

Mutual Recognition (Queensland) (WA Container Deposit Scheme) Amendment 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, Cameron Dick, Treasurer and Minister for Infrastructure and Planning provide this human rights certificate with respect to the *Mutual Recognition (Queensland) (WA Container Deposit Scheme) Amendment Regulation 2020* made under the *Mutual Recognition (Queensland) Act 1992*.

In my opinion, the *Mutual Recognition (Queensland) (WA Container Deposit Scheme) Amendment 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 purpose of the *Mutual Recognition (Queensland) (WA Container Deposit Scheme) Amendment Regulation 2020* is to approve the terms of amendments to the *Mutual Recognition Act 1992* (Cth) (the Cth MRA) to permanently exempt certain legislation of Western Australia (WA) relating to that state's Container Deposit Scheme from the application of the Cth MRA, as required under section 5(1)(b) and 6 of the *Mutual Recognition (Queensland) Act 1992*.

The Container Deposit Scheme for WA is a recycling scheme for beverage containers similar to those in operation in other jurisdictions such as Queensland, New South Wales, South Australia, Northern Territory and the Australian Capital Territory.

The exemption from the application of the Cth MRA will ensure that relevant beverage containers sold in WA that have been imported from or produced in another Australian jurisdiction comply with the labelling requirements of the Container Deposit Scheme for WA. Under section 3G of the *Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2019* (WA), eligible containers will be required to display a 10 cent refund mark.

Authorising law:

- Section 47 of the *Mutual Recognition Act 1992* (Cth)
- Sections 5 and 6 of the *Mutual Recognition (Queensland) Act 1992*
- Section 20A of the *Statutory Instruments Act 1992*

Human Rights Issues

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

No human rights are identified as engaged or limited by the *Mutual Recognition (Queensland) (WA Container Deposit Scheme) Amendment Regulation 2020*.

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

No human rights are identified as engaged or limited by the *Mutual Recognition (Queensland) (WA Container Deposit Scheme) Amendment Regulation 2020*.

Conclusion

I consider that the *Mutual Recognition (Queensland) (WA Container Deposit Scheme) Amendment Regulation 2020* is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

THE HONOURABLE CAMERON DICK MP
TREASURER, MINISTER FOR INFRASTRUCTURE AND PLANNING

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