

# **Housing Legislation (Fees) Amendment Regulation 2021**

Explanatory notes for SL 2021 No. 87

made under the

*Housing Act 2003*

*Residential Services (Accreditation) Act 2002*

*Residential Tenancies and Rooming Accommodation Act 2008*

*Retirement Villages Act 1999*

## **General outline**

### **Short title**

*Housing Legislation (Fees) Amendment Regulation 2021*

### **Authorising law**

Section 101 of the *Housing Act 2003*

Section 184 of the *Residential Services (Accreditation) Act 2002*

Section 241 of the *Residential Tenancies and Rooming Accommodation Act 2008*

Section 228 of the *Retirement Villages Act 1999*

### **Policy objectives and the reasons for them**

The Department of Communities, Housing and Digital Economy (DCHDE) administers various Acts which provide for the prescription of fees and charges.

Queensland Treasury's Principles for Fees and Charges (Principles for Fees and Charges) requires agencies to set regulated fees to reflect the cost of providing their services and ensure the fees are maintained over time. The Principles for Fees and Charges provide that where regular comprehensive review is not cost effective or no specific indexation method was approved by Government, agencies should apply the Government indexation rate for fees.

The Government indexation rate set by Queensland Treasury for 2021-22 is 1.7%.

The objective of the Regulation is to increase fees prescribed in the following regulations by 1.7% in accordance with the current Government indexation rate:

- *Housing Regulation 2015*;
- *Residential Services (Accreditation) Regulation 2018*;
- *Residential Tenancies and Rooming Accommodation Regulation 2009*; and
- *Retirement Villages Regulation 2018*.

## **Achievement of policy objectives**

The amendments will achieve the objectives of ensuring the prescribed fees adhere to the Principles for Fees and Charges which requires all government departments apply the Government indexation rate to increase the fees in regulations by 1.7% from 1 July 2021.

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

The amendments are consistent with the policy objectives of the authorising laws.

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

The Regulation is not inconsistent with any policy objectives of any legislation.

## **Alternative ways of achieving policy objectives**

This Regulation is the only effective means of achieving government policy.

## **Benefits and costs of implementation**

Implementation of the Regulation will ensure the fees administered by DCHDE are in line with government policy.

The Regulation will not substantially increase the financial burden on the community.

The costs to government associated with implementation of the increased fees are minor administrative costs. These are not considered to be significant and will be funded by existing budget allocations.

## **Consistency with fundamental legislative principles**

The amendments are 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).

Community consultation was not undertaken as the Amendment Regulation implements the Government indexation rate advised by Queensland Treasury.