



Queensland

Explosives (Security Clearances and Other Matters) Amendment Regulation 2020

Subordinate Legislation 2020 No. 170

made under the

Explosives Act 1999

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1 Short title

This regulation may be cited as the *Explosives (Security Clearances and Other Matters) Amendment Regulation 2020*.

2 Regulation amended

This regulation amends the *Explosives Regulation 2017*.

3 Omission of pt 2B, hdg (Security clearances)

Part 2B, heading—
omit.

4 Amendment of pt 3, hdg (Authorities)

Part 3, heading, after ‘Authorities’—
insert—
and security clearances

5 Insertion of new pt 3, div 1AA

Part 3, before division 1—
insert—

Division 1AA Security clearances

18BA Persons to be notified if security clearance suspended, cancelled or surrendered

- (1) If a security clearance is suspended, the holder of the security clearance must, as soon as practicable after becoming aware of the suspension, take all reasonable steps to give notice of the suspension to each notifiable person for the holder, unless the holder has a reasonable excuse.

Maximum penalty—200 penalty units.

- (2) If a security clearance is cancelled, the former

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holder of the security clearance must, as soon as practicable after becoming aware of the cancellation, take all reasonable steps to give notice of the cancellation to each notifiable person for the former holder, unless the former holder has a reasonable excuse.

Maximum penalty—200 penalty units.

- (3) If a security clearance is surrendered, the former holder of the security clearance must, as soon as practicable after the surrender takes effect, take all reasonable steps to give notice of the surrender to each notifiable person for the former holder, unless the former holder has a reasonable excuse.

Maximum penalty—200 penalty units.

- (4) In this section—

notifiable person, for the holder or former holder of a security clearance, means—

- (a) if the holder or former holder is an employee of an employer who holds a security sensitive authority—the employer; or
- (b) if the holder or former holder is a responsible person for a listed corporation that holds a security sensitive authority—each executive officer of the corporation; or
- (c) if the holder or former holder is an executive officer of a corporation, other than a listed corporation, that holds a security sensitive authority—each other executive officer of the corporation; or
- (d) if the holder or former holder is a partner in a partnership that holds a security sensitive authority—each other partner.

6 Relocation of ss 18B and 18C

Sections 18B and 18C—

relocate to part 3, division 1AA, as inserted by this regulation.

7 Renumbering of ss 18BA and 18C

Sections 18BA and 18C—

renumber as sections 18C and 18D.

8 Insertion of new pt 3, div 7

Part 3—

insert—

Division 7 Register of authorities and security clearances

47A Register to be kept by chief inspector

- (1) The chief inspector must keep a register of—
 - (a) each authority issued by the chief inspector; and
 - (b) each security clearance given by the chief inspector.
- (2) The register must include the following information for each authority or security clearance—
 - (a) the name and contact details of the holder of the authority or security clearance;
 - (b) details of the authority or security clearance;
 - (c) the day the authority or security clearance expires;
 - (d) the status of the authority or security clearance, including, if it has been

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- suspended, cancelled or surrendered, details of the suspension, cancellation or surrender;
- (e) any other information the chief inspector considers appropriate for inclusion in the register.
- (3) The chief inspector may disclose information in the register, other than the following information, to any person—
- (a) the contact details of an individual;
- (b) the circumstances surrounding the suspension, cancellation or surrender of an authority or security clearance.
- (4) The chief inspector may publish information in the register, other than the information mentioned in subsection (3)(a) or (b), in the way the chief inspector considers appropriate.

Example for subsection (4)—

The chief inspector may publish information in the register on the internet in the form of a database that allows any person to obtain details about the holder of an authority or security clearance to check the validity of the holder's authority or security clearance.

9 Amendment of s 136 (Conditions for transporting explosives—Act, s 50)

Section 136(1), note—

omit.

10 Omission of pt 9, div 8 (Transport restrictions for Commonwealth Games)

Part 9, division 8—

omit.

11 Amendment of s 188 (False or misleading information in application for authority)

Section 188, after ‘authority’—

insert—

or security clearance

12 Amendment of sch 2 (Fees)

(1) Schedule 2, authorising provision, ‘18C’—

omit, insert—

18D

(2) Schedule 2, part 1, item 19, after ‘licence’—

insert—

or security clearance

13 Omission of sch 6A (Commonwealth Games restricted areas)

Schedule 6A—

omit.

14 Amendment of sch 7 (Dictionary)

Schedule 7, definitions *relevant explosive* and *restricted area*—

omit.

ENDNOTES

- 1 Made by the Governor in Council on 27 August 2020.
- 2 Notified on the Queensland legislation website on 28 August 2020.
- 3 The administering agency is the Department of Natural Resources, Mines and Energy.

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