

Nature Conservation and Other Legislation Amendment Regulation 2021

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, Meaghan Scanlon, Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs provide this human rights certificate with respect to the Nature Conservation and Other Legislation Amendment Regulation 2021 made under the *Environmental Offsets Act 2014* and the *Nature Conservation Act 1992*.

In my opinion, the Nature Conservation and Other Legislation Amendment Regulation 2021, 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 Nature Conservation and Other Legislation Amendment Regulation 2021 (the Amendment Regulation) amends the Nature Conservation (Animals) Regulation 2020, the Nature Conservation (Plants) Regulation 2020 and the Nature Conservation (Macropod) Conservation Plan 2017 to complete the routine update of listings and nomenclature of wildlife listed under the *Nature Conservation Act 1992* (the NC Act), and make minor administrative amendments. The Amendment Regulation also amends the *Environmental Offsets Regulation 2014* to refer to the newest version of the Queensland Environmental Offsets Policy, which is amended to reflect the most recent changes to wildlife classification and nomenclature.

The proposed amendments do not result in impacts on human rights because they are:

- consequential and/or of a machinery nature;
- required to fix drafting errors and omissions; or
- required to further clarify original policy intent of provisions.

The Species Technical Committee, an expert panel of government and non-government scientists, is responsible for overseeing the wildlife classification process. The Committee provides an independent, unbiased, scientific assessment of nominations for changes to species listings, based on the most recent scientific data, and makes recommendations for changes to species classifications.

Species reclassification is a routine, ongoing process, which is undertaken to meet the requirements of the NC Act, including the protection and conservation of Queensland's native wildlife. It ensures that listings under the NC Act are kept up-to-date with current scientific knowledge.

Human Rights Issues

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

Consideration has been given as to whether the Amendment Regulation might engage human rights under the *Human Rights Act 2019* (the Act).

Following consideration of the Amendment Regulation it has been concluded that the amendments do not engage human rights as they correct errors of grammar and omissions, clarify policy intent of existing provisions, or ensure listings under the NC Act are kept up-to-date with current scientific knowledge.

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

Not applicable.

Conclusion

I consider that the Amendment Regulation is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

THE HONOURABLE MEAGHAN SCANLON MP
MINISTER FOR THE ENVIRONMENT AND THE GREAT BARRIER REEF
MINISTER FOR SCIENCE AND YOUTH AFFAIRS

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