



QUEENSLAND PARLIAMENT **COMMITTEES**

**Report on subordinate legislation tabled between 21 December 2024
and 12 March 2025**

Justice, Integrity and Community Safety Committee



Report No. 8

58th Parliament, April 2025

Overview

This report summarises the committee's findings following its examination of the subordinate legislation within its portfolio areas tabled between 21 December 2024 and 12 March 2025. It reports on any issues identified by the committee relating to the policy to be given effect by the legislation, fundamental legislative principles and lawfulness. It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (LSA).¹

The report notes any issues identified by the committee in its consideration of compliance with the *Human Rights Act 2019* (HRA)² and the human rights certificates tabled with the subordinate legislation.³

Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date
6	Legal Profession (Society Rules) Amendment Notice 2025	12 March 2025	12 June 2025
10	Proclamation— <i>Making Queensland Safer Act 2024</i>	12 March 2025	12 June 2025

* Disallowance dates are based on proposed sitting dates as advised by the Leader of the House. These dates are subject to change.

Committee consideration of the subordinate legislation

Committee Comment



The committee did not identify any significant issues regarding the policy, consistency with fundamental legislative principles, the lawfulness of the subordinate legislation or non-compliance with the HRA.

Similarly, the committee considers that the explanatory notes tabled with the subordinate legislation noted in this report comply with the requirements of section 24 of the LSA, which includes advice about consultation, and that the human rights certificates tabled with the subordinate legislation provide a sufficient level of information to facilitate understanding of the subordinate legislation in relation to their compatibility with the HRA.⁴

¹ *Legislative Standards Act 1992* (LSA), s 4, pt 4.

² *Human Rights Act 2019* (HRA), ss 8, 13.

³ HRA, s 41.

⁴ Section 8 of the HRA relevantly provides that a statutory provision is compatible with human rights if the provision does not limit a human right or limits a human right only to the extent that is reasonable and demonstrably justifiable in accordance with section 13 of the HRA. Section 13 of the HRA provides that a human right may be subject under law only to reasonable limits that can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom.

1 SL No. 6 – Legal Profession (Society Rules) Amendment Notice 2025

The Legal Profession (Society Rules) Amendment Notice 2025 (SL No. 6) amends schedule 1 (Society Rules) of the Legal Profession (Society Rules) Notice 2017⁵ to give notice of the making of the Legal Profession (Society) Amendment Rule (No. 3) 2024 by the Queensland Law Society Council.⁶

According to the explanatory notes, Legal Profession (Society) Amendment Rule (No. 3) 2024 amends the Society Rules to:

- make clearer the relationship between membership and participation in the Queensland Law Society Professional Standards Scheme
- streamline provisions about membership to clarify when a membership begins, ends or renews
- add a schedule 2 to prescribe fees, contributions and levies charged by the Queensland Law Society for membership and membership-related benefits
- remove spent rules.⁷

2 SL No. 10 – Proclamation—*Making Queensland Safer Act 2024*

The Proclamation made under the *Making Queensland Safer Act 2024* (MQS Act) (SL No. 10) fixes a commencement date of 28 February 2025 for certain provisions of the MQS Act.

SL No. 10 commences provisions which will:

- enable childhood findings of guilt to be admissible for a circumstance of aggravation relating to previous convictions for offences of dangerous operation of a motor vehicle⁸ in certain circumstances
- ensure a child's criminal history reflects their full history, including by inserting a definition of criminal history of a child into the *Youth Justice Act 1992* (YJ Act) which includes cautions, restorative justice agreements and contraventions of a supervised release order and a community based order
- enable a person's child criminal history to be admitted when sentenced as an adult for a period of 5 years from the date of the outcome for the last childhood offence.⁹

According to the explanatory notes, SL No. 10 also commences other consequential amendments to the YJ Act and Criminal Code, including to remove references to cautions not forming part of a child's criminal history, and require, where relevant, for children to be informed that certain outcomes will form part of their criminal history.¹⁰

⁵ SL No. 6, s 3.

⁶ SL No. 6, explanatory notes, p 1; *Legal Profession Act 2007*, ss 696, 697.

⁷ SL No. 6, explanatory notes, p 2.

⁸ *Criminal Code Act 1899*, sch 1 (Criminal Code), s 328A.

⁹ SL No. 10, explanatory notes, pp 1-2.

¹⁰ SL No. 10, explanatory notes, p 2.



Recommendation 1

The committee recommends that the Legislative Assembly note this report.

Marty Hunt MP

Chair

Justice, Integrity and Community Safety Committee

Chair Mr Marty Hunt MP, Member for Nicklin

Deputy Chair Mr Peter Russo MP, Member for Toohey

Members

- Mr Michael Berkman MP, Member for Maiwar
- Mr Russell Field MP, Member for Capalaba
- Ms Natalie Marr MP, Member for Thuringowa
- Mrs Melissa McMahon MP, Member for Macalister