

Environmental Protection and Other Legislation Amendment Bill 2022

Statement of Compatibility

FOR

Amendments during consideration in detail to be moved by the Honourable Meaghan Scanlon MP

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

In accordance with section 38 of the *Human Rights Act 2019* (HR Act), I, the Honourable Meaghan Scanlon MP, Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs, make this statement of compatibility with respect to amendments during consideration in detail to be moved to the Environmental Protection and Other Legislation Amendment Bill 2022 (the Bill).

In my opinion, the amendments to be moved to the Bill are compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

Overview of the Amendments

Section 102 of the Bill was included to explicitly permit authorised persons to use body-worn cameras when undertaking certain functions under the *Environmental Protection Act 1994*. Section 125(2) provides a definition for a body-worn camera. An associated amendment, section 121, was included to safeguard a person's confidential information with regards to that collected by body-worn cameras. It has been identified that a possible unintended consequence of the current drafting is that it may restrict the disclosure of information to other Queensland Government agencies and law enforcement agencies in other jurisdictions. Therefore, clause 2 of the Bill should be amended to add sections 102 and 121; and 125(2), to the extent it inserts a definition for a body-worn camera, to the sections that will commence on a day to be fixed by proclamation. This will allow time for further investigation into this matter, and if necessary, to remedy the potential unintended consequences of the sections.

An amendment to Schedule 1 is also required to correct a typographical error. Reference to section 284B(2) is redundant and therefore should be removed.

Finally, an amendment is also required to the Long Title of the Bill to correct a typographical error. Reference to the *Waste Reduction and Recycling Act 2011* is to replace the reference to the *Waste Reduction and Recycling Act 2001*, which included an incorrect year reference. The correct year reference is 2011.

Human Rights Issues

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

Consideration has been given as to whether the proposed amendments to be moved to the Bill might engage human rights under the HR Act, and which rights might be relevant to the Bill.

Following consideration of the proposed amendments, it has been concluded that the proposed amendments to be moved to the Bill do not engage any human rights. This is because delaying the commencement of a provision and fixing typographical errors does not constitute policy or operational changes.

Conclusion

In my opinion, the amendments to be moved during consideration in detail of the Bill are compatible with human rights under the HR Act.

MEAGHAN SCANLON MP
MINISTER FOR THE ENVIRONMENT AND THE GREAT BARRIER REEF
MINISTER FOR SCIENCE AND YOUTH AFFAIRS

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