

# Proclamation 2 – Making Queensland Safer Act 2024

Explanatory notes for SL 2025 No.82

made under the

*Making Queensland Safer Act 2024*

## General Outline

### Short title

Proclamation commencing sections 54-57 of the *Making Queensland Safer Act 2024*.

### Authorising law

*Section 2 of the Making Queensland Safer Act 2024.*

## Policy objectives and the reasons for them

On 13 December 2024, the *Making Queensland Safer Act 2024* (the Act) received assent. Section 2 of the Act provides for the commencement of Part 4, Division 3 on a day to be fixed by proclamation.

The proclamation fixes 28 July 2025 as the day for commencement of the following provisions of the Act which will provide for amendments to the *Youth Justice Act 1992* (Youth Justice Act):

- Part 4, Division 3, sections 54, 55, 56 and 57 It is proposed that the proclamation will set a commencement date for the remaining uncommenced provisions in the Act that relates to the 'eligible persons register'; found in Part 4, Division 3 of the MQS Act.

The 'eligible persons register' is administered by the Department of Youth Justice and Victim Support and is established by Part 8, Division 7 of the Youth Justice Act. Existing provisions in the Youth Justice Act enable victims of violent or sexual offences committed by a young person to be kept informed about the offender's custody movements, including for example any leave of absence, transfers between facilities, and release dates, by applying to be added to the 'eligible persons register' (the register). Specified other persons are also able to apply to receive information.

Sections 54-57 of the Act create an 'opt out' model for direct victims or immediate family members of victims who have died as a result of the offence, meaning those persons are automatically registered unless they opt out. Other persons currently eligible for the register will still need to apply, because their registration depends on, for example, a sufficient connection with the offence.

It is proposed to proclaim the remaining provisions in Part 4 Division 3 of the Act, those being sections 54, 55, 56 and 57, of the Act for commencement on 28 July 2025. The Proclamation of these remaining provisions will achieve one of the main objectives of the Act, to put victims 'front and centre' in the youth justice process.

## **Achievement of policy objectives**

The policy objective is achieved by fixing 28 July 2025 as the commencement date for sections 54-57 of the *Making Queensland Safer Act 2024*.

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

The Proclamation is consistent with the policy objectives of the *Making Queensland Safer Act 2024*.

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

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

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

There are no alternative ways to achieve the policy objectives.

## **Benefits and costs of implementation**

The Proclamation to commence sections 54-57 of the *Making Queensland Safer Act 2024* will enhance the Government's commitment to putting victims first through streamlining the process for entering direct victims and immediate family members of deceased victims on the register by removing the need for any application.

As noted in the Explanatory Notes for the *Making Queensland Safer Bill 2024*, costs arising from the implementation of the Bill will be met from within agencies' existing resourced (including recent allocations as part of the Government's Making Queensland Safer Plan).

## **Consistency with fundamental legislative principles**

The Proclamation is consistent with fundamental legislative principles as set out in the *Legislative Standards Act 1992*.

## **Consultation**

As the Proclamation is machinery in nature, no external consultation has been undertaken in relation to the Proclamation.

An Impact Analysis Statement has been completed that identifies that the Proclamation is not subject to regulatory impact assessment requirements under the *Queensland Government Better Regulation Policy* as it is a regulatory proposal that is machinery in nature.