

Corrective Services and Other Legislation Amendment Act 2020

Explanatory notes for SL 2020 No. 212

made under the

Corrective Services and Other Legislation Amendment Act 2020

General Outline

Short title

Corrective Services and Other Legislation Amendment Act 2020

Authorising law

Section 2 of the *Corrective Services and Other Legislation Amendment Act 2020*.

Policy objectives and the reasons for them

The objective of the proclamation is to commence sections 61, 62 and 66 and schedule 1, part 2, amendment of the *Weapons Categories Regulation 1997* on 1 February 2021 and sections 63 to 65 and part 6 of the *Corrective Services and Other Legislation Amendment Act 2020* (the Amendment Act) on 1 April 2021.

The amendments relating to replica firearms are to commence by Proclamation on 1 February 2021 to coincide with amendments to the *Weapons Regulation 2016* and *Weapons Categories Regulation 1997* concerning the same policy. These amendments are contained in sections 61, 62 and 66, and the schedule 1, part 2, amendment of the *Weapons Categories Regulation 1997* of the Amendment Act. These amendments provide particular circumstances that are a reasonable excuse to possess a replica firearm.

The amendments relating to a permanent firearms amnesty are to commence by Proclamation on 1 April 2021. These provisions fulfil a national agreement for all jurisdictions to commence a permanent firearms amnesty during the same period. These amendments are contained in sections 63 to 65 and part 6 of the Amendment Act.

Achievement of policy objectives

The policy objective is achieved by fixing a commencement date of 1 February 2021 for 61, 62 and 66 and schedule 1, part 2, amendment of the *Weapons Categories Regulation 1997*, and 1 April 2021 for the commencement of sections 63 to 65 and part 6 of the Amendment Act.

Consistency with policy objectives of authorising law

The proclamation is consistent with the policy objectives of the Amendment 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

There are no alternative means to achieve the policy objectives.

Benefits and costs of implementation

The Explanatory Notes for the Amendment Act noted that there are no costs to Government in implementing the Amendment Act.

Consistency with fundamental legislative principles

The proclamation does not conflict with fundamental legislative principles.

Consultation

The QPS has concluded that the Regulation is exempt from regulatory impact analysis as it falls within the following exclusion category outlined in the Queensland Government Guide to Better Regulation:

- Category (g): Regulatory proposals that are of a machinery nature.

Consequently, the Office of Best Practice Regulation was not consulted about the Regulation.