

Land, Explosives and Other Legislation Amendment Act 2019

Explanatory notes for SL 2020 No. 205

made under the

Land, Explosives and Other Legislation Amendment Act 2019

General Outline

Short title

Land, Explosives and Other Legislation Amendment Act 2019.

Authorising law

Section 2 of the *Land, Explosives and Other Legislation Amendment Act 2019* (the LEOLA Act).

Policy objectives and the reasons for them

Section 2 of the LEOLA Act provides for certain provisions of the LEOLA Act to commence by proclamation.

The objective of this Proclamation is to fix 18 September 2020 as the commencement date for gas device approval authority (GDAA) provisions under the LEOLA Act, specifically:

1. the sections in part 12 (amendments relating to GDAA) not yet in force; and
2. the remaining sections in schedule 1 (minor or consequential amendments of particular legislation relating to gas device approval authorities) not yet in force.

The sections to commence were postponed under the *Land, Explosives and Other Legislation Amendment (Postponement) Regulation 2020*, No. 31, 28 March 2020. Postponement was needed as supporting amendments to the *Petroleum and Gas (Safety) Regulation 2018* had not yet been made at the time of automatic commencement and were required for the operation of the LEOLA Act sections.

The supporting regulation amendments are being simultaneously progressed in the *Petroleum and Gas (Safety) Amendment Regulation (No. 2) 2020*. Consultation has been finalised with feedback supporting and anticipating regulatory provisions to support the appointment and conditioning of persons approving gas devices for supply, installation or use.

Achievement of policy objectives

The policy objectives of the relevant provisions of the LEOLA Act will be achieved by fixing a commencement day of 18 September 2020.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the objectives of the LEOLA Act.

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

There are no costs associated with the Proclamation. Information about the benefits and costs of implementing gas device approval authority provisions of the LEOLA Act are addressed in the explanatory notes accompanying the *Petroleum and Gas (Safety) Amendment Regulation (No. 2) 2020*.

Consistency with fundamental legislative principles

The Proclamation is consistent with fundamental legislative principles.

Consultation

In accordance with the *Queensland Government Guide to Better Regulation*, the Office of Best Practice Regulation was not consulted in relation to the Proclamation. Resources Safety and Health Queensland applied a self-assessable exclusion from undertaking further impact analysis (category (g) – Regulatory proposals that are of a machinery nature).

Current approving authorities were consulted about the proposed commencement date of the gas device approval authority amendments. Existing approving authorities anticipate and support the commencement date of the gas device approval authority provisions.