

# **Electrical Safety and Other Legislation Amendment Regulation (No. 1) 2016**

Explanatory notes for SL 2016 No. 80

made under the

*Electrical Safety Act 2002*  
*Work Health and Safety Act 2011*

## **General Outline**

### **Short title**

*Electrical Safety and Other Legislation Amendment Regulation (No. 1) 2016*

### **Authorising law**

Section 210 of the *Electrical Safety Act 2002*  
Section 276 of the *Work Health and Safety Act 2011*

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

The Office of Industrial Relations (OIR), Queensland Treasury is responsible for administering the *Electrical Safety Act 2002* and the *Work Health and Safety Act 2011*. Certain regulations made under this legislation prescribe fees and charges and these are also administered by OIR.

The Queensland Government Principles for Fees and Charges, December 2012 (the Fees and Charges Principles) requires agencies to set fees and charges to accurately reflect the cost of providing their services and ensure fees and charges maintain their value over time. Where a regular comprehensive review of fees and charges is not cost effective or no specific indexation method has been approved by the Cabinet Budget Review Committee, agencies are required to annually apply the Government endorsed indexation factor to their fees and charges. The current Government endorsed indexation factor is 3.5 per cent.

The objective of the *Electrical Safety and Other Legislation Amendment Regulation (No. 1) 2016* (Amendment Regulation) is to index OIR's administered fees and charges in accordance with the Fees and Charges Principles.

## **Achievement of policy objectives**

The objective of the Amendment Regulation is achieved by making amendments to index the majority of OIR's administered fees and charges under regulations made under the legislation listed above in accordance with the Fees and Charges Principles, using the Government endorsed indexation factor of 3.5 per cent.

In accordance with the Fees and Charges Principles, a consistent rounding policy has been applied.

A small number of fees and charges under the Electrical Safety Regulation 2013 have not been indexed because of an agreement between the Queensland Government and industry at the time the Electrical Equipment Safety System was introduced, not to increase those fees for a period of three years.

In addition, five administrative fees relating to the application, cancellation, renewal, transfer and replacement of Major Hazard Facility licences under the Work Health and Safety Regulation 2011 have also been removed. The administrative costs to the Work Health and Safety Regulator in processing these fees exceed any revenue collected.

The amendments take effect on 1 July 2016.

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

The Amendment Regulation is consistent with the policy objectives of each of the authorising laws.

## **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**

The Amendment Regulation will ensure that OIR's administered fees and charges retain their value over time. The Amendment Regulation will not substantially increase the financial burden on the community or industry.

There are no anticipated implementation costs associated with the amendments.

## **Consistency with fundamental legislative principles**

The Amendment Regulation does not conflict with the fundamental legislative principles.

## **Consultation**

The Office of Best Practice Regulation (OBPR) has been consulted with regard to the obligations imposed under the Regulatory Impact Statement (RIS) System. OBPR has advised that a RIS is not required.