

Proclamation No. 1 – Integrity and Other Legislation Amendment Act 2024

Explanatory notes for SL 2024 No. 51

made under the

Integrity and Other Legislation Amendment Act 2024

General Outline

Short title

Proclamation commencing the specified provisions of the *Integrity and Other Legislation Amendment Act 2024*.

Authorising law

Section 2 of the *Integrity and Other Legislation Amendment Act 2024*.

Policy objectives and the reasons for them

The objective of the Proclamation is to set 28 May 2024 as the commencement date for certain provisions of the *Integrity and Other Legislation Amendment Act 2024* (Amendment Act), following its enactment on 19 February 2024.

The Amendment Act implements recommendations from ‘Let the sunshine in: Review of culture and accountability in the Queensland public sector’ (Coaldrake Report) and the ‘Strategic Review of the Integrity Commissioner’s Functions’ (Yearbury Report). These recommendations involve strengthening the regulation of lobbyists and lobbying activities and enhancing the independence of core integrity bodies, including the Queensland Integrity Commissioner, Auditor-General, Information Commissioner, Ombudsman and Crime and Corruption Commission.

Section 2 of the Amendment Act provides that, other than part 3A (which commenced on the date of Assent) and part 4, division 2 (which commenced on 19 April 2024), the Amendment Act commences on a day to be fixed by proclamation.

The sections to be commenced by the Proclamation will:

- amend the *Auditor-General Act* to:
 - mandate the Auditor-General to audit trusts subject to the control of one or more public sector entities; and
 - align employment arrangements for Queensland Audit Office staff engaged on mobility arrangements, with the *Public Sector Act 2022*;

- amend the *Integrity Act 2009* to:
 - replace Chapter 4 of the *Integrity Act 2009* to provide a more modern and improved framework for regulating lobbying activity, by retaining or strengthening existing functions and including new functions, for example by:
 - increasing regulation of lobbying activity to address the public perception of undue influence on governments, including clarifying what lobbying activity is and enhancing the regulatory role of the Queensland Integrity Commissioner;
 - amending the conditions for registration as a lobbyist to reflect expectations around completing training and managing conflicts of interest; and
 - introducing a prohibition on a registered lobbyist playing a ‘substantial’ role for a political party in an election campaign;
 - enable the Premier to nominate a person or a person within a class of persons to request integrity advice from the Queensland Integrity Commissioner, with that nomination expiring after 28 days;
 - enable chiefs of staff to request advice on an ethics or integrity issue involving a ministerial advisor;
 - enable ministerial advisors to seek post-employment advice on an ethics or integrity issue prior to their separation of employment; and
 - remove any remaining references to ‘senior officers’ that were not removed in previous amendments to the *Integrity Act 2009*; and
- amend various Acts to make minor consequential amendments to remove obsolete definitions or references to the ‘auditor-general’ and support the above amendments.

Achievement of policy objectives

The policy objective is achieved by fixing the commencement date of 28 May 2024 for certain provisions of the Amendment Act.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the policy objectives of the Amendment Act.

Inconsistency with policy objectives of other legislation

No inconsistencies with the policy objectives of other legislation have been identified.

Alternative ways of achieving policy objectives

The Proclamation is the only effective means of achieving the policy objective.

Benefits and costs of implementation

The Proclamation commences provisions that enable some of the recommendations of the Coaldrake Report and Yearbury Report to be implemented.

The costs of implementing the Act are outlined in the explanatory notes for the Integrity and Other Legislation Amendment Bill 2023. These costs include the Queensland Government investing \$4 million over four years in the Office of the Queensland Integrity Commissioner to better provide integrity advice and regulate lobbyists, and to establish the Office as an independent statutory body.

Consistency with fundamental legislative principles

The Proclamation is consistent with fundamental legislative principles.

Consultation

Consultation was undertaken with relevant stakeholders during the development of the Integrity and Other Legislation Amendment Bill 2023. Further consultation on the Proclamation has been undertaken with the Queensland Integrity Commissioner and the Queensland Audit Office, both of which support commencing the specified provisions.