

Proclamation – Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Act 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, Shannon Fentiman, Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence provide this human rights certificate with respect to the *Proclamation – Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Act 2021*.

In my opinion, the Proclamation, 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 Proclamation fixes dates of commencement for certain provisions of the *Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Act 2021* that amend liquor and gaming legislation.

The Proclamation fixes **7 June 2021** as the date of commencement of the following:

- amendments to the *Gaming Machine Act 1991* and *Liquor Act 1992* (Liquor Act) to require relevant information about decisions made in respect of applications of significant community impact to be published online, if community comments, representations, objections or submissions were received;
- amendments to the Liquor Act to require an approved ID scanning operator to remove licensee bans from the networked ID scanning system 30 days after a licence transfer, unless otherwise requested to remain by the new licensee; and
- amendments to the *Wagering Act 1998* to allow Queensland’s wagering licensee to validly declare minimum dividends.

The Proclamation fixes **1 July 2021** as the date of commencement of the following:

- amendments to the Liquor Act to require reviews of safe night precincts to be conducted every three years, to ensure that these areas continue to achieve the purposes of a precinct as outlined in Part 6AB of the Liquor Act.

Human Rights Issues

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

The Proclamation does not affect or engage a human right.

Conclusion

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

SHANNON FENTIMAN MP
Attorney-General and Minister for Justice
Minister for Women
Minister for Prevention of Domestic and Family Violence

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