

Professional Standards Regulation 2017

Explanatory notes for SL 2017 No. 131

made under the

Professional Standards Act 2004

General Outline

Short title

Professional Standards Regulation 2017.

Authorising law

Sections 34 and 71 of the *Professional Standards Act 2004* (Act).

Policy objectives and the reasons for them

The *Professional Standards Regulation 2007* (the 2007 Regulation) will automatically expire on 1 September 2017 pursuant to section 54 of the *Statutory Instruments Act 1992*.

The Act provides for professional standards schemes, to be approved by the Professional Standards Council, which are designed to improve the professional standards of occupational associations for the benefit of consumers who engage their members' services and to limit the civil liability of their members.

The Act is based on mutual recognition professional standards legislation which applies in each State and Territory. This allows members of occupational associations which have a scheme approved in one State or Territory to be able to operate in another State or Territory subject to the same scheme.

The 2007 Regulation is based on mutual recognition provisions in place in each other State and Territory. The 2007 Regulation prescribes fees under the Act which are payable by occupational associations and their members to the Professional Standards Council. The 2007 Regulation also prescribes the statement of limited occupational liability under section 34 of the Act which members of occupational associations with an approved professional standards scheme must include in all business documents to clients and prospective clients.

The *Professional Standards Regulation 2017* (the Regulation) remakes the 2007 Regulation, with changes of a minor drafting nature.

Achievement of policy objectives

The objective of the Regulation is achieved by the remaking of the 2007 Regulation.

Consistency with policy objectives of authorising law

The Regulation is consistent with sections 34 and 71 of the Act.

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 fees under the Regulation contribute to funding the costs of the operation of the Professional Standards Councils under the mutual recognition scheme. There is no increase in fees under the Regulation, as remade.

Consistency with fundamental legislative principles

The Regulation is consistent with fundamental legislative principles.

Consultation

The Professional Standards Authority was consulted on the Regulation.

The Queensland Productivity Commission was consulted in relation to the requirements of the Queensland Government Guide to Better Regulation.