990

Working with Children (Risk Management and Screening) Act 2000

General Outline

Short title

Public Safety Legislation Amendment Regulation (No. 1) 2015

Authorising law

Section 261 of the *Building Act 1975*

Sections 108 and 154E of the *Fire and Emergency Services Act 1990*

Section 172 of the *Weapons Act 1990*

Section 401 of the *Working with Children (Risk Management and Screening) Act 2000*

Policy objectives and the reasons for them

The objectives of the *Public Safety Legislation Amendment Regulation (No. 1) 2015* (the amendment regulation) are to:

- clarify references in the *Fire and Rescue Service Regulation 2011* to types of industries, which will assist local governments in calculating and collecting the Emergency Management Levy for properties categorised by reference to the type of industry for which the property is used;
- amend the short title of the *Fire and Rescue Service Regulation 2011* and provide transitional provisions, which will align with the short title of the *Fire and*

Emergency Services Act 1990, with transitional provisions which support any documents that refer to the *Fire and Rescue Service Regulation 2011*; and

- increase fees under the *Building Fire Safety Regulation 2008*, *Fire and Rescue Service Regulation 2011*, *Weapons Regulation 1996* and *Working with Children (Risk Management and Screening) Regulation 2011* from 1 July 2015 in accordance with the Government policy of annually increasing fees and charges by 3.5%.

Achievement of policy objectives

The amendment regulation achieves its objectives by:

- amending references in the *Fire and Rescue Service Regulation 2011* to types of industries;
- amending the short title of the *Fire and Rescue Service Regulation 2011* and providing transitional provisions to align with any documents that refer to the *Fire and Rescue Service Regulation 2011*; and
- increasing fees for 2015–16 under sections 74 and 75 and schedule 2 of the *Building Fire Safety Regulation 2008*; schedule 2 of the *Fire and Rescue Service Regulation 2011*; schedule 1 of the *Weapons Regulation 1996*; and schedule 4 of the *Working with Children (Risk Management and Screening) Regulation 2011*.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the objectives of the authorising Acts. Each of those Acts provides for fees to be prescribed by regulation.

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

In line with the objectives of the authorising Acts, the prescribed fees will assist in funding the provision of fire and emergency services. Implementation costs are negligible.

Consistency with fundamental legislative principles

The amendment regulation is consistent with the fundamental legislative principles prescribed by section 4 of the *Legislative Standards Act 1992*.

Consultation

The Department of the Premier and Cabinet, Department of Housing and Public Works, Queensland Treasury and the Office of Best Practice Regulation were consulted and support the amendment regulation.