

Housing and Public Works Legislation (Fees) Amendment Regulation 2017

Explanatory Notes for SL 2017 No. 118

made under the

Architects Act 2002

Building Act 1975

Building and Construction Industry Payments Act 2004

Housing Act 2003

Plumbing and Drainage Act 2002

Professional Engineers Act 2002

Queensland Building and Construction Commission Act 1991

Residential Services (Accreditation) Act 2002

Retirement Villages Act 1999

General outline

Short title

Housing and Public Works Legislation (Fees) Amendment Regulation 2017

Authorising law

Section 143 of the *Architects Act 2002*

Section 261 of the *Building Act 1975*

Section 111 of the *Building and Construction Industry Payments Act 2004*

Section 101 of the *Housing Act 2003*

Section 145 of the *Plumbing and Drainage Act 2002*

Section 144 of the *Professional Engineers Act 2002*

Section 116 of the *Queensland Building and Construction Commission Act 1991*

Section 184 of the *Residential Services (Accreditation) Act 2002*

Section 228 of the *Retirement Villages Act 1999*

Policy objectives and the reasons for them

The objective of the Amendment Regulation is to index fees prescribed in the following regulations by 3.5% in accordance with the current government indexation policy:

- *Architects Regulation 2003*;
- *Building Regulation 2006*;
- *Building and Construction Industry Payments Regulation 2004*;
- *Housing Regulation 2003*;
- *Plumbing and Drainage Regulation 2003*;
- *Professional Engineers Regulation 2003*;
- *Queensland Building and Construction Commission Regulation 2003*;

- *Residential Services (Accreditation) Regulation 2002*; and
- *Retirement Villages Regulation 2010*.

Achievement of policy objectives

The amendments will achieve the objectives of ensuring the prescribed fees adhere to the Government indexation policy, which will increase the fees in the regulations by 3.5% from 1 July 2017.

Consistency with policy objectives of authorising law

The amendments are consistent with the policy objectives of the authorising laws.

Inconsistency with policy objectives of other legislation

The amendment Regulation is consistent with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

This Amendment Regulation is the only effective means of meeting government policy.

Benefits and costs of implementation

Implementation of the Regulation will ensure the fees administered by the Department of Housing and Public Works are in line with government policy.

The costs to government associated with implementation of the increased fees are minor administrative costs. These are not considered to be significant and will be funded by existing budget allocations.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

Queensland Treasury requires government fees and charges to be indexed annually. No consultation has been undertaken with external stakeholders.

In accordance with the Queensland Government Guide to Better Regulation, the Office of Best Practice Regulation was not consulted in relation to the regulatory proposal. The department applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category (h) - Regulatory proposals that put forward standard annual fee variations in line with or below a government endorsed indexation factor).