

# **Justices of the Peace and Commissioners for Declarations Regulation 2017**

Explanatory notes for SL 2017 No. 151

Made under the

*Justices of the Peace and Commissioners for Declarations Act 1991*

## **General Outline**

Short Title

*Justices of the Peace and Commissioners for Declarations Regulation 2017*

## **Authorising law**

Section 40 of the *Justices of the Peace and Commissioners for Declarations Act 1991*

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

The objective of the Regulation is to remake the Justices of the Peace and Commissioners for Declarations Regulation 2007 prior to its automatic expiry, in the same form with minor amendments that reflect current drafting practice.

## **Achievement of policy objectives**

The Regulation prescribes administrative matters including: how a person can apply for appointment as a justice of the peace or commissioner for declarations, the inquiries that a registrar can make in response to an application, information about training course qualifications and those taken while in office, the oath or affirmation to be taken by a commissioner for declarations, and how a transitional office holder can be registered as a commissioner for declarations. The Regulation also provides that the chief executive can approve forms for use under the Regulation, and prescribes the fees payable under the Act.

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

The matters prescribed in the Regulation are essential to the proper functioning of the Act and the justices of the peace and commissioners of declarations regime. If the Regulation were permitted to expire, members of the public seeking to qualify as a justice of the peace or commissioner for declarations, and people currently holding those offices, would not be

able to readily access information relating to the application process, training course qualifications and requirements, and the fees payable under the Act.

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

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

## **Alternative ways of achieving policy objectives**

There is no alternative way of achieving the policy objectives.

## **Benefits and costs of implementation**

It is not anticipated that there will be any significant costs to government arising from the Regulation.

## **Consistency with fundamental legislative principles**

The Regulation is consistent with fundamental legislative principles.

## **Consultation**

The Justices of the Peace Branch in the Department of Justice and Attorney-General, the Department of the Premier and Cabinet and Queensland Treasury were consulted on the Regulation.