

Transport and Other Legislation Amendment (Postponement) Regulation 2018

Explanatory notes for SL 2018 No. 112

made under the

Acts Interpretation Act 1954

Transport and Other Legislation Amendment Act 2017

General Outline

Short title

Transport and Other Legislation Amendment (Postponement) Regulation 2018

Authorising law

Section 15DA of the *Acts Interpretation Act 1954*

Section 2 of the *Transport and Other Legislation Amendment Act 2017*

Policy objectives and the reasons for them

The *Transport and Other Legislation Amendment (Postponement) Regulation 2018* postpones the automatic commencement of photo identification card provisions in the *Transport and Other Legislation Amendment Act 2017* (Act No. 25 of 2017) (the Amendment Act).

The Amendment Act reduces the age of eligibility for an adult proof of age card from 18 to 15 years. To reflect the change in the age of eligibility, the name of the card is being changed from the adult proof of age card to the photo identification card. In addition, the name of the act and regulation under which this card is issued is being changed from the *Adult Proof of Age Card Act 2008* and the *Adult Proof of Age Card Regulation 2010* to the *Photo Identification Card Act 2008* and the *Photo Identification Card Regulation 2010*. The Amendment Act received assent on 25 August 2017 and the photo identification card provisions have not yet commenced.

In line with section 15DA(2) of the *Acts Interpretation Act 1954*, the photo identification card provisions will commence automatically on 26 August 2018 unless the commencement is postponed under section 15DA(3) of that act.

The Department of Transport and Main Roads engages a contractor to produce its identity products, including driver licences and proof of age cards. The current card production service contract is due to expire in early 2019. As a result, implementation of the new photo identification card will be aligned with the launch of the new card production service contract in 2019. Aligning these initiatives will avoid customer and industry confusion and streamline implementation of the new card.

Achievement of policy objectives

The policy objective is achieved by postponing the automatic commencement of the photo identification card provisions in the Amendment Act.

Consistency with policy objectives of authorising law

The postponement regulation is consistent with the objectives of the *Transport and Other Legislation Amendment Act 2017*.

Inconsistency with policy objectives of other legislation

There is no inconsistency with the policy objectives of other legislation.

Benefits and costs of implementation

As outlined above, the postponement regulation will enable the new photo identification card provisions to be commenced at the same time as the commencement of the new licence card production service contract. Aligning these initiatives will avoid any customer and industry confusion and will streamline implementation of the new card.

There are no costs associated with the implementation of the postponement regulation.

Consistency with fundamental legislative principles

The postponement regulation is consistent with fundamental legislative principles.

Consultation

Once the Department of Transport and Main Roads has finalised program roll out for the implementation of the photo identification card, the following security provider and hotel industry groups will be advised:

- Australian Security Industry Association Ltd
- Building Service Contractors Association of Australia
- National Security Association of Australia (Queensland)
- Security and Traffic Control Executive Association Queensland
- Security Providers Association of Australia Ltd
- Clubs Queensland

- Queensland Hotels Association

In accordance with *The Queensland Government Guide to Better Regulation*, the Department of Transport and Main Roads applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category G – Regulatory proposals that are of a machinery nature).

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