

Queensland Community Safety (Postponement) Regulation (No. 2) 2025

Explanatory notes for SL 2025 No. 114

made under the

Queensland Community Safety Act 2024

General Outline

Short title

Queensland Community Safety (Postponement) Regulation (No. 2) 2025.

Authorising law

Section 15DA(3) of the *Acts Interpretation Act 1954*

Section 2 of the *Queensland Community Safety Act 2024*

Policy objectives and the reasons for them

The objective of the Queensland Community Safety (Postponement) Regulation (No. 2) 2025 (Postponement Regulation) is to postpone the commencement of certain provisions in the *Queensland Community Safety Act 2024* (the Act) making the new automatic commencement date 31 August 2026.

The Act received Royal Assent on 30 August 2024.

Under section 15DA(2) of the *Acts Interpretation Act 1954*(AIA), a provision of an Act that has not commenced will automatically commence one year after the day of Royal Assent. Some amendments are scheduled to commence automatically in accordance with this provision, being on 31 August 2025.

Implementation scoping and planning exercises undertaken by the Queensland Police Service (QPS) identified issues with the operationalisation of the electronic service of initial police banning notices and official warnings for consorting, including technical limitations, which require further consideration prior to commencement of the provisions.

Section 15DA(3) of the AIA provides that a regulation may extend the commencement of provisions by up to two years of the assent day.

The Postponement Regulation will allow further time for the QPS to consider the most effective means of implementing the provisions, including resolving any operational and administrative issues.

Upon commencement, section 85 of the Act amends the *Police Powers and Responsibilities Act 2000* (PPRA) by providing a framework to serve prescribed documents by electronic communication. Section 88 of the Act amends the PPRA by introducing a list of prescribed documents under Schedule 5A. Section 84 of the Act amends section 53BAC of the PPRA by removing reference to service by electronic communication for official warnings for consorting from that section.

Achievement of policy objectives

The policy objectives of the Postponement Regulation are achieved by postponing the commencement of the provisions in the Act for 12 months making the new automatic commencement date 31 August 2026.

The Postponement Regulation will not cause safety issues. In relation to electronic service, initial police banning notices and official warnings for consorting will continue to be issued using the mechanisms currently available to police officers which reduce crime and ensure public safety. The option for electronic service provides police officers with the ability to achieve time savings in administrative duties.

Consistency with policy objectives of authorising law

The Postponement Regulation is consistent with the policy objectives of the Act.

Inconsistency with policy objectives of other legislation

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

Alternative ways of achieving policy objectives

There are no alternative ways of achieving the policy objectives.

Benefits and costs of implementation

There are no costs associated with the implementation of the Postponement Regulation.

Consistency with fundamental legislative principles

The Postponement Regulation is consistent with fundamental legislative principles.

Consultation

No consultation was undertaken as the Postponement Regulation is minor and technical in nature. Due to the nature of the Postponement Regulation, no consultation occurred.

In accordance with the *Queensland Government Guide to Better Regulation*, the Office of Best Practice Regulation was notified of the Postponement Regulation proposal. The Postponement Regulation is determined to be a proposal that is of a machinery nature not requiring further impact analysis.

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