

LEGAL AFFAIRS — ATTORNEY GENERAL REGULATIONS AMENDMENT
(SECURITY OF PAYMENT) REGULATIONS 2022

639. Hon Nick Goiran to the parliamentary secretary representing the Attorney General:

I refer to the *Attorney General Regulations Amendment (Security of Payment) Regulations 2022*, and I ask:

- (a) what was the catalyst for bringing about these amendments to the regulations;
- (b) who was consulted prior to these amendment regulations being finalised;
- (c) did any person consulted raise any concerns;
- (d) if yes to (c), what were these concerns;
- (e) have the finalised amendment regulations addressed these concerns; and
- (f) if no to (e), why not?

Hon Matthew Swinbourn replied:

- (a) The Attorney General Regulations Amendment (Security of Payment) Regulations 2022 (Amendment Regulations) support the operation of the Building and Construction (Security of Payment) Act 2021 (SoP Act), which received Royal Assent on 25 June 2021. The SoP Act introduced a range of new offences and the Amendment Regulations allow for infringement notices under Part 2 of the Criminal Procedure Act 2004 to be issued in relation to particular SoP Act offences, and for the enforcement of infringement notices to be dealt with under Part 3 of the Fines, Penalties and Infringement Notices Act 1994.
- (b) The Department of Mines, Industry Regulation and Safety conducted extensive consultation during the preparation of the SoP Act. An exposure draft of the supporting regulations to the SoP Act was also released by the former Minister for Commerce in November 2021. Any queries regarding this consultation process should be referred to the Minister for Commerce.
- (c) No.
- (d)–(f) N/A.