

# Health Legislation (Fees) Amendment Regulation (No. 1) 2013

## Explanatory notes for SL 2013 No. 185

made under the

*Food Act 2006*

*Health Act 1937*

*Pest Management Act 2001*

*Private Health Facilities Act 1999*

*Radiation Safety Act 1999*

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## General Outline

### Short title

*Health Legislation (Fees) Amendment Regulation (No. 1) 2013*

### Authorising law

Section 278 of the *Food Act 2006*

Section 180 of the *Health Act 1937*

Section 130 of the *Pest Management Act 2001*

Section 151 of the *Private Health Facilities Act 1999*

Section 215 of the *Radiation Safety Act 1999*

### Policy objectives and the reasons for them

The following Health portfolio Acts provide for the prescribing of fees and charges:

- the *Food Act 2006* in relation to applications for approval, renewal or replacement of approval as an auditor, or a change in approval conditions;
- the *Health Act 1937*, in relation to applications for an endorsement, or renewal of a drug licence, poison licence, treatment approval or wholesale representative licence and fees for the analysis of a drug or article by an analyst;
- the *Pest Management Act 2001* in relation to pest management licence fees;
- the *Private Health Facilities Act 1999* in relation to private health facility licence fees and approvals; and
- the *Radiation Safety Act 1999* in relation to possession, use, transport and related licences and approvals.

In accordance with Queensland Government policy, agencies are required to set fees and charges at a rate that accurately reflects the cost of providing services. Additionally, Queensland Government policy states that fees and charges administered by agencies are to be indexed annually by 3.5%.

### **Achievement of policy objectives**

The regulation proposes to increase fees and charges in the following regulations by 3.5%, in accordance with the Queensland Government's policy on fees and charges:

- the *Food Regulation 2006*;
- the *Health (Drugs and Poisons) Regulation 1996*;
- the *Health Regulation 1996*;
- the *Pest Management Regulation 2003*;
- the *Private Health Facilities Regulation 2000*; and
- the *Radiation Safety Regulation 2010*.

The increased fees and charges take effect on 1 October 2013.

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

The regulation is consistent with the main objectives of each of the authorising laws which provide that the Governor in Council may make regulations about fees and charges.

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

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

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

There are no costs to the Department in implementing these amendments.

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

The amendments are consistent with fundamental legislative principles.

### **Consultation**

The Office of Best Practice Regulation was consulted in relation to the regulation meeting the requirements of the Regulatory Impact Statement System.

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### **ENDNOTES**

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is Queensland Health.