

Liquor (Closed-circuit Television Equipment) 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, Yvette D'Ath MP, Attorney-General and Minister for Justice and Leader of the House, provide this human rights certificate with respect to the Liquor (Closed-circuit Television Equipment) Amendment Regulation 2020 made under the *Liquor Act 1992* (Liquor Act).

In my opinion, the Liquor (Closed-circuit Television Equipment) 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

Under section 142AH of the Liquor Act, licensees in the Brisbane City Council area are required to have closed-circuit television (CCTV) at each entrance and exit of their premises if they trade after 1am.

On 26 July 2019, the Government publicly released the final evaluation report on the Tackling Alcohol Fuelled Violence Policy (TAFV Policy) and interim Government response to the evaluation report, which gave in-principle support to a recommendation extending mandatory CCTV State-wide.

Broad consultation was undertaken with community, industry and government stakeholders seeking feedback on the interim Government response. While stakeholders were generally supportive of mandatory State-wide CCTV, concerns were raised over the regulatory and financial burden of the existing daily CCTV equipment check.

Under section 37DA of the *Liquor Regulation 2002* (Liquor Regulation) CCTV equipment must be checked prior to the commencement of trade. Industry stakeholders stated that licensees and approved managers were having difficulty ensuring that CCTV equipment is checked before trading commences, because approved managers are only required to be at the premises from 12 midnight under section 155AD of the Liquor Act.

The Amendment Regulation will benefit licensees by requiring licensees/approved managers to check CCTV equipment is operating effectively by no later than 12:30am, rather than before trading commences.

The purpose of the Amendment Regulation is to increase compliance with the Liquor Regulation. It does this by ensuring section 37DA does not create operational issues or onerous requirements for licensees/managers by requiring them to be on site earlier than required under section 155AD of the Liquor Act. The Amendment Regulation does not otherwise change the obligations of licensees/approved managers.

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 by the Liquor (Closed-circuit Television Equipment) Amendment Regulation 2020.

Conclusion

I consider that the Liquor (Closed-circuit Television Equipment) Amendment Regulation 2020 is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

YVETTE D'ATH MP
Attorney-General and Minister for Justice
Leader of the House

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