

## Economics and Governance Committee

### Report No. 22, 57th Parliament

### Subordinate legislation tabled between 15 September 2021 and 16 November 2021

#### 1 Aim of this report

This report summarises the Economics and Governance Committee's (committee) findings following its examination of the subordinate legislation within its portfolio areas tabled between 15 September 2021 and 16 November 2021.

It reports on any issues identified by the committee relating to the policy to be given effect by the legislation, its consistency with fundamental legislative principles (FLPs),<sup>1</sup> its compatibility with human rights,<sup>2</sup> and its lawfulness.<sup>3</sup> It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (LSA)<sup>4</sup> and on the committee's consideration of compliance with the *Human Rights Act 2019* (HRA) and the human rights certificate tabled with the subordinate legislation.<sup>5</sup>

#### 2 Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date*
161	Governors (Salary and Pensions) Amendment Regulation 2021	16 November 2021	31 March 2022

\*The disallowance date is 14 sitting days after the tabling date. (See section 50 of the *Statutory Instruments Act 1992*.) Disallowance dates are based on proposed sitting dates as advised by the Leader of the House. These dates are subject to change.

#### 3 Committee consideration of the subordinate legislation

The committee did not identify any significant issues regarding the policy, consistency with FLPs, lawfulness, or compatibility with human rights of the Governors (Salary and Pensions) Amendment Regulation 2021 (SL No. 161 of 2022).

The committee considered that the explanatory notes tabled with the subordinate legislation comply with the requirements of part 4 of the LSA. Further, the human rights certificate tabled with SL No. 161 of 2022 provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

A brief overview of the subordinate legislation is set out below.

<sup>1</sup> *Legislative Standards Act 1992* (LSA) s 4.

<sup>2</sup> *Human Rights Act 2019* (HRA) s 8.

<sup>3</sup> *Parliament of Queensland Act 2001* (POQA) s 93.

<sup>4</sup> LSA, Part 4.

<sup>5</sup> HRA, s 41.

#### **4 Governors (Salary and Pensions) Amendment Regulation 2021**

The objective of the regulation is to prescribe a salary rate for the Governor of Queensland, effective from 1 November 2021.<sup>6</sup>

The salary rate is an amount for a financial year that is equal to the amount that the Chief Justice is entitled to be paid for the financial year under the *Judicial Remuneration Act 2007*.<sup>7</sup>

The Chief Justice refers to the person appointed as the Chief Justice of Queensland under the *Supreme Court of Queensland Act 1991*.<sup>8</sup>

The Chief Justice is entitled to be paid an amount that is equal to 113.2% of the benchmark amount for the financial year.<sup>9</sup> The benchmark amount refers to the amount that a Supreme Court judge is entitled to be paid for a financial year.<sup>10</sup>

#### **5 Recommendation**

The committee recommends that the House notes this report.



Linus Power MP

**Chair**

**February 2022**

#### **Economics and Governance Committee**

**Chair**

Mr Linus Power MP, Member for Logan

**Deputy Chair**

Mr Ray Stevens MP, Member for Mermaid Beach

**Members**

Mr Michael Crandon MP, Member for Coomera

Mrs Melissa McMahon MP, Member for Macalister

Mr Daniel Purdie MP, Member for Ninderry

Mr Adrian Tantari MP, Member for Hervey Bay

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<sup>6</sup> Explanatory notes, p 1.

<sup>7</sup> Governors (Salary and Pensions) Amendment Regulation 2021, s 4.

<sup>8</sup> *Judicial Remuneration Act 2007* (JRA), sch 2.

<sup>9</sup> JRA, s 6.

<sup>10</sup> JRA, sch 2.