



Queensland

# Queensland Competition Authority Amendment Regulation (No. 1) 2012

## Explanatory Notes for SL 2012 No. 198

made under the

*Queensland Competition Authority Act 1997*

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## General outline

### Short title

*Queensland Competition Authority Amendment Regulation (No. 1) 2012.*

### Authorising law

Section 245 of the *Queensland Competition Authority Act 1997* (QCA Act).

### Policy objectives and the reasons for them

The objective of the regulation is to amend the *Queensland Competition Authority Regulation 2007* (QCA Regulation) to update or remove provisions which are no longer current.

The QCA Regulation makes provision about several matters under the QCA Act, including providing for the charging of fees by the Queensland Competition Authority (QCA) for services and functions it performs. Given various amendments that have been made to the QCA Act over time, there are several provisions under the QCA Regulation which are no longer current and require updating.

## **Achievement of policy objectives**

The regulation will remove schedule 1 of the QCA Regulation, which contains a map of Central Queensland coal rail infrastructure. This map was related to the declaration of the Central Queensland coal network for the purposes of the State's third party access regime under part 5 of the QCA Act, which was previously contained under the QCA Regulation. This declaration was moved from the QCA Regulation to section 250 of the QCA Act as part of the *Motor Accident Insurance and Other Legislation Amendment Act 2010*. Accordingly, schedule 1 of the QCA Regulation is now redundant.

The regulation will also update the list of services and functions performed by the QCA for which fees are payable that is set out under schedule 2 of the QCA Regulation. This will ensure that the list remains current and reflects amendments that have been made to certain services and functions of the QCA over time.

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

The regulation amends the QCA Regulation to update or remove provisions which are no longer current. The regulation is consistent with the policy objectives of the authorising law, which expressly provides that a regulation may make provision about fees or charges for services and functions performed by the QCA.

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

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

## **Alternative ways of achieving policy objectives**

There are no alternative ways of achieving the policy objectives.

## **Benefits and costs of implementation**

The regulation updates or removes provisions in the QCA Regulation which are no longer current. Implementation of the regulation is not expected to result in any cost for government.

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

The regulation does not raise any issues with respect to fundamental legislative principles.

### **Consultation**

The QCA was consulted during the making of the regulation. The QCA did not object to the regulation.

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#### **ENDNOTES**

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is Queensland Treasury and Trade.

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