

State Buildings Protective Security Amendment Regulation 2022

Explanatory notes for SL 2022 No. 101

made under the

State Buildings Protective Security Act 1983

General Outline

Short title

State Buildings Protective Security Amendment Regulation 2022

Authorising law

Sections 4(4) and 33 of the *State Buildings Protective Security Act 1983*

Policy objectives and the reasons for them

The *State Buildings Protective Security Act 1983* (SBPS Act) authorises Protective Services security officers to exercise certain powers in state buildings so that an appropriate level of security may be provided for these areas. The SBPS Act defines a state building to mean a building that is owned or occupied by the State or a non-commercial authority of the State. The SBPS Act also defines state buildings to include a building and its precincts declared under a regulation to be a state building provided that the declaration expires at a stated time.

Sections 3 and 3A of the *State Buildings Protective Security Regulation 2008* (SBPS Regulation) declares the Queensland Cultural Centre and Legal Aid Queensland offices located in the Brisbane Central Business District (CBD) as state buildings. The SBPS Regulation also provides that these sections will expire on 31 August 2022.

Protective Services within the Queensland Police Service meet the security needs for the Queensland Cultural Centre and Legal Aid Queensland offices located in the Brisbane CBD. There is no intention to change the overall existing security arrangements.

On 20 May 2022, the *Police Service Administration and Other Legislation Amendment Act 2022* received royal assent. This Act will repeal the SBPS Act and

SBPS Regulation and relocate relevant provisions into the *Police Powers and Responsibilities Act 2000*. These amendments will commence on proclamation so that the necessary training of affected staff may be undertaken, and relevant policies and procedures may be developed.

These amendments will not commence before 31 August 2022. To ensure that the current security arrangements at the Queensland Cultural Centre and Legal Aid Queensland offices in the Brisbane CBD may continue past this date, the *State Buildings Protective Security Amendment Regulation 2022* (Amendment Regulation) will declare these areas as state buildings until 31 August 2023.

Achievement of policy objectives

The Amendment Regulation achieves its objectives by amending the *State Buildings Protective Security Regulation 2008* by providing that the Queensland Cultural Centre and Legal Aid Queensland offices in the Brisbane CBD are state buildings until 31 August 2023.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the objectives of the authorising Acts.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

The Amendment Regulation will ensure that the current security arrangements at the Queensland Cultural Centre and Legal Aid Queensland offices in the Brisbane CBD are able to continue into the future.

Any costs incurred through the implementation of the Amendment Regulation are expected to be negligible and will be met through existing budgets.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

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 Queensland Police Service applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category (j) – Regulatory proposals

relating to police powers and administration, general criminal laws, the administration of courts and tribunals and corrective services).

Due to the nature of this regulation, widespread external consultation has not been conducted. However, consultation has been undertaken with affected stakeholders including Legal Aid Queensland and Arts Queensland who support the making of the Amendment Regulation.

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