

Consultation paper: Sunset review of the Private Employment Agents (Code of Conduct) Regulation 2015

1. Background

The Private Employment Agents (Code of Conduct) Regulation 2015 (Regulation) is subordinate legislation made under section 6 of the *Private Employment Agents Act 2005* (Act). The objective of the Regulation is to provide a framework that:

- promotes ethical conduct by private employment agents in their dealings with work seekers and others as part of the business of a private employment agent; and
- encourages the provision by private employment agents of high-quality placement and recruitment services for work seekers and persons looking for workers.

The Act and the Regulation operate in conjunction with Chapter 10 of the *Industrial Relations Act 2016*, which prohibits the charging of fees by agents and managers from work seekers (except for permitting limited fee charging from models and performers).

The Regulation is monitored and enforced by the Industrial Relations Regulation and Compliance Unit, part of the Office of Industrial Relations (OIR). OIR manages complaints, conducts audits and can prosecute to ensure compliance with the Regulation

2. Sunset review of the Private Employment Agents (Code of Conduct) Regulation

The *Statutory Instruments Act 1992* provides that subordinate legislation automatically expires ('sunset') every ten years unless action is taken to preserve it. This automatic expiry ensures subordinate legislation is regularly reviewed and provides an opportunity to evaluate its effectiveness and efficiency, including whether it is still required.

The sunset review process considers whether the Regulation:

- is still required;
- is effective;
- is efficient; and
- if any amendments should be proposed as part of the remade Regulation

The Regulation is due to expire at midnight on the 31 August 2026. Ahead of its expiry, the OIR is seeking stakeholder feedback on the performance of the Regulation.

Preliminary analysis indicates the Regulation is still required to ensure the current standards of fair and safe treatment for work seekers represented by private employment agents are maintained and support the operation of the Act. Subject to the outcomes of consultation, it is anticipated the Regulation will be remade with any necessary amendments.

Please note the scope of the sunset review is limited to the provisions of the Regulation and does not include the provisions of the Act.

3. Submissions

Stakeholders are invited to provide feedback about the operation of the Regulation.

Written submissions should be provided to irpolicy@oir.qld.gov.au by Friday 20 March 2026.