

Proclamation No. 2—Police Powers and Responsibilities and Other Legislation Amendment Act 2024 (commencing remaining provisions)

Explanatory notes for SL 2024 No. 218

made under the

Police Powers and Responsibilities and Other Legislation Amendment Act 2024

General Outline

Short Title

Proclamation commencing remaining provisions of the *Police Powers and Responsibilities and Other Legislation Amendment Act 2024*

Authorising law

Section 2 of the *Police Powers and Responsibilities and Other Legislation Amendment Act 2024*.

Policy objectives and the reasons for them

The objective of the *Proclamation No. 2—Police Powers and Responsibilities and Other Legislation Amendment Act 2024 (commencing remaining provisions)* (Proclamation) is to commence provisions of the *Police Powers and Responsibilities and Other Legislation Amendment Act 2024* (PPROLA Act) that are not in force, on 30 September 2024.

Division 2 of Part 3, Part 6 and Part 1 of Schedule 1 of the PPROLA Act commenced upon assent. Most of the other provisions commenced by *Proclamation No. 1 — Police Powers and Responsibilities and Other Legislation Amendment Act 2024 (commencing certain provisions)* on 24 June 2024. The remaining provisions Part 3, Division 3 (sections 11 to 19) are to commence on proclamation.

The remaining provisions promote the ongoing safe management of prisoners at risk of self-harm or suicide by allowing the chief executive (corrective services) to authorise practitioners with more diverse professional qualifications to make timely clinical assessments and recommendations about safety orders in corrective services facilities.

Sections 11 to 13 and 15 to 16 of the PPROLA Act replace references in the *Corrective Services Act 2006* (CS Act) to the functions of a ‘doctor or psychologist’ to a more diverse professional description of ‘authorised practitioner’. This amendment enables an ‘authorised practitioner’ to have the same functions that a doctor or psychologist would have had (prior to the amendment) for the purposes of advising the chief executive on the making of a safety order or consecutive safety order and reviewing a safety order or a temporary safety order.

Sections 14 to 16 of the PPROLA Act also amend sections 57 to 59 of the CS Act to clarify the subsections that refer to functions of a health practitioner that are not the functions of an authorised practitioner.

Section 17 of the PPROLA Act inserts section 305C in the CS Act which sets out the requirements for authorised practitioners. In addition to being an accredited health service provider, doctor, nurse, occupational therapist or psychologist, to be appointed a person must also meet the requirements set out in a published authorised practitioner policy. Section 305C specifies that the policy should include the competencies and training necessary for a person to perform the functions of an authorised practitioner, and the professional registration, licensing or authorisation necessary for an accredited health service provider, such as a social worker or speech pathologist, to be appointed.

Sections 18-19 of the PPROLA Act provide transitional provisions and definitions associated with these amendments.

The Proclamation fixes 30 September 2024 for the commencement of the provisions of the PPROLA Act that are not in force, providing a clear timeframe to publish the authorised practitioner policy by the commencement date.

Achievement of policy objectives

To achieve the policy objectives, the Proclamation will commence provisions of the PPROLA Act that are not in force, on 30 September 2024.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the policy objectives of the PPROLA 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

There are no alternative means to achieve the policy objectives.

Benefits and costs of implementation

There are no costs associated with the implementation of this Proclamation.

Consistency with fundamental legislative principles

The Proclamation is consistent with the fundamental legislative principles in section 4 of the *Legislative Standards Act 1992*.

Consultation

The Proclamation commences remaining amendments in the PPROLA Act and is minor and machinery in nature. No regulatory impact analysis is required under the *Queensland Government Better Regulation Policy*.

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