

# Queensland Building and Construction Commission and Other Legislation (Fire Protection Licensing) 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, the Honourable Michael de Brenni MP, Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport, provide this human rights certificate with respect to the Queensland Building and Construction Commission and Other Legislation (Fire Protection Licensing) Amendment Regulation 2020 (Amendment Regulation) made under the *Queensland Building and Construction Commission Act 1991* (QBCC Act) and *Plumbing and Drainage Act 2018*.

In my opinion, the 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 Amendment Regulation will provide a modernised and rationalised fire protection licensing framework that will strengthen the building and construction industry and further protect Queenslanders. This is in line with the Queensland Building Plan 2017 (QBP).

The existing fire protection licensing framework is prescribed under the QBCC Act. The current framework has been in place for a long period of time. It is a complex framework with multiple licence classes and subclasses relating to fire protection work. Industry has raised concerns that the framework does not reflect contemporary industrial practices, where some licences and their qualifications are no longer fit for purpose. The current framework includes duplicate and redundant licences for individuals and companies and does not address gaps between licence requirements and genuine practices in the industry.

Providing high quality fire protection standards is crucial to ensuring the safety of occupants within buildings; evidenced by tragic events such as the fire spread at Melbourne's Lacrosse and Spencer Street buildings and loss of life at London's Grenfell Tower fire. The national 'Building Confidence Report' highlighted the need for a strong regulatory framework for fire safety, including mandatory registration of fire safety practitioners and greater oversight of the installation and certification of fire safety systems.

The Amendment Regulation will address the issues raised and streamline the fire protection licensing framework to provide high quality fire protection standards. The proposed new fire protection licensing framework includes amendments to classes of licence, scopes of work, key definitions and technical qualifications to address gaps between licence requirements, safety standards and current best practice in industry.

## Human Rights Issues

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

In my opinion, the human rights under the HR Act that are relevant to the Amendment Regulation is the right to life outlined in section 16. This right includes an obligation on states to take steps to protect the lives of individuals. The Amendment Regulation maintains and enhances public health and safety standards and therefore positively addresses obligations of the right to life of all Queenslanders.

There are no other human rights affected or engaged by the Amendment Regulation.

## Conclusion

I consider that the Queensland Building and Construction Commission and Other Legislation (Fire Protection Licensing) Amendment Regulation 2020 is compatible with the *Human Rights Act 2019* because it raises human rights issues but does not limit human rights.

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