

Land, Explosives and Other Legislation Amendment (Postponement) Regulation 2020

Explanatory notes for SL 2020 No. 31

made under the

Land, Explosives and Other Legislation Amendment Act 2019

General Outline

Short title

Land, Explosives and Other Legislation Amendment (Postponement) Regulation 2020

Authorising law

Section 15DA of the *Acts Interpretation Act 1954*

Section 2 of the *Land, Explosives and Other Legislation Amendment Act 2019*

Policy objectives and the reasons for them

The policy objective of the *Land, Explosives and Other Legislation Amendment (Postponement) Regulation 2020* (Postponement Regulation) is to extend the period before commencement for provisions in the *Land, Explosives and Other Legislation Amendment Act* (LEOLA Act) about gas device approval authorities.

Part 12 of the LEOLA Act amends the *Petroleum and Gas (Production and Safety) Act 2004* and includes provisions to establish a regulatory framework to appoint and condition holders of gas device approval authorities. Holders of these authorities may certify gas devices as safe prior to their supply, installation and use. Before these LEOLA Act amendments can operate, supporting amendments need to be made in the *Petroleum and Gas (Safety) Regulation 2018*.

The LEOLA Act received assent on 29 March 2019. Application of section 15DA of the *Acts Interpretation Act 1954* means the uncommenced gas device provisions will automatically commence on 30 March 2020, unless a regulation is made to delay commencement. Stakeholder consultation about proposals to amend the *Petroleum and Gas (Safety) Regulation 2018* has commenced but will not be finalised before 30 March 2020.

Achievement of policy objectives

The Postponement Regulation achieves the policy objective by extending the pre-commencement period for the gas device approval authority amendments, enabling consultation with affected stakeholders.

Consistency with policy objectives of authorising law

The Postponement Regulation is consistent with policy objectives of the LEOLA Act and the *Acts Interpretation Act 1954*.

Inconsistency with policy objectives of other legislation

There is no inconsistency with policy objectives of other legislation.

Benefits and costs of implementation

The Postponement Regulation will allow sufficient time for consultation with affected stakeholders. There are no costs associated with implementing the Postponement Regulation.

Consistency with fundamental legislative principles

The Postponement Regulation is consistent with fundamental legislative principles.

Consultation

Consultation with affected gas industry certifiers was undertaken during development of the LEOLA Act amendments. These stakeholders have been informed of a later commencement for the regulatory framework. Prior to commencement, there will be further consultation on operational details for gas device approval authorities.

In accordance with the Queensland Government Guide to Better Regulation, the Office of Best Practice Regulation was not consulted in relation to the regulatory proposal. The Department of Natural Resources, Mines and Energy applied a self-assessable exclusion from undertaking further regulatory impact analysis (category g - Regulatory proposals that are of a machinery nature).