

# State Buildings Protective Security Amendment Regulation 2020

Explanatory notes for SL 2020 No. 145

made under the

*State Buildings Protective Security Act 1983*

## General Outline

### Short title

*State Buildings Protective Security Amendment Regulation 2020*

### Authorising law

Sections 4(4) and 33 of the *State Buildings Protective Security Act 1983*

### Policy objectives and the reasons for them

The *State Buildings Protective Security Act 1983* authorises Protective Services security officers to exercise certain powers in 'state buildings' so that an appropriate level of security may be provided for these areas. The Act defines a state building to mean a building that is owned or occupied by the State or a non-commercial authority of the State. The Act also defines state buildings to include a building and its precincts declared under a regulation to be a state building provided that the declaration expires at a stated time.

Sections 3 and 3A of the *State Buildings Protective Security Regulation 2008* (the SBPS Regulation) declares the Queensland Cultural Centre and the Legal Aid Queensland offices located at 44 Herschel Street, Brisbane and 193 North Quay Brisbane as state buildings. The SBPS Regulation also provides that these sections will expire on 31 August 2020.

Legal Aid Queensland also occupy levels 2, 4 and 12 of 420 George Street, Brisbane. Protective Services within the Queensland Police Service currently meet the security needs for the Queensland Cultural Centre and Legal Aid Queensland offices located in the Brisbane Central Business District (CBD). There is no intention to change existing security arrangements.

The *State Buildings Protective Security Amendment Regulation 2020* (the Amendment Regulation) amends the SBPS Regulation to declare all Legal Aid Queensland offices in the Brisbane CBD as state buildings. This will ensure consistent security services are provided to these Legal Aid Queensland offices and ensure appropriate security will be available to cater for any future Legal Aid Queensland plans.

Additionally, the Amendment Regulation will allow current security arrangements at the Queensland Cultural Centre and Legal Aid Queensland offices in the Brisbane CBD to continue into the future through amending the SBPS Regulation by declaring these areas as state buildings until 31 August 2021.

Finally, the Amendment Regulation will make minor amendments to the section headings of sections 3, 3A, 5 and 7 of the SBPS Regulation to comply with contemporary drafting practices.

## **Achievement of policy objectives**

The Amendment Regulation achieves its objectives by amending the *State Buildings Protective Security Regulation 2008* by declaring Legal Aid Queensland offices located at 420 George Street, Brisbane as a state building and by providing that the Queensland Cultural Centre and Legal Aid Queensland offices in the Brisbane CBD are state buildings until 31 August 2021.

## **Consistency with policy objectives of authorising law**

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

## **Inconsistency with policy objectives of other legislation**

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

## **Benefits and costs of implementation**

The Amendment Regulation will ensure that the current security arrangements at the Queensland Cultural Centre and Legal Aid Queensland offices in the Brisbane CBD are able to continue into the future.

Any costs incurred through the implementation of the Amendment Regulation are expected to be negligible and will be met through existing budgets.

## **Consistency with fundamental legislative principles**

The Amendment 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 Amendment Regulation is exempt from regulatory impact analysis as it falls within the following exclusion category outlined in the Queensland Government Guide to Better Regulation:

- (j) relating to police powers and administration, general criminal laws, the administration of courts and tribunals and corrective services.

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