

Corrective Services (Parole Board) Amendment Bill 2025

Explanatory Notes

FOR

Amendments To Be Moved During Consideration In Detail By The Honourable Laura Gerber MP

Title of the Bill

Corrective Services (Parole Board) Amendment Bill 2025

Objectives of the Amendments

Amendments to the Transport Infrastructure Act 1994

The policy objectives for the amendments to the TIA are to:

- reduce administrative burden and expense when making declarations about tolls, charges or payment arrangements in the future by allowing the Minister to make a declaration to amend only one element of tolling arrangements;
- improve effectiveness and efficiency in declaring tolls, to be flexible and responsive to the needs of government and the broader Queensland economy;
- remove a significant administrative burden to more easily facilitate and streamline necessary upgrade projects on the Gateway and Logan Motorways; and
- make legislative requirements for tolling arrangements consistent across the Queensland toll road network.

Achievement of the Objectives

The proposed amendments to the Bill achieve its policy objectives by amending the following primary legislation:

Amendments to the *Transport Infrastructure Act 1994*

- Section 93

The current section 93 of the TIA provides that if the Minister makes a declaration for a toll, the Minister must include *all* of the matters mentioned in Schedule 5 for the toll road, which includes charges and ways of making payments or other arrangements to pay a toll. The amendments facilitate the Minister making a declaration to amend only one element of tolling arrangements.

The amendments will reduce the administrative burden and expense of the Minister considering an element of tolling arrangements by allowing the Minister to amend a declaration about tolling arrangements by amending only that part of the declaration about tolls, that part of the declaration about charges or that part of the declaration about ways of making payments or other arrangements to pay a toll, without amending the declaration about each of the other elements.

The amendments retain transparency and accountability in declaring tolls, charges and payment arrangements for Queensland toll roads.

- Section 93AA

The current section 93AA limits the Minister's ability to make further toll declarations for the Gateway and Logan Motorways. Repealing section 93AA of the TIA will enable the Minister to make declarations for the Gateway and Logan Motorways by reducing a significant administrative burden, and streamline delivery of necessary upgrade projects in a manner that is consistent across the Queensland toll road network.

- Section 105ZB

The current section 105ZB of the TIA provides that if the local government gives a notice for a toll, the local government must include *all* of the matters mentioned in Schedule 5 for the toll road, which includes charges and ways of making payments or other arrangements to pay a toll. The amendments facilitate the local government giving notice about only one element of tolling arrangements so the operation of section 105ZB is consistent with the operation of the amended section 93.

Alternative Ways of Achieving Policy Objectives

Amendments to the *Transport Infrastructure Act 1994*

There are no alternative ways of achieving the policy objectives other than by legislative reform.

Estimated Cost for Government Implementation

Amendments to the *Transport Infrastructure Act 1994*

There are no costs to government to implement the amendments.

Consistency with Fundamental Legislative Principles

The amendments have been prepared with due regard to the fundamental legislative principles outlined in the *Legislative Standards Act 1992* and the amendments are considered to be consistent with fundamental legislative principles.

Consultation

Amendments to the *Transport Infrastructure Act 1994*

No public consultation has been undertaken as the amendments relate to administrative matters and do not have any substantive impacts on regulatory policy. The amendments also do not require regulatory impact analysis under the Queensland Government Better Regulation Policy.

Consistency with legislation of other jurisdictions

Amendments to the *Transport Infrastructure Act 1994*

The amendments to the TIA are specific to the State of Queensland and are not uniform with, or complementary to, the legislation of the Commonwealth or any other State.

NOTES ON PROVISIONS

Clause 6 of the amendments for consideration in detail amends the long title of the Bill to include the *Transport Infrastructure Act 1994*.

Clause 5 of the amendments for consideration in detail includes amendments to the *Corrective Services Bill (Parole Board) Amendment Bill 2025* by inserting provisions in relation to the *Transport Infrastructure Act 1994*, as follows:

Clause 6 provides that Part 3 amends the *Transport Infrastructure Act 1994*.

Clause 7 amends section 92 (Definitions for pt 7) to reflect renumbering of provisions in the definition of ‘*image processing fee*’.

Clause 8 amends section 93 (Tolls) to allow the Minister to, by gazette notice, make a declaration to amend the notification of a matter mentioned in Schedule 5 and included in a declaration made under subsection (1). The amendments to section 93 will allow the Minister to amend a declaration about only one element of tolling arrangements, such as about a toll payable (items 1 to 4 and 9 of Schedule 5), about charges (items 5 and 7 of Schedule 5) or about ways of making payments or an arrangement to pay a toll (items 6 and 8 of Schedule 5), without making a declaration about each of the other elements.

The amendments to section 93 do not limit the operation of section 24AA of the *Acts Interpretation Act 1954*.

The amendments to section 93 do not limit the operation of section 20C of the *Statutory Instruments Act 1992* and the matters included in a declaration made under section 93(1) which are not amended by a declaration under the new section 93(3) continue in force.

Clause 9 omits section 93AA (Application of s 93 to QML network).

Clause 10 amends section 105B (Definitions for pt 8) to reflect renumbered provisions referenced in the definitions of ‘*designated vehicle*’, ‘*image processing fee*’ and ‘*user administration charge*’.

Clause 11 amends section 105ZB (Local government to give notice of tolling matters) to provide that:

- (subsection 1) – a local government may give notice to amend the notification of a matter mentioned in Schedule 5 and included in a notice given under subsection (1).
- (subsection 2) – reflects updated processes and terminology.
- (subsection 3) – allows the local government to amend a notice about one element of tolling arrangements, such as about a toll payable (items 1 to 4 and 9 of Schedule 5), about charges (items 5 and 7 of Schedule 5) or about ways of making payments or an arrangement to pay a toll (items 6 and 8 of Schedule 5), without giving notice about each of the other elements.
- (subsection 4) – reflects renumbering of section 105ZB.
- (subsection 5) – reflects updated processes and terminology.
- (subsection 6) – reflects updated processes and terminology.
- (subsection 7) – reflects updated processes and terminology.
- (subsection 8) – renumbers section 105ZB to reflect the amendments.

The amendments to section 105ZB do not limit the operation of s 24AA of the *Acts Interpretation Act 1954*.

The amendments to section 105ZB do not limit the operation of section 20C of the *Statutory Instruments Act 1992* and the matters included in a declaration made under section 105ZB(1) which are not amended by a declaration under the new section 105ZB(3) continue in force.

Clause 12 amends section 105ZC (Liability for toll and user administration charge and satisfying the liability) to reflect renumbered provisions.

Clause 13 amends Schedule 6 (Dictionary) to update the definition of ‘*image processing fee*’ with renumbered cross-references.