



Queensland

Queensland Climate Transition Bill 2023



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2023

A Bill

for

An Act to provide for reduction targets for greenhouse gas emissions and fossil fuel exports for Queensland, to provide for the development and implementation of the Queensland Climate Transition Strategic Plan and other measures to achieve the reduction targets, to establish the Queensland Climate Transition Authority and for related purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

1 Short title 3

This Act may be cited as the *Queensland Climate Transition Act 2023*. 4
5

2 Main purposes of Act 6

(1) The main purposes of this Act are to— 7

(a) state targets for Queensland to reduce greenhouse gas 8
emissions and exports of fossil fuels that contribute to 9
meeting Australia’s obligations under the Paris 10
Agreement; and 11

Note— 12

The Paris Agreement includes targets that contribute to the 13
global goals of— 14

(a) holding the increase in the global average temperature to 15
well below 2°C above pre-industrial levels; and 16

(b) pursuing efforts to limit the temperature increase to 1.5°C 17
above pre-industrial levels. 18

(b) provide for measures to be implemented to achieve the 19
reduction targets; and 20

(c) ensure employment stability and income security for 21
workers and communities affected by measures 22
implemented to achieve the reduction targets. 23

(2) The purposes are to be primarily achieved by— 24

(a) providing for the development, publication and 25
implementation of the Queensland Climate Transition 26
Strategic Plan; and 27

(b)	providing for activities for mining coal, gas or oil to end; and	1 2
(c)	establishing the Queensland Climate Transition Authority.	3 4
3	Act binds all persons	5
	This Act binds all persons, including the State.	6
4	Relationship with other Acts generally	7
(1)	If a provision of this Act is inconsistent with another Act, the provision prevails over the other Act to the extent of the inconsistency.	8 9 10
(2)	Subsection (1) does not affect a provision of this Act or another Act that expressly deals with the interaction between this Act and the other Act.	11 12 13
5	Definitions	14
	The dictionary in schedule 2 defines particular words used in this Act.	15 16
Part 2	Reduction targets	17
6	Greenhouse gas emissions reduction targets	18
(1)	The <i>greenhouse gas emissions reduction targets</i> for Queensland are—	19 20
(a)	the interim greenhouse gas emissions reduction target stated under section 7; and	21 22
(b)	the zero net emissions target stated under section 8.	23
(2)	The greenhouse gas emissions reduction targets are to be interpreted in a way consistent with the Paris Agreement.	24 25

[s 7]

7	Interim greenhouse gas emissions reduction target	1
	The interim greenhouse gas emissions reduction target is that	2
	greenhouse gas emissions produced in Queensland for 2030,	3
	and for each year after 2030, are at least 75% less than the	4
	amount of greenhouse gas emissions produced in Queensland	5
	for 2005.	6
8	Zero net emissions target	7
(1)	The zero net emissions target is that Queensland produces	8
	zero net emissions for 2035 and for each year after 2035.	9
(2)	In this section—	10
	<i>zero net emissions</i> means the amount of greenhouse gas	11
	emissions produced in Queensland for a year is zero after	12
	deducting emissions removed by carbon sequestration for that	13
	year.	14
9	Measuring greenhouse gas emissions	15
(1)	For applying sections 7 and 8, greenhouse gas emissions for a	16
	year are to be measured by using a method stated in the IPCC	17
	guidelines for national greenhouse gas inventories.	18
	<i>Note—</i>	19
	The guidelines are available on the IPCC’s website.	20
(2)	In this section—	21
	<i>2013 supplement</i> means the report called ‘2013 supplement to	22
	the 2006 IPCC guidelines for national greenhouse gas	23
	inventories: wetlands’, published by the IPCC.	24
	<i>2019 refinement</i> means the report called ‘2019 refinement to	25
	the 2006 IPCC guidelines for national greenhouse gas	26
	inventories’, published by the IPCC.	27
	<i>IPCC</i> means the United Nations panel known as the	28
	Intergovernmental Panel on Climate Change.	29
	<i>IPCC guidelines for national greenhouse gas inventories—</i>	30

(a)	means the report called ‘2006 IPCC guidelines for national greenhouse gas inventories’, published by the IPCC; and	1 2 3
(b)	includes the 2013 supplement and 2019 refinement.	4
10	Fossil fuel exports reduction target	5
	The <i>fossil fuel exports reduction target</i> is that the amount of coal, gas or oil extracted or produced from Queensland for export is reduced until no coal, gas or oil is extracted or produced from Queensland for export by 31 December 2030.	6 7 8 9
Part 3	Achieving reduction targets	10
Division 1	Queensland Climate Transition Strategic Plan	11 12
11	Development of plan	13
(1)	The QCTA must develop a plan (the <i>Queensland Climate Transition Strategic Plan</i>) for—	14 15
(a)	achieving the reduction targets; and	16
(b)	ensuring employment stability and income security for workers and communities affected by measures implemented to achieve the reduction targets.	17 18 19
(2)	The plan must state the following matters—	20
(a)	the objectives mentioned in subsection (1) and any other objectives decided by the board to further the purposes of this Act;	21 22 23
(b)	the strategies or policies, to achieve the objectives, that the QCTA is to implement within 6 years after—	24 25
(i)	the day the plan is published; or	26

[s 12]

- (ii) if the plan has been reviewed and amended under section 12—the day the amended plan is published. 1
2
3
 - (3) The QCTA must— 4
 - (a) have regard to the principles stated in schedule 1 when developing the plan; and 5
6
 - (b) use a regional or place-based planning approach to setting out part or all of the plan; and 7
8
 - (c) provide in the plan for the development of any related plans for particular places or regions. 9
10
 - (4) The plan must— 11
 - (a) be approved by the board; and 12
 - (b) on or before 31 December 2024— 13
 - (i) be published on the whole-of-government website; and 14
15
 - (ii) be tabled by the Premier in the Legislative Assembly. 16
17
- 12 Review of plan** 18
- (1) The QCTA must review the Queensland Climate Transition Strategic Plan within 2 years after the following days— 19
20
 - (a) the day the plan was first published; 21
 - (b) if the plan has been reviewed—the day of the most recent review. 22
23
 - (2) Subsection (3) applies if, as a result of a review under subsection (1), the QCTA decides to amend the plan. 24
25
 - (3) As soon as practicable after finishing the review— 26
 - (a) the QCTA must— 27
 - (i) amend the plan in the way decided; and 28
 - (ii) state in the plan the day the plan is amended; and 29
 - (iii) give the amended plan to the Premier; and 30

-
- (iv) publish the amended plan on the whole-of-government website; and
 - (b) the Premier must table a copy of the amended plan in the Legislative Assembly.

Division 2 Dealing with fossil fuel authorities

13 Purpose of division

The purpose of this division is to end activities for mining coal, gas or oil to help achieve the reduction targets.

14 Application of division

- (1) This division applies in relation to an authority (a *fossil fuel authority*) under another Act that authorises an entity to do something that is, or involves carrying out, an activity that is, or is directed at, mining for coal, gas or oil, including any of the following activities—
 - (a) building or installing infrastructure;
 - (b) exploring;
 - (c) extracting, processing, producing or treating a substance or matter;
 - (d) installing equipment used for extracting, processing, producing or treating a substance or matter.
- (2) However, a *fossil fuel authority* does not include an authority for an activity incidental to an activity mentioned in subsection (1).

Examples of authorities for incidental activities—

 - an approval for occupational health and safety activities on a mine site,
 - an authority for water monitoring activities in the area of a mining lease
- (3) This division applies despite any other Act.
- (4) In this section—

authority, under another Act, means—

[s 15]

(a)	an agreement or lease (however described) under the other Act; or	1 2
(b)	an approval, licence, permission or other authority (however described) under the other Act.	3 4
15	No new applications for fossil fuel authorities	5
	An application for a fossil fuel authority under another Act can not be made under that Act.	6 7
16	Undecided applications for fossil fuel authorities refused	8
(1)	This section applies if—	9
(a)	before the commencement, an application for a fossil fuel authority was made; and	10 11
(b)	immediately before the commencement, the application had not been decided.	12 13
(2)	The entity to which the application was made is taken to have decided to refuse to grant the application.	14 15
17	QCTA may amend or cancel fossil fuel authority	16
(1)	This section applies in relation to a fossil fuel authority in effect on the commencement.	17 18
(2)	The QCTA may decide—	19
(a)	to amend the fossil fuel authority in any way, including by imposing conditions on the authority; or	20 21
(b)	to cancel the authority.	22
(3)	The QCTA must give written notice of the decision, and reasons for the decision, to—	23 24
(a)	the holder of the fossil fuel authority; and	25
(b)	the entity that granted the authority to the holder.	26
(4)	The amendment or cancellation takes effect—	27
(a)	when the holder receives the notice; or	28

(b)	if a later day is stated in the notice—on the later day.	1
18	Assessing activities under fossil fuel authority	2
	In deciding whether to amend or cancel a fossil fuel authority under section 17, the QCTA must assess the impact on the environment of activities being carried out under the authority, having regard to the purposes of this Act.	3 4 5 6
19	Limitation of review	7
(1)	This section applies to the following decisions—	8
(a)	a decision of an entity, taken to have been made under section 16(2), to refuse to grant an application for a fossil fuel authority;	9 10 11
(b)	a decision of the QCTA, made under section 17(2), to amend or cancel a fossil fuel authority.	12 13
(2)	Subject to subsection (3), the decision—	14
(a)	is final and conclusive; and	15
(b)	can not be challenged, appealed against, reviewed, quashed, set aside or called in question in any other way, under the <i>Judicial Review Act 1991</i> or otherwise (whether by the Supreme Court, another court, a tribunal or another entity); and	16 17 18 19 20
(c)	is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.	21 22 23
(3)	The <i>Judicial Review Act 1991</i> , part 5 applies to the decision to the extent it is affected by jurisdictional error.	24 25
(4)	In this section—	26
	decision includes a decision, or conduct, leading up to or forming part of the process of making a decision.	27 28

[s 20]

Part 4	Queensland Climate Transition Authority	1 2
Division 1	Establishment and functions	3
20	Establishment	4
	The Queensland Climate Transition Authority (the <i>QCTA</i>) is established.	5 6
21	Legal status	7
	The QCTA—	8
	(a) is a body corporate; and	9
	(b) may sue and be sued in its corporate name.	10
22	Primary functions	11
	The primary functions of the QCTA are to develop, publish and implement the Queensland Climate Transition Strategic Plan.	12 13 14
23	Other functions	15
	The QCTA also has the following functions—	16
	(a) to consult and liaise with—	17
	(i) the community, workforce, business and industry; and	18 19
	(ii) entities representing the interests of the community, workforce, business or industry; and	20 21
	(iii) government entities; and	22
	(iv) any other entity the QCTA considers appropriate;	23
	(b) to give advice or recommendations to the Premier about—	24 25

-
- (i) the implementation of the Queensland Climate Transition Strategic Plan; and 1
2
- (ii) any operational plans, objectives, strategies or policies to be implemented by government entities; 3
4
- (c) to promote the social and economic benefits, including the benefits for rural and regional Queensland, of— 5
6
- (i) the reduction targets; and 7
- (ii) the Queensland Climate Transition Strategic Plan; and 8
9
- (iii) any operational plans, objectives, strategies or policies developed by or for the QCTA; 10
11
- (d) to partner with other entities— 12
- (i) to perform another function under this section; or 13
- (ii) to further the purposes of this Act; 14
- (e) to perform another function given to the QCTA under this Act or another Act; 15
16
- (f) to perform a function incidental to a function of the QCTA under this Act or another Act. 17
18
- 24 Annual report** 19
- (1) The QCTA must prepare and give to the Premier, within 3 months after the end of each financial year, an annual report for that year stating— 20
21
22
- (a) the functions performed and activities carried out by the QCTA during the year in relation to implementing the Queensland Climate Transition Strategic Plan; and 23
24
25
- (b) the progress made during the year towards achieving the reduction targets. 26
27
- (2) The board must approve the annual report before it is given to the Premier. 28
29
- (3) The Premier must table a copy of the annual report in the Legislative Assembly within 14 sitting days after receiving it. 30
31

[s 25]

Division 2	Administration	1
Subdivision 1	Director	2
25	Appointment of director	3
(1)	The Premier must appoint a person to be the director of the QCTA.	4 5
(2)	Before appointing a person as director—	6
(a)	the Premier must be satisfied the person—	7
(i)	is appropriately qualified; and	8
(ii)	is of good character; and	9
(b)	the board must approve the person’s appointment.	10
(3)	The director is appointed under this Act and not the <i>Public Sector Act 2022</i> .	11 12
(4)	The director is appointed for the term stated in the director’s instrument of appointment.	13 14
(5)	As soon as practicable after the director is appointed under this section, the Premier must give the director a copy of the instrument of appointment.	15 16 17
26	Conditions of appointment	18
(1)	A person is appointed as director on the terms and conditions, not otherwise provided for by this Act or stated in the instrument of appointment, decided by the Premier.	19 20 21
(2)	Except as decided by the Premier, the person is not entitled to receive any payment, any interest in property or other valuable consideration or benefit—	22 23 24
(a)	by way of remuneration as director; or	25
(b)	in connection with the person’s retirement, or another ending of the person’s appointment, as director.	26 27

27	Functions of director	1
	The director has the following functions—	2
	(a) to develop operational plans to support the implementation of the Queensland Climate Transition Strategic Plan;	3 4 5
	(b) to manage the QCTA’s affairs in accordance with—	6
	(i) this Act and other applicable laws; and	7
	(ii) the board’s decisions;	8
	(c) to otherwise manage the day-to-day operations of the QCTA.	9 10
28	Powers of director	11
	(1) The director has the power to do anything necessary or convenient to be done in performing the director’s functions.	12 13
	(2) The director also has any other powers given to the director under this Act or another Act.	14 15
29	Delegation	16
	The director may delegate the director’s functions or powers under this Act or another Act to an appropriately qualified staff member of the QCTA.	17 18 19
30	Ending of appointment	20
	(1) A person’s appointment as director ends if the person—	21
	(a) resigns the person’s office by signed written notice given to the Premier; or	22 23
	(b) completes a term of office but is not reappointed.	24
	(2) The Premier may terminate the appointment of a person as director if the Premier is satisfied the person—	25 26
	(a) is incapable of performing the functions or exercising the powers of the director; or	27 28

[s 31]

(b)	is an insolvent under administration; or	1
(c)	is otherwise not, or no longer, suitable to be the director.	2
Subdivision 2	Staff	3
31	QCTA staff	4
(1)	The QCTA may employ staff it considers appropriate to perform its functions or exercise its powers.	5 6
(2)	The staff are employed under the <i>Public Sector Act 2022</i> .	7
Division 3	Board	8
Subdivision 1	Establishment, functions and powers	9 10
32	Establishment	11
	The QCTA has a board of management (the <i>board</i>).	12
33	Functions	13
(1)	The board has the following primary functions—	14
(a)	to decide—	15
(i)	objectives to further the purposes of this Act; and	16
(ii)	strategies and policies to achieve the objectives of the Queensland Climate Transition Strategic Plan;	17 18
(b)	to decide the objectives, strategies or policies to be implemented by—	19 20
(i)	the QCTA; or	21
(ii)	government entities;	22

(c)	to ensure the QCTA performs its functions properly, efficiently and effectively;	1 2
(d)	to ensure the QCTA complies with its obligations under this Act or other applicable laws.	3 4
(2)	The board also has the following functions—	5
(a)	to perform another function given to the board under this Act or another Act;	6 7
(b)	to perform a function incidental to a function of the board under this Act or another Act.	8 9
34	Powers	10
(1)	The board has the power to do anything necessary or convenient to be done in performing the board's functions.	11 12
(2)	The board also has any other powers given to the board under this Act or another Act.	13 14
Subdivision 2	Membership	15
35	Members	16
(1)	The board consists of at least 5, but not more than 7, members appointed by the Premier under this section.	17 18
(2)	The board must consist of—	19
(a)	at least 1 member who is—	20
(i)	an Aboriginal person; or	21
(ii)	a Torres Strait Islander person; and	22
(b)	at least 3 members who live in a relevant regional area.	23
(3)	Before appointing a person as a member, the Premier must be satisfied the person holds a qualification, or has significant experience, in 1 or more of the following areas—	24 25 26
(a)	accounting or economics;	27

[s 36]

(b) climate transition planning;	1
(c) coal, gas or oil mining;	2
(d) energy technologies;	3
(e) engineering;	4
(f) First Nations cultural leadership;	5
(g) industrial relations, including industry transition planning or workforce planning;	6 7
(h) reducing greenhouse gas emissions;	8
(i) the provision of government funding or grants of financial assistance.	9 10
(4) The members are appointed under this Act and not the <i>Public Sector Act 2022</i> .	11 12
(5) As soon as practicable after a member is appointed under this section, the Premier must give the member a copy of the instrument of appointment.	13 14 15
(6) In this section—	16
<i>relevant regional area</i> means an area in Queensland, other than any of the following local government areas—	17 18
(a) Brisbane;	19
(b) Gold Coast;	20
(c) Ipswich;	21
(d) Logan;	22
(e) Moreton Bay;	23
(f) Sunshine Coast.	24
36 Term of appointment	25
A member is appointed for a term of 3 years.	26

37	Chairperson	1
	The Premier must appoint 1 member as the board's chairperson.	2 3
38	Conditions	4
	(1) This section applies to a person's appointment as a member or the chairperson.	5 6
	(2) The person is appointed on the terms and conditions, not otherwise provided for by this Act or stated in the instrument of appointment, decided by the Premier.	7 8 9
	(3) Except as decided by the Premier, the person is not entitled to receive any payment, any interest in property or other valuable consideration or benefit—	10 11 12
	(a) by way of remuneration as a member or the chairperson; or	13 14
	(b) in connection with the person's retirement, or another ending of the person's appointment, as a member or the chairperson.	15 16 17
39	Disqualification	18
	A person is disqualified from becoming, or continuing as, a member if the person is an insolvent under administration.	19 20
40	Vacation of office	21
	(1) The office of a member becomes vacant if the member—	22
	(a) completes a term of office and is not reappointed; or	23
	(b) resigns from office by signed written notice given to the Premier; or	24 25
	(c) is absent without the board's permission or without a reasonable excuse from 3 consecutive meetings of the board; or	26 27 28
	(d) becomes disqualified under section 39; or	29

[s 41]

(e)	is removed from office by the Premier under subsection (2).	1 2
(2)	The Premier may remove a member from office if the Premier is satisfied the member—	3 4
(a)	is incapable of performing the functions or exercising the powers of a member; or	5 6
(b)	is otherwise not, or no longer, suitable to hold the office.	7
Subdivision 3	Business of board	8
41	Conduct of business	9
	Subject to this Act, the board may conduct its business, including its meetings, in the way the board considers appropriate.	10 11 12
42	Minimum requirement for meetings	13
(1)	Subject to subsection (2), meetings of the board must be held as often as is necessary for—	14 15
(a)	the Queensland Climate Transition Strategic Plan to be developed and published by 31 December 2024; and	16 17
(b)	the board to perform its functions and exercise its powers under this Act.	18 19
(2)	The chairperson must call a meeting of the board if a member gives the chairperson a written notice requesting the meeting.	20 21
43	Presiding at meetings	22
(1)	The chairperson is to preside at all meetings of the board at which the chairperson is present.	23 24
(2)	If the chairperson is not present at a meeting, a member who is chosen by the members present at the meeting is to preside.	25 26

Schedule 1	Principles for Queensland Climate Transition Strategic Plan	1 2 3
	section 11(3)	4
1	Strategic focus	5
	(1) The Queensland Climate Transition Strategic Plan is to provide a strategic approach to—	6 7
	(a) achieving the reduction targets; and	8
	(b) ensuring employment stability and income security for workers and communities affected by the measures implemented to achieve the targets.	9 10 11
	(2) The approach must—	12
	(a) be coordinated, proactive and long-term; and	13
	(b) establish a clear direction for implementation.	14
2	Development of plan	15
	The Queensland Climate Transition Strategic Plan must—	16
	(a) be developed in consultation with—	17
	(i) the community, workforce, business and industry; and	18 19
	(ii) entities representing the interests of the community, workforce, business or industry; and	20 21
	(iii) government entities; and	22
	(iv) any other entity the QCTA considers appropriate; and	23 24
	(b) be developed having regard to the interests of the entities mentioned in paragraph (a), including in relation to the following matters—	25 26 27
	(i) the responsible management of land and water;	28

(ii)	the security, stability and affordability of public services;	1 2
(iii)	the availability of jobs and income security for workers affected by the implementation of the plan or related plans.	3 4 5
3	Implementation of plan	6
	The Queensland Climate Transition Strategic Plan must be implemented in consultation with the following groups—	7 8
(a)	the community, workforce, business and industry;	9
(b)	entities representing the interests of the community, workforce, business or industry;	10 11
(c)	government entities;	12
(d)	any other entity the QCTA considers appropriate.	13

Schedule 2 Dictionary 1

section 5 2

board see section 32. 3

chairperson means the person appointed under section 37 as chairperson of the board. 4
5

director means the person appointed under section 25 as director of the QCTA. 6
7

fossil fuel authority see section 14. 8

fossil fuel exports reduction target see section 10. 9

government entity means— 10

(a) an entity that represents the State; or 11

(b) an entity established under an Act, or authorisation given by the State, for a public purpose; or 12
13

(c) a registry or other administrative office of a court of the State of any jurisdiction; or 14
15

(d) a government owned corporation; or 16

(e) a local government; or 17

(f) an instrumentality or agency of a local government; or 18

(g) a corporation, or a subsidiary of a corporation, owned by a local government; or 19
20

(h) a part of an entity mentioned in paragraphs (a) to (g). 21

greenhouse gas emissions means emissions from any of the following gases— 22
23

(a) carbon dioxide; 24

(b) hydrofluorocarbons; 25

(c) methane; 26

(d) nitrous oxide; 27

(e) perfluorocarbons; 28

(f) sulphur hexafluoride;	1
(g) another gas prescribed by regulation.	2
greenhouse gas emissions reduction targets see section 6.	3
insolvent under administration see the Corporations Act, section 9.	4 5
member means a person appointed under section 35 as a member of the board.	6 7
oil includes petroleum.	8
Paris Agreement see the <i>Climate Change Act 2022</i> (Cwlth), section 5.	9 10
QCTA see section 20.	11
Queensland Climate Transition Strategic Plan see section 11(1).	12 13
reduction targets means—	14
(a) the greenhouse gas emissions reduction targets; and	15
(b) the fossil fuel exports reduction target.	16
whole-of-government website means—	17
(a) www.qld.gov.au ; or	18
(b) another website prescribed by regulation.	19