

# Impact Analysis Statement

## Summary IAS

### Details

Lead department	Department of Transport and Main Roads
Name of the proposal	Prescribing additional digital authorities
Submission type	Summary IAS
Title of related legislative or regulatory instrument	Transport Planning and Coordination Regulation 2017
Date of issue	September 2024

#### What is the nature, size and scope of the problem? What are the objectives of government action?

The Queensland Digital Licence app is already available to download for free from the Apple or Google app stores. As of 8 August 2024, more than 601,000 Queenslanders have already downloaded the app, containing their driver licence, marine licence and/or Photo ID card.

Funding of \$10 million (ex-GST) over two years commencing from 2023/24 has been committed to turn the Queensland Digital Licence app into a whole-of-government Digital Wallet. Work has commenced to digitise and add building and construction industry licences issued by the Queensland Building and Construction Commission (QBCC) and real estate agent licences issued by the Department of Justice and Attorney-General (DJAG) to the wallet. Industry authorities issued by the Department of Transport and Main Roads (TMR) will also be added to the wallet.

Part 4E of the *Transport Planning and Coordination Act 1994* (the TPC Act) provides for the legal recognition and use of digital authorities displayed in the approved app. Currently Queensland driver licences, marine licences and photo ID cards are recognised as digital authorities under the TPC Act and the Queensland Digital Licence app is the approved app for their storage and display.

This means that under Queensland law, wherever an Act (or a subordinate instrument) requires or permits a person to produce a relevant authority to another person, the person complies with that requirement if they can produce a digital authority in the approved app.

Under the TPC Act, a digital authority means a relevant authority that is encoded in digital form and is able to be displayed on a digital device using the approved app. A relevant authority means an authority issued under a relevant Act prescribed by a regulation as a relevant authority. A relevant Act means an Act prescribed by regulation to be a relevant Act.

As such, the relevant industry authorities, QBCC licences and real estate agent licences need to be prescribed as relevant authorities and list the relevant Acts they are issued under. These will be:

#### TMR issued industry authorities

- a driver accreditation or assistant accreditation under the *Tow Truck Act 2023*;
- a driver authorisation under the *Transport Operations (Passenger Transport) Act 1994*;
- an appointment under the *Transport Operations (Road Use Management) Act 1995* as an accredited person for accreditation of any of the following types—
  - driver trainer;
  - rider trainer;
  - pilot vehicle driver;
  - escort vehicle driver;
  - traffic controller; and

- a dangerous goods driver licence under the *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2018*.

**QBCC issued licences**

- a contractor’s licence under the *Queensland Building and Construction Commission Act 1991* (the QBCC Act);
- a nominee supervisor’s licence under the QBCC Act;
- a site supervisor’s licence under the QBCC Act;
- a fire protection occupational licence under the QBCC Act;
- a mechanical services occupational licence under the QBCC Act;
- plumbing and drainage licences under the *Plumbing and Drainage Act 2018*;
- a building certifier licence under the *Building Act 1975*; and
- a pool safety inspector licence under the *Building Act 1975*.

**DJAG issued real estate agent licences**

- a real estate agent licence issued under the *Property Occupations Act 2014*;
- an auctioneer licence under the *Property Occupations Act 2014*;
- a resident letting agent licence under the *Property Occupations Act 2014*; and
- real estate salesperson registration under the *Property Occupations Act 2014*.

This proposed amendment aims to provide legal recognition of these new digital authorities and add them to the existing digital authorities (the Queensland driver licence, marine licences and photo ID card) that are already provided for under Queensland law. See sections 11B and 11C of the *Transport Planning and Coordination Regulation 2017* (the TPC Regulation).

If the amendments are not progressed, then there is a chance that the digital version of the person's occupational licence will not be recognised or accepted.

**What options were considered?**

Regulatory amendments are necessary. There is no way to enable new digital authorities to be used on the app except by amending the TPC Regulation.

Numerous different licences and credentials issued by other Queensland Government departments were also considered for digitisation and inclusion in the Digital Wallet. However, licences issued by QBCC and real estate agent licences issued by DJAG were chosen as the first non-TMR issued credentials to add to the Digital Wallet. This was based on agency willingness to work within the timeframes and maturity of those agencies system requirements.

This process will be refined to establish repeatable patterns that can then be reused across government to digitise other credentials and add these to the Digital Wallet.

**What are the impacts?**

There will be negligible impacts. Physical licences will continue to be issued to persons who can't, or choose not to, go digital. The Digital Licence/Wallet app will continue to be optional and opt in. If people do not want to go digital, they will not need to.

TMR already provides free verifier apps for businesses and other entities to download via the Google and Apple app stores. These free apps can be used to verify that the digital authority presented is genuine.

**Who was consulted?**

Consultation internal to TMR has occurred in relation to the digitisation of industry licences issued by TMR.

Consultation has occurred with QBCC (and the Department of Housing, Local Government, Planning and Public Works) and DJAG in relation to the digitisation of QBCC licences and real estate agent licences respectively. Agencies consulted are supportive of the digitisation of their respective licences in the Digital Wallet.

Persons who have downloaded the Digital Licence app have regularly requested for other Queensland Government licences to be added into the app.

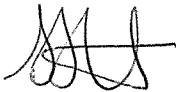
**What is the recommended option and why?**  
 It is recommended that amendments be made to the TPC Regulation to recognise additional occupational licences as digital authorities.

**Impact assessment**

All proposals –

	First full year	First 10 years
<b>Direct costs – Compliance costs</b>	\$0	\$0
<b>Direct costs – Government costs</b>	Funding already allocated of \$10 million dollars over two years commencing in 2023/24 provided to turn the Queensland Digital Licence into a whole-of-government Digital Wallet.	There will be some minor costs to communicate the changes to industry. These costs will be absorbed within normal operating budgets.

**Signed/Approved**



**Sally Stannard**  
 Director-General  
 Department of Transport and Main Roads  
 26/8/2024



**Bart Mellish MP**  
 Minister for Transport and Main Roads  
 Minister for Digital Services  
 2/9/2024