

Weapons and Other Legislation Amendment Regulation 2017

Explanatory notes for SL 2017 No. 86

made under the

Police Service Administration Act 1990
State Buildings Protective Security Act 1983
Weapons Act 1990

General Outline

Short title

Weapons and Other Legislation Amendment Regulation 2017

Authorising law

Section 10.28 of the *Police Service Administration Act 1990*.
Sections 4(4) and 33 of the *State Buildings Protective Security Act 1983*.
Section 172 of the *Weapons Act 1990*.

Policy objectives and the reasons for them

The purpose of the *Weapons and Other Legislation Amendment Regulation 2017* (the Regulation) is to amend:

- the *Police Service Administration Regulation 2016* to change the name of the 'Queensland Police Service Valour Award' to the 'Queensland Police Valour Medal';
- the *State Buildings Protective Security Regulation 2008* to declare the Queensland Cultural Centre and Legal Aid Queensland offices as state buildings until 1 September 2018; and
- the *Weapons Regulation 2016* to implement the Government's policy of annually increasing fees and charges by 3.5%.

Police Service Administration Regulation 2016

The Queensland Police Service Valour Award (the Valour Award) may be awarded to a member or former member of the service who performs an act of exceptional

bravery in hazardous circumstances during the execution of their duty. It is presented as a medal made of silver, with subsequent awards presented as a Silver Bar to the Valour Award.

Changing the name of the Valour Award to the 'Queensland Police Valour Medal' will ensure that its title is consistent with the naming conventions used for other honours and awards. The term 'award' is generally used to describe the mark of recognition given in honour of an achievement, whereas the term 'medal' is used specifically to reference the title of the award or the metallic component of the award. All new versions of Queensland Police Service awards are titled and inscribed with the word 'medal' rather than the word 'award'. These other awards include the Queensland Police Bravery Medal, Queensland Police Meritorious Service Medal, Queensland Police Exemplary Conduct Medal and the Queensland Police Service Medal.

The objective of the Regulation is to amend the *Police Service Administration Regulation 2016* to change the name of the Valour Award to the 'Queensland Police Valour Medal'.

State Buildings Protective Security Regulation 2008

The *State Buildings Protective Security Act 1983* authorises protective security officers to exercise certain powers in 'state buildings' so that an appropriate level of security may be provided for these areas. The Act provides a definition of a 'state building' which includes a building and its precincts, or part of a building and its precincts, declared to be a state building under a regulation provided the building or part is to be used for an activity with which the State is directly concerned and the regulation provides for the declaration to expire at a stated time.

The *State Buildings Protective Security Regulation 2008* declares the Queensland Cultural Centre and Legal Aid Queensland offices as state buildings with an expiry date of 30 June 2017.

Protective security officers currently meet the security needs for the Queensland Cultural Centre and Legal Aid Queensland offices. There is no intention to change existing security arrangements.

The objective of the Regulation is to amend the existing regulation by declaring the Queensland Cultural Centre and Legal Aid Queensland offices as state buildings until 1 September 2018.

Weapons Regulation 2016

In accordance with Government policy, regulatory fees and charges are reviewed annually. Indexation of fees and charges seeks to maintain their value over time, relative to the anticipated increase in associated costs. The current Government indexation policy is that fees and charges are to be indexed by 3.5% for the 2017-2018 financial year.

The objective of the Regulation is to amend the *Weapons Regulation 2016* to apply annual indexation of fees and charges in accordance with the current Government indexation policy.

Achievement of policy objectives

The Regulation achieves its objectives by changing the name of the 'Queensland Police Service Valour Award' to the 'Queensland Police Valour Medal' in the *Police Service Administration Regulation 2016*, declaring the Queensland Cultural Centre and Legal Aid Queensland offices as state buildings until 1 September 2018 in the *State Buildings Protective Security Regulation 2008*, and by applying the indexation policy to fees and charges in the *Weapons Regulation 2016*.

Consistency with policy objectives of authorising law

The Regulation is consistent with the objectives of the authorising Acts.

Inconsistency with policy objectives of other legislation

The Regulation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

The Regulation will not impose any additional cost on Government. Existing stocks of medals inscribed with 'Queensland Police Service Valour Award' are almost exhausted and all new medals will be ordered with the inscription 'Queensland Police Valour Medal'.

Implementation costs are limited to adjusting communication materials and forms that refer to fees under the *Weapons Regulation 2016*. These costs are negligible and will be met through existing budgets.

Consistency with fundamental legislative principles

The Regulation is consistent with the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

The Queensland Police Service has concluded that the Regulation is exempt from regulatory impact analysis as it falls within the following exclusion categories outlined in the Queensland Government Guide to Better Regulation:

- category (g) 'Regulatory proposals that are of a machinery nature' – (for amendments in the Regulation that amend the *State Buildings Protective Security Regulation 2008*);

- category (h) ‘Regulatory proposals that put forward standard annual fee variations in line with or below a government endorsed indexation factor’ – (for amendments in the Regulation that amend the *Weapons Regulation 2016*); and
- category (j) ‘Regulatory proposals relating to police powers and administration, general criminal laws, the administration of courts and tribunals and corrective services’ – (for amendments in the Regulation that amend the *Police Service Administration Regulation 2016*).

Consequently, the Office of Best Practice Regulation was not consulted about the Regulation.