

# BRISBANE OLYMPIC AND PARALYMPIC GAMES ARRANGEMENTS 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 MP, Premier and Minister for the Olympics, make this statement of compatibility with respect to the Brisbane Olympic and Paralympic Games Arrangements Bill 2021 (the Bill).

In my opinion, the Bill 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 establishes the Brisbane organising committee for the 35th Olympic Games and the 19th Paralympic Games (Olympic and Paralympic Games) in the form of a new statutory body (the Corporation).

By establishing the Corporation, the State of Queensland satisfies its obligations under the Olympic Host Contract (OHC) between the International Olympic Committee (IOC), the State, the Brisbane City Council and the Australian Olympic Committee (AOC) executed 21 July 2021 to form an organising committee endowed with legal personality within five months.

The Corporation is a statutory body with a limited life. Its main function is to assume responsibility for the organisation, conduct, promotion and commercial and financial management of the Olympic and Paralympic Games.

The Corporation's other main functions include that it will:

- become a party to the OHC, and
- comply with the Corporation's obligations under the OHC.

The OHC consists of, in order of precedence:

- the Olympic Host Contract – Principles (OHC - Principles)
- the OHC – Operational Requirements
- the Games Delivery Plan (to be developed and updated during the life of the Corporation in consultation with the IOC), and
- pre-election Commitments.

In exercising its functions, the Corporation must have regard to, and comply with any relevant requirements in the following:

- the Olympic Charter
- the International Paralympic Committee Handbook
- the World Anti-Doping Code

- the Athletes' Rights and Responsibilities Declaration, and
- the Olympic Movement Code on the Prevention of the Manipulation of Competitions.

The Minister may give directions to the Corporation, such as to prepare a special report about a matter relevant to the Corporation's functions, upon taking into account the Corporation's obligations under the OHC.

The Corporation will have a board of directors (Board) which includes certain appointees required under the OHC.

The Board may establish committees and commissions, noting that:

- committees will be able to exercise delegated authority, and
- commissions will be advisory or consultative in nature, rather than carry out delegated powers.

The Corporation will be subject to the *Financial Accountability Act 2009* and the *Statutory Bodies Financial Arrangements Act 1982*, including any relevant functions specified under those Acts. The Corporation will also be subject to the *Crime and Corruption Act 2001*.

## Human Rights Issues

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

Human rights principles informed the development of the Bill. Human rights under the *Human Rights Act 2019* (Human Rights Act) relevant to the Bill include:

- freedom of expression (section 21)
- taking part in public life (section 23)
- privacy and reputation (section 25)
- right to liberty and security of person (section 29), and
- rights in criminal proceedings (section 32).

The Human Rights Act also provides that it is unlawful for a public entity:

- to act or make a decision in a way that is not compatible with human rights, or
- in making a decision, to fail to give proper consideration to a human right relevant to the decision.

However, it does not apply if the public entity could not reasonably act differently or make a different decision, because of a statutory provision or otherwise under law.

#### *Freedom of expression*

Clause 65 of the Bill amends Schedule 1 of the *Right to Information Act 2009* (RTIA) to include documents communicated in confidence by or for the IOC or the AOC, as documents to which the RTIA does not apply.

This provision may, if enacted, limit or otherwise affect the right to freedom of expression. However, as outlined in the analysis below, any limitation of this right is considered reasonable, demonstrably justifiable, and proportionate.

(a) The nature of the right

The right to freedom of expression protects the right of all persons to hold an opinion without interference, and the right of all persons to seek, receive and express information and ideas. The right to freedom of expression and the free flow of information and ideas, particularly about public and political issues, is considered to be fundamental to democratic society.

The right to freedom of expression also incorporates a right to freedom of information. In particular, it includes a right to access government-held information.

(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

Clause 65 of the Bill amends Schedule 1 of the RTIA to provide that the RTIA does not apply to a document created or received by the Corporation in carrying out its functions under the Act, to the extent it comprises information not already in the public domain that was communicated in confidence by or for the AOC or the IOC.

The clause is intended to provide certainty that the IOC and AOC's commercially sensitive and other related information will be exempt from release under the RTIA.

(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 RTIA already recognises that the divulgence of confidential information and the prejudice of private business, professional, commercial or financial affairs as factors favouring nondisclosure in the public interest, and the purpose of the amendment to Schedule 1 is to provide further certainty to the IOC and AOC in the context of the OHC.

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

While there are existing factors favouring nondisclosure in the public interest under the RTIA in relation to the release of confidential and commercially sensitive information, it is considered that there is no less restrictive way of achieving the purpose of the Bill.

(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 purpose of the Bill is to provide certainty in relation to the nondisclosure of confidential and commercially sensitive documents. The purpose is consistent with the public interest in the context of the OHC and the protection of property rights.

(f) any other relevant factors

Nil.

### ***Taking part in public life***

Clauses 17, 18, 19, 20 and 23 of the Bill deal with the composition of the Board. They prescribe the appointment of ex-officio directors and the requirements for the appointment of nominated directors.

Clauses 37 to 44 of the Bill provide for how conflicts of interest are to be managed.

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 justifiable, and proportionate.

*Whether any limits on human rights are reasonable and justifiable (section 13 - Human rights may be limited - Human Rights Act)*

(a) The nature of the right

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 of the Human Rights Act 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.

The right in section 23 of the Human Rights Act 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

The Bill provides that the Board is to consist of directors from the IOC, International Paralympics Committee (IPC) Governing Board, AOC, and Paralympics Australia (PA) in an ex-officio capacity and directors nominated by the Prime Minister, the Premier, the Minister, the Lord Mayor of Brisbane (Lord Mayor), AOC and PA.

Clause 17(f) provides that one nominee must have competed at either one or both of the two most recent Olympic Games and have been elected by athletes who have competed at either one or both of those games, as confirmed by the AOC.

Clause 17(g) provides that one nominee must have competed at either one or both of the two most recent Paralympic Games and have been either elected by athletes who have competed at either one or both of those games or selected by the Athletes Commission of PA, as confirmed by PA.

Clause 18 provides that the Minister may only nominate a person if:

- they are appropriately qualified
- they are not an elected office holder
- the Minister has consulted the Lord Mayor, the president of the AOC, and the president of PA

- the Minister has given notice of the proposed nomination to the Prime Minister, who has not within 14 days of receiving notice advised the Minister of their objection to the proposed nomination
- the Minister and each person consulted or notified have had regard to:
  - the person's skills, knowledge and experience in areas relevant to the performance of the board's functions,
  - the diversity of the skills, knowledge and experience of the board's directors relevant to the board's functions, and
  - the gender diversity of the board's directors, and
- at least one of the persons nominated is an Aboriginal or Torres Strait Islander person.

Clause 19 provides that the Prime Minister or the Premier may only nominate a person if they have had regard to the gender diversity of the board of directors.

Clause 20 provides that the Lord Mayor may only nominate a person if they have:

- consulted the Council of Mayors (SEQ) Pty Ltd, and
- had regard to the gender diversity of the board's directors.

Clause 23 prescribes the various scenarios when the office of a nominated director becomes vacant.

Clause 40 of the Bill applies in circumstances where a director has a direct or indirect interest under clause 37 in a matter being considered by the Board that could conflict with the proper performance of their duties when considering the matter. They provide that the director must, unless the interest is held in the director's capacity as an elected office holder, disclose the nature of the interest at a meeting and, unless the Board otherwise directs, must not be present when the Board considers the matter. The purpose of the clause is to support good governance by ensuring conflicts of interest are managed and directors act in the best interests of the Corporation with accountability and transparency.

(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 underlying policy intent of clauses 17, 18, 19, 20, 23 and 40 is to ensure that the membership of the Board is appropriate and that appropriate mechanisms are in place to support good governance.

The conditions of appointment will ensure the Board:

- complies with obligations under the OHC for membership of the Corporation's highest decision-making body
- reflects stakeholder responsibilities and financial commitments
- includes athletes with recent Olympic and Paralympic Games experience
- includes at least one Aboriginal or Torres Strait Islander person, noting the significant role that First Nations people and culture will play in the Olympic and Paralympic Games, and
- includes independent members of high community standing, commercial acumen, and subject matter expertise.

As members of an independent statutory body, the directors have a duty to act in the Corporation's best interest. Imposing a requirement for directors to declare conflicts of interest and potentially restricting participation in circumstances where there is a conflict of interest, supports the accountability of members and transparency in decision making.

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

The OHC includes standard mandatory requirements for the Hosts to form an organising committee for the Olympic and Paralympic Games which:

- is endowed with legal personality
- provides maximum efficiency
- includes persons holding certain positions with the IOC, AOC, PA and the IPC on its highest decision-making body, and
- becomes bound as a party to the OHC.

The composition of the Board under the Bill also reflects respective stakeholder responsibilities and commitments with respect to the Olympic and Paralympic Games.

It is not considered there is any other less restrictive and reasonably available way to achieve the purpose of the Bill.

(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 Corporation as a statutory body in compliance with the OHC.

The Corporation is tasked with direct responsibility for the delivery of the Olympic and Paralympic Games, the world's largest sporting event.

It is also essential that the principles of good governance apply. For this reason, the Bill prescribes matters relating to eligibility and good governance. Accordingly, any limitations on a person's right to take part in public life that is protected by section 23 of the Human Rights Act is reasonable and justified, when balanced against the public interest.

(f) any other relevant factors

Nil.

### ***Privacy and reputation***

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

- clause 28 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 director of the Corporation
- clause 29 which requires a nominated director to disclose to the Minister if they are convicted of an indictable offence during the term of the member's appointment, and
- clause 38 which provides for the disclosure of an interest that could conflict with the proper performance of the director's duties to the Board, and

- clause 58 authorises the Corporation to transfer an individual's personal information to the IOC or the IPC if the information is transferred in the performance of the Corporation's obligations under the OHC.

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 justifiable, and proportionate.

*Whether any limits on human rights are reasonable and justifiable (section 13 - Human rights may be limited - Human Rights Act)*

(a) The nature of the right

Section 25 of the Human Rights Act protects a person's privacy and reputation. It provides that a person has the right:

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

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 Human Rights 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.

(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 28 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 director of the Board. 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 Board.

Clause 29 of the Bill requires a nominated director to disclose to the Minister if they are convicted of an indictable offence during the term of their appointment. The purpose of clause 29 is to ensure the Minister is aware of matters that disqualify a person from being a director.

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

Clause 58 of the Bill also expressly enables the transfer of personal information to the IOC or the IPC in the performance of the Corporation's functions. Its purpose is to avoid the undue burden of confirming that each such transfer would otherwise satisfy the requirements imposed by section 33 of the *Information Privacy Act 2009* (IPA).

(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 28 and 29 is to ensure the integrity of the membership of the Board. In order to determine a person's suitability for appointment, the Minister requires the power to independently verify their suitability. The limitation on the right to privacy and reputation imposed by clauses 28 and 29 is necessary for such information to be obtained and for a person's suitability as a director to be evaluated.

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 directors to disclose matters that would disqualify a person from being a director.

The purpose of clause 38 is to ensure that potential conflicts of interest are disclosed and managed in an appropriate and transparent manner.

Under the OHC, the Corporation is required to cooperate with the IOC in relation to the processing of personal information, and to fulfill all obligations under the laws of Queensland and Switzerland, including the Swiss Federal Data Protection Act 1992 and the European General Data Protection Regulation 2016.

(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 Board. 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.

Significantly, in protecting human rights, the Minister may only exercise their power under clause 28 if the person has given the Minister written consent for the request.

In addition, the Bill includes safeguards under clause 30 to protect the person's criminal history given in a report to the Minister under clause 28 and any criminal history information that the person discloses by notice under clause 29.

Clause 30 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 the consent of the person to whom the criminal history information relates. The clause also provides the penalty for failing to comply with this requirement is 100 penalty units.

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: *Veterans' Council Act 2001*, *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.

Provisions requiring Board members to disclose conflicts of interest are also typical across the Queensland statute book.

There is also not considered to be any less restrictive and reasonably available way of achieving the objectives for the Corporation's transfer of personal information to the IOC and the IPC under the terms of the OHC.

(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 directorship is important for ensuring the integrity of the Board.

The requirement to disclose conflicts of interest ensures proper and transparent decision making in the public interest.

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.

The collection and use of personal information by the Corporation will also remain subject to the requirements of the IPA, including the *Information privacy principles* that require the Corporation to make the individual aware of the purpose of the collection of information and its potential disclosure to the IOC or IPA.

(f) any other relevant factors

Nil.

### ***Creation of new offences***

Clause 29 creates an offence for a director to fail to immediately give notice to the Minister if they are convicted of an indictable offence, unless they have a reasonable excuse.

Clause 30 creates an offence for a person who uses or discloses criminal history information, unless permitted under clause 30.

Clause 56 creates an offence for a director or chief executive officer who does not act honestly in the performance of their functions or in the exercise of their powers under the Act.

Clause 57 creates an offence for a director, chief executive officer, member of a commission, or another person involved in administering the Act, who discloses or uses confidential information about a person other than as permitted under clause 57.

These provisions may, if enacted, limit or otherwise affect the right to liberty and the presumption of innocence. However, as outlined in the analysis below, any limitation of these rights is considered reasonable, demonstrably justifiable, and proportionate.

*Whether any limits on human rights are reasonable and justifiable (section 13 - Human rights may be limited - Human Rights Act)*

(a) The nature of the right

Section 29 of the Human Rights 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 Human Rights Act protects a person's right to be presumed innocent until proven 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, clause 29 imposes obligations on a nominated director of the Board to immediately give notice to the Minister if they are convicted of an indictable offence.

Clause 29 also creates an offence for the person to, without a reasonable excuse, fail to comply with the obligation to give notice. It prescribes a maximum penalty of 100 penalty units for the offence.

The purpose of creating the offence in clause 29 is to reinforce the importance of the obligation for nominated directors to disclose these matters to the Minister and ensure that the Minister is aware of matters that may disqualify them from office. The underlying principle is to ensure the integrity of the Board membership.

Clause 29 also provides an exemption from liability if a nominated director has a reasonable excuse for not complying with the obligation to disclose. The clause is drafted on the assumption that section 76 of the *Justices Act 1886* applies to place both the evidential and legal onus on the nominated director to prove the existence of a reasonable excuse for failing to comply with the obligation to disclose. Imposing the legal and evidential burden on nominated directors who fail to comply with the obligation to disclose certain matters reverses the onus of proof.

Clause 30 creates an offence for a person who possesses criminal history information because the person is, or has been, a director of the Board, 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 clause. The maximum penalty for a breach of this provision is 100 penalty units.

Clause 56 creates an offence for a director or the chief executive officer who does not act honestly in the performance of their functions or the exercise of their powers under the Act. The maximum penalty for a breach of this provision is 100 penalty units.

Clause 57 creates an offence for: a director, the chief executive officer, a member of a commission established under clause 47, or another person involved in administering the Act to disclose confidential information other than: in the performance of a function or in the exercise of a power under the Act; or with the consent of the person to whom the information relates; or to the extent the disclosure or use is otherwise required or permitted by law. The maximum penalty for a breach of this provision is 100 penalty units.

'Confidential information' is defined to mean information that: could identify an individual; or is about a person's current financial position or financial background, or would likely damage the commercial activities of a person to whom the information relates.

Taking into account their purpose, it is considered that the creation of these offence provisions is intended to reinforce the importance of the obligation to protect privacy and act honestly, and 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 providing an exemption from liability under clause 29 is to provide a general defence and afford nominated directors with the opportunity to raise an appropriate defence for failing to comply with the obligation.

The provision reverses the onus of proof, placing it on the nominated director to prove the existence of a reasonable excuse for the failure to give notice of their conviction. 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 Board 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 30 is to deter unauthorised disclosure of highly sensitive personal criminal history information and to protect the privacy of the individual to whom the information relates. The creation of a new offence provides an important safeguard against unauthorised disclosure of a person's protected information. By providing a deterrence from unauthorised disclosure, the offence also supports the right to privacy and reputation.

The purpose of creating the offence in clause 56 is because the Corporation will have unique access to a significant range of sensitive personal information, including in relation to government officials, spectators, and athletes. The nature of such information is broad and will range from security sensitive matters to an athlete's medical information. The creation of a new offence reinforces the importance of the provision and provides additional safeguards in the public interest against the misuse of personal information.

(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 Human Rights Act only in circumstances where a person does not pay the monetary penalty and other enforcement action is taken.

Arguably, in relation to the offence in clause 29 of the Bill, 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 Board.

In relation to the offence in clause 56 for failing to act honestly, similar provisions have been applied across the Queensland statute book including, for example, under the *Cross River Rail Delivery Authority Act 2016*, *Commonwealth Games Arrangements Act 2011*, *Racing Act 2002* and the *Rural and Regional Adjustment Act 1994*.

The offence provisions in the Bill are the least restrictive way to ensure the integrity of the Board, the honest performance of functions and powers, and to protect against the unauthorised disclosure of confidential information obtained in the administration of the 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

The Bill, if enacted, will establish the Corporation 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 nominated directors to disclose matters that would disqualify a person from being a director.

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, including the presumption of innocence with respect to the existence of a reasonable excuse, these limitations are reasonable and strike a fair balance between the importance of rights. They ensure:

- the integrity of the appointments and membership to the Corporation
- the obligation to provide criminal history information is supported by offence provisions protecting the confidentiality and sensitivity of such information
- the honest discharge of their duties by the Corporation's directors and its chief executive officer in circumstances where the opportunities and potential for wrongdoing are substantial, and
- that persons within the Corporation do not misuse personal information in circumstances where the range and sensitivity of such information will be substantial.

(f) any other relevant factors

Nil.

## Conclusion

In my opinion, the Brisbane Olympic and Paralympic Games Arrangements 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 THE  
OLYMPICS

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