

# **Royal National Agricultural and Industrial Association of Queensland Regulation 2022**

Explanatory notes for SL 2022 No. 104

made under the

*Royal National Agricultural and Industrial Association of Queensland Act 1971*

## **General Outline**

### **Short title**

*Royal National Agricultural and Industrial Association of Queensland Regulation 2022*

### **Authorising law**

Sections 17D, 17E, 17F and 21 of the *Royal National Agricultural and Industrial Association of Queensland Act 1971*.

### **Policy objectives and the reasons for them**

The Royal National and Agricultural Association of Queensland (the association) is established under the *Royal National Agricultural and Industrial Association of Queensland Act 1971* (the RNA Act) to carry out the purposes and objects of the association. These include holding the annual Royal Brisbane Show (EKKA), and numerous community, cultural and trade events.

To ensure that the people of Queensland continue to enjoy the EKKA experience, and that essential land for the EKKA event was not encumbered by the association, the RNA Act was amended to include provisions preventing the encumbering of specific land owned by the association.

## **Achievement of policy objectives**

Specifically, section 17D of the RNA Act requires a regulation to prescribe certain land as "prescribed land". Sections 17E and 17F of the RNA Act restricts the sale of the "prescribed land" and protects the land from creditor claims if the association incurs an insolvency event, and prevents the land from being mortgaged, charged or made the subject of a lien to any person, except the Queensland Treasury Corporation (QTC). QTC holds registered mortgages over prescribed land to protect its interests in the land.

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

The regulation is consistent with the main objectives of the RNA Act that is to prescribe certain land as "prescribed land" and protecting the QTC interests in the land.

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

The regulation is consistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

The benefit of the regulation is to prescribe certain land as "prescribed land" and restricts the sale of the land and protects the land from creditor claims if the association incurs an insolvency event, and prevents the land from being mortgaged, charged or made the subject of a lien to any person, except the Queensland Treasury Corporation (QTC).

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

## **Consistency with fundamental legislative principles**

The Royal National Agricultural and Industrial Association of Queensland Regulation 2022 is consistent with fundamental legislative principles.

The subordinate legislation is justified instead of using the primary legislation as the regulation allows to amendments to the "prescribed land" as required under the RNA Act.

## **Consultation**

Consultation consisted of initial engagement regarding the proposed remake of the regulation with the following stakeholder:

- The Royal National Agricultural and Industrial Association of Queensland

The proposed remake of the regulation was supported by the relevant stakeholder with no suggested amendments.

The draft regulation has been circulated for comment to the following stakeholders: Queensland Treasury (QT), the Department of the Premier and Cabinet (DPC), Office of the Queensland Parliamentary Counsel (OQPC), the association and the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP).

No suggested amendments to the draft regulation were received from any of the stakeholders.

DSDILGP has completed a sunset review of the regulation and proposes to remake it without amendment. In completing the sunset review, the department consulted DPC, QT, the Department of Communities, Housing and Digital Economy, the Department of Energy and Public Works, and other Queensland government agencies, plus the association. No stakeholder responded with any concerns or comments regarding the proposal.

The Office of Best Practice Regulation (the OBPR) considers it reasonably clear that the Regulation does not impose unnecessary costs on business, the community, or the state. DSDILGP has met the requirements for sunset reviews under The Queensland Government Guide to Better Regulation (the guidelines), and no further regulatory impact analysis is required.