

# **Agriculture and Fisheries and Other Legislation Amendment (Postponement) Regulation 2025**

Explanatory Notes for SL 2025 No. 22

made under the

*Agriculture and Fisheries and Other Legislation Amendment Act 2024*

## **General Outline**

### **Short title**

*Agriculture and Fisheries and Other Legislation Amendment (Postponement) Regulation 2025.*

### **Authorising law**

Section 15DA of the *Acts Interpretation Act 1954*

Section 2 of the *Agriculture and Fisheries and Other Legislation Amendment Act 2024*

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

The objective of the *Agriculture and Fisheries and Other Legislation Amendment (Postponement) Regulation 2025* (Postponement Regulation) is to postpone the automatic commencement of all uncommenced provisions of the *Agriculture and Fisheries and Other Legislation Amendment Act 2024* (AFOLA Act) other than schedule 1, part 3, amendment 3 of the *Fisheries Act 1994*.

The AFOLA Act commenced on 26 April 2024 and included amendments to the *Fisheries Act 1994* to establish a new aquaculture authority for the authorisation and management of aquaculture operations, and a new independent onboard monitoring framework to support the independent validation of data reported by commercial fishers.

As well as amendments to the *Biosecurity Act 2014* to remove the lists of prohibited and restricted matter from the Act, facilitate the listing of prohibited and restricted matter within the *Biosecurity Regulation 2016* moving forward, and amend references to the schedules of prohibited and restricted matter in relevant other legislation.

These provisions have not yet commenced. However, under section 15DA(2) of the *Acts Interpretation Act 1954* they will automatically commence on 27 April 2025 unless the Postponement Regulation is made to delay automatic commencement.

Accompanying subordinate legislation, which is required to support the commencement of these provisions, is still under development by the Department of Primary Industries. It is considered that automatic commencement on 27 April 2025 will not provide sufficient time for the development of the supporting subordinate legislation, it is therefore intended to postpone the automatic commencement of these provisions.

## **Achievement of policy objectives**

To achieve the policy objectives, the Postponement Regulation will postpone the commencement all outstanding provisions of the AFOLA Act, other than schedule 1, part 3, amendment 3 of the *Fisheries Act 1994*, until the end of 26 April 2026.

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

The postponement regulation is consistent with the policy objectives of the AFOLA Act and the *Acts Interpretation Act 1954*.

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

No inconsistencies with the policy objectives of other legislation have been identified.

## **Alternative ways of achieving policy objectives**

There are no alternative means to achieve the policy objectives.

## **Benefits and costs of implementation**

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

## **Consistency with fundamental legislative principles**

The postponement regulation is consistent with the fundamental legislative principles in section 4 of the *Legislative Standards Act 1992*.

## **Consultation**

The proposal is determined to be of a machinery nature not requiring further impact analysis. In accordance with the Queensland Government Better Regulation Policy, the Office of Best Practice Regulation was notified of the postponement regulation proposal. The Department of Primary Industries considers that under the Impact Analysis Statement for the proposed Postponement Regulation, no public consultation was required.