



Minister for Communities and Housing
Minister for Digital Economy
Minister for the Arts

Our reference: MN05800-2021

03 SEP 2021

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The Honourable Corinne McMillan MP
Chair, Community Support and Services Committee
CSSC@parliament.qld.gov.au

Dear Chair

Corinne,

I write in response to the Community Support and Services Committee Report No. 10, 57th Parliament Subordinate legislation tabled between 24 February 2021 and 25 May 2021 and the Committee's findings in relation to the Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Amendment Regulation 2021 (the Amendment Regulation).

I note the Committee's finding that the Amendment Regulation failed to include a declaration that it was made under section 24 of the *COVID-19 Emergency Response Act 2020* (the COVID ER Act) as required by this section and there is nothing to support the declaration not being included in either the statutory requirement or nature of the regulation.

I am advised that the Office of the Queensland Parliamentary Counsel (OQPC) considers that the Amendment Regulation and other similar amendment regulations made under the COVID ER Act do not need to contain the declaration under statutory interpretation principles as:

- the principal regulation, the Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020, did include the declaration
- under the *Acts Interpretation Act 1954*, as it applies to subordinate legislation under the *Statutory Instruments Act 1992*, provides that a principal regulation and all its amendment regulations are to be read as one.

I understand that OQPC has adopted this consistent practice to date in all of the amendment regulations made under the COVID ER Act.

If you require further information, please contact my Chief of Staff, Ms Hannah Jackson, on telephone [REDACTED] or by email at [REDACTED].

Yours sincerely

Leeanne Enoch MP
Minister for Communities and Housing
Minister for Digital Economy and Minister for the Arts