

Resources Legislation (Fees) Amendment Regulation 2021

Explanatory notes for SL 2021 No. 48

made under the

Acquisition of Land Act 1967

Fossicking Act 1994

Geothermal Energy Act 2010

Greenhouse Gas Storage Act 2009

Land Act 1994

Land Valuation Act 2010

Mineral and Energy Resources (Common Provisions) Act 2014

Mineral Resources Act 1989

Petroleum Act 1923

Petroleum and Gas (Production and Safety) Act 2004

Stock Route Management Act 2002

Surveyors Act 2003

Valuers Registration Act 1992

Vegetation Management Act 1999

General Outline

Short title

Resources Legislation (Fees) Amendment Regulation 2021.

Authorising law

Section 42 of the *Acquisition of Land Act 1967*

Section 107 of the *Fossicking Act 1994*

Section 385 of the *Geothermal Energy Act 2010*

Section 429 of the *Greenhouse Gas Storage Act 2009*

Section 448 of the *Land Act 1994*

Section 265 of the *Land Valuation Act 2010*

Section 210 of the *Mineral and Energy Resources (Common Provisions) Act 2014*

Section 417 of the *Mineral Resources Act 1989*

Section 149 of the *Petroleum Act 1923*

Section 859 of the *Petroleum and Gas (Production and Safety) Act 2004*

Section 309 of the *Stock Route Management Act 2002*

Section 192 of the *Surveyors Act 2003*

Section 66 of the *Valuers Registration Act 1992*

Section 72 of the *Vegetation Management Act 1999*

Policy objectives and the reasons for them

The objective of the *Resources Legislation (Fees) Amendment Regulation 2021* (amendment regulation) is to index regulatory fees for the Department of Resources (the department). Regulatory fees are reviewed annually in accordance with government policy.

Minor amendments identified by the Office of the Queensland Parliamentary Counsel have been included in the amendment regulation. These changes include grammar corrections, consistency of wording across regulations and wording to better reflect the applicable Act. This meets the policy objective to keep legislation current and consistent.

Achievement of policy objectives

The amendment regulation will achieve its objective by increasing fees and charges under the Acts administered by the department. An index figure of 1.70 per cent has been applied (with rounding for coinable amounts), as advised by Treasury Financial Management Centre on 30 April 2021.

The amendment regulation will adjust fees and charges levied accordingly. Fees will increase on 1 July 2021; and 1 September 2021 for annual tenure rentals. Annual tenure rentals are increased later than other fees as this is a requirement within the applicable Acts with rental years ending on 31 August.

The minor amendments will achieve consistency and currency of the department legislation in line with government objectives.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the objective of the relevant Acts.

Inconsistency with policy objectives of other legislation

The amendment regulation is not inconsistent with any policy objectives of any legislation.

Benefits and costs of implementation

The indexation of fees provides a mechanism understood by the community and industry to maintain price relativity, aiding the government in formulating the state and departmental budgets.

There are no additional costs associated with implementing the amendment regulation.

Consistency with fundamental legislative principles

The amendment regulation 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 regulatory proposal. The department applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category (h) - Regulatory proposals that put forward standard annual fee variations in line with or below a government endorsed indexation factor).

No stakeholder consultation was undertaken as the amendment regulation implements annual fee increases by the government indexation rate advised by Queensland Treasury.