

Housing and Public Works Legislation (Fees) 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, Mick de Brenni MP, Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport make this human rights certificate with respect to the Housing and Public Works Legislation (Fees) Amendment Regulation 2020 made under the:

Architects Act 2002
Building Act 1975
Building Industry Fairness (Security of Payment) Act 2017
Housing Act 2003
Plumbing and Drainage Act 2018
Professional Engineers Act 2002
Queensland Building and Construction Commission Act 1991
Residential Services (Accreditation) Act 2002
Residential Tenancies and Rooming Accommodation Act 2008
Retirement Villages Act 1999
(Acts).

In my opinion, the Housing and Public Works Legislation (Fees) Amendment Regulation 2020 (Amendment Regulation), 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 Department of Housing and Public Works (DHPW) administers Acts which provide for the prescription of fees and charges.

Queensland Treasury's Principles for Fees and Charges, January 2018 (Principles for Fees and Charges) requires agencies to set regulated fees to reflect the cost of providing their services and ensure the fees are maintained over time. The Principles for Fees and Charges provide that, where regular comprehensive review is not cost effective or no specific indexation method was approved by Cabinet Budget Review Committee, agencies should apply the Government indexation rate for fees.

The Government indexation rate for 2020-21 is 1.8%.

The objective of the Housing and Public Works Legislation (Fees) Amendment Regulation 2020 (Amendment Regulation) is to increase fees prescribed in the following regulations by 1.8% in accordance with the current Government indexation rate:

- *Architects Regulation 2019*
- *Building Industry Fairness (Security of Payment) Regulation 2018*
- *Building Regulation 2006*
- *Housing Regulation 2015*
- *Plumbing and Drainage Regulation 2019*
- *Professional Engineers Regulation 2019*
- *Queensland Building and Construction Commission Regulation 2018*
- *Residential Services (Accreditation) Regulation 2018*
- *Residential Tenancies and Rooming Accommodation Regulation 2009*
- *Retirement Villages Regulation 2018*

The Amendment Regulation will achieve the objectives of ensuring the prescribed fees adhere to the Principles for Fees and Charges which requires all government departments to apply the Government indexation rate to increase the fees in regulations by 1.8% from 1 July 2020.

Human Rights Issues

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

No human rights have been identified as being engaged or limited by the Housing and Public Works Legislation (Fees) Amendment Regulation 2020.

Conclusion

I consider that the Housing and Public Works Legislation (Fees) Amendment Regulation 2020 is compatible with the *Human Rights Act 2019* because it does not limit, restrict or interfere with human rights.

MICK DE BRENNI MP
MINISTER FOR HOUSING AND PUBLIC WORKS
MINISTER FOR DIGITAL TECHNOLOGY AND
MINISTER FOR SPORT