



Queensland

# **Justice Legislation (Fees) Amendment Regulation (No. 1) 2012**

## **Explanatory Notes for SL 2012 No. 102**

made under the

*Appeal Costs Fund Act 1973*

*Associations Incorporation Act 1981*

*Births, Deaths and Marriages Registration Act 2003*

*Body Corporate and Community Management Act 1997*

*Building Units and Group Titles Act 1980*

*Casino Control Act 1982*

*Charitable and Non-Profit Gaming Act 1999*

*Collections Act 1966*

*Cooperatives Act 1997*

*Coroners Act 2003*

*Dispute Resolution Centres Act 1990*

*Electoral Act 1992*

*Electrical Safety Act 2002*

*Evidence Act 1977*

*Funeral Benefit Business Act 1982*

*Gaming Machine Act 1991*

*Interactive Gambling (Player Protection) Act 1998*

*Introduction Agents Act 2001*

*Jury Act 1995*

*Justices Act 1886*

*Justices of the Peace and Commissioners for Declarations Act 1991*

*Keno Act 1996*

*Land Court Act 2000*

*Land Sales Act 1984*

*Legal Profession Act 2007*

*Liquor Act 1992*

*Lotteries Act 1997*

*Partnership Act 1891*

*Personal Property Securities (Ancillary Provisions) Act 2010*

*Property Agents and Motor Dealers Act 2000*  
*Property Law Act 1974*  
*Queensland Civil and Administrative Tribunal Act 2009*  
*Recording of Evidence Act 1962*  
*Retail Shop Leases Act 1994*  
*Right to Information Act 2009*  
*Second-hand Dealers and Pawnbrokers Act 2003*  
*Security Providers Act 1993*  
*Supreme Court of Queensland Act 1991*  
*Tourism Services Act 2003*  
*Travel Agents Act 1988*  
*Wagering Act 1998*  
*Wine Industry Act 1994*  
*Work Health and Safety Act 2011*

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## **General outline**

### **Short title**

*Justice Legislation (Fees) Amendment Regulation (No. 1) 2012.*

### **Authorising law**

Section 26 of the *Appeal Costs Fund Act 1973*  
Section 134 of the *Associations Incorporation Act 1981*  
Section 56 of the *Births, Deaths and Marriages Registration Act 2003*  
Sections 319 and 322 of the *Body Corporate and Community Management Act 1997*  
Section 134 of the *Building Units and Group Titles Act 1980*  
Section 127 of the *Casino Control Act 1982*  
Section 186 of the *Charitable and Non-Profit Gaming Act 1999*  
Section 47 of the *Collections Act 1966*  
Section 468 of the *Cooperatives Act 1997*

Section 99 of the *Coroners Act 2003*

Section 41 of the *Dispute Resolution Centres Act 1990*

Section 392 of the *Electoral Act 1992*

Section 210 of the *Electrical Safety Act 2002*

Section 135 of the *Evidence Act 1977*

Section 88 of the *Funeral Benefit Business Act 1982*

Section 366 of the *Gaming Machine Act 1991*

Section 263 of the *Interactive Gambling (Player Protection) Act 1998*

Section 99 of the *Introduction Agents Act 2001*

Section 74 of the *Jury Act 1995*

Section 266 of the *Justices Act 1886*

Section 40 of the *Justices of the Peace and Commissioners for Declarations Act 1991*

Section 243 of the *Keno Act 1996*

Section 78 of the *Land Court Act 2000*

Section 36 of the *Land Sales Act 1984*

Section 715 of the *Legal Profession Act 2007*

Section 235 of the *Liquor Act 1992*

Section 228 of the *Lotteries Act 1997*

Section 120 of the *Partnership Act 1891*

Section 9 of the *Personal Property Securities (Ancillary Provisions) Act 2010*

Section 600 of the *Property Agents and Motor Dealers Act 2000*

Section 351 of the *Property Law Act 1974*

Section 242 of the *Queensland Civil and Administrative Tribunal Act 2009*

Section 13 of the *Recording of Evidence Act 1962*

Section 121 of the *Retail Shop Leases Act 1994*

Section 193 of the *Right to Information Act 2009*

Section 115 of the *Second-hand Dealers and Pawnbrokers Act 2003*

Section 54 of the *Security Providers Act 1993*

Section 120 of the *Supreme Court of Queensland Act 1991*

Section 100 of the *Tourism Services Act 2003*

Section 57 of the *Travel Agents Act 1988*

Section 312 of the *Wagering Act 1998*

Section 62 of the *Wine Industry Act 1994*

Section 276 of the *Work Health and Safety Act 2011*

### **Policy objectives and the reasons for them**

The objectives of the regulation are—

- to increase fees and charges prescribed in subordinate legislation administered by the Department of Justice and Attorney-General (DJAG) by a government-endorsed indexation factor;
- to increase fees for certain applications and referrals to the Queensland Civil and Administrative Tribunal (QCAT) as part of a staged approach to standardising QCAT fees;
- to increase certain remuneration and allowances related to courts and tribunals by the annual consumer price index; and
- to make amendments of a minor, technical or drafting nature and remove redundant provisions.

### **Achievement of policy objectives**

The regulation will achieve its objectives by—

- increasing the fees and charges prescribed in subordinate legislation administered by DJAG by a government-endorsed indexation factor of 3.5%;
- increasing fees for certain applications and referrals to QCAT as part of a staged approach to standardising QCAT fees; and
- increasing by the movement in the Brisbane All-Groups CPI for the year to March 2012—
  - juror remuneration and allowances, and the related fee for a jury in civil cases, under the *Jury Regulation 2007*;

- witness allowances under the *Queensland Civil and Administrative Tribunal Regulation 2009*; and
- witness and interpreter allowances under the *Uniform Civil Procedure (Fees) Regulation 2009*.

### **Consistency with policy objectives of authorising law**

The regulation is consistent with the policy objectives of the Acts under which the Regulation is made.

### **Inconsistency with policy objectives of other legislation**

The regulation is not inconsistent with the policy objectives of other legislation.

### **Benefits and costs of implementation**

The regulation will increase fees, charges, remuneration and allowances prescribed in subordinate legislation administered by DJAG. However, the increases will not substantially increase the financial burden on the community.

There is no implementation cost associated with the amendments.

### **Consistency with fundamental legislative principles**

The regulation does not raise any fundamental legislative principle issues.

### **Consultation**

Queensland Treasury and Trade was consulted about the need for a Regulatory Assessment Statement (RAS) and advised that a RAS was not required.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Justice and Attorney-General.

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