

Transport and Other Legislation Amendment (Postponement) Regulation 2024

Explanatory notes for SL 2024 No. 223

made under the

Transport and Other Legislation Amendment Act 2024

General Outline

Short title

Transport and Other Legislation Amendment (Postponement) Regulation 2024

Authorising law

Section 2 of the *Transport and Other Legislation Amendment Act 2024*

Policy objectives and the reasons for them

The *Transport and Other Legislation Amendment (Postponement) Regulation 2024* (the Postponement Regulation) postpones the automatic commencement of part 8, division 3 of the *Transport and Other Legislation Amendment Act 2024* (Act No. 2 of 2024) (the Amendment Act).

Part 8, division 3 of the Amendment Act amends the *Transport Operations (Passenger Transport) Act 1994* to introduce a safety duty framework for road-based public passenger services and omit chapter 9 (Standards). The Amendment Act received assent on 19 February 2024.

In line with section 15DA(2) of the *Acts Interpretation Act 1954*, the safety duty related amendments will commence automatically on 20 February 2025 unless the commencement is postponed under section 15DA(3) of that Act.

The safety duty framework, which includes the outcomes of the review of the *Transport Operations (Passenger Transport) Standard 2010* (the PT Standard), aims to reduce prescriptive regulation of industry without compromising the safety of road-based public passenger services. Implementation of the new framework necessitates resolution of complex regulatory and operational policies, the preparation of regulation amendments, further engagement with industry and the development of guidance and communication material to assist industry transition to the new framework.

It is necessary to postpone the automatic commencement of the safety duty and standards related provisions in the Amendment Act until a later date to enable appropriate consultation with industry and regulatory and operational tasks to be completed before the new safety duty framework applies to industry. The Act amendments will then be commenced by proclamation when the framework is ready to start.

Achievement of policy objectives

The policy objective is achieved by postponing the automatic commencement of the safety duty and PT Standard related provisions in the Amendment Act.

Consistency with policy objectives of authorising law

The Postponement Regulation is consistent with the objectives of the *Transport and Other Legislation Amendment Act 2024*.

Inconsistency with policy objectives of other legislation

There is no inconsistency with the policy objectives of other legislation.

Benefits and costs of implementation

As outlined above, the Postponement Regulation will enable the safety duty and standards related provisions in the Amendment Act to be commenced after all regulatory and operational matters are resolved, including allowing for engagement with industry and development of guidance and communication material.

There are no costs associated with the implementation of the Postponement Regulation.

Consistency with fundamental legislative principles

The Postponement Regulation is consistent with fundamental legislative principles.

Consultation

The Department of Transport and Main Roads (TMR) has been consulting with key industry stakeholders throughout the development of the safety duty framework and review of the PT Standard. This engagement will continue until commencement of the new framework. TMR has advised industry that the new framework will commence in 2025 and it is expected this timeframe will be achieved.

In accordance with the Queensland Government Better Regulation Policy, a summary Impact Analysis Statement was prepared. No further regulatory impact assessment is required as the amendments are machinery in nature.