



Statutory Instruments Act 1992

Statutory Instruments Regulation 2012

Current as at 31 August 2020

Reprint note

The 2020 SL No. 160 amendments commenced 31 August 2020 at the end of the day.

© State of Queensland 2020



This work is licensed under a Creative Commons Attribution 4.0 International License.



Queensland

Statutory Instruments Regulation 2012

Contents

		Page
Part 1	Preliminary	
1	Short title	3
Part 2	Instruments that are subordinate legislation	
2	Statutory instruments that are subordinate legislation—Act, s 9(1)(c)	3
Part 3	Exemptions from expiry	
3	Exemptions from expiry—Act, pt 7	4
Part 4	Repeal	
4	Repeal	6
Schedule 1	Statutory instruments that are subordinate legislation	7
Schedule 2	Exemptions from expiry under part 7 of the Act	8

Statutory Instruments Regulation 2012

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Statutory Instruments Regulation 2012*.

Part 2 Instruments that are subordinate legislation

2 Statutory instruments that are subordinate legislation— Act, s 9(1)(c)

- (1) A statutory instrument is subordinate legislation if—
- (a) the statutory instrument is made under a provision of an Act that commenced before the commencement of the *Statutory Instruments Act 1992*; and
 - (b) had the statutory instrument been made immediately before the commencement of the *Statutory Instruments Act 1992*—it would have been required to be tabled in, and subject to disallowance by, the Legislative Assembly.

Note—

The commencement of the *Statutory Instruments Act 1992* is 1 June 1992.

- (2) Subsection (1) does not apply to an instrument that, under a declaration made by an Act, is, or is not, subordinate legislation.
- (3) A statutory instrument mentioned in schedule 1 is subordinate legislation.

Part 3 Exemptions from expiry

3 Exemptions from expiry—Act, pt 7

- (1) An instrument of uniform subordinate legislation mentioned in schedule 2, part 1, column 1 is exempt, under section 56 of the Act, from expiry for the period ending at midnight on the expiry date mentioned in schedule 2, part 1, column 3 opposite the instrument (the *expiry date*).
- (2) An instrument of subordinate legislation mentioned in schedule 2, part 2, column 1 is exempt, under section 56A of the Act, from expiry for the period ending at midnight on 31 August 2021 (also the *expiry date*).
- (3) A reference in schedule 2 to an instrument includes a reference to the instrument as amended from time to time.
- (4) The ground for exempting an instrument referred to in schedule 2 is mentioned in schedule 2, column 2 opposite the instrument.
- (5) The following table explains the grounds for exemption mentioned in schedule 2—

Ground for exemption	Explanation
uniform	The instrument is uniform subordinate legislation. The instrument is exempted under section 56(1) of the Act.
further exemption: uniform	The instrument is uniform subordinate legislation and has previously been exempted from expiry under section 56(1) of the Act. The instrument is further exempted under section 56(2) of the Act.

Ground for exemption	Explanation
being replaced	Subordinate legislation to replace the instrument is being drafted and is proposed to be made before midnight on the expiry date for the instrument. The instrument is exempted under section 56A(1)(a)(i) of the Act.
no replacement	The instrument is not proposed to be replaced by other subordinate legislation made under the Act under which or in relation to which it was made or preserved when it expires at midnight on the expiry date for the instrument. The instrument is exempted under section 56A(1)(a)(ii) of the Act.
subject to review	The Act or provision under which or in relation to which the instrument, or part of the instrument, is made or preserved is subject to review. The instrument is exempted under section 56A(1)(b) of the Act.
further exemption: review	The instrument has previously been exempted from expiry under section 56A(1) of the Act and the Act or provision under which or in relation to which the instrument, or part of the instrument, is made or preserved is subject to review. The instrument is further exempted under section 56A(2) of the Act.

- (6) If an instrument of subordinate legislation mentioned in schedule 2 stops having effect before midnight on the expiry date for the instrument, the exemption ends.

Part 4 **Repeal**

4 **Repeal**

The Statutory Instruments Regulation 2002, SL No. 218 is repealed.

Schedule 1 Statutory instruments that are subordinate legislation

section 2(3)

- 1 a notice declaring a harvest period under a conservation plan under the *Nature Conservation Act 1992*
- 2 a notice making a determination, other than an administrative determination, under the *Transport Infrastructure (Dangerous Goods by Rail) Regulation 2018*, section 20 or 21
- 3 a notice making a determination, other than an administrative determination, under the *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2018*, section 23 or 24
- 4 a notice making a determination, other than an administrative determination, under the *Explosives Regulation 2017*, section 145B

Schedule 2 Exemptions from expiry under part 7 of the Act

section 3

Part 1 Uniform subordinate legislation

Column 1 Instrument	Column 2 Ground for exemption	Column 3 Expiry date
<i>Cooperatives Regulation 1997</i>	further exemption: uniform	31/08/22
Proclamations made under the <i>Maintenance Act 1965</i> , section 98	further exemption: uniform	30/06/22
<i>Note—</i>		
The proclamations make declarations for the purposes of certain countries becoming reciprocating countries.		
<i>Maintenance Regulations 1967</i>	further exemption: uniform	30/06/22
<i>Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004</i>	further exemption: uniform	31/08/25
<i>Prisoners (Interstate Transfer) Regulation 1993</i>	further exemption: uniform	31/08/23
<i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i>	uniform	01/09/25

Part 2 Other subordinate legislation

Note—

An instrument mentioned in this part expires on 31 August 2021—see section 3(2).

Column 1 Instrument	Column 2 Ground for exemption
<i>Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Regulation 2008</i>	further exemption: review
<i>Agricultural Chemicals Distribution Control Regulation 1998</i>	further exemption: review
<i>Appeal Costs Fund Regulation 2010</i>	being replaced
<i>Associations Incorporation Regulation 1999</i>	further exemption: review
<i>Attorney-General Regulation 2010</i>	being replaced
<i>Body Corporate and Community Management (Accommodation Module) Regulation 2008</i>	further exemption: review
<i>Body Corporate and Community Management (Commercial Module) Regulation 2008</i>	further exemption: review
<i>Body Corporate and Community Management Regulation 2008</i>	further exemption: review
<i>Body Corporate and Community Management (Small Schemes Module) Regulation 2008</i>	further exemption: review
<i>Body Corporate and Community Management (Standard Module) Regulation 2008</i>	further exemption: review
<i>Building Fire Safety Regulation 2008</i>	further exemption: review
<i>Building Regulation 2006</i>	further exemption: review
<i>Building Units and Group Titles Regulation 2008</i>	further exemption: review
<i>Casino Control Regulation 1999</i>	further exemption: review
<i>Charitable and Non-Profit Gaming Regulation 1999</i>	further exemption: review
<i>Collections Regulation 2008</i>	further exemption: review
<i>Court Funds Regulation 2009</i>	further exemption: review

Column 1 Instrument	Column 2 Ground for exemption
<i>Criminal Practice (Fees) Regulation 2010</i>	being replaced
<i>Electricity Regulation 2006</i>	further exemption: review
<i>Energy and Water Ombudsman Regulation 2007</i>	further exemption: review
<i>Fair Trading (Code of Practice—Fitness Industry) Regulation 2003</i>	further exemption: review
<i>First Home Owner Grant Regulation 2010</i>	being replaced
<i>Gaming Machine Regulation 2002</i>	further exemption: review
<i>Gas Supply Regulation 2007</i>	further exemption: review
<i>Greenhouse Gas Storage Regulation 2010</i>	being replaced
<i>Health (Drugs and Poisons) Regulation 1996</i>	further exemption: review
<i>Health Regulation 1996</i>	further exemption: review
<i>Information Privacy Regulation 2009</i>	further exemption: review
<i>Interactive Gambling (Player Protection) Regulation 1998</i>	further exemption: review
<i>Keno Regulation 2007</i>	further exemption: review
<i>Land Court Regulation 2010</i>	being replaced
<i>Land Tax Regulation 2010</i>	being replaced
<i>Liquor (Approval of Adult Entertainment Code) Regulation 2002</i>	further exemption: review
<i>Liquor Regulation 2002</i>	further exemption: review
<i>Lotteries Regulation 2007</i>	further exemption: review
<i>Mutual Recognition (Queensland) Regulation 2009</i>	being replaced
<i>Parliamentary Service Rule 2010</i>	being replaced
<i>Pest Management Regulation 2003</i>	further exemption: review
<i>Petroleum and Gas (Royalty) Regulation 2004</i>	further exemption: review

Column 1 Instrument	Column 2 Ground for exemption
<i>Radiation Safety (Radiation Safety Standards) Notice 2010</i>	being replaced
<i>Radiation Safety Regulation 2010</i>	being replaced
<i>Residential Tenancies and Rooming Accommodation Regulation 2009</i>	further exemption: review
<i>Right to Information Regulation 2009</i>	further exemption: review
<i>Second-hand Dealers and Pawnbrokers Regulation 2004</i>	further exemption: review
<i>Security Providers (Crowd Controller Code of Practice) Regulation 2008</i>	further exemption: review
<i>Security Providers Regulation 2008</i>	further exemption: review
<i>Security Providers (Security Firm Code of Practice) Regulation 2008</i>	further exemption: review
<i>Security Providers (Security Officer—Licensed Premises—Code of Practice) Regulation 2008</i>	further exemption: review
<i>South-East Queensland Water (Distribution and Retail Restructuring) Regulation 2010</i>	being replaced
<i>State Buildings Protective Security Regulation 2008</i>	further exemption: review
<i>Stock Route Management Regulation 2003</i>	further exemption: review
<i>Sugar Industry Regulation 2010</i>	subject to review
<i>Superannuation (State Public Sector) Notice 2010</i>	being replaced
<i>Tobacco and Other Smoking Products Regulation 2010</i>	being replaced
<i>Tourism Services (Code of Conduct for Inbound Tour Operators) Regulation 2003</i>	further exemption: review
<i>Tourism Services Regulation 2003</i>	further exemption: review
<i>Tow Truck Regulation 2009</i>	further exemption: review

Column 1 Instrument	Column 2 Ground for exemption
<i>Transport Operations (Passenger Transport) Standard 2010</i>	subject to review
<i>Transport Operations (Road Use Management—Driver Licensing) Regulation 2010</i>	being replaced
<i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010</i>	being replaced
<i>Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010</i>	being replaced
<i>Trust Accounts Regulation 1999</i>	further exemption: review
<i>Wagering Regulation 1999</i>	further exemption: review
<i>Wine Industry Regulation 2009</i>	further exemption: review