

Police Service Administration (Approved Agencies) Amendment Regulation 2019

Explanatory notes for SL 2019 No. 44

made under the

Police Service Administration Act 1990

General Outline

Short title

Police Service Administration (Approved Agencies) Amendment Regulation 2019

Authorising law

Section 10.28 of the *Police Service Administration Act 1990*.

Policy objectives and the reasons for them

The *Police Service Administration Act 1990* (PSAA) provides for the maintenance, membership, development and administration of the Queensland Police Service (QPS). This includes creating a legislative framework outlining how information held by the QPS may be disclosed to other entities. Section 10.2L of the PSAA authorises the commissioner to give to an approved agency information held in a QPS database. Agencies that are prescribed as approved agencies are listed in section 67 of the *Police Service Administration Regulation 2016* (PSAR).

The objective of the *Police Service Administration (Approved Agencies) Amendment Regulation 2019* (the Regulation) is to amend the PSAR to include the Office of the Health Ombudsman (OHO) and its Commonwealth counterpart, the Australian Health Practitioner Regulation Agency (AHPRA), as approved agencies under section 67 of the PSAR.

These agencies have a statutory responsibility to regulate registered and non-registered health practitioners. Functions of these agencies include investigating or managing complaints made about health practitioners and assessing the continued suitability of health practitioners to undertake their professional activities.

The OHO and the AHPRA regularly request information from the QPS about registered and non-registered health practitioners who have been charged with

criminal offences to enable these agencies to determine if immediate action to protect the public from the practitioner is required.

Including the OHO and the AHPRA as approved agencies under section 67 of the PSAR will facilitate the timely and more efficient information sharing of QPS information assisting these agencies to more effectively fulfil their statutory responsibilities.

Achievement of policy objectives

The Regulation achieves its objectives by including the OHO and the AHPRA within section 67 of the *Police Service Administration Regulation 2016*.

Consistency with policy objectives of authorising law

The Regulation is consistent with the objectives of the authorising Act.

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

Any costs incurred through the implementation of the Regulation are expected to be negligible and will be met through existing budgets.

Consistency with fundamental legislative principles

The Regulation is consistent with the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

The OHO and the AHPRA Regulation Agency were consulted and support the Regulation. The Queensland Police Service applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category (j) – Regulatory proposals relating to police powers and administration, general criminal laws, the administration of courts and tribunals and corrective services).