

Queensland Better Regulation Update **July 2023**



The Queensland Government understands the important role it plays in supporting businesses to grow, employ, innovate, and thrive. A competitive investment environment is a key enabler of productivity and economic growth in the Government's economic strategy.

The Government is committed to a balanced regulatory setting - one that adapts to an evolving world and reduces compliance costs for businesses, while also ensuring the necessary safeguards for consumers and the environment. By making sure regulation is fit-for-purpose, flexible and efficiently administered, businesses can spend more time on their day-to-day operations, growing their businesses, and supporting the health and wellbeing of their staff.

Better regulation snapshot

 **\$44.7** million

in time savings with over 87,000 small businesses supported through the **Queensland Business Launchpad**.

 **45**

local councils signed up to the **Small Business Friendly Program**, encapsulating 80% of small businesses in Queensland.

 **2177**

small businesses assisted by the **Queensland Small Business Commissioner** in 2022-23.

 **\$5.78** billion

invested by the Queensland Government in small and medium enterprises through procurement opportunities in 2021-22 through the **SME Procurement Target**.

 **72.5%**

of charities and community purpose organisations in Queensland have benefited from reporting exemptions.



In recent years, businesses across Queensland have shown incredible resilience in adapting and innovating in response to significant disruptions such as bushfires, floods, and the COVID-19 pandemic.

Flexible regulatory settings have helped businesses to continue to operate, recover and rebuild. During the COVID-19 pandemic, the Queensland Government provided immediate regulatory relief to support businesses. This involved waiving a range of regulatory fees, charges and requirements, including extending trading hours for grocery businesses, permitting e-signatures and e-witnessing for a range of legal documents, relaxing restrictions on licenced restaurants and cafes, and removing unnecessary burden on the personalised transport industry. Many of these relief measures and initiatives have been made permanent.

Businesses are continuing to navigate supply chain challenges and workforce shortages, as well as a shifting operating landscape characterised by changes in consumer behaviour, increasing competition, and the growth of the digital economy.

However, the future is bright with Queensland's economy growing, unemployment at record low levels and the Brisbane 2032 Olympic and Paralympic Games projected to generate increased international tourism and trade, and from it, commercial opportunities for businesses across the State.

The Queensland Government is ensuring a business friendly and responsive regulatory environment by improving regulatory engagement, streamlining processes and compliance requirements, and reducing processing times – which is positioning Queensland businesses to go from strength to strength into the future.

Queensland Treasury's Office of Productivity and Red Tape Reduction

In June 2021, the Office of Productivity and Red Tape Reduction (OPRTR) was established within Queensland Treasury to drive the Queensland Government's productivity agenda while continuing to deliver regulatory review functions across government.

The OPRTR is targeting regulatory improvements across three core areas:

- ▶ improving existing regulation by supporting Queensland Government agencies to assess and reform regulation, particularly where it may unnecessarily impact investment in new industries and technologies
- ▶ working with regulators to improve the way they administer and enforce regulation
- ▶ supporting agencies to meet regulatory review requirements for new or amending regulation, including working with them to ensure new regulations are rigorously assessed, necessary, fit-for-purpose and well designed.

OPRTR also delivers training and guidance to Queensland Government agencies on best practice regulatory review, and impact analysis, and oversees the Regulator Performance Framework.

In 2022-23, the regulatory review activities included providing advice on over 260 regulatory proposals and delivering training on regulation to more than 630 policymakers.

For further information, visit treasury.qld.gov.au

Improving regulator practices



Regulator Performance Framework

Good regulatory outcomes depend upon more than good regulatory design. The Regulator Performance Framework (RPF), which was introduced in 2019, sets out five model practices designed to help minimise unnecessary regulatory burden on business.

Under the RPF, more than 20 Queensland Government regulators whose activities impact business, particularly small business, are required to publicly report each year on their regulatory performance.

Links to the regulator performance reports are collectively published on the Queensland Treasury website at treasury.qld.gov.au

The OPRTR is the key contact for regulators seeking clarification or advice on the RPF requirements, and for external stakeholder enquiries or issues raised in relation to the reports.



Reducing reporting requirements for charities and community purpose organisations

While the Australian Charities and Not-for-profits Commission (ACNC) is the national regulator of charities, fundraising activities are regulated by the states and territories. As a result, charities who fundraise across borders are subject to the various registration and reporting requirements of each jurisdiction in which they conduct fundraising.

The Queensland Government has been working with other jurisdictions, including the Australian Government, to harmonise the regulation of fundraising. In July 2022, the Queensland Government finalised reforms that exempted ACNC-registrants from Queensland's reporting requirements. As a result, that these entities need only report to the ACNC. The reporting exemption will benefit an estimated 72.5% of the organisations authorised to fundraise in Queensland.

Additionally, the Queensland Government has introduced a new risk-based reporting requirements for the charities and community-purpose organisations that remain subject to Queensland Government reporting requirements. As a result, the mandatory audit requirement for those organisations will be removed, with external financial verification only required when an organisation's annual revenue exceeds \$150,000 (and audits required only when annual revenue exceeds \$500,000).

The Queensland Government has also implemented (in May 2023) a nationally agreed cross-border recognition scheme under which charities registered with the ACNC can obtain a fundraising authority simply by completing an online form, rather than through the usual application processes for registration as a charity under the *Collections Act 1966*. The Government also simplified the application process for charities not registered with the ACNC, to remove a public objections process and thus reduce processing times for those organisations.



Reforming building regulation

The Building Regulation 2021 replaces the expired Building Regulation 2006, supports the objectives of the *Building Act 1975*, and partially implements the certification reform agenda under the Queensland Building Plan.

Amendments to the regulation have strengthened the certification and inspection framework, improved readability and provided clarity for building certifiers, builders and building owners.



Investing in Digital Solutions

The Queensland Government is continuing to invest in digital solutions to streamline interactions with regulators. This helps customise assistance through one-stop shops that connect businesses to the right information such as compliance with legislation, licensing, tools and resources, and training.

Recent digital solutions delivered include:

- ▶ Business Launchpad's online platform to access forms, licenses and regulatory obligations that apply to all Queensland businesses
- ▶ Office of Liquor and Gaming's automated online liquor and gaming licensing system
- ▶ Residential Tenancies Authority's online forms and the use of BPAY for rental bonds
- ▶ Office of Industrial Relations bringing application, renewal, assessment and administration of electrical contractor and work licences, permits and authorisations online.



Simplifying the regulatory environment



Reforms for takeaway liquor authorities

To support the ongoing viability of licensed premises during the pandemic, a series of temporary takeaway liquor authorities were issued between March 2020 and April 2022, allowing a variety of licence types to sell takeaway liquor in circumstances that would not ordinarily be allowed. This primarily included cafes, restaurants, hotels and small bars and certain local community clubs.

Recent amendments to the *Liquor Act 1992* are now allowing restaurant licensees to sell limited takeaway liquor. This gives these businesses greater flexibility to operate within the contemporary food delivery market.



Simpler allowable trading hours

Queensland's retail trading hours have been streamlined to increase business confidence across the retail industry, allowing retailers to best serve their customers' needs.

Trading areas now reflect common characteristics. This allows future flexibility in shifting locations into a trading area with more favourable permitted trading hours if a need is identified by the Queensland Industrial Relations Commission.



Requirements for trust accounts record-keeping

Amendments to the Agents Financial Administration Regulation 2014 ensures that property agents can be compliant with trust account record-keeping requirements when using a bill payment platform, such as BPAY.

The amendments allow agents to access a greater range of payment options from their trust account, including more modern online payment products such as digital bulk lodgement services for rental bond payments to the Residential Tenancies Authority.



Improving the culture of regulatory innovation in the food industry

Safe Food Production Queensland (Safe Food) is implementing its Strategic Plan 2020-24, which supports the modernisation of its regulatory model.

The plan builds on the agency's regulatory innovations by providing a roadmap for delivering a more proactive, data-driven approach that will promote the best practice management of food safety risks. To help position Safe Food for the future, the Public Risk Management Institute (PRISM) was engaged to undertake an independent and objective assessment of the regulation model against emerging best practices and facilitate a series of internal workshops to support the development and implementation of Safe Food's new regulatory delivery model.

Over the last decade, Safe Food has partnered with industry sectors to develop agreed best practice performance targets and related reporting arrangements. Safe Food also introduced a notification requirement for businesses where their product may be a food safety concern. Both innovations assist businesses to proactively protect public health, by liaising with Safe Food when managing identified risks or unexpected changes to food production systems. In many cases the information shared does not reflect poor compliance but demonstrates that risks are being effectively managed.



Making it easier to do business



Single Touch Payroll Data Pilot

Following Queensland Government advocacy, the Single Touch Payroll (STP) Data Pilot Program (the Pilot) commenced in 2021-22 and forms part of the National Productivity Agenda. The Pilot tested the feasibility of using STP data to pre-populate payroll tax returns and register taxpayers for payroll tax in Queensland. This has the potential to significantly reduce the regulatory burden for businesses. Building on lessons learned from the Pilot, the Queensland Government is working with the Australian Government and other states and territories to design and cost a solution capable of delivering the intended benefits.



Queensland Business Launchpad

Queensland Business Launchpad continues to provide a one-stop shop for businesses to find what they need to know about government licensing and regulatory requirements.

The simple-to-use online platform has assisted more than 87,000 users to discover licences, permits and regulatory information from all levels of government, and check the licenses that apply when expanding or changing the business. The Business Launchpad was expanded in 2022 and now covers all businesses and all locations in Queensland, delivering over \$44.7 million in time savings for business owners and operators.



Farm Check-In App

The 'Farm Check-In' App helps farm visitors to manage and understand biosecurity risks before they enter agricultural properties. By using the App and scanning a QR code at the farm gate, visitors access an online checklist to help them understand their general biosecurity obligations and identify biosecurity risks. Farm Check-In is designed to build awareness and encourage good biosecurity practices for all visitors moving on, between and off farms. Property owners can install signs at their gate to encourage visitors to check-in, before entering an agricultural property.



Industry self-regulation

New guidelines for the retirement villages industry are providing information about achieving compliance under the Retirement Villages Act 1999 and Retirement Villages Regulation 2018.

The guidelines enhance consumer experience and industry engagement to improve outcomes for scheme operators, resident committees, residents, and industry stakeholders.

Supporting small business procurement opportunities

Small businesses are the backbone of Queensland's economy, operating across every industry and in every community, employing local people and contributing to local economic growth.

Under the Queensland Small Business Procurement Commitment, the Queensland Government has committed to making it easier for small businesses to supply to the Government, and to being a model payer by paying small businesses on time and in full.

In support of this commitment the Government is supporting and measuring small business participation in the procurement system through the Queensland Small and Medium Enterprise (SME) procurement target. The target aims to increase government spending with Queensland SMEs, build confidence and create more local jobs, business growth, innovation, competition, and capability to access new markets. From 1 July 2020, all agencies subject to the Queensland Procurement Policy were required to collectively source 25% of procurement from Queensland SMEs. In the first two years the target was exceeded with around \$5.78 billion spent with Queensland SMEs in 2021-22. On 1 July 2022, the target was increased to 30% with performance to be measured over the 2022-23 financial year.

To support its commitment to being a model payer, the Government is continuing to adhere to the On-time Payment Policy, which requires Government agencies to pay eligible invoices from known small businesses within 20 calendar days. Prompt payment to small business suppliers supports business growth and job creation and creates broader economic opportunity across the state.

For further information, visit desbt.qld.gov.au



Small Business Friendly program

The Small Business Friendly program, led by the Queensland Small Business Commissioner (QSBC), is continuing to enhance the operating environment for small businesses at the local government level by enabling councils to be more mindful and responsive to small business needs.



The program is driven by a set of powerful charter commitments by councils, including to streamline administration and regulation for small business. The QSBC facilitates council collaboration across Queensland to help local economies thrive. In two years, 45 local councils have committed to the program – encapsulating 80% of the total small business population in Queensland. The program continues to expand in both the range of local and statewide activities being delivered, and the number of councils participating.

Queensland Small Business Commissioner

The Queensland Government temporarily established the Queensland Small Business Commissioner (QSBC) in 2020, in response to the unfolding COVID-19 pandemic, to provide informal resolution and mediation for small business lease disputes (including COVID-19 affected lease disputes).



In response to ongoing need for support, the Queensland Government's Big Plans for Small Business Strategy 2021–23 permanently established the QSBC. The permanent QSBC commenced operation on 3 May 2022 under the *Small Business Commissioner Act 2022*, which includes a range of functions to support Queensland small businesses.

During 2022–23, the QSBC assisted small businesses, commercial landlords and small business stakeholders on more than 2177 occasions. This included assisting with 524 disputes and providing 98 free or low-cost mediations. The QSBC resolved 71% of disputes via informal resolution or mediation, with an average processing time of 33 days – significantly reducing the time and cost for small businesses resolving these disputes.

For further information, visit qsbc.qld.gov.au

Activation of outdoor spaces

The Queensland Government is delivering on its commitment under the Big Plans for Small Business Strategy 2021-23 by supporting businesses to move outdoors, make greater use of outdoor areas through on-street dining and other forms of outdoor trade, and revitalise dining precincts and CBDs.

The Queensland Outdoor Activation Action Plan, released by the Queensland Government as part of the Summertime Taskforce project, provides a package of assistance measures and reforms to support outdoor activation. The Action Plan is:

- ▶ celebrating outdoor trade
- ▶ raising awareness of available support
- ▶ helping local governments to simplify regulatory requirements
- ▶ boosting the capability of small businesses and local governments to activate outdoor trade.

The Government is working to implement the package of measures, which includes:

- ▶ support for local governments to apply for delegations to approve a liquor licence change of boundary for outdoor trade - which will cut approval times for businesses
- ▶ improving guidance for businesses applying for dining and roadside vending
- ▶ a guide for councils on activating outdoor trade for small business.

For further information, visit desbt.qld.gov.au



More information

- ▶ For more information on the wide range of initiatives and support for small business, visit Business Queensland at www.business.qld.gov.au