

Natural Resources and Other Legislation Amendment Act 2019

Explanatory notes for SL 2019 No. 173

made under the

Natural Resources and Other Legislation Amendment Act 2019

General Outline

Short title

Natural Resources and Other Legislation Amendment Act 2019

Authorising law

Section 2 of the *Natural Resources and Other Legislation Amendment Act 2019*

Policy objectives and the reasons for them

The objectives of the Proclamation are to commence the following provisions of the *Natural Resources and Other Legislation Amendment Act 2019*, concerning the witnessing of land titling documents and the locations of land registry offices, namely:

1. section 103 and section 148; and section 186 in so far as relates to chapter 9, part 4, division 6 of the *Land Act 1994*; and
2. chapter 3, part 2 and chapter 3, part 3.

The obligations of witnesses to land titling documents are being aligned to the practice used for electronic conveyancing transactions; and the requirement to specify by regulation the locations of titles registry offices is being removed as the information is available on the titles registry's internet site.

Achievement of policy objectives

The policy objectives of chapter 3, part 1, section 103 and section 148; and section 186 to the extent it inserts chapter 9, part 4, division 6; and chapter 3, parts 2 and 3 of the *Natural Resources and Other Legislation Amendment Act 2019*, will be achieved by fixing a commencement date of 30 September 2019.

The provisions concerning the obligations of witnesses to land titling documents seek to improve fraud mitigation and provide consistency between processes adopted in executing paper instruments and those used for electronic conveyancing transactions. The provisions thereby extend to clarifying the verification of identity process, providing guidance on what may constitute reasonable steps by witnesses in meeting their obligations, and aligning record keeping.

The locations of titles registry offices and their business hours are published on the Department of Natural Resources, Mines and Energy's internet site. The majority of titles registry services are now delivered online and there is reduced demand for over-the-counter services at the 16 titles registry lodgement offices. Removing the need to specify in regulation the locations of titles registry offices provides flexibility and expediency to government in reviewing and prioritising resource allocation.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the policy objectives of the *Natural Resources and Other Legislation Amendment Act 2019*.

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

The Proclamation does no more than commence the relevant provisions of the *Natural Resources and Other Legislation Amendment Act 2019*.

There are no substantial costs associated with commencing the relevant provisions of the *Natural Resources and Other Legislation Amendment Act 2019*.

Consistency with fundamental legislative principles

The Proclamation does not raise any issues concerning fundamental legislative principles.

Consultation

In accordance with the *Queensland Government Guide to Better Regulation*, the Queensland Productivity Commission was not consulted in relation to the regulatory proposal. The Department of Natural Resources, Mines and Energy applied a self-assessable exclusion from undertaking further regulatory impact analysis (category (a) — Regulatory proposals that make consequential amendments).