DELIVERING FOR QUEENSLAND

Report to the Legislative Assembly under section 56A of the *Statutory Instruments Act 1992*

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Queensland Government

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Background

Section 54 of the *Statutory Instruments Act 1992* (the SI Act) provides for subordinate legislation to expire on 1 September first occurring after the 10th anniversary of the day of its making unless it is sooner repealed or expires, or a regulation is made exempting it from expiry.

Under section 56A(1) of the SI Act, a regulation may exempt subordinate legislation other than uniform subordinate legislation from expiry for a stated period of not more than one year on a number of grounds, including that the Act or provision under which the subordinate legislation, or part of the subordinate legislation, is made or preserved is subject to review. Section 56A(2) permits the period of exemption stated in the regulation to be further extended by regulation (called an extension regulation) for further periods of not more than one year if the Act or provision under which the subordinate legislation, or part of the subordinate legislation, is made or preserved is subject to review.

If an extension regulation is made, the Minister responsible for the exempted subordinate legislation is required, under section 56A(4) of the SI Act, to table a report in the Legislative Assembly within seven sitting days after the extension regulation is made. The report must state how the Act or provision is subject to review and, if the Act or provision is being reviewed by the Minister, the extent to which the Act or provision is being reviewed and when the Minister expects the review to end.

Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2025

The *Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2024* provides for the period of exemption for the expiry of each of the following regulations to be extended under section 56A(2) of the *Statutory Instruments Act 1992*, to a period ending at midnight on 31 August 2026.

Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Regulation 2008

<u>Exemption from expiry</u>: The extension regulation for the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Regulation 2008* (JLOM Regulation) was made on the basis that Part 4 of the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984* (JLOM Act) is under review.

<u>Details of review:</u> The review of Part 4 of the JLOM Act and the JLOM Regulation is being informed and guided by the feedback of statutory community justice groups. Further policy work and analysis as to possible amendments to Part 4 is ongoing.

<u>Timeframe for review:</u> The review was not completed before 31 August 2025 and is expected to continue into 2026.

Agents Financial Administration Regulation 2014

<u>Exemption from expiry:</u> The extension regulation for the *Agents Financial Administration Regulation 2014* was made on the basis the *Agents Financial Administration Act 2014* is subject to review.

Details of review: In line with overarching government commitments to red tape reduction, a review is currently underway to identify potential red tape reduction measures that could provide benefits and clarify requirements for fair trading regulated industries.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Associations Incorporation Regulation 1999

Exemption from expiry: The extension regulation for the *Associations Incorporation Regulation 1999* was made on the basis the *Associations Incorporation Act 1981* (AI Act) is subject to review.

Details of review: The legislation regulating Queensland's not-for-profit sector remains under review. The review relates to the on-going agenda to harmonise charitable fundraising laws nationally. Additionally, a review is considering potential red tape reduction measures to provide benefits and clarify requirements, including in relation to the AI Act.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Body Corporate and Community Management Regulation 2008

Exemption from expiry: The extension regulation for the *Body Corporate and Community Management Regulation 2008* was made on the basis the *Body Corporate and Community Management Act 1997* (BCCM Act) is subject to review.

Details of review: In part, the review of the BCCM Act is being informed by an extensive review of Queensland property law undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology. The Government has also committed to work with the Community Titles Legislation Working Group on a range of community titles sector issues, including outstanding issues of the property law review.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011

Exemption from expiry: The extension regulation for the *Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011* was made on the basis the BCCM Act is subject to review.

Details of review: In part, the review of the BCCM Act is being informed by an extensive review of Queensland property law undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology. The Government has also committed to work with the Community Titles Legislation Working Group on a range of community titles sector issues, including outstanding issues of the property law review.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Building Units and Group Titles Regulation 2008

Exemption from expiry: The extension regulation for the *Building Units and Group Titles Regulation 2008* was made on the basis the *Building Units and Group Titles Act 1980* (BUGT Act) is subject to review.

Details of review: In part, the review of the BUGT Act is being informed by an extensive review of Queensland property law undertaken by the Commercial and Property Law Research Centre of the Queensland University of Technology. The Government has also committed to work with the Community Titles Legislation Working Group on a range of community titles sector issues, including outstanding issues of the property law review.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Casino Control Regulation 1999

Exemption from expiry: The extension regulation for the Casino Control Regulation 1999 (Casino Control Regulation) was made on the basis the *Casino Control Act 1982* (Casino Control Act) is subject to review.

Details of review: As part of the legislative review process, the *Casino Control and Other Legislation Amendment Act 2024* (Casino Control Amendment Act), which received assent on 28 March 2024, amended the Casino Control Act and Casino Control Regulation to facilitate the implementation of 11 recommendations from the External Review of the Queensland operations of the Star Entertainment Group Limited (Gotterson Review).

While all the Casino Control Amendment Act provisions have commenced, extensive consequential amendments to the Casino Control Regulation are required to support the Amendment Act provisions in order to complete implementation of the Gotterson Review. In line with overarching government commitments to reduce red tape, a review of the Casino Control Act is also underway to identify potential red tape reduction measures to provide benefits and clarify requirements for the casino sector.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Charitable and Non-Profit Gaming Regulation 1999

Exemption from expiry: The extension regulation for the *Charitable and Non-Profit Regulation 1999* was made on the basis the *Charitable and Non-Profit Gaming Act 1999* is subject to review.

Details of review: The legislation regulating Queensland's not-for-profit sector remains under review. The review aims to modernise the relevant legislation and reduce red tape for the sector in line with overarching government commitments to provide benefits and clarify requirements for the not-for-profit sector. A review of specific areas of the Act has also been requested by stakeholders and is underway, which may result in potentially significant amendments to the Act.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Collections Regulation 2008

Exemption from expiry: The extension regulation for the *Collections Regulation 2008* was made on the basis the *Collections Act 1966* is subject to review.

Details of review: The legislation regulating Queensland's not-for-profit sector remains under review. The review is being informed by, and contingent upon, continuous (and numerous) developments to harmonise charitable fundraising laws nationally.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Coroners Regulation 2015

Exemption from expiry: The extension regulation for the *Coroners Regulation 2015* was made on the basis that *Coroners Act 2003* (Coroners Act) is currently subject to review.

Details of review: The review of the Coroners Act is underway to provide for a contemporary, efficient and effective coronial system that is responsive to the needs of families and the community. The review will be informed by views of the State Coroner, and other key stakeholders that interact with the coronial system.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Crime and Corruption Regulation 2015

Exemption from expiry: The extension regulation for the *Crime and Corruption Regulation 2015* was made on the basis that the *Crime and Corruption Act 2001* (Crime and Corruption Act) is currently subject to review.

Details of review: At the time the Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2025 was made, the *Crime and Corruption and Other Legislation Amendment Act 2024* (Crime and Corruption Amendment Act) (which contains a range of amendments to the Crime and Corruption Act) had been enacted but had not yet entirely commenced.

Timeframe for review: The remaining provisions of the Crime and Corruption Amendment Act commenced on 31 August 2025. The review is now complete.

Criminal Code (Animal Valuers) Regulation 2014

Exemption from expiry: The extension regulation for the *Criminal Code (Animal Valuers) Regulation 2014* (CCAV Regulation) 2014 was made on the basis that the provisions of the Criminal Code to which the CCAV Regulation relate are subject to review.

Details of review: The relevant provisions of the Criminal Code are under review to ensure the stock offence and animal valuation framework remains contemporary and operates effectively to facilitate the enforcement of stock offences.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Debt Collectors (Field Agents and Collection Agents) Regulation 2014

Exemption from expiry: The extension regulation for the *Debt Collectors (Field Agents and Collection Agents) Regulation 2014* was made on the basis the *Debt Collectors (Field Agents and Collection Agents) Act 2014* is subject to review.

Details of review: In line with overarching government commitments to red tape reduction, a review is currently underway to identify potential red tape reduction measures that could provide benefits and clarify requirements for fair trading regulated industries.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Fair Trading (Code of Practice-Fitness Industry) Regulation 2003

Exemption from expiry: The extension regulation for the *Fair Trading (Code of Practice-Fitness Industry) Regulation 2003* was made on the basis that the *Fair Trading Act 1989* (Fair Trading Act) is subject to review.

Details of review: The review is considering whether the relevant provisions in the Fair Trading Act, including the provision that allows the making of Codes of Practice, are inconsistent with or duplicate the Australian Consumer Law (ACL). The review is being informed by a current regulation impact assessment process for a potential general unfair trading prohibition to be provided for under the ACL. In line with overarching government commitments to red tape reduction, a review is also underway to identify potential red tape reduction measures that could provide benefits and clarify requirements, including in relation to the Fair Trading Act.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Fair Trading (Safety Standards) Regulation 2011

Exemption from expiry: The extension regulation for the *Fair Trading (Safety Standards) Regulation 2011* was made on the basis the Fair Trading Act is subject to review.

Details of review: There is a national project underway, being led by Commonwealth Treasury, examining reform options relating to product safety and a potential ‘general safety provision’ under the *Australian Consumer Law* (ACL), which may impact on the ongoing need for the power to make safety standards under the Fair Trading Act. In addition, and in line with overarching government commitments to red tape reduction, a review is also underway to identify potential red tape reduction measures that could provide benefits and clarify requirements, including in relation to the Fair Trading Act.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Funeral Benefit Business Regulation 2010

Exemption from expiry: The extension regulation for the *Funeral Benefit Business Regulation 2010* was made on the basis the *Funeral Benefit Business Act 1982* (Funeral Business Act) is subject to review.

Details of review: In part, the review is considering the interaction of the Funeral Business Act with the ongoing operation of the *Trust Accounts Act 1973*.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Gaming Machine Regulation 2002

Exemption from expiry: The extension regulation for the *Gaming Machine Regulation 2002* was made on the basis the *Gaming Machine Act 1991* is subject to review.

Details of review: In part, the review is considering the legislative implications of proposed elements of the Gambling Harm Minimisation Plan. In addition, and in line with overarching government commitments to reduce red tape, a review is also underway to identify potential red tape reduction measures to provide benefits and clarify requirements for the gaming sector.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Interactive Gambling (Player Protection) Regulation 1998

Exemption from expiry: The extension regulation for the *Interactive Gambling (Player Protection) Regulation 1998* was made on the basis the *Interactive Gambling (Player Protection) Act 1998* is subject to review.

Details of review: A review is currently underway to identify potential red tape reduction measures, in line with overarching government commitments to provide benefits and clarify requirements for the gaming sector

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Justices Regulation 2014

Exemption from expiry: The extension regulation for the *Justices Regulation 2014* was made on the basis the *Justices Act 1886* (Justices Act) is subject to review.

Details of review: Work is underway to create new contemporary and effective Criminal Procedure for the Magistrates Court to ultimately repeal and replace the Justices Act*,* implementing Government supported recommendations of the Criminal Procedure Review - Magistrates Courts. This work involves the creation of new related subordinate legislation to replace the Justices Regulation 2014 in due course.

Timeframe for review: This work is ongoing and expected to continue into 2026.

Keno Regulation 2007

Exemption from expiry: The extension regulation for the *Keno Regulation 2007* was made on the basis the *Keno Act 1996* is subject to review.

Details of review: A review is currently underway to identify potential red tape reduction measures, in line with overarching government commitments to provide benefits and clarify requirements for the gaming sector.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Liquor Regulation 2002

Exemption from expiry: The extension regulation for the *Liquor Regulation 2002* was made on the basis the *Liquor Act 1992* is subject to review.

Details of review: A review is being undertaken, as agreed by the Council for the Australian Federation (CAF) First Deputies Group (FDG), to consider alcohol laws and its impact on family and domestic violence. In addition, and in line with overarching government commitments to reduce red tape, a review is also underway to identify potential red tape reduction measures to provide benefits and clarify requirements for the liquor industry

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Lotteries Regulation 2007

Exemption from expiry: The extension regulation for the *Lotteries Regulation 2007* was made on the basis the *Lotteries Act 1997* is subject to review.

Details of review: A review is currently underway to identify potential red tape reduction measures, in line with overarching government commitments to provide benefits and clarify requirements for the gaming sector.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Motor Dealers and Chattel Auctioneers Regulation 2014

Exemption from expiry: The extension regulation for the *Motor Dealers and Chattel Auctioneers Regulation 2014* was made on the basis the *Motor Dealers and Chattel Auctioneers Act 2014* is subject to review.

Details of review: In part, and in line with overarching government commitments to red tape reduction, the review aims to identify potential red tape reduction measures that could provide benefits and clarify requirements for fair trading regulated industries.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Partnership Regulation 2015

Exemption from expiry: The extension regulation for the *Partnership Regulation 2015* was made on the basis the *Partnership Act 1891* is subject to review.

Details of review: In line with overarching government commitments to red tape reduction, a review is currently underway to identify potential red tape reduction measures that could provide benefits and clarify requirements for fair trading regulated industries.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Property Occupations Regulation 2014

Exemption from expiry: The extension regulation for the *Property Occupations Regulation 2014* was made on the basis the *Property Occupations Act 2014* is subject to review.

Details of review: In line with overarching government commitments to red tape reduction, a review is currently underway to identify potential red tape reduction measures that could provide benefits and clarify requirements for fair trading regulated industries.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Public Guardian Regulation 2014

Exemption from expiry: The extension regulation for the *Public Guardian Regulation 2014* was made on the basis the *Public Guardian Act 2014* (Public Guardian Act) is subject to review.

Details of review: The Public Guardian Act is being reviewed as part of the careful consideration being given to recommendations from the Disability Royal Commission which call for significant change to state and territory guardianship systems and legislation.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Second-hand Dealers and Pawnbrokers Regulation 2004

Exemption from expiry: The extension regulation for the *Second-hand Dealers and Pawnbrokers Regulation 2004* was made on the basis the *Second-hand Dealers and Pawnbrokers Act 2003* (SDHP Act) is subject to review.

Details of review: In 2023, a Parliamentary inquiry into metal theft was conducted. As a result, a review of the SDHP Act was commenced in respect of potential amendments that may be required to give effect to certain recommendations of the Parliamentary committee. In line with overarching government commitments to red tape reduction, a review also is currently underway to identify potential red tape reduction measures that could provide benefits and clarify requirements for fair trading regulated industries.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Security Providers (Crowd Controller Code of Practice) Regulation 2008

Exemption from expiry: The extension regulation for the *Security Providers (Crowd Controller Code of Practice) Regulation 2008* was made on the basis the *Security Providers Act 1993* (Security Providers Act) is subject to review.

Details of review: In line with overarching government commitments to red tape reduction, a review is currently underway to identify potential red tape reduction measures that could provide benefits and clarify requirements for fair trading regulated industries.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Security Providers Regulation 2008

Exemption from expiry: The extension regulation for the *Security Providers Regulation 2008* was made on the basis the Security Providers Act is subject to review.

Details of review: In line with overarching government commitments to red tape reduction, a review is currently underway to identify potential red tape reduction measures that could provide benefits and clarify requirements for fair trading regulated industries.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Security Providers (Security Firm Code of Practice) Regulation 2008

Exemption from expiry: The extension regulation for the *Security Providers (Security Firm Code of Practice) Regulation 2008* was made on the basis the Security Providers Act is subject to review.

Details of review: In line with overarching government commitments to red tape reduction, a review is currently underway to identify potential red tape reduction measures that could provide benefits and clarify requirements for fair trading regulated industries.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Security Providers (Security Officer-Licensed Premises-Code of Practice) Regulation 2008

Exemption from expiry: The extension regulation for the *Security Providers (Security Officer-Licensed Premises-Code of Practice) Regulation 2008* was made on the basis the Security Providers Act is subject to review.

Details of review: In line with overarching government commitments to red tape reduction, a review is currently underway to identify potential red tape reduction measures that could provide benefits and clarify requirements for fair trading regulated industries.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Tattoo Industry Regulation 2013

Exemption from expiry: The extension regulation for the *Tattoo Industry Regulation 2013* was made on the basis the *Tattoo Industry Act 2013* is subject to review.

Details of review: In line with overarching government commitments to red tape reduction, a review is currently underway to identify potential red tape reduction measures that could provide benefits and clarify requirements for fair trading regulated industries.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Tourism Services (Code of Conduct for Inbound Tour Operators) Regulation 2003

Exemption from expiry: The extension regulation for the *Tourism Services (Code of Conduct for Inbound Tour Operators) Regulation 2003* was made on the basis the *Tourism Services Act 2003* (TS Act) is subject to review.

Details of review: In line with overarching government commitments to red tape reduction, a review is currently underway to identify potential red tape reduction measures, including whether the TS Act is inconsistent with or duplicates the generic consumer protections in the Australian Consumer Law.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Tourism Services Regulation 2003

Exemption from expiry: The extension regulation for the *Tourism Services Regulation 2003* was made on the basis that the TS Act is subject to review.

Details of review: In line with overarching government commitments to red tape reduction, a review is currently underway to identify potential red tape reduction measures, including whether the TS Act is inconsistent with or duplicates the generic consumer protections in the Australian Consumer Law.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Trust Accounts Regulation 1999

Exemption from expiry: The extension regulation for the *Trust Accounts Regulation 1999* was made on the basis that the *Trust Accounts Act 1973* (Trusts Accounts Act) is subject to review.

Details of review: The review is considering the interaction of the *Funeral Benefit Business Act 1982* with the ongoing operation of the Trust Accounts Act.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Wagering Regulation 1999

Exemption from expiry: The extension regulation for the *Wagering Regulation 1999* was made on the basis that the *Wagering Act 1998* is subject to review.

Details of review: In part, the review is considering the legislative implications of proposed elements of the Gambling Harm Minimisation Plan. In addition, and in line with overarching government commitments to reduce red tape, a review is also underway to identify potential red tape reduction measures to provide benefits and clarify requirements for the gaming sector.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.

Wine Industry Regulation 2009

Exemption from expiry: The exemption regulation for the *Wine Industry Regulation 2009* was made on the basis the *Wine Industry Act 1994* is subject to review.

Details of review: A review is currently underway to identify potential red tape reduction measures, in line with overarching government commitments to provide benefits and clarify requirements for the liquor sector.

Timeframe for review: The review was not completed before 31 August 2025 and is expected to continue into 2026.