

Personalised Transport Ombudsman (Postponement) Regulation 2020

Explanatory notes for SL 2020 No. 186

made under the

Personalised Transport Ombudsman Act 2019

General Outline

Short title

Personalised Transport Ombudsman (Postponement) Regulation 2020

Authorising law

Section 15DA of the *Acts Interpretation Act 1954*

Section 2 of the *Personalised Transport Ombudsman Act 2019*

Policy objectives and the reasons for them

The *Personalised Transport Ombudsman Act 2019* (PTO Act) received Royal Assent on 12 September 2019. The PTO Act provides for, among other things, the appointment of the Personalised Transport Ombudsman (PTO) and establishment of the office of the PTO. The PTO Act also outlines the PTO's functions, powers and responsibilities to ensure that the PTO can operate independently in helping to resolve complaints from anyone relating to personalised transport services.

Provisions of the PTO Act relating to the PTO have not commenced. In accordance with the *Acts Interpretation Act 1954* (Interpretation Act), provisions of the PTO Act that have not commenced within 1 year of the day of Royal Assent will automatically commence on the next day (13 September 2020) if not otherwise postponed under the Interpretation Act.

Considerable progress has been made in implementing the PTO. However, as a result of the significant impacts of COVID-19 disruptions on the personalised transport industry over the last six months, it is not an appropriate time to introduce new regulation that will affect the industry. For this reason, the *Personalised Transport Ombudsman (Postponement) Regulation 2020* (the Regulation) will postpone the automatic commencement of the provisions relating to the PTO.

Achievement of policy objectives

The policy objective will be achieved by postponing the automatic commencement, until the end of 12 September 2021, of the uncommenced provisions of the PTO Act relating to the PTO.

Consistency with policy objectives of authorising law

The Regulation is consistent with the main objectives of the PTO 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 Regulation will not result in additional costs for government. Postponing the commencement of the uncommenced provisions of the PTO Act is intended to benefit industry by ensuring this body is established at the appropriate time.

Consistency with fundamental legislative principles

The Regulation does not breach fundamental legislative principles in section 4 of the *Legislative Standards Act 1992*.

Consultation

In accordance with the *Queensland Government Guide to Better Regulation*, the Office of Best Practice Regulation was not consulted about the 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).