

# Fire and Emergency Services Legislation (Fees) Amendment Regulation 2020

Explanatory notes for SL 2020 No. 124

made under the

*Building Act 1975*

*Fire and Emergency Services Act 1990*

## General Outline

### Short title

Fire and Emergency Services Legislation (Fees) Amendment Regulation 2020

### Authorising law

Section 261 of the *Building Act 1975*

Sections 108 and 154E of the *Fire and Emergency Services Act 1990*

### Policy objectives and the reasons for them

In accordance with Government policy, regulated fees and charges are reviewed annually. Indexation of fees and charges seeks to maintain their value over time, relative to the anticipated increase in associated costs. The current Government Indexation Policy is that fees and charges are to increase by 1.8 per cent from 1 July 2020.

The objective of the Fire and Emergency Services Legislation (Fees) Amendment Regulation 2020 (the Amendment Regulation) is to amend the following regulations to apply annual indexation of fees and charges in accordance with the Government Indexation Policy:

- *Building Fire Safety Regulation 2008*; and
- *Fire and Emergency Services Regulation 2011*.

The Amendment Regulation also amends the date of the levy district map in section 7 of the *Fire and Emergency Services Regulation 2011* (the Regulation) to reflect the levy districts and geographical boundaries for the current year. Queensland Fire and Emergency Services (QFES) reviews levy district boundaries by evaluating service models and proximity in accordance with the Regulation, with the levy district map

updated as required. From 1 July 2020, the levy district map will reflect changes in the Rathdowney boundary.

## **Achievement of policy objectives**

The Amendment Regulation achieves its objectives by applying the Government Indexation Policy to fees, charges and levies and making other minor amendments that are machinery in nature to the following regulations:

- *Building Fire Safety Regulation 2008*; and
- *Fire and Emergency Services Regulation 2011*.

## **Consistency with policy objectives of authorising law**

The Amendment Regulation is consistent with the objectives of the authorising Acts. Each of those Acts provides for fees to be prescribed by regulation. The *Fire and Emergency Services Act 1990* allows for prescribing differing amounts of contributions to be paid by owners of prescribed properties by categorising prescribed properties.

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

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

## **Benefits and costs of implementation**

The Amendment Regulation will not impose any additional cost on Government. Implementation costs are limited to adjusting communication materials and forms. These costs are negligible and will be met through existing budgets. Implementation of updated levies by local governments is an annual administrative process.

Updating the levy district map to reflect changes in the Rathdowney boundary will not affect levies for any properties. The Rathdowney levy boundary change relates to inclusion of the new fire station within the boundary and does not change the levy class applied to properties within the boundary.

## **Consistency with fundamental legislative principles**

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

## **Consultation**

QFES maintains regular consultation with local governments as required to support application of the Emergency Management Levy.

In accordance with The Queensland Government Guide to Better Regulation QFES applied a self-assessable exclusion from undertaking further regulatory impact analysis as per category (h) regulatory proposals that put forward standard annual fee

variations in line with or below a government endorsed indexation factor. With respect to other minor amendments, QFES also applied a self-assessable exclusion from undertaking further regulatory impact analysis as per Category (g) regulatory proposals that are of a machinery nature.