

Human Rights Act 2019

Explanatory notes for SL 2019 No. 97

Made under the

Human Rights Act 2019

General Outline

Short Title

Proclamation commencing provisions of the *Human Rights Act 2019*.

Authorising law

Section 2 of the *Human Rights Act 2019* (the Act).

Policy objectives and the reasons for them

The objectives of the Act are to establish and consolidate statutory protections for certain human rights; ensure that public functions are exercised in a way that is compatible with human rights; promote a dialogue about the nature, meaning and scope of the rights; and rename and empower the Anti-Discrimination Commission Queensland (ADCQ) as the Queensland Human Rights Commission (QHRC) to provide a dispute resolution process for dealing with human rights complaints; and promote an understanding, acceptance and public discussion of human rights.

Section 2 of the Act provides for the commencement on a day to be fixed by proclamation. The proclamation is to proceed in two stages.

This proclamation relates to the first stage of commencement, namely the renaming of the ADCQ and the commencement of their educative and communication functions, on 1 July 2019.

Achievement of policy objectives

The policy objective is achieved by the proclamation commencing certain provisions of the Act (stated in the schedule) on 1 July 2019.

Consistency with policy objectives of authorising law

The proclamation is consistent with the policy objectives of the Act.

Inconsistency with policy objectives of other legislation

The proclamation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

The benefits of making of this Proclamation include commencing key elements of the Act to enable the QHRC to carry out its statutory functions of promoting an understanding, acceptance and public discussion of human rights.

In 2017-18 the Queensland Government committed \$2.298 million over four years (\$0.6 million per year ongoing) for the ADCQ (to be renamed the QHRC) to support the operation and administration of the Act.

Any other costs to departments and agencies from the implementation of the Act will be met from existing resources.

Consistency with fundamental legislative principles

The proclamation is consistent with fundamental legislative principles.

Consultation

The ADCQ was consulted regarding the proposed commencement date of certain provisions of the Act on 1 July 2019, and were supportive of the approach.

A self-assessment by the Department of Justice and Attorney-General has determined that the proclamation is excluded from regulatory impact analysis under exclusion category (g) of the *Queensland Government Guide to Better Regulation* as it is a regulatory proposal of a machinery nature.