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NB: Members are referred to the separate document, Notes and background information, appearing at [qls.com.au](http://qls.com.au) > Knowledge Centre > Newsletters & Magazines > Legislation Update for general information.

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## Primary legislation (Acts of Parliament)

Parliamentary sitting days: 13-15 September 2016

### Government Bills introduced

#### A. The following Bills were introduced into the Legislative Assembly on 13 September 2016

##### 1. Appropriation Bill (No.2) 2016

This Bill represents the formal authorisation by Parliament, in accordance with s66 of the *Constitution of Queensland 2001*, of the supplementary appropriation from the Consolidated Fund for unforeseen expenditure incurred over the 2015-16 financial year.

##### 2. Rail Safety National Law (Queensland) Bill 2016

As discussed in its explanatory notes, the main purpose of this Bill is to “adopt national rail safety regulation and investigation reforms by applying the Rail Safety National Law as a law of Queensland and establishing the Office of the National Rail Safety Regulator as the rail safety regulator in Queensland”.

This Bill puts into effect the outcomes of the Intergovernmental Agreement on Rail Safety Regulation and Investigation Reform which was signed by the Council of Australian Governments on 19 August 2011 in relation to improving consistent national requirements and decreasing the regulatory burden on industry by:

- applying the Rail Safety National Law, as modified by the Bill, as a law of Queensland
- repealing the *Transport (Rail Safety) Act 2010* (Act No.6 of 2010)
- defining a number of terms to aid in the interpretation of the Rail Safety National Law in the Queensland context
- providing for drug and alcohol testing of rail safety workers using procedures that are consistent with the procedures used by police under the *Transport Operations (Road Use Management) Act 1995*
- providing “transitional provisions”.

In addition, this Bill makes substantive amendments to the following Acts:

- *Coal Mining Safety and Health Act 1999*
- *Mining and Quarrying Safety and Health Act 1999*
- *Queensland Rail Transit Authority Act 2013*
- *Work Health and Safety Act 2011*.

Also, this Bill makes “minor and consequential amendments” to the following Acts:

- *Coroners Act 2003*
- *Queensland Competition Authority Act 1997*
- *Right to Information Act 2009*
- *Surat Basin Rail (Infrastructure Development and Management) Act 2012*
- *Transport Infrastructure Act 1994*
- *Transport Operations (Passenger Transport) Act 1994*
- *Transport Planning and Coordination Act 1994*.

Finally, this Bill makes provision for funding for the Australian Transport Safety Bureau under the *Transport Safety Investigation Act 2003* (Cth) – see Part 4 of the Bill.

##### 3. Serious and Organised Crime Legislation Amendment Bill 2016

At their outset, the explanatory notes for this major Bill of 447 pages state that its main objective is “to implement a new Organised Crime Regime in Queensland to tackle serious and organised crime in all its forms”, which regime draws on the recommendations of the three reviews commissioned by the Government into organised crime, namely:

- the Queensland Organised Crime Commission of Inquiry which, under Michael Byrne QC, “identified the illicit drug market, online child sex offending including the child exploitation material market, and sophisticated financial crimes such as cold call or ‘boiler room’ investment frauds as key organised crime threats in Queensland”
- the Taskforce on Organised Crime Legislation which, chaired by the Hon. Alan Wilson QC, “conduct(ed) a review of the suite of legislation introduced in October and November 2013 to combat organised crime, in particular outlaw motorcycle gangs”
- the statutory review of the *Criminal Organisation Act 2009* (the CO Act), also conducted by Mr Wilson QC, which recommended that the CO Act be “repealed or allowed to lapse but with certain elements redeployed elsewhere in Queensland’s organised crime legislative framework”.

A further object is “to improve the clarity, administration and operation of particular occupational and industry licensing Acts through a number of technical and editorial amendments”.

The explanatory notes, which run to some 179 pages, contain detailed and extensive information as to the content and import of the provisions of the Bill, which material is far too lengthy to even summarise meaningfully in this *Legislation Update*. In short, this Bill makes substantive amendments to the following legislation (in the order followed in the Bill):

- *Bail Act 1980*
- *Child Protection (Offender Reporting) Act 2004*
- *Corrective Services Act 2006*
- *Crime and Corruption Act 2001*
- *Crime and Corruption Regulation 2015*
- *Criminal Code*
- *Criminal Law (Criminal Organisations Disruption) and Other Legislation Amendment Act 2013*
- *Criminal Proceeds Confiscation Act 2002*
- *Disability Services Act 2006*
- *District Court of Queensland Act 1967*
- *Drugs Misuse Act 1986*
- *Evidence Act 1977*
- *Liquor Act 1992*
- *Liquor Regulation 2002*
- *Motor Dealers and Chattel Auctioneers Act 2014*
- *Peace and Good Behaviour Act 1982*
- *Peace and Good Behaviour Regulation 2010*
- *Penalties and Sentences Act 1992*
- *Penalties and Sentences Regulation 2015*
- *Police Powers and Responsibilities Act 2000*
- *Police Powers and Responsibilities Regulation 2012*
- *Police Service Administration Act 1990*
- *Racing Act 2002*
- *Racing Integrity Act 2016*
- *Second-hand Dealers and Pawnbrokers Act 2003*
- *Security Providers Act 1993*
- *State Penalties Enforcement Regulation 2014*
- *Summary Offences Act 2005*
- *Tattoo Parlours Act 2013*
- *Tow Truck Act 1973*
- *Transport Operations (Passenger Transport) Act 1994*
- *Weapons Act 1990*
- *Working with Children (Risk Management and Screening) Act 2000.*

As listed in Part 35 of the Bill, it proposes to repeal the following Acts:

- *Criminal Organisation Act 2009* (Act No.53 of 2009)
- *Vicious Lawless Association Disestablishment Act 2013* (Act No.47 of 2013).

As listed in Schedule 1, it makes “minor and consequential amendments” to the following Acts and regulations:

- *Criminal Code (Criminal Organisations) Regulation 2013*
- *Drugs Misuse Act 1986*
- *Judicial Review Act 1991*
- *Legal Profession Act 2007*
- *Liquor Act 1992*
- *Motor Dealers and Chattel Auctioneers Act 2014*
- *Penalties and Sentences Act 1992*
- *Police Powers and Responsibilities Act 2000*
- *Justice and Other Information Disclosure Act 2008*
- *Peace and Good Behaviour Regulation 2010*
- *Queensland Civil and Administrative Tribunal Regulation 2009*
- *Tattoo Parlours Regulation 2013*
- *Weapons Regulation 2016*.

Finally, pursuant to cl.494 and Schedule 2, this Bill makes the *Criminal Code (External Agencies) Regulation 2016* which, ultimately, will become a regulation made under the Criminal Code and which lists the entities declared to be an external agency, namely:

- the Australian Securities and Investments Commission
- the Australian Crime Commission under the *Australian Crime Commission Act 2002* (Cth)
- the Australian Border Force under the *Australian Border Force Act 2015* (Cth)
- the Australian Security Intelligence Organisation established under the *Australian Security Intelligence Organisation Act 1979* (Cth)
- the Corruption and Crime Commission established under the *Corruption, Crime and Misconduct Act 2003* (WA)
- the Independent Commission against Corruption established under the *Independent Commission Against Corruption Act 1988* (NSW)
- the New South Wales Crime Commission established under the *Crime Commission Act 2012* (NSW)
- the Independent Broad-based Anti-corruption Commission established under the *Independent Broad-based Anti-corruption Commission Act 2011* (Vic.)
- the Australian Commission for Law Enforcement Integrity established by the *Law Enforcement Integrity Commissioner Act 2006* (Cth).

#### 4. Heavy Vehicle National Law and Other Legislation Amendment Bill 2016

As discussed in its explanatory notes, the amendments to the Heavy Vehicle National Law (the HVNL) contained in this Bill in respect of the ‘chain of responsibility and executive officer liability’, will:

- enable a more flexible approach to compliance, reduce the regulatory burden and more closely align the approach to chain of responsibility and executive officer liability in the HVNL with other safety legislation
- contribute to improvements in safety outcomes in the road transport sector by requiring parties in the chain of responsibility, and executive officers, to focus on overall safety outcomes, thereby enabling parties to be more innovative in responding to safety concerns
- by reframing duties as a positive ‘must ensure’ obligation with a reasonable excuse defence, create diligence in activities, such as document-keeping requirements in ss132,133, 151, 152 and 153, and false or misleading documentation in ss186 and 187, and facilitate compliance cultures within companies
- benefit governments by reducing the requirements and costs associated with enforcing and prosecuting breaches of the HVNL.

In particular, these amendments will effect these measures by:

- adopting a standard of care of ‘so far as reasonably practicable’ for the primary duty, to align with the standard of care applied in other national safety laws
- adopting a similar positive duties approach and standard of care for those chain of responsibility party offences not subsumed into the primary duty
- applying the same approach to all offences in the HVNL for consistency and to reduce complexity in compliance and enforcement by replacing the current standard of ‘all reasonable steps’ and the reasonable steps defence wherever possible, with the ‘so far as reasonably practicable’ standard
- introducing penalties for breach of the primary duty of care that align with the penalties for breach of duty under other national safety laws, including adopting a hierarchy of penalties based on risk categorisation
- adopting a set of principles to guide the application and interpretation of the primary duty of care

- creating a positive executive officer due diligence obligation to ensure chain of responsibility parties comply with their primary duty of care, to complement the existing executive officer liability provisions for other offences
- revising all offences that attract executive officer liability under the HVNL in accordance with the Council of Australian Government's *Personal Liability for Corporate Fault: Guidelines for Applying the COAG Principles* and reframing the existing executive officer liability provisions to remove the existing reverse burden of proof and to instead place the obligation on the prosecution to prove all elements of an offence
- strengthening information-gathering powers by inserting an additional information-gathering power for use when investigating potential breaches of the primary duty as a corollary to the introduction of primary duties
- specifically incorporating heavy vehicle roadworthiness and vehicle standards into the primary duty of care
- enabling the use of enforceable undertakings as an alternative to prosecution for certain offences.

In respect of maintenance matters under the HVNL, the Bill "addresses a number of operational, minor and technical drafting issues that will improve roadside enforcement, reduce the compliance burden for industry and reduce the administrative burden for the Regulator", that is, the National Heavy Vehicle Regulator as the administrator of the HVNL, including the following:

- introducing self-clearing defect notices as an additional type of defect notice for defective vehicles that do not pose a safety risk or if the vehicle's number plate is obscured
- creating offences for failing to display and maintain National Heavy Vehicle Accreditation Scheme labels on heavy vehicles to complement the Regulator's obligation to give an operator an accreditation label for each relevant vehicle
- allowing the Regulator to make amendments to road access statutory instruments in minor ways without the requirement to seek road manager consent
- allowing responsible Ministers to delegate their approval powers to make minor amendments to guidelines and statutory approvals to the Regulator Board.

In an unrelated area, this Bill also amends the *Transport Operations (Passenger Transport) Act 1994* to allow a regulation to be made providing for a scheme for the payment of financial assistance to the taxi and limousine industry in order to implement the main elements of the \$100m Industry Adjustment Assistance Package (the IAAP), which was an element of the reforms to the regulation of personalised transport services in Queensland, including taxi, limousine and booked hire services announced on 11 August 2016 by the Queensland Government. The IAAP, as listed in the Bill's explanatory notes, includes:

- transitional assistance payments of \$20,000 per taxi service licence capped at two licences per holder and \$10,000 per limousine service licence other than special purpose limousine service licences (\$60 million)
- a hardship fund (\$26.7 million)
- business advisory support (\$3.7 million)
- fee waivers (\$4.3 million)
- incentive payments for wheelchair accessible services (\$5.6 million).

## 5. Water (Local Management Arrangements) Amendment Bill 2016

The objectives of this Bill, as referred to in its explanatory notes, are to amend the *Water Act 2000* by inserting a new Chapter 4A (Declared channel schemes) "to facilitate the restructure and transfer of a number of SunWater's channel irrigation schemes to local management arrangements", which will be achieved "primarily by establishing a legislative transfer scheme, enabling a staged transition of potentially up to eight schemes".

In particular, the Bill:

- establishes a declared project for:
  - the transfer of the businesses, assets and liabilities of SunWater in relation to a declared channel scheme to an irrigation entity
  - the divestment from the state of an irrigation entity
- establishes a declared channel scheme
- establishes a transfer scheme to, among other things:
  - enable the transfer of a business, asset or liability of SunWater to an irrigation entity
  - make provision about the consideration for a business, asset or liability transferred
  - grant, transfer and deal with interests in land
  - grant, transfer and deal with licences, registrations, authorities, approvals and instruments
  - transfer SunWater employees to an irrigation entity.
- provides exemption from state taxes, fees and charges associated with the transfer scheme.

The explanatory notes state that the Minister's powers under the transfer scheme "have been modelled on precedent projects, such as the institutional restructure of Queensland Rail under the *Queensland Rail Transit Authority Act 2013* ... and the transfer of assets to private operators under the *Infrastructure Investment (Asset Restructuring and Disposal) Act 2009*".

## 6. Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016

The objectives of this Bill, as set out in its explanatory notes, are to:

- strengthen the effectiveness of the environmental assessment of underground water extraction by resource projects
- allow the ongoing scrutiny of the environmental impacts of underground water extraction during the operational phase of resource projects through clearer links between the *Environmental Protection Act 1994* and *Water Act 2000*
- improve the make good framework in the *Water Act 2000*
- ensure that the administering authority for the *Environmental Protection Act 1994* is the decision-maker for specific applications relating to environmental authorities
- ensure the impacts of mining projects that are advanced in their environmental and mining tenure approvals are appropriately assessed for their impact on the environment and underground water users and opportunities for public submissions and third party appeals are provided before underground water is taken in a regulated area for mine dewatering purposes
- update existing provisions in the *Queensland Heritage Act 1992* to provide for the appointment, by local government, of authorised persons to carry out compliance and enforcement activities for the local heritage provisions.

In addition to the three Acts mentioned above, this Bill also proposes to amend the *Water Reform and Other Legislation Amendment Act 2014*.

## B. The following Bill was introduced into the Legislative Assembly on 14 September 2016

### 1. Adoption and Other Legislation Amendment Bill 2016

This Bill, as referred to in its explanatory notes, follows the tabling of the final report of the ministerial review of the operation of the *Adoption Act 2009* (the Act) on 8 August 2016 in the Legislative Assembly

As discussed in its explanatory notes, this Bill:

- expands who is eligible to have his or her name entered or remain in the expression of interest register to include same-sex couples, single persons and persons undergoing fertility treatment
- removes the offence and associated penalty for a breach of a contact statement for adoptions that occurred before June 1991
- improves access to information by enabling the chief executive to consider the release of identifying information without consent from adoptive or birth parents in exceptional circumstances, broadens the definition of 'relative' for the purposes of accessing or consenting to the access of information, to include future generations and persons recognised as parents and children under Aboriginal tradition and Torres Strait Islander custom and expands when information about a person who may be an adopted person's biological father may be provided to them
- requires the court to be satisfied that exceptional circumstances exist before including a change to a child's first name in a final adoption order
- enables the chief executive to facilitate contact between parties to an adoption during an interim adoption order
- improves processes for adoption of a child by a step-parent
- makes minor technical amendments to clarify the intent of existing provisions and corrects drafting errors and makes consequential amendments based on the endorsed policy objectives
- requires a further review of the operation of the Act in five years' time.

The minor technical and consequential amendments mentioned above include:

- correcting an oversight when transitioning the suitable adoptive parents register from the repealed *Adoption of Children Act 1964* to the suitable adoptive parents register under the Act
- correcting an oversight to allow long-term guardians under the *Child Protection Act 1999* to be selected for assessment of suitability to adoption of a particular child, in the same way that approved carers under the *Child Protection Act 1999* may be selected
- clarifying that the chief executive's guardianship does not end when the chief executive is a child's guardian under s57 at the time the child dies
- amending pre-consent timeframes (s19) to reflect the difference between the date when a person has received pre-consent counselling and the date when a counsellor swears a statement confirming the counselling has been received
- clarifying that s60(1)(b) applies if consent (or dispensation) to an adoption has been given by only one parent
- a consequential amendment to the Schedule of the *Commonwealth Powers (Family Law—Children) Act 1990* which will reflect the new wording of s188 regarding long-term guardians
- updating definitions.

## C. The following Bill was introduced into the Legislative Assembly on 15 September 2016

### 1. Youth Justice and Other Legislation (Inclusion of 17-year-old Persons) Amendment Bill 2016

The objectives of this Bill, as discussed in its explanatory notes, are to:

- increase the upper age of who is a child for the purposes of the *Youth Justice Act 1992*, from 16 years to 17 years by omitting the definition of *child* in Schedule 4, with the effect that the definition in the *Acts Interpretation Act 1954* will apply and a child will be “an individual who is under 18”.
- establish a regulation-making power to provide transitional arrangements for the transfer of 17-year-olds from the adult criminal justice system to the youth justice system by establishing regulation-making powers “to direct the efficient and coordinated transfer of all 17-year-olds (both sentenced and not yet sentenced) from the adult criminal justice system to the youth justice system”, which “approach is necessary due to the complex operational issues associated with transitioning 17-year-olds into the youth justice system and the need for a whole of government, multi-faceted response”. (To ensure parliamentary oversight, the explanatory notes state that the regulation-making power, along with any regulation made under it, will expire two years after commencement of the Bill.)

## Government Bills passed

### A. The following Bill was passed by the Legislative Assembly on 13 September 2016

#### 1. Constitution of Queensland and Other Legislation Amendment Bill 2016

This Bill was originally introduced into the Legislative Assembly on 21 April 2016. A synopsis of the contents of the Bill as introduced was contained in *Legislation Update* No.16 of 2016, dated 27 April 2016, at page 5.

During the passage of this Bill through the Legislative Assembly, a new clause was inserted after cl.2, namely, cl.2A (Insertion of new s4A), which, in turn, inserts a new provision in the *Constitution of Queensland 2001* after s4, namely, s4A (Particular amendments of this Act).

The explanatory notes for this amendment, which were tabled during the parliamentary debate, stated that its objective “is to provide that future amendments to the *Constitution of Queensland 2001* ... respecting the constitution, powers or procedure of the Parliament require the support of an absolute majority of the members of the Legislative Assembly” and that it implements the relevant recommendation made by the Committee of the Legislative Assembly in Report No.18 entitled ‘Constitution of Queensland and Other Legislation Amendment Bill 2016’, which was tabled in the Parliament on 15 August 2016.

### B. The following Bill was passed by the Legislative Assembly on 14 September 2016

#### 1. Australian Crime Commission (Queensland) and Other Legislation Amendment Bill 2016

This Bill was originally introduced into the Legislative Assembly on 24 May 2016. A synopsis of the contents of the Bill as introduced was contained in *Legislation Update* No.21 of 2016, dated 1 June 2016, at page 5.

During its passage through the Legislative Assembly, cl.12 [Replacement of s439 (Admissibility of records of questioning etc.)] was negatived (and, therefore, removed from the Bill) on the motion of the Minister for Police, Fire and Emergency Services and Minister for Corrective Services who was the Government Minister in charge of the Bill and who referred to this amendment in the following terms during the parliamentary debate: “...it does not mean that there is not merit in the clause; it is simply inappropriate for it to go forward at this point without it being fully considered more broadly. That is my intention moving forward – that that element be taken out and consulted much more broadly before it is brought back in. The recommendations and the report from government members in the committee report prompted that decision, and it is one that I am very comfortable with.” However, the Minister’s explanatory notes for this amendment, which may have provided further background information, were not available on either the parliamentary or Queensland Legislation websites at the time of the compilation of this *Legislation Update*. (Clause 12 had originally sought to replace the existing s439 in the *Police Powers and Responsibilities Act 2000* with a new s439 headed: ‘Admissibility of evidence when noncompliance with requirements’.)

### C. The following Bill was passed by the Legislative Assembly on 15 September 2016

#### 1. Health and Other Legislation Amendment Bill 2016

This Bill was originally introduced into the Legislative Assembly on 16 June 2016. A synopsis of the contents of the Bill as introduced was contained in *Legislation Update* No.24 of 2016, dated 22 June 2016, at page 6.

This Bill was not amended during its passage through the Legislative Assembly.

## Private members' Bills passed

### A. The following Bill was passed by the Legislative Assembly on 14 September 2016

#### 1. Child Protection (Mandatory Reporting – Mason's Law) Amendment Bill 2016

This Bill was originally introduced into the Legislative Assembly on 17 March 2016 by Ms T Davis MP, the LNP Member for Aspley (and Shadow Minister for Education). A synopsis of the contents of the Bill as introduced was contained in *Legislation Update* No.11 of 2016, dated 23 March 2016, at page 5.

During its passage through the Legislative Assembly, the following clauses of the Bill were amended, both on the motion of Ms Davis:

- Clause 2 (Commencement) in order to change the commencement date of the legislation from 1 January 2017 to 1 July 2017
- Clause 4 [Amendment of s13E (Mandatory reporting by persons engaged in particular work)].

In addition, a new provision, namely, cl.5 [Amendment of s13H (Conferrals with colleague and related information sharing)], was inserted in the Bill after cl.4, again on the motion of Ms Davis.

## Bills assented to

According to the parliamentary website, none of the four Bills listed above as having been passed by the Legislative Assembly during this parliamentary sitting week of 13-15 September 2016 had been assented to, as at 5pm on Friday 16 September 2016.

## Subordinate legislation

### A. Partial disallowance of instrument of subordinate legislation by the Legislative Assembly on 14 September 2016

#### 1. Transport and Other Legislation (Hire Services) Amendment Regulation 2016

The LNP Member for Glass House (and Shadow Minister for Transport and Main Roads and Shadow Minister for Local Government), Mr A Powell MP, after giving the requisite notice on 13 September 2016, moved the following motion in the Legislative Assembly on 14 September 2016:

"That the following provisions and parts of provisions of the *Transport and Other Legislation (Hire Services) Amendment Regulation 2016*, Subordinate Legislation No.161 of 2016, tabled in the House on 13 September 2016, as described below be disallowed:

- (a) Section 8(1), the words:  
'67(1)' and '70(2)' only
- (b) Section 20—in its entirety
- (c) Section 22, the words:  
'67 to' only
- (d) Section 23—in its entirety."

Following debate, the Minister for Transport and the Commonwealth Games moved that the above motion be amended as follows:

That all words after '(a) Section 8(1)—' be deleted and the following words inserted:

- "63(5)", "70(2)" only
- (b) Section 20—in its entirety
- (c) Section 22—omit references to all provisions, except Section 68
- (d) Section 23—in its entirety.

The Legislative Assembly then resolved that this amendment be agreed to.

Hansard sets out the wording of the amended motion as agreed to thus:

“That the following provisions and parts of provisions of the *Transport and Other Legislation (Hire Services) Amendment Regulation 2016*, Subordinate Legislation No.161 of 2016, tabled in the House on 13 September 2016, as described below be disallowed—

- (a) Section 8(1), the words—  
‘63(5)’, ‘70(2)’ only
- (b) Section 20—in its entirety
- (c) Section 22—omit references to all provisions, except Section 68
- (d) Section 23—in its entirety.”

(Note: The *Transport and Other Legislation (Hire Services) Amendment Regulation 2016* was notified on the Queensland Legislation website on 2 September 2016. For a synopsis of its contents, see *Legislation Update* No.35 of 2016, dated 7 September 2016, at page 9.)

## B. Subordinate legislation notified on the Queensland Legislation website on 16 September 2016

### 1. SL No.166 of 2016: *Aboriginal Land Amendment Regulation (No.4) 2016*

This regulation amends Schedule 2 (Available State land that is transferable land) of the *Aboriginal Land Regulation 2011* in order to declare areas of “available State land” as transferable land, namely, lots 3 and 24 on SP288847, which land is referred to as the “Sandstone West land dealing, covering a total area of 36,710 hectares and situated about 60 kilometres north-west of Cooktown”.

The explanatory notes for this regulation make the following points:

- The land was acquired by the Queensland Government for inclusion in the Cape York Peninsula Tenure Resolution Program which “returns ownership of land to Aboriginal Traditional Owners and ensures the outstanding environmental values are protected in national parks and nature refuges”
- The proposed outcome is for 20,220 hectares to become Aboriginal freehold land and 16,490 hectares of the property to be dedicated as Ngaynggarr National Park (Cape York Peninsula Aboriginal land).

### 2. SL No.167 of 2016: *Animal Care and Protection Amendment Regulation (No.1) 2016*

The purpose of this regulation, as described in its explanatory notes, is to modify the substantive amendments contained in Part 3 (Amendment of *Animal Care and Protection Regulation 2012*) of the *Agriculture and Other Legislation Amendment Regulation (No.1) 2016* (SL No.65 of 2016) (the amendment regulation) to provide that the amendments do not apply until 20 April 2017, thus maintaining the Government’s commitment to animal welfare while reflecting the timetable for implementation of the national Model Code of Practice for the Welfare of Animals – Pigs that was agreed with industry.

The explanatory notes provide the following rationale for this regulation:

“Part 3 of the amendment regulation contained amendments to the *Animal Care and Protection Regulation 2012* to complete the implementation of the national Model Code of Practice for the Welfare of Animals – Pigs, endorsed by all Australian states and territories on 20 April 2007. The national Model Code of Practice was to be phased in over a period of ten years following its endorsement. Consequently, part 3 of the amendment regulation was intended to commence on 20 April 2017. Unfortunately, a separate commencement clause was not included in the amendment regulation to ensure the delayed commencement of part 3, with the effect that part 3 commenced simultaneously with the remainder of the amendment regulation on 27 May 2016.”

## Local laws

### A. Queensland Government Gazette of September 2016

Gazettal of the making of local laws by the following councils:

#### 1. Council of the City of Gold Coast

Gazettal of the *Council of the City of Gold Coast (Making of Local Law) Notice (No.2) 2016*, pursuant to which the Council of the City of Gold Coast gave notice that it has, by resolution of 6 September 2016:

- made the *Parks and Reserves (Amendment) Subordinate Local Law (No.1) 2016*, which amends the *Subordinate Local Law No.9.1 (Parks and Reserves) 2008*
- prepared and adopted a consolidated version of the *Subordinate Local Law No.9.1 (Parks and Reserves) 2008*.

#### 2. Redland City Council

Gazettal of the Redland City Council (Making of Local Law) Notice (No.1) 2016, pursuant to which Redland City Council gave notice that it has, by resolution of 24 August 2016, made the *Animal Management (Amendment) Subordinate Local Law (No.1) 2016*, which amends *Subordinate Local Law No.2 (Animal Management) 2015*.

## Approved forms/guidelines

### A. Queensland Government Gazette of 16 September 2016

Notification of the approval of forms for use under the following Acts:

#### 1. Contract Cleaning Industry (Portable Long Service Leave) Act 2005

The following forms have been approved:

- Form No.CCI 2 (Version 4): Employer Application
- Form No.CCI 7 (Version 6): Worker Claim for Long Service Leave.

#### 2. Prostitution Act 1999

Version 1 of the following forms have been approved:

- Form No.1: Disciplinary Inquiry Notice (licensee) – by hearing
- Form No.2: Disciplinary Inquiry Notice (licensee) – on correspondence
- Form No.3: Disciplinary Inquiry Notice (approved manager) – by hearing
- Form No.4: Disciplinary Inquiry Notice (approved manager) – on correspondence.

## Other statutory instruments/statutory notices

### A. Queensland Government Gazette of 16 September 2016

#### 1. Mineral Resources Act 1989

Gazettal of the *Call for Tenders for Exploration Permit for Minerals Notice (No.1) 2016* which called for tenders for Exploration Permit for Minerals (EPM), with a deadline of 2.30pm (AEST) on 2 February 2017, for one area described as MLR2016/17-1-1 in the Schedule to the notice, located about eight kilometres south-west of Cloncurry.

#### 2. Sustainable Planning Act 2009

- Gazettal of the notice that, on 7 September 2016, the Fraser Coast Regional Council resolved to adopt, with effect on and from 19 September 2016, a minor amendment to the Fraser Coast Planning Scheme 2014, the purpose and general effect which minor amendments is “to make changes to Schedule 6.3 Planning Scheme Policy for Development Works and update Flood Hazard Overlay Map OM-008.1 and OM-008.2”.
- Gazettal of the notice given by the Minister for Education and Minister for Tourism and Major Events, that, under Part 2 of Chapter 5, she made a ministerial designation of land for community infrastructure, applying to land at 150 Mount Cotton Road, Capalaba, for the Capalaba State College and Early Years Service.

#### 3. Public Service Act 2008

Notification of the making, under ss53(baa), 53(c) and 136, of the Commission Chief Executive Directive No.22/16, entitled ‘Voluntary Medical Retirement (VMR Scheme)’, the purpose of which is “to establish the conditions and entitlements of permanent public service employees under a voluntary medical retirement scheme”.

#### 4. *Local Government Act 2009*

Notification that the Local Government Change Commission has assessed, and, after considering the proposed change and supporting documentation, has recommended in favour of implementing the proposal to alter the common boundaries between Barcoo Shire Council, Bulloo Shire Council, Paroo Shire Council and Quilpie Shire Council by incorporating the following lots into council areas as described below:

- All parts of Lot 3349 on PH1343 within the Barcoo Shire be moved to the Quilpie Shire
- All parts of Lot 6 on SP196201 within the Bulloo Shire be moved to the Quilpie Shire
- All parts of Lot 3 on B122 (B122) within the Quilpie Shire be moved to the Bulloo Shire
- All parts of Lot 5096 on PH550 within the Bulloo Shire be moved to the Paroo Shire
- All parts of Lot 2 on AD3 within the Bulloo Shire be moved to the Barcoo Shire
- All parts of Lot 5 on GE39 within the Quilpie Shire be moved to the Barcoo Shire
- All parts of Lot 434 on PH2147 (now SP271043) within the Barcoo Shire be moved to the Quilpie Shire
- All parts of Lot 4195 on PH288 within the Quilpie Shire be moved to the Barcoo Shire.

(Note: As stated in the *Gazette* notice, the Governor in Council may implement the Local Government Change Commission's recommendation by regulation.)

#### 5. *Plumbing and Drainage Act 2002*

Gazettal, under s98(a), of Chief Executive Approval No.10/2016, dated 8 September 2016, for the BioCell ADGF01 manufactured by Greywater Solutions Pty Ltd (ABN 38 522 491 905).

#### 6. *Statutory Bodies Financial Arrangements Act 1982*

Gazettal of the 'general approval' given, subject to the conditions listed in the notice, by the Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sports, pursuant to ss70 and 60A, for all statutory bodies (excluding health and hospital services and universities), in agreements entered into for the purpose of undertaking activities associated with discharging their statutory functions, to enter into 'type 1 financial arrangements', being the provision of indemnities and guarantees for the benefit of:

- the State of Queensland
- Queensland Treasury Corporation.

#### 7. *Transport Operations (Marine Safety) Act 1994*

Gazettal of the notice given by the general manager, Maritime Safety Queensland, pursuant to s219(1) (c) of the *Transport Operations (Marine Safety) Regulation 2004*, prohibiting 'the anchoring of all ships in the Hamilton and Quarries Reach part of the Brisbane Pilotage Area, between the Gateway Bridge and a line across the Brisbane River at the Brett's Wharf Ferry Terminal' as defined in the schedule to the notice, but anchorage for small craft (less than 20m in length overall) within in this area is permitted as defined in that schedule and "attached chartlet S8o-38-2".

## Miscellaneous

#### 1. *Parliamentary sitting dates*

As indicated on the parliamentary website, the Queensland Parliament is scheduled to sit next from Tuesday 11 October to Thursday 13 October 2016. (The complete list of proposed sitting dates for the remainder of 2016 is available on that website.)