

Commissions of Inquiry (Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability—Quorum) Regulation 2019

Explanatory notes for SL 2019 No. 209

Made under the

Commissions of Inquiry Act 1950 (Qld)

General Outline

Short Title

Commissions of Inquiry (Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability—Quorum) Regulation 2019

Authorising law

Section 33 of the *Commissions of Inquiry Act 1950* (Qld) (COI Act).

Policy objectives and the reasons for them

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Royal Commission) was established on 4 April 2019.

Under the *Royal Commissions Act 1902* (Cth) (RC Act) members of the Royal Commission may perform functions or exercise powers concurrently with any powers conferred on the member by the Governor of a State (section 7AA of the RC Act).

The purpose of *Commissions of Inquiry (Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability—Quorum) Regulation 2019* (the Regulation) is to clarify how the Royal Commission is constituted when it is reliant on the performance of functions or exercise of powers under the COI Act.

The Regulation will ensure the efficient functioning of the Royal Commission by clarifying:

- how the Royal Commission is to be constituted where a *quorum* of commissioners perform functions or exercise powers; and
- how an acting chairperson may be appointed where a quorum of the commission is constituted by two or more of its commissioners sitting together.

Achievement of policy objectives

The Regulation provides that a quorum for the purposes of the Royal Commission is formed by:

- its chairperson sitting alone; or
- its chairperson sitting with 1 or more of its other commissioners; or
- 2 or more of its other commissioners sitting together.

The Regulation also provides how an acting chairperson may be appointed where a quorum of the Royal Commission is formed by two or more of its commissioners sitting together.

Consistency with policy objectives of authorising law

The Regulation is consistent with the main objectives of the COI Act, that is, to facilitate inquiries by commissions of inquiry.

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

The Regulation will provide flexibility for Royal Commission members when performing functions or exercising a power under the COI Act.

There are no additional costs associated with the Regulation.

Consistency with fundamental legislative principles

The Regulation is consistent with fundamental legislative principles.

Consultation

The amendments were assessed by the Department of Justice and Attorney General (DJAG) in accordance with *The Queensland Government Guide to Better Regulation* as being machinery in nature and falling within exclusion category (g). DJAG considers the Regulation to exempt from further regulatory impact analysis. The Office of Best Practice Regulation was therefore not consulted about the Regulation.

No consultation external to government was conducted as the amendments are administrative in nature.