

Dispute Resolution Centres Regulation 2019

Explanatory notes for SL 2019 No. 167

Made under the

Dispute Resolution Centres Act 1990

General Outline

Short Title

Dispute Resolution Centres Regulation 2019

Authorising law

Section 41 of the *Dispute Resolution Centres Act 1990*.

Policy objectives and the reasons for them

The *Dispute Resolution Centres Regulation 2009* (2009 Regulation), made under the *Dispute Resolution Centres Act 1990* (the Act), will automatically expire on 1 September 2019 under section 54 of the *Statutory Instruments Act 1992*.

The Act provides for the establishment and operation of dispute resolution centres to provide mediation services.

Section 41 of the Act provides that the Governor in Council may make a regulation to prescribe the fees payable for commercial services provided by a dispute resolution centre, other than commercial services provided to a member of the public.

The 2009 Regulation prescribes the fees payable for commercial services provided by a dispute resolution centre, other than commercial services provided to a member of the public.

The 2009 Regulation was amended on 1 July 2019 by the *Justice Legislation (Fees) Amendment Regulation 2019* to provide for annual indexation in line with the Queensland Government's indexation policy for the 2019/2020 financial year.

The policy objective of the *Dispute Resolution Centres Regulation 2019* (2019 Regulation) is to allow a dispute resolution centre to continue to charge a prescribed fee for commercial services that the centre provides, other than commercial services to a member of the public.

The 2019 Regulation is in the same form as the 2009 Regulation, with minor changes necessary for consistency with current drafting practices.

Achievement of policy objectives

The policy objectives of the 2019 Regulation are achieved by remaking the 2009 Regulation.

Consistency with policy objectives of authorising law

The 2019 Regulation is consistent with the policy objective of the Act which is the operation of dispute resolution centres in Queensland to provide mediation services, including certain commercial services.

Inconsistency with policy objectives of other legislation

The 2019 Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The 2019 Regulation supports the operation of the Act by allowing dispute resolution centres to continue to collect fees for commercial services that they provide, other than to a member of the public.

There are no anticipated implementation costs for the 2019 Regulation.

Consistency with fundamental legislative principles

The 2019 Regulation is consistent with fundamental legislative principles.

Consultation

The Queensland Productivity Commission (QPC) was consulted regarding the requirements under the *Queensland Government Guide to Better Regulation* (Guide) for the remaking of the 2009 Regulation. QPC considers that the objectives for sunset reviews under the Guide have been satisfied and that no further regulatory impact analysis is required.