

Civil Liability and Other Legislation (Prescribed Amounts) 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, the Honourable Cameron Dick MP, Treasurer and Minister for Investment provide this human rights certificate with respect to the *Civil Liability and Other Legislation (Prescribed Amounts) Amendment Regulation 2021* (Amendment Regulation) made under section 75 of the *Civil Liability Act 2003*, section 100A of the *Motor Accident Insurance Act 1994* and section 75A of the *Personal Injuries Proceedings Act 2002*.

In my opinion, the amendments to the *Civil Liability Regulation 2014*, the *Motor Accident Insurance Regulation 2018* and the *Personal Injuries Proceedings Regulation 2014* in the Amendment Regulation, as tabled in the Legislative Assembly, are 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 *Civil Liability Regulation 2014*, the *Motor Accident Insurance Regulation 2018*, and the *Personal Injuries Proceedings Regulation 2014* each contain various costs and offer limits, monetary caps and thresholds in relation to common law damages for personal injury.

Provisions in the primary legislation for each regulation require the relevant Minister to recommend to the Governor in Council on or before 1 July each year the amounts that are to be prescribed for the indexation of these costs and offer limits and monetary caps and thresholds.

The amount of indexation is determined by the amount last prescribed, adjusted by the percentage change in the amount of Queensland full-time adult persons' ordinary time earnings declared by the Australian Statistician in the original series of the statistician's average weekly earnings publication most recently published before the start of the financial year and rounded to the nearest ten dollars. The amount of weekly earnings is variously described as average weekly earnings.

The primary purpose of the Amendment Regulation is to apply the relevant increase to each costs and offer limit, monetary cap and threshold for injuries occurring on or after 1 July 2021.

Human Rights Issues

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

The Amendment Regulation does not affect or engage a human right.

Conclusion

I consider that the *Civil Liability and Other Legislation (Prescribed Amounts) Amendment Regulation 2021* is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

CAMERON DICK MP
Treasurer
Minister for Investment

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