

Queensland Veterans' Council Bill 2021

Statement of Compatibility

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 38 of the *Human Rights Act 2019*, I, the Honourable Annastacia Palaszczuk, Premier and Minister for Trade make this statement of compatibility with respect to the Queensland Veterans' Council Bill 2021.

In my opinion, the Queensland Veterans' Council Bill 2021 is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

The Bill will establish the Queensland Veterans' Council (QVC) as a new statutory body with three areas of responsibility: trustee of Anzac Square under the *Land Act 1994* and the ongoing management and operation of Anzac Square; the functions of the Board of Trustees under the *Anzac Day Act 1995*; and providing advice to government on veterans' matters (a role currently performed by the Queensland Veterans' Advisory Council (QVAC)).

Anzac Square is the State's war memorial. It is on Crown land reserved under the *Land Act 1994* with the Brisbane City Council as trustee and is listed on the Queensland Heritage Register. The Bill provides a new governance arrangement for Anzac Square modelled on the approach adopted in Victoria and New South Wales whereby a statutory body has responsibility for the management of the equivalent State war memorial.

The Bill provides a new governance arrangement for the Anzac Day Trust Fund (Trust Fund), by abolishing the existing Board of Trustees (Trustees) and transferring responsibility for the Trust Fund to the QVC.

The QVC will also: monitor and advise the Minister on issues affecting Queensland's veterans' community; investigate and report on any aspect of veterans' matters referred to it by the Minister; and consult with the Queensland veterans' community when developing advice for the Minister.

To support the QVC in the performance of its advisory function, the Bill also formalises the role of QVAC. QVAC is a ministerial advisory committee established to provide a forum for the Queensland veterans' community to communicate directly with the Queensland Government and provide advice on veterans' matters. Under the Bill, the functions of QVAC will transition to the Veterans' Reference Group (Reference Group). The Reference Group will have responsibility for assisting the QVC in the performance of its functions relating to providing advice to government on veterans' matters and supporting consultation with the Queensland veterans' community.

The QVC will have a membership of eight people (six members appointed by the Governor in Council ('appointed members') and two ex-officio members). The Reference Group will have a membership of 10 people comprising eight members appointed by the Minister and the two nominees of veterans' organisations who are also members of the QVC.

Human Rights Issues

Human rights relevant to the Bill (Part 2, Division 2 and 3 *Human Rights Act 2019*)

In my opinion, the human rights under the *Human Rights Act 2019* (HR Act) that are relevant to the Bill are:

- Taking part in public life (Section 23)
- Privacy and reputation (Section 25); and
- Right to liberty and security of person (Section 29).

Taking part in public life

The parts of this Bill that are relevant to this right are:

- Clauses 13 and 14 which provide for the membership of the QVC, including prescribing that two members are to be nominated by veterans' organisations and that the Minister must be satisfied that the four members nominated by the Minister have the prescribed qualifications or experience to support the QVC in the performance of its functions;
- Clause 15 which provides that a member of the Legislative Assembly or a councillor of a local government is ineligible to be a member of the QVC;
- Clause 19 which prescribes the circumstances which disqualify a person from becoming or continuing as a member of the QVC;
- Clause 33 which provides for how conflicts of interest are to be disclosed and managed;
- Clauses 36 and 37 that provide for the membership of the Reference Group; and
- Clause 81 which ends the term of appointment for the Trustees.

These provisions may, if enacted, limit or otherwise affect the right to take part in public life. However, as outlined in the analysis below, any limitation of this right is considered reasonable, demonstrably justified and proportionate.

Privacy and reputation

The parts of the Bill that are relevant to this right are:

- Clause 20 which requires a member to disclose to the Minister if they are disqualified from managing corporations because the member becomes an insolvent under administration; or is disqualified from managing corporations because of the *Corporations Act 2001 (Cwlth)* (Corporations Act), Part 2D.6;
- Clause 23 which provides that the Minister may ask the commissioner of the police service for a written report about the criminal history of a person who is to become, or is, a member of the QVC;
- Clause 24 which requires a member to disclose to the Minister if they are convicted of an indictable offence during the term of the member's appointment.

These provisions may, if enacted, limit or otherwise affect the right to privacy and reputation. However, as outlined in the analysis below, any limitation of this right is considered reasonable, demonstrably justified and proportionate.

Right to liberty and security of person

The parts of this Bill that are relevant to this right are:

- Clause 20 which creates an offence for a member to fail to immediately disclose to the Minister if they are disqualified from managing corporations because the member becomes an insolvent under administration, unless they have a reasonable excuse;
- Clause 24 creates an offence for a member of the QVC to fail to immediately disclose to the Minister if they are convicted of an indictable offence, unless they have a reasonable excuse;
- Clause 25 creates an offence for a person to use or, directly or indirectly, disclose to another person criminal history information that has been obtained as a result of the administration of the Act.

Rights in criminal proceedings

The parts of this Bill that are relevant to this right are clauses 20 and 24, as outlined above, to the extent that they provide an exemption from liability where a reasonable excuse exists. These provisions may, if enacted, limit or otherwise affect an individual's right to liberty and security of person. However, as outlined in the analysis below, any limitation of this right is considered reasonable, demonstrably justified and proportionate.

If human rights may be subject to limitation if the Bill is enacted – consideration of whether the limitations are reasonable and demonstrably justifiable (section 13 *Human Rights Act 2019*)

Membership of the QVC and Reference Group

(a) the nature of the right

Section 23 of the HR Act provides that every person in Queensland has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives. The right protected by section 23 of the HR Act includes a right for every eligible person to have access on general terms of equality, to the public service and to public office.

Participation in the conduct of public affairs is a broad concept and covers all aspects of public administration. Citizens participate directly in the conduct of public affairs when they exercise power as members of legislative bodies or by holding executive office.

The right protected by section 23 has been interpreted by the United Nations Human Rights Committee as providing a right of access, on general terms of equality, to positions in public office.¹

¹ United Nations Human Rights Committee, General Comment No. 25

The right interacts with the general right to equality (section 15 of the HR Act). To ensure access to positions in public office on general terms of equality, the criteria and process of appointment, promotion, suspension and dismissal must be objective and reasonable. In relation to this right, it is of particular importance to ensure that persons do not suffer discrimination in the exercise of their rights on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

The right in section 23 is limited to 'eligible persons'. This internal limitation provides for the prescribing of matters such as eligibility for membership to a body.

- (b) the nature of the purpose of the limitation to be imposed by the Bill if enacted, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

Limitation on the membership of the QVC

Clause 14 of the Bill provides that the Minister may ask a veterans' organisation to nominate a person for appointment to the QVC. The Bill defines a veterans' organisation as an organisation that represents veterans, their partners and/or dependants. In accordance with clause 14 of the Bill, the Minister will have the discretion to nominate which veterans' organisations may nominate a person.

The purpose of providing for representation from veterans' organisations in the legislation is to ensure that the membership of the QVC will include representation of veterans. This is important, as the QVC is a statutory body whose functions include veteran-related matters.

The discretion for the Minister to choose which veterans' organisations may nominate a person for appointment allows the Minister to vary the representation of veterans' organisations on the QVC and provides the option for a broad range of veterans' organisations to be involved in the QVC. This is important given the large number of veterans' organisations in Queensland.

The Bill (clause 13(3)) also provides that the appointed members will include four people with qualifications or experience in corporate governance, business or financial management, heritage conservation, or another area the Minister considers relevant or necessary to support the QVC in performing its functions. The purpose of this clause is to ensure that the QVC, as a governance body, will have members with the appropriate skills and expertise to ensure the effective and efficient performance of its functions.

Clause 15 of the Bill provides that a person is eligible for appointment as a member of the QVC if the person is not a member of the Legislative Assembly or a councillor of a local government. The purpose of this clause is to ensure the membership of the QVC is drawn from the broader Queensland community. In addition, the QVC as a statutory body will be required to provide annual reports for tabling in Parliament. As these reports may be subject to parliamentary scrutiny, it would be inappropriate for a member of the Legislative Assembly to be a member of the QVC.

Clause 19 of the Bill provides that a person is disqualified from being appointed to, or continuing, as a member of, the QVC if the person is: convicted of an indictable offence; an insolvent under administration; or disqualified from managing corporations. The purpose of this provision is to ensure the integrity of the membership of the QVC.

Limitation on membership of the Veterans' Reference Group

Clause 36 of the Bill provides for the membership of the Reference Group. In accordance with this clause, the membership consists of the two members of the QVC that are nominated by a veterans' organisation and not more than eight other members. The clause limits the membership of the Reference Group to individuals who have knowledge of, or skills and experience in, one or more of the following:

- a) veterans' welfare;
- b) veterans' health;
- c) military service;
- d) veterans' transition from military service;
- e) veterans' employment;
- f) veterans' aged care;
- g) matters that affect veterans' partners, widows and dependants;
- h) other matters that affect the wellbeing of the veterans' community.

In addition, clause 37 of the Bill provides that the term of appointment for a member who is nominated by a veterans' organisation ends if the relevant veterans' organisation gives the Minister a notice stating that the person nominated no longer represents the veterans' organisation.

The purpose of clauses 36 and 37 is to ensure that the Reference Group consists of individuals with the relevant skills, knowledge and experience to provide the necessary support to the QVC in providing advice to government on veteran-related matters.

Conflicts of interest

Clause 33 of the Bill applies in circumstances where a member has a direct or indirect interest in a matter being considered by the QVC and that interest could conflict with the proper performance of the member's duties when considering the matter. The clause provides that the member is required to disclose the nature of the interest at a meeting and, unless the QVC otherwise directs, the member must not be present when the QVC considers the matter. The purpose of the provision is to support good governance by ensuring that conflicts of interest are managed and that the members act in the best interests of the QVC and with accountability and transparency.

The underlying policy intent of clauses 13, 14, 15, 19, 33, 36 and 37, is to ensure that the membership of the QVC and the Reference Group is appropriate and that appropriate mechanisms are in place to support good governance. This policy intent is not inconsistent with a free and democratic society based on human dignity, equality and freedom.

Ending the appointment of the Trustees

Clause 81 of the Bill abolishes the Anzac Day Trust (the Trust) and ends the term of appointment of the Trustees. The purpose of the provision is to abolish the Trust and transfer the responsibility for the Trust Fund to the QVC. Ending the term of appointment for the Trustees with the transfer of responsibility to the QVC is appropriate and not inconsistent with a free and democratic society based on human dignity, equality and freedom.

(c) the relationship between the limitation to be imposed by the Bill if enacted, and its purpose, including whether the limitation helps to achieve the purpose

For effective performance, the QVC needs to have members that collectively provide the QVC with the required skill set to perform its functions and meet the public reporting and accountability requirements. The prescribed membership of the QVC takes into account the diverse functions and responsibilities imposed on the statutory body, the required skill set of the QVC members to support its range of functions, and the need for the QVC to remain efficient.

As members of an independent statutory body, the members of the QVC have a duty to act in the QVC's best interest. Imposing a requirement for members to declare conflicts of interest and restricting the participation of QVC members in circumstances where there is a conflict of interest supports the accountability of members and transparency in decision making. Under the provisions in the Bill, a member will not be able to participate in decisions in which they have a conflict of interest. This is essential to ensure the good governance of the QVC.

The limitations imposed by the Bill, if enacted, on the membership of the Reference Group ensures that the membership of the Reference Group is drawn from the Queensland veterans' community. The proposed membership will ensure that the Reference Group is able to perform its functions under the Bill to: advise the QVC on any veterans' matter referred to the group; help the QVC to identify and consult with the veterans' community, veterans' organisations and other community organisations when preparing advice for the Minister; and assist the QVC in providing advice to the Minister about veterans' matters.

For optimal performance of the Reference Group's functions, strong relationships, and the ability to engage effectively and represent the broad range of views within the Queensland veterans' community will be essential. For this reason, members of the Reference Group will be required to have knowledge, expertise or skills in a relevant area. The provisions of the Bill that impose requirements around the membership of the Reference Group aim to enhance the performance of the Reference Group and, as a result, the performance of the QVC.

The underpinning policy intent to prescribing the membership of the QVC and the Reference Group is to ensure that the composition of these bodies includes individuals with the relevant skills, experience and knowledge to ensure the QVC can perform its functions effectively.

The limitation imposed by the Bill, if enacted, on the term of appointment of the Trustees results from the abolition of the Trust. Abolishing the Trust is the only way to transfer responsibility for the Trust Fund to the QVC.

(d) whether there are any less restrictive (on human rights) and reasonably available ways to achieve the purpose of the Bill

The approach adopted in the Bill to provide for the membership of the QVC and the Reference Group is considered the least restrictive way of achieving the policy intent of establishing a statutory body with governance responsibilities and to provide legislative recognition to a consultative forum with functions to support the provision of advice on veterans' issues.

The approach adopted in the Bill to manage conflicts of interest is considered the least restrictive way of achieving the policy intent of ensuring that conflicts of interests are declared and managed in manner that is accountable and transparent and appropriate for a statutory body.

To allow the QVC to have governance responsibility for the Trust Fund, the Bill abolishes the Anzac Day Trust. Abolishing the Trust is the only way to transfer responsibility for the Trust Fund to the QVC. An alternative to ending the term of appointment for the Trustees could be to transition the Trustees into the membership of the QVC. However, the QVC has three areas of responsibility and ending the term of appointment of the Trustees allows for consideration of the skill set and expertise required to support the QVC in the performance of all its functions. Therefore, it is considered there is no other less restrictive way to achieve the Bill's purpose.

(e) the balance between the importance of the purpose of the Bill, which, if enacted, would impose a limitation on human rights and the importance of preserving the human rights, taking into account the nature and extent of the limitation

As outlined above, if enacted, the Bill will establish the QVC as a statutory body, modernise the legislative framework for veterans' matters, provide a modern governance framework for Anzac Square and the Trust Fund, and formalise the role of QVAC. It is essential for the effective performance of the QVC that members of the QVC and Reference Group have the appropriate knowledge, skills and expertise. In addition, as a statutory body it is essential that the principles of good governance such as managing conflicts of interest apply. For this reason, the Bill prescribes matters relating to eligibility and good governance. Any limitations on a person's right to take part in public life that is protected by section 23 of the HR Act is reasonable and justified, when balanced against the public interest that government bodies will perform their functions efficiently and effectively.

(f) any other relevant factors

Nil

Obtaining a person's criminal history and imposing a requirement to disclose certain matters.

(a) the nature of the right

Section 25 of the HR Act protects a person's privacy and reputation and provides that a person has the right—

- a) not to have the person's privacy, family, home or correspondence (written and verbal) unlawfully or arbitrarily interfered with; and
- b) not to have the person's reputation unlawfully attacked.

The right protected by section 25 is modelled on article 17 of the International Covenant on Civil and Political Rights. Under this section, the scope of the right to privacy is broad and may include matters such as personal information, data collection and correspondence. Only lawful and non-arbitrary intrusions may occur upon privacy and reputation.

As stated in the explanatory notes for the HR Act, the section includes an internal limitation. The protection against interference with privacy, family, home or correspondence is limited to unlawful or arbitrary interference. The notion of arbitrary interference extends to those interferences which may be lawful, but are unreasonable, unnecessary and disproportionate. The protection against attack on reputation is limited to unlawful attacks - it prohibits attacks on a person's reputation that are unlawful and intentional, based on untrue allegations.

(b) the nature of the purpose of the limitation to be imposed by the Bill if enacted, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

Members of statutory bodies are in positions of trust and have responsibilities to ensure the effective and efficient performance of the body. There is a strong public interest in ensuring that there is appropriate oversight and accountability imposed on people who seek appointment, or are appointed, to public office.

Clause 23 of the Bill provides that the Minister may, after obtaining the person's consent, ask the commissioner of the police service for a written report about the criminal history of a person who is to become, or is, a member of the QVC. The purpose of this provision is to provide the Minister with the power to undertake the necessary probity checks to ensure the integrity of the membership of the QVC.

Clause 20 of the Bill requires a member to disclose to the Minister if they are disqualified from managing corporations because the person becomes an insolvent under administration; or is disqualified from managing corporation because of the Corporations Act. In a similar manner, clause 24 requires a member to disclose to the Minister if they are convicted of an indictable offence during the term of the member's appointment. The purpose of clauses 20 and 24 is to ensure the Minister is aware of matters that disqualify a person from being a member of the QVC and thereby supports the integrity of the membership of the QVC.

(c) the relationship between the limitation to be imposed by the Bill if enacted, and its purpose, including whether the limitation helps to achieve the purpose

As outlined above, the purpose of clauses 20, 23 and 24 is to ensure the integrity of the membership of the QVC. In order to determine a person's suitability for appointment, the Minister requires the power to independently verify a person's suitability. The limitation on the right to privacy and reputation imposed by clauses 20, 23 and 24 is necessary for such information to be obtained and for a person's suitability for membership of the QVC to be evaluated.

(d) whether there are any less restrictive (on human rights) and reasonably available ways to achieve the purpose of the Bill

The provisions in the Bill that provide the Minister with the power to request a person's criminal history and require a member to disclose certain information are necessary to ensure the integrity of appointments to the QVC. Without the power to obtain a person's criminal history information, there is no other way for the Minister to independently verify whether the person is suitable for appointment.

Significant in protecting human rights, the Minister may only exercise their power under clause 23 if the person has given the Minister written consent for the request. While a person's membership of the QVC will end if they fail to consent to the request, there is no power of compulsion and there is no compulsion on a person who is not a member of the QVC to consent to the request.

In addition, the Bill includes safeguards to protect the person's criminal history and any criminal history information that the person discloses under clause 24. Clause 25 provides that a person's criminal history information is confidential and must not be used or directly or indirectly disclosed to another person, unless the use or disclosure is permitted under the Bill. The clause provides that the penalty for failing to comply with this requirement is 100 penalty units.

The Bill only allows a person to use or disclose the criminal history information for: the performance of a function or exercise of a power under the Bill; if the use or disclosure is otherwise required or permitted by law; or with consent of the person to whom the criminal history information relates (clause 25 (3)). In addition, clause 25(4) requires that the criminal history report or notice of a change in criminal history information provided under clause 24 must be destroyed as soon as practicable after it is no longer needed.

Similar provisions in relation to the disclosure of information that would disqualify a person from membership of statutory bodies are common across the Queensland statute book. For similar examples see: *Health and Wellbeing Queensland Act 2019*; *Hospital Foundations Act 2018*, *Jobs Queensland Act 2015*; and *Cross River Rail Delivery Authority Act 2016*, all of which impose a penalty where a person fails to disclose a conviction relating to an indictable offence. In addition, the Queensland University Acts such as the *University of Queensland Act 1998*, section 56D and the *James Cook University Act 1997*, section 62D provide that a person must disclose if they are disqualified from managing corporations under the Corporations Act.

(e) the balance between the importance of the purpose of the Bill, which, if enacted, would impose a limitation on human rights and the importance of preserving the human rights, taking into account the nature and extent of the limitation

As outlined above, the importance for the Minister to have the power to obtain information about a person's criminal history and the requirement for a person to disclose certain matters that would disqualify them from membership of the QVC is important to ensuring the integrity of the body. It is in the public interest that the membership of public bodies be open to scrutiny by the Minister to whom the public body is responsible, and that obligations are imposed on members to disclose matters that would disqualify a person from being a member. Such provisions are common in Queensland legislation and strike a fair balance between the importance of ensuring an individual's right to privacy and the integrity of membership and appointments to Queensland Government statutory bodies.

(f) any other relevant factors

Nil.

Creation of new offences.

(a) the nature of the right

Section 29 of the HR Act protects a person's right to liberty and security of person. The right protects personal liberty and is focused on the requirement that due process be followed when state authorities exercise their powers of arrest and detention. The right protects against the deprivation of liberty that is arbitrary or unlawful. The right is relevant whenever a person is placed at risk of imprisonment.

Section 32 of the HR Act protects a person's right to be presumed innocent until proved guilty. The right imposes the onus on the prosecution to prove the offence beyond a reasonable doubt. The right may be engaged where legislation provides for an exemption from liability where a reasonable excuse exists.

(b) the nature of the purpose of the limitation to be imposed by the Bill if enacted, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

As outlined above clauses 20 and 24 impose obligations on members of the QVC to disclose to the Minister certain matters that would make them ineligible to continue to be a member of the QVC. Clauses 20 and 24 also create offences for a person to, without a reasonable excuse, fail to comply with the obligations and prescribes a penalty of 100 penalty units for each offence. The purpose of creating the offences is to reinforce the importance of the obligation for members to disclose these matters to the Minister.

Clauses 20 and 24 also provide an exemption from liability if the member of the QVC has a reasonable excuse for not complying with the obligation to disclose. The clauses are drafted on the assumption that section 76 of the *Justices Act 1886* applies to place both the evidential and legal onus on the member of the QVC to prove the existence of a reasonable excuse for failing to comply with the obligation to disclose. Imposing the legal and evidential burden on QVC members who fail to comply with the obligation to disclose certain matters reverses the onus of proof.

Clause 25 creates a new offence for a person who possesses criminal history information because the person is, or has been, a member of the QVC, or another person involved in administration of the Act, to directly or indirectly disclose another person's criminal history information, other than as provided for under the provision. The maximum penalty for breach of this provision is 100 penalty units.

Taking into account the purpose of the offences, it is considered that the creation of the three offences is consistent with a free and democratic society based on human dignity, equality and freedom.

(c) the relationship between the limitation to be imposed by the Bill if enacted, and its purpose, including whether the limitation helps to achieve the purpose

The purpose of creating the offences in clauses 20 and 24 is to reinforce the importance of the obligation for members to disclose these matters to the Minister and ensure that the Minister is

aware of matters that may disqualify a person from being a member of the QVC. The underlying principle is to ensure the integrity of the membership of the QVC.

The purpose of providing an exemption from liability is to provide a general defence and afford the member of the QVC the opportunity to raise an appropriate defence for failing to comply with the obligation. The provision reverses the onus of proof as the member of the QVC who has failed to comply with the obligation to disclose certain matters bears the legal and evidential burden to prove they have a reasonable excuse. Reversing the onus of proof in these circumstances is appropriate as only the person subject to the offence would be in a position to provide the relevant information that would support the reasonable excuse defence. As stated above, the offence provisions are included to ensure the integrity of the membership of the QVC and ensure that the Minister is aware of matters that disqualify a person from being a member.

The purpose of creating the offence in clause 25 is to deter unauthorised disclosure of highly sensitive personal criminal history information and protect the privacy of the individual to whom the information relates. The creation of an offence provides an important safeguard against unauthorised disclosure of a person's protected information. By providing a deterrence from unauthorised disclosure, the offence supports the right to privacy and reputation of the person whose information is protected from disclosure under clause 25.

(d) whether there are any less restrictive (on human rights) and reasonably available ways to achieve the purpose of the Bill

The offence provisions in the Bill enliven the right protected by section 29 of the HR Act only in circumstances where a person does not pay the monetary penalty and other enforcement action is taken.

The offence provisions in the Bill are the least restrictive way to impose a penalty on members of the QVC to ensure the integrity of the membership and protect against the unauthorised disclosure of confidential information obtained in the administration of the Bill.

Arguably, in relation to the offences in clauses 20 and 24, a less restrictive way of providing a general defence from liability would be to draft the provision so that the person subject to the offence only has the evidential and not legal burden of proving the reasonable excuse. In considering this option, it is noted that the impact on the right to be presumed innocent will be greater the higher the penalty and the wider the extent and nature of the matters to be proved by the defendant. Given that the facts of the defence of reasonable excuse are entirely within the defendant's knowledge, the approach to providing a general defence in the Bill strikes a fair balance between the rights of the person subject to the offence and the purpose of the provision in ensuring the integrity of the membership of the QVC.

(e) the balance between the importance of the purpose of the Bill, which, if enacted, would impose a limitation on human rights and the importance of preserving the human rights, taking into account the nature and extent of the limitation

The Bill, if enacted, will establish the QVC as a statutory body. As outlined above, it is in the public interest that the membership of public bodies be open to scrutiny by the Minister to whom the public body is responsible, and that obligations are imposed on members to disclose matters that

would disqualify a person from being a member. In addition, it is important that sensitive personal information obtained in accordance with the Bill is protected.

While the offences in the Bill may limit an individual's rights to liberty and security, and the presumption of innocence, the limitations are reasonable and strike a fair balance between the importance of the rights, ensuring the integrity of membership and appointments to Queensland Government statutory bodies, and safeguarding an individual's personal information.

(f) any other relevant factors

As outlined above, the offence created by section 25 also acts to protect the right to privacy and reputation of the person whose information is protected from disclosure under clause 25.

Conclusion

In my opinion, the Queensland Veterans' Council Bill 2021 is compatible with human rights under the *Human Rights Act 2019* because it limits a human right only to the extent that is reasonable and demonstrably justifiable in accordance with section 13 of the Act.

THE HON ANNASTACIA PALASZCZUK
PREMIER AND MINISTER FOR TRADE

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