

Transport Operations (Passenger Transport) Regulation 2018

Explanatory notes for SL 2018 No. 119

made under the

Rural and Regional Adjustment Act 1994

State Penalties Enforcement Act 1999

Transport Infrastructure Act 1994

Transport Operations (Passenger Transport) Act 1994

General Outline

Short title

Transport Operations (Passenger Transport) Regulation 2018

Authorising law

Section 44 of the *Rural and Regional Adjustment Act 1994*

Section 165 of the *State Penalties Enforcement Act 1999*

Section 490 of the *Transport Infrastructure Act 1994*

Section 155 of the *Transport Operations (Passenger Transport) Act 1994*

Policy objectives and the reasons for them

Section 54(1)(b) of the *Statutory Instruments Act 1992* provides for the automatic expiry of subordinate legislation on 1 September first occurring after the 10th anniversary of the day of its making unless a regulation exempts it from expiry.

The *Transport Operations (Passenger Transport) Regulation 2005* (TOPTR 2005) was initially due to expire on 1 September 2016. However, its expiry was extended twice due to the comprehensive reforms of personalised transport. TOPTR 2005 is now scheduled to expire on 31 August 2018.

The primary objective of the *Transport Operations (Passenger Transport) Act 1994* (the Act) is to achieve the provision of the best possible public passenger transport at reasonable cost to the community and government while keeping government regulation to a minimum. The

objective of making the *Transport Operations (Passenger Transport) Regulation 2018* (TOPTR 2018) is principally to support this objective and the other objectives outlined in section 2 of the Act as effectively as possible.

The supplementary objectives of the statutory expiry remake are to:

- ensure passenger transport regulations are of the highest standard;
- reduce the regulatory burden as much as possible without compromising law and order;
- simplify passenger transport regulations so they can be better understood by the general public and applied more easily; and
- modernise passenger transport regulations so that they are relevant.

The Department of Transport and Main Roads (TMR) reviewed every provision of TOPTR 2005. A number of minor amendments were identified as part of the review, which aim to achieve both the objectives of the Act and the supplementary objectives of the statutory expiry remake.

Achievement of policy objectives

The policy objectives will be achieved by remaking TOPTR 2005 as TOPTR 2018 with only minor amendments identified as part of the review. An outline of TOPTR 2018 is provided below.

Part 1: Preliminary

Part 1 sets out preliminary matters for TOPTR 2018 and cross-references the dictionary in schedule 9.

Part 2: Operator accreditation

Part 2, division 1 includes definitions for part 2 and states the purpose of the part is to provide for matters about operator accreditation (OA) for chapter 3 of the Act.

Part 2, division 2 provides for the grant, renewal and term of OA, including provisional OA.

Part 2, division 3 details the administrative processes for amending, suspending and cancelling OA, including immediate suspension, grounds for taking action and show cause process.

Part 2, division 4 outlines miscellaneous matters, including prescribing public passenger services to which the requirement to hold OA does not apply and the requirement to notify about disqualifying offences.

Part 3: Driver authorisation

Part 3, division 1 includes definitions for part 3 and states the purpose of the part is to provide for matters about driver authorisation (DA) for chapter 4 of the Act.

Part 3, division 2 provides for the grant, renewal and term of DA, including provisional DA, by providing for eligibility requirements such as driver licence requirements, the form of, and

expressions on, the authorising document for DA, the term of DA, and the inclusion of conditions.

Part 3, division 3 provides for the grant of restricted DA for courtesy transport services and community transport services and associated process matters.

Part 3, division 4 details the administrative processes for amending, suspending and cancelling DA, including immediate suspension, the relationship between DA and driver licences, grounds for taking action and show cause process.

Part 3, division 5 provides for replacing and surrendering DA.

Part 3, division 6 imposes the initial and ongoing medical fitness requirements for DA, including restricted DA. If an authorised driver fails to notify the chief executive of TMR (and the relevant prescribed operator for restricted DA) about a change in the authorised driver's medical condition and the chief executive becomes aware of the change, the chief executive may amend, suspend or cancel the authorised driver's DA in the public interest.

Part 3, division 7 provides for notification obligations about certain matters for DA and the disclosure of DA information in certain circumstances.

Part 3, division 8 sets out the offences for DA, including damaging an authorising document and misleading or fraudulent conduct in relation to an authorising document for DA.

Part 3, division 9 prescribes the public passenger services to which the requirement to hold DA does not apply.

Part 4: Market entry restrictions

Part 4 declares that certain public passenger services listed in Schedule 1 are to be provided with market entry restrictions as provided by section 36 of the Act.

Part 5: Service contracts

Part 5 provides for matters relating to service contracts for chapter 6 of the Act. This includes prescribing the classes of persons for which the State has discretion to reimburse the cost of a concession to a contract holder, additional matters to be considered in assessing offers for service contracts, prescribing an additional service contract route for the integrated mass transit area and matters to be considered in deciding the amount of compensation in certain circumstances.

Part 6: Personalised transport services

Part 6, division 1 includes definitions for part 6.

Part 6, division 2 contains requirements for the provision of taxi services and booked hire services, including:

- not refusing to provide taxi services or services to particular persons (for example, a person using a wheelchair);
- fares and soiling charges;

- the operation of a taximeter;
- the control of doors;
- providing fare estimates;
- keeping booking records;
- providing itemised receipts;
- maximum payment surcharges; and
- vehicle identification.

Part 6, division 3 outlines certain training obligations for drivers of vehicles being used to provide booked hire services and taxi services and the requirement to meet minimum standards for the training.

Part 6, division 4 outlines record keeping and reporting requirements for taxi services and booked hire services, including retention of information for managing fatigue and the particulars of trip information for taxi services and booked hire services.

Part 6, division 5 sets out audit requirements for persons in the chain of responsibility for booked hire services and taxi services for the purposes of the Act.

Part 6, division 6 contains miscellaneous provisions for taxi services and booked hire services, including, among others, prescribing the taxi service areas for which the taxi industry security levy is payable; an additional relevant driver offence for suspending a person's driver licence; and the requirement to notify the chief executive of TMR about serious misconduct of drivers.

Part 6, division 7 sets out the framework and requirements for the taxi subsidy scheme (TSS), including, among others, the grounds for refusing or cancelling a person's membership, the circumstances permitting TSS information disclosure and the requirements about use of TSS membership cards and operation of supporting equipment.

Part 6, division 8 contains provisions for the issue, display and assignment of taxi driver display cards and interim taxi driver display cards.

Part 7: Cross-border taxi services

Part 7 imposes requirements for cross-border taxi services.

Part 8: Licences and authorisation for personalised transport services

Part 8, division 1 includes definitions for part 8.

Part 8, division 2 provides for the grant and refusal of booked hire service licences.

Part 8, division 3 outlines the general requirements for booked hire service licences, limousine licences and taxi service licences, including vehicle requirements. The division also provides for various administrative processes for licences, such as changing a vehicle stated on the licence, substituting limousines, the transfer and leasing of taxi service licences and limousine licences, the grounds for amending, suspending and cancelling licences and the show cause process.

Part 8, division 4 provides for substitute vehicle authorities in relation to taxis, including administrative processes for issuing, refusing and cancelling authorities. It further imposes obligations on the users of substitute vehicles for record-keeping, vehicle use and vehicle inspections.

Part 8, division 5 provides for the grant and refusal of booking entity authorisation (BEA), including the administrative processes for amending, suspending and cancelling BEA, the grounds for taking action, show cause process and ongoing notification obligations of BEA holders for any increase in fleet size or disqualifying offences.

Part 9: Vehicle security camera systems

Part 9, division 1 includes definitions for part 9.

Part 9, division 2 provides general obligations to have approved security camera systems fitted in certain vehicles which meet prescribed risk criteria. It also prohibits the use of vehicle security camera systems other than approved security camera systems in booked hire vehicles, taxis and limousines.

Part 9, division 3 sets out the detailed equipment and operational requirements if an approved security camera system has been fitted to a vehicle. Division 3 also provides for ensuring an approved security camera system is functioning correctly and is not unlawfully tampered with, and that a passenger can identify a system is fitted to a vehicle through signage.

Part 9, division 4 provides for the approval of specifications for a vehicle security camera system and associated signage.

Part 9, division 5 prescribes the circumstances in which security recordings from an approved security camera system may be used and the requirements for downloading and storing security recordings.

Part 10: Obligations of operators of public passenger services

Part 10 imposes general obligations on operators for various matters, including:

- equipment for particular public passenger vehicles;
- ensuring advertising does not impact safety;
- requiring vehicles used by an operator are clearly identifiable;
- ensuring vehicles are not misrepresented as vehicles associated with an invalid OA;
- vehicle inspection requirements;
- records on vehicle use;
- maintenance requirements for vehicles used to provide booked hire or taxi services;
- requirements in relation to air conditioning for buses;
- keeping records and notification requirements about restricted DA; and
- prohibiting the use of a vehicle fitted with a prescribed interlock to provide a public passenger service.

Part 11: Rights and obligations of passengers and drivers of public passenger vehicles

Part 11 provides for obligations of passengers and drivers which apply to public passenger vehicles other than rolling stock, including among others:

- the consumption of food or beverages without permission;
- smoking;
- using seats improperly;
- the carriage of animals on public passenger vehicles;
- identification of drivers;
- providing assistance to passengers;
- use of air conditioning;
- safety obligations for motorbike passengers;
- the prohibition on driving a vehicle fitted with a prescribed interlock to provide a public passenger service; and
- the carriage of documents evidencing DA.

Part 12: Rights and obligations of persons on regulated areas

Part 12, division 1 includes a definition for part 12.

Part 12, division 2 restricts driving and parking vehicles on a regulated area (that is, a busway, busway transport infrastructure or light rail platform), entering or leaving a regulated area and entering a route on a busway.

Part 12, division 3 restricts persons on a regulated area taking animals, drinking alcohol, smoking, playing music, or selling things or conducting a survey unless authorised.

Part 12, division 4 provides that a sign on a busway or busway transport infrastructure may be taken to be an official traffic sign.

Part 13: Rights and obligations of persons in public passenger vehicles and on public transport infrastructure

Part 13 prescribes offences for inappropriate behaviour such as for spitting, littering and creating a disturbance or nuisance on public transport infrastructure and vehicles.

Part 14: Dealing with property on busway, busway transport infrastructure or light rail

Part 14 outlines processes when property is parked or abandoned on a busway, busway transport infrastructure or light rail, including requirements for notifying the owner, responsibility for expenses incurred and release and disposal of the property.

Part 15: Review of decisions

Part 15 provides that sections 102 and 103 of the Act apply to decisions for provisions listed in schedule 6 as if the decisions were in schedule 2 of the Act. This has the effect that the decisions are subject to both an internal review by TMR and an external review by the Queensland Civil and Administrative Tribunal.

Part 16: Miscellaneous

Part 16, division 1 prescribes various matters for the purposes of the Act, including:

- various matters to be addressed in the *Transport Operations (Passenger Transport) Standard 2010*;
- the authorised disclosure of certain taxi service licence information on the department's website;
- prescribing additional disqualifying offences;
- excluding some scheduled passenger services from being 'general route services' under the Act; and
- excluding some services from being 'public passenger services' under the Act.

Part 16, division 2 provides for the appointment of authorised persons for the Gold Coast light rail and outlines the powers exercisable by those persons.

Part 16, division 3 prohibits the use of certain vehicles to provide a public passenger service and requires the use of right-hand drive unless the vehicle is an automated public passenger vehicle.

Part 16, division 4 provides for various matters related to the carriage of school students, including making a code of conduct for school students by the chief executive of TMR, providing for a local conveyance committee for a school service contract and excluding a student from free travel arrangements where the student's parent is convicted of a dishonesty offence under the Act.

Part 16, division 5 provides for various miscellaneous offences and obligations including prohibiting soliciting and touting, prohibiting the advertising of unauthorised services or misleading advertising, notification requirements when the holder of an authorisation, accreditation or licence changes their name or address and imposing general record keeping retention obligations.

Part 16, division 6 provides for the collection of fees and levies payable under the Act, including powers to adjust or waive fees.

Part 16, division 7 prescribes authorised persons for the Brisbane Airport Rail Link and the effect of not receiving a renewal notice required to be sent under the regulation.

Part 17: Transitional provisions

Part 17 provides for the transition of certain matters from TOPTR 2005 to TOPTR 2018, including, for example, the continuation of certain authorisations, requirements and determinations, rights, qualifications and disqualifications, reviews, financial entitlements and approvals made or granted.

Part 18: Amendment of other legislation

Part 18 sets out amendments made to other legislation.

Schedule 1: Market entry restrictions

Schedule 1 sets out the areas and routes to which market entry restrictions may apply.

Schedule 2: Taxi service areas for taxi industry security levy

Schedule 2 lists the taxi service areas for which the taxi industry security levy is payable if imposed by the chief executive of TMR.

Schedule 3: Prescribed areas

Schedule 3 lists the taxi service areas for which a taxi driver display card or interim taxi driver display card must be displayed

Schedule 4: Relevant security camera areas for approved security camera systems

Schedule 4 lists the taxi service areas for which an approved security camera system must be fitted to a licensed vehicle if certain risk-based criteria apply to the vehicle.

Schedule 5: Equipment requirements for particular public passenger vehicles

Schedule 5 prescribes equipment requirements for particular public passenger vehicles.

Schedule 6: Reviewable decisions

Schedule 6 sets out decisions for specified provisions of TOPTR 2018 that are reviewable under the Act.

Schedule 7: Gold Coast light rail

Schedule 7 contains a map showing the alignment of Gold Coast light rail for limiting the powers of authorised persons for the Gold Coast light rail.

Schedule 8: Fees and levy

Schedule 8 prescribes fees and a levy payable under the Act.

Schedule 9: Dictionary

Schedule 9 contains the dictionary.

An outline of the key minor amendments identified as part of the review is provided below.

Key operator accreditation amendments

- Section 17 (Return of evidence of operator accreditation) – A certificate evidencing OA will only need to be returned if a regulation notice states that the certificate must be returned. In practice, returning a certificate evidencing OA is not always necessary so the amendment will reduce the regulatory burden on operators.

- Section 221 (Accreditation certificates and accreditation numbers) – The requirements for displaying an operator’s OA number on, or keeping a copy of a certificate evidencing OA in, a vehicle will be simplified to reduce the regulatory burden and make the requirements easier to understand and apply.

Key driver authorisation amendments

- Section 23 (Application for grant or renewal) – Currently, a person is ineligible for DA for 2 years from the day a person’s driver licence becomes subject to an interlock condition. The 2-year wait period will be removed. This will give the chief executive of TMR discretion in exceptional circumstances to grant DA to a person whose driver licence is no longer subject to an interlock condition within 2 years after the person’s driver licence becomes subject to the condition.
- Section 24 (Licence requirements) – The driver licence requirements for DA will be simplified to reduce the regulatory burden and make the requirements easier to understand and apply.
- Section 28 (Expressions on authorising documents) – A person may currently apply for four categories of DA: ‘BHTX’, ‘Genr’, ‘Sche’ and ‘TrMc’. Each category allows the person to provide certain types of public passenger services. The DA categories will be streamlined to two categories to reduce unnecessary complexity. ‘BHTX’ DA will allow the holder to drive a vehicle to provide any type of public passenger service. ‘Genr’ DA (or General DA) will allow the holder to drive a vehicle to provide any type of public passenger service other than a taxi service or booked hire service. This change simplifies the legislation and reduces the regulatory burden for government and industry without impacting the safety of services. In addition, the change will allow authorised drivers to provide a broader range of public passenger services under the authority provided the person has the appropriate driver licence for the vehicle used to provide the service.

Use of seats

It is currently an offence under section 5(3) of the *Transport Infrastructure (Rail) Regulation 2017* (TIRR) for a person to put the person’s feet on a seat of a rolling stock, or to occupy more than 1 seat of rolling stock. The offence does not apply across other public passenger transport modes. For consistency, section 233 of TOPTR 2018 includes an offence for a person to put the person’s feet on a seat or occupy more than 1 seat of another type of public passenger vehicle (for example a bus or a light rail vehicle), unless the person has permission of the operator or driver. Booked hire vehicles, limousines and taxis will be excluded from this offence as the personalised nature of services provided in those vehicles means that the use of seats can be self-regulated by industry.

Dress of drivers

It is an offence under section 131 of TOPTR 2005 for a person to fail to dress neatly while driving a public passenger vehicle other than a booked hire vehicle, taxi or limousine. TOPTR 2018 does not include this offence to reduce the regulatory burden on industry, allowing industry to self-regulate the dress standards of drivers.

Selling, seeking business or conducting survey

The offence of selling, seeking business or conducting a survey on a busway, busway transport infrastructure or light rail platform in TOPTR 2005 has a maximum penalty of 10 penalty units (PU). The maximum penalty for the corresponding offence in the TIRR for a railway or rolling stock is 20 PUs. Section 248 of TOPTR 2018 increases the maximum penalty for the offence of selling, seeking business or conducting a survey on a busway, busway transport infrastructure or light rail platform from 10 PUs to 20 PUs to provide consistency.

Litter

It is an offence under section 133I of TOPTR 2005 to leave litter on a busway, busway transport infrastructure or light rail platform. It is also an offence under section 12 of the TIRR to leave litter on a railway or rolling stock. The current offences do not apply to other parts of the public passenger transport network (for example, leaving litter on buses, at bus stations, on light rail vehicles or light rail stations). Section 253 of TOPTR 2018 will provide that a person must not leave litter on or in other types of public transport infrastructure except in a container provided for it, in order to apply the prohibition against littering consistently across the public passenger transport network.

Requirement for road-based public passenger vehicle—right-hand drive

Automated vehicles (AV) are currently being trialled in Queensland. Section 270 of TOPTR 2018 makes it an offence to operate a public passenger service using a road-based public passenger vehicle that does not have a right-hand drive. Given an automated vehicle (AV) may not have a steering control, it is not clear how an operator conducting a public passenger service with an automated public passenger vehicle can comply with the requirement to use a vehicle that has a right-hand drive. As such, AVs will be exempt from this requirement.

Alcohol

Section 246 of TOPTR 2018 makes it an offence to drink alcohol on a busway, busway transport infrastructure or light rail platform. The maximum penalty for this offence is 20 PUs. It is also an offence under section 8 of the TIRR to drink alcohol on a railway or rolling stock (for example, a train); however, the maximum penalty is only 10 PUs. Part 18, division 4 of TOPTR 2018 increases the maximum penalty for the offence of drinking alcohol on a railway or rolling stock under the TIRR from 10 PUs to 20 PUs.

Consistency with policy objectives of authorising law

TOPTR 2018 is consistent with the main objectives of the Act, which is principally to achieve the provision of the best possible public passenger transport at reasonable cost to the community and government whilst keeping government regulation to a minimum. It is also consistent with the policy objectives of *State Penalties Enforcement Act 1999*, *Statutory Instruments Act 1992*, *Rural and Regional Adjustment Act 1994* and *Transport Infrastructure Act 1994*.

Inconsistency with policy objectives of other legislation

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

Alternative ways of achieving policy objectives

Remaking TOPTR 2005 is the most suitable and legally effective way to support the objectives of the Act. Allowing TOPTR 2005 to lapse and having no regulation under the Act would result in significant adverse impacts on the provision of public passenger services in Queensland. Remaking TOPTR 2005 will provide certainty for operators, drivers and passengers alike, and give passengers confidence that drivers and vehicles they use are safe.

The Act provides for the overarching policy objectives with provisions that require more frequent amendment due to changing circumstances or contain significant detail made by regulation. Although the Act could be amended to cover the matters currently dealt with in TOPTR 2005, this would not allow for amendments to be made quickly in response to rapidly changing circumstances. Further, TOPTR 2018 does not contain provisions that have a significant potential to affect individual rights and liberties.

An alternative way of achieving the policy objectives would be to rely on self-regulation of the industry. However, this option is unlikely to be the most effective way to achieve the objectives of the Act as the passenger transport industry is highly fragmented, with some participants in intense competition and other participants protected from competition where it is in the public interest. Some parts of the passenger transport industry are also highly organised with a peak organisation that provides strong and coordinated advocacy, and others do not have formal advocacy. As such, it would be very difficult to establish an agreed framework for industry self-regulation, and create an unacceptably high risk of ineffective self-regulation in some parts of the public passenger transport sector.

Benefits and costs of implementation

The key benefits of making TOPTR 2018 include:

- supporting the objectives of the Act, particularly the objective of achieving the provision of the best possible public passenger transport at reasonable cost to the community and government;
- providing legal certainty to government, passengers and industry;
- providing consumer and safety protections to passengers, drivers and other road users;
- maintaining the amenity of public transport infrastructure, including vehicles to provide an attractive alternative to private transport; and
- supporting a cost-effective compliance and enforcement regime for public passenger services.

Remaking TOPTR 2005 is not expected to result in an increase in administrative or compliance costs for government or industry. Any costs associated with compliance and enforcement activities under TOPTR 2018, or any additional training required, will be met from existing budget allocations.

Some of the minor amendments identified as part of the review of TOPTR 2005 will reduce the costs on government and industry:

- Minor OA amendments – The amendments will remove the cost of having to return a certificate evidencing OA in certain circumstances.
- Minor DA amendments – Simplifying the driver licence requirements for DA will reduce the barriers to entry for persons intending to drive vehicles being used to

provide certain services without impacting the safety of services. This will provide authorised drivers with more options to earn a living as a professional driver and give operators a larger group of professional drivers to choose from. The changes will also allow a person holding BHTX DA to provide any public passenger service, and a person holding General DA to provide any public passenger service other than a taxi service or a booked hire service, thereby broadening the types of services which DA holders can provide.

Consistency with fundamental legislative principles

TOPTR 2018 is broadly consistent with fundamental legislative principles (FLP) as defined in section 4 of the *Legislative Standards Act 1992*, and any potential breaches are justified below.

Alcohol

For consistency with the offence of drinking alcohol on a regulated area under TOPTR 2018, the maximum penalty for the corresponding offence for drinking alcohol on a railway or rolling stock under the TIRR will increase from 10 PUs to 20 PUs. The penalty increase may breach the FLP that legislation has sufficient regard to the rights and liberties of individuals. However, the potential breach is justified on the basis it provides consistency within legislation, improves amenity and attractiveness of passenger transport for all users and protects other passengers from potential harm from persons affected by alcohol on public passenger transport. Further, retaining inconsistent penalties would result in a potential FLP breach.

Selling, seeking business or conducting a survey

For consistency with the offence of selling, seeking business or conducting a survey on railway or rolling stock under TIRR, the maximum penalty for the corresponding offence for selling, seeking business or conducting a survey on a busway, busway transport infrastructure or light rail platform under TOPTR 2018 will increase from 10 PUs to 20 PUs. The penalty increase may breach the FLP that legislation has sufficient regard to the rights and liberties of individuals. However, the potential breach is justified on the basis it provides consistency within legislation and across the public passenger transport network, and improves the amenity and attractiveness of public passenger transport for all users. Retaining inconsistent penalties would also result in a potential FLP breach.

Use of seats

For consistency with the offence of a person putting the person's feet on a seat or to occupy more than 1 seat of a train under the TIRR, section 233 of TOPTR 2018 will include an offence for a person to put the person's feet on a seat or occupy more than 1 seat of another type of public passenger vehicle (for example a bus or a light rail vehicle), unless the person has permission of the operator or driver. The introduction of a new offence may breach the FLP that legislation has sufficient regard to the rights and liberties of individuals. The new offence is justified as it provides a consistent approach for passenger conduct across the public passenger transport network and improves the amenity and attractiveness of public passenger transport for all users.

Fees and levy

Section 145(2) of TOPTR 2005 includes a requirement for the chief executive of TMR to adjust provisional OA fees in proportion to the number of months for which the provisional OA is granted. This provision will not be included in the corresponding provision of TOPTR 2018, resulting a potential breach the FLP that legislation has sufficient regard to the rights and liberties of individuals, particularly to the extent that it relates to an existing statutory right. The purpose of the amendments is to simplify how fees and a levy are administered under TOPTR 2018. TMR will determine the most cost-effective way to administer fees payable under the Act as a matter of internal operational policy.

Consultation

TMR has held industry briefings with a number of industry stakeholders on the process of remaking TOPTR 2005 and minor amendments identified as part of the review, including the following stakeholders:

- Queensland Bus Industry Council;
- Queensland School Bus Alliance;
- Taxi Council of Queensland;
- Limousine Association of Queensland;
- Limousine Action Group;
- Uber;
- Shebah; and
- Ride Share Drivers' Association of Australia

The relevant stakeholders did not raise any concerns with minor amendments identified as part of the review. Although a number of policy issues were raised during the industry briefings, TMR will consider the issues in line with government priorities and as part of the ongoing evaluation and monitoring of the personalised transport reforms.

GoldLinQ as the Gold Coast light rail operator was consulted on the offences proposed for littering and using seats improperly and supports the amendments.

The Queensland Productivity Commission reviewed a Preliminary Impact Assessment of the regulation and advised that no further regulatory analysis was required under *The Queensland Government Guide to Better Regulation*.