

Resources Legislation (Fee Unit Conversion) Amendment Regulation 2022

Explanatory notes for SL 2022 No. 47

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 (Fee Unit Conversion) Amendment Regulation 2022.

Authorising law

Section 48B of the *Acts Interpretation Act 1954*

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 (Fee Unit Conversion) Amendment Regulation 2022* (amendment regulation) is to convert regulatory fees for the Department of Resources (the department), to fee units.

An amendment to the *Acts Interpretation Act 1954* (AIA) was assented to on 2 June 2021 through the *Debt Reduction and Savings Act 2021*, introducing the fee unit model. The amendment to the AIA commenced on 1 January 2022.

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 converting fees and charges under the Acts administered by the department, to fee units from dollar values to fee units.

The amendment regulation will convert fees and charges that are indexed annually, to fee units. Fee increases will then be managed through the indexation of the fee unit value in the proposed *Acts Interpretation (Fee Unit) Regulation 2022*.

Fees that are not indexed annually by government indexation rate have been omitted from the fee unit conversion. This includes the fee for national regulation of gas pipelines (that ensures recovery of Queensland's contribution to the gas market functions of the Australian Energy Market Commission) under the *Petroleum and Gas (General Provisions) Regulation 2017*; and percentage rate for weighted average cost of capital and the net present value in *Land Regulation 2020*. These will require an annual regulation amendment to update.

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 conversion of fees to fee units will achieve efficiencies and cost savings to the department as the annual indexation of fees will no longer require regulations to be amended.

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 (a) - Regulatory proposals that make consequential amendments).

No stakeholder consultation was undertaken as the amendment regulation converts fees to fee units as intended by the AIA.