

Police Service Administration (Ranks of Officers) Amendment Regulation 2023

Explanatory notes for SL 2023 No. 85

made under the

Police Service Administration Act 1990

General Outline

Short title

Police Service Administration (Ranks of Officers) Amendment Regulation 2023

Authorising law

Section 10.28 'Regulation-making power' of the *Police Service Administration Act 1990*

Policy objectives and the reasons for them

On 2 May 2023, the *Police Powers and Responsibilities and Other Legislation Amendment Act (No. 1) 2023* amended a number of Acts including the *Police Service Administration Act 1990* (PSAA).

The objective of the amendments to the PSAA was to further support frontline policing functions conducted by the Queensland Police Service (QPS) by establishing a new category of special constables (State officer) that would consist of people with policing experience who could be employed at short notice. These amendments:

- allow for a person to be appointed by the Commissioner of Police as a special constable (State officer) and employed on a basis other than part-time or full-time;
- clarify that a special constable (State officer) would be a police officer and subject to the same disciplinary laws and responsibilities as other police officers;
- outline that a special constable (State officer) would be entitled to a salary, allowances and other remuneration as provided for in the special constable's instrument of appointment or as prescribed by regulation; and
- clarify that the powers of a special constable (State officer) can be limited by the instrument of appointment.

The *Police Service Administration (Ranks of Officers) Amendment Regulation 2023* (the Amendment Regulation) makes a consequential amendment to schedule 1 'Ranks and categories of officer' of the *Police Service Administration Regulation 2016* (PSAR) by expanding the list of police officers to include a special constable (State officer).

Achievement of policy objectives

The Amendment Regulation achieves its objectives by making a consequential amendment to schedule 1 of the PSAR.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the objects of the PSAA which includes the maintenance, membership, development and administration of the QPS.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The Amendment Regulation is part of a suite of amendments that will support frontline policing functions by the establishment of a new category of special constables (State officer) who can be employed at short notice, on a basis other than part-time or full-time.

Any costs incurred through the implementation of the Amendment Regulation will be met through existing budgets.

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 self-assessable exclusions from undertaking further regulatory impact analysis (Category (a) – Regulatory proposals that make consequential amendments and Category (j) – Regulatory proposals relating to police powers and administration, general criminal laws, the administration of courts and tribunals and corrective services).

As the Amendment Regulation makes consequential amendments, widespread consultation with the community was not conducted. However, the Queensland Police Union of Employees was consulted and supports this Regulation.