

# Personalised Transport Ombudsman Act 2019

Explanatory notes for SL 2020 No. 25

made under the

*Personalised Transport Ombudsman Act 2019*

## General Outline

### Short title

Proclamation commencing particular provisions of the *Personalised Transport Ombudsman Act 2019*.

### Authorising law

Section 2 of the *Personalised Transport Ombudsman Act 2019* (the PTO Act).

### Policy objectives and the reasons for them

In June 2018, the Queensland Government announced the purchase of a new ticketing solution (Smart Ticketing) to be rolled out across Queensland. Smart Ticketing aims to make choosing public transport even easier by giving customers more options to pay for their travel. Under Smart Ticketing, customers will be able to use cash, *go* cards and other tokens issued by the Department of Transport and Main Roads (TMR) as well as contactless debit and credit cards, smartphones or wearable devices held by customers, to pay for public transport.

The policy objective of the Proclamation is to commence the regulation-making power for the payment of fares in relation to the use or hire of a public passenger vehicle and related amendments in the PTO Act to support the transition to Smart Ticketing.

### Achievement of policy objectives

The policy objective of the Proclamation is achieved by fixing 9 March 2020 as the commencement date for the following sections of the PTO Act: 122 to 130, 131(1) and 131(3), 132 to 134, 135(1) and 135(3), and 135(2) to the extent that it inserts the definition of 'fare evasion provision'.

### Consistency with policy objectives of authorising law

The Proclamation is consistent with the policy objectives of the PTO Act.

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

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

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

The Proclamation is the only effective way of commencing the specified provisions of the PTO Act.

## **Benefits and costs of implementation**

The benefit of making the Proclamation is that it allows for a regulation to be made for matters relating to payment of fares in relation to the use or hire of a public passenger vehicle. The regulation will allow for fare revenue to be protected as customers transition to Smart Ticketing.

Smart Ticketing is fully funded by the Queensland Government with allocation of \$371 million, over a four-year project delivery timeframe, to design, build and implement the new ticketing solution across Queensland.

## **Consistency with fundamental legislative principles**

The Proclamation is consistent with fundamental legislative principles.

## **Consultation**

Consultation was undertaken as part of the development of the PTO Act. No consultation has occurred on the Proclamation as it is machinery in nature.

In accordance with the Queensland Government Guide to Better Regulation, the Office of Best Practice Regulation was not consulted about this proclamation. The Department applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category G—Regulatory proposals that are of a machinery nature).

No other stakeholders were consulted about the proclamation because the commencement of the provisions is machinery in nature.