

# Personalised Transport Ombudsman (Postponement) 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* (HRA), I, Mark Bailey MP, Minister for Transport and Main Roads, provide this human rights certificate with respect to the *Personalised Transport Ombudsman (Postponement) Regulation 2020* (the regulation) made under the *Personalised Transport Ombudsman Act 2019* (PTO Act).

In my opinion, the regulation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the HRA. I base my opinion on the reasons outlined in this statement.

### Overview of the Subordinate Legislation

The main purpose of the PTO Act was to establish the Personalised Transport Ombudsman (PTO) to help resolve complaints relating to personalised transport services. The PTO Act received Royal Assent on 12 September 2019.

Provisions of the PTO Act relating to the PTO have not commenced. In accordance with the *Acts Interpretation Act 1954* (Interpretation Act), provisions of the PTO Act that have not commenced within 1 year of the day of Royal Assent will automatically commence on the next day (13 September 2020) if not otherwise postponed under the Interpretation Act.

The purpose of the *Personalised Transport Ombudsman (Postponement) Regulation 2020* (the Regulation) is to postpone the automatic commencement of provisions relating to the PTO to the end 12 September 2021.

### 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 because it simply postpones the automatic commencement of provisions relating to the PTO.

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

The Regulation does not raise any human rights issues and therefore it is not necessary to consider section 13 of the HRA.

## **Conclusion**

I consider that the regulation is compatible with the HRA because it does not raise a human rights issue.

**Honourable Mark Bailey MP**  
Minister for Transport and Main Roads

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