



New South Wales

Better Regulation and Customer Service Legislation Amendment (Bushfire Relief) Bill 2020

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to—

- (a) make amendments to certain Acts administered by the Minister for Better Regulation and Innovation to—
 - (i) provide for the regulations to enable fees payable or paid under those Acts or regulations under those Acts to be waived, reduced, postponed or refunded (wholly or in part) where the person paying the fee, or who has paid the fee, is experiencing financial hardship or where special circumstances, such as a natural disaster, exist, and
 - (ii) validate any waiver, reduction, postponement or refund of fees that occurred in the period starting 18 July 2019 and ending immediately before the commencement of the proposed Act, and
- (b) amend the regulations under those Acts to allow the Secretary (or equivalent) of the relevant Department to waive, reduce, postpone or refund (wholly or in part) those fees, and
- (c) amend the *Service NSW (One-stop Access to Government Services) Act 2013* to—
 - (i) enable the Chief Executive Officer of Service NSW (**CEO**) and members of staff of Service NSW to waive, reduce, postpone or refund fees (wholly or in part) or make certain payments on behalf of a person or class of persons when a special circumstances declaration is published, and
 - (ii) validate any waiver, reduction, postponement or refund of fees that occurred in the period starting 18 July 2019 and ending immediately before the commencement of the proposed Act.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Acts and regulations administered by the Minister for Better Regulation and Innovation

Schedule 1 amends the following Acts and regulations to give effect to paragraphs (a) and (b) of the Overview—

- (a) *Associations Incorporation Act 2009*,
- (b) *Associations Incorporation Regulation 2016*,
- (c) *Building and Development Certifiers Act 2018*,
- (d) *Building and Development Certifiers Regulation 2020*,
- (e) *Building Professionals Act 2005*,
- (f) *Building Professionals Regulation 2007*,
- (g) *Community Gaming Act 2018*,
- (h) *Conveyancers Licensing Act 2003*,
- (i) *Conveyancers Licensing Regulation 2015*,
- (j) *Co-operatives (Adoption of National Law) Act 2012*,
- (k) *Co-operatives (New South Wales) Regulation 2014*,
- (l) *Explosives Act 2003*,
- (m) *Explosives Regulation 2013*,
- (n) *Fair Trading Legislation Amendment (Reform) Act 2018*,
- (o) *Home Building Act 1989*,
- (p) *Home Building Regulation 2014*,
- (q) *Lotteries and Art Unions Act 1901*,
- (r) *Lotteries and Art Unions Regulation 2014*,
- (s) *Motor Dealers and Repairers Act 2013*,
- (t) *Motor Dealers and Repairers Regulation 2014*,
- (u) *Paintball Act 2018*,
- (v) *Paintball Regulation 2019*,
- (w) *Pawnbrokers and Second-hand Dealers Act 1996*,
- (x) *Pawnbrokers and Second-hand Dealers Regulation 2015*,
- (y) *Property and Stock Agents Act 2002*,
- (z) *Property and Stock Agents Regulation 2014*,
- (aa) *Tattoo Parlours Act 2012*,
- (ab) *Tattoo Parlours Regulation 2013*,
- (ac) *Tow Truck Industry Act 1998*,
- (ad) *Tow Truck Industry Regulation 2008*,
- (ae) *Work Health and Safety Act 2011*,
- (af) *Work Health and Safety Regulation 2017*.

Schedule 2 Amendment of Service NSW (One-stop Access to Government Services) Act 2013 No 39

Schedule 2 amends the *Service NSW (One-stop Access to Government Services) Act 2013* to give effect to paragraph (c) of the Overview. In particular—

- (a) **Schedule 2[1]** expands the functions of the CEO to include any other functions relating to the delivery of Government services to the people of the State, as directed by the Minister, and
- (b) **Schedule 2[2]** enables the regulations to prescribe additional customer service functions for which the CEO has responsibility, and
- (c) **Schedule 2[3]** defines *special circumstances declaration* (which, when published, enables the CEO and members of staff of Service NSW to waive, reduce, postpone or refund fees (in whole or in part) or make certain payments on behalf of a person or class of persons) to mean—
 - (i) a Natural Disaster Declaration for the purposes of the Natural Disaster Relief and Recovery Arrangements jointly administered by the Commonwealth and the States and Territories, or
 - (ii) an order under section 33 of the *State Emergency and Rescue Management Act 1989* declaring a state of emergency in the whole or part of the State, or
 - (iii) another declaration prescribed by the regulations.