

Water Fluoridation Regulation 2020

Human Rights Certificate

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

In accordance with section 41 of the *Human Rights Act 2019*, I the Honourable Steven Miles MP, Minister for Health and Minister for Ambulance Services provide this human rights certificate with respect to the Water Fluoridation Regulation 2020 made under the *Water Fluoridation Act 2008* (the Act).

In my opinion, the Water Fluoridation Regulation 2020, as tabled in the Legislative Assembly, 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 Subordinate Legislation

The *Water Fluoridation Regulation 2008* (existing Regulation) will expire on 31 August 2020.

In accordance with section 56A of the *Statutory Instruments Act 1992*, the Water Fluoridation Regulation 2020 (Regulation) has been prepared to replace the existing Regulation, which prescribes a range of matters to support the operation of the *Water Fluoridation Act 2008* (Act), including:

- the types of fluoride compounds that may be used;
- the quality of fluoride compounds that may be used;
- the concentrations at which fluoride must be dosed;
- testing requirements;
- safeguards for fluoride dosing equipment;
- record keeping and reporting requirements; and
- qualification requirements for persons that operate fluoridation equipment.

The Act provides the framework, and safeguards, for the promotion of good oral health in Queensland by the safe fluoridation of public potable water supplies. The Act contains provisions relating to fluoridation and other related purposes.

As the matters prescribed in the Regulation are designed to support the operation of the Act, the existing Regulation must be replaced to ensure that the legislative scheme can continue to operate and not be impacted by the expiry of the existing Regulation.

Human Rights Issues

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

The Regulation does not raise any human rights issues.

Consideration of reasonable limitations on human rights (section 13 *Human Rights Act 2019*)

As the Regulation does not raise any human rights issues, it does not limit any human rights and therefore it is not necessary to consider section 13 of the *Human Rights Act 2019*.

Conclusion

I consider that the Water Fluoridation Regulation 2020 is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

The Honourable Steven Miles MP
Minister for Health and Minister for Ambulance Services

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