

# Proclamation - Property Law Act 2023

Explanatory notes for SL 2024 No. 209

Made under the

*Property Law Act 2023*

## General Outline

### Short title

Proclamation commencing the *Property Law Act 2023*

### Authorising law

Section 2 of the *Property Law Act 2023*

### Policy objectives and the reasons for them

The *Property Law Act 2023* (the Act) received assent on 2 November 2023. The objective of the Act is to replace the *Property Law Act 1974* with new property legislation to simplify, streamline and modernise Queensland's property laws. The Act also implements a statutory seller disclosure scheme for sales of freehold land in Queensland.

Section 2 of the Act provides for the Act to commence on a day to be fixed by proclamation. The automatic commencement of the Act under section 15DA of the *Acts Interpretation Act 1954*, which was originally to be 3 November 2024, was postponed by regulation for a further 12 months until 3 November 2025.

Key legal, property and body corporate stakeholders have been consulted on the development of a new regulation and approved forms to accompany the Act, and on a suitable date for commencement of the Act.

The policy objective of the proclamation is to fix a date for the commencement of the Act which allows sufficient time for affected legal, financial, property and community titles sector participants to undertake the necessary education and preparation work before the new property laws commence.

### Achievement of policy objectives

The policy objective is achieved by fixing 1 August 2025 as the day for the commencement of the Act.

### Consistency with policy objectives of authorising law

The proclamation is consistent with the policy objectives of the Act.

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

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

## **Benefits and costs of implementation**

Commencing the Act by proclamation on 1 August 2025 will allow sufficient time for affected legal, financial, property and community titles sector participants to undertake the necessary education and preparation work before the new property laws commence.

There are no costs associated with the proclamation.

## **Consistency with fundamental legislative principles**

The proclamation is consistent with fundamental legislative principles.

## **Consultation**

The Property Law Working Group, which consists of key legal, property and body corporate stakeholder organisations, has been consulted in relation to fixing a commencement date for the Act.