

Disaster Management (Disaster Districts) 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* (HR Act), I, Mark Ryan MP, Minister for Police and Corrective Services and Minister for Fire and Emergency Services provide this human rights certificate with respect to the *Disaster Management (Disaster Districts) Amendment Regulation 2021* (the Regulation) made under the *Disaster Management Act 2003* (DM Act).

In my opinion, the Regulation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The Regulation amends the *Disaster Management Regulation 2014* (DM Regulation) to omit extraneous text which was inserted into the Regulation to give effect to a trial amalgamation of disaster management districts that has now expired.

The DM Act creates a disaster management framework based on State, district and local levels of disaster management. The Queensland Disaster Management Committee operates at the State level and disaster management groups operate at district and local levels.

A district disaster management group is established for each disaster district. Disaster districts are defined in the Schedule to the DM Act as parts of the State prescribed under a regulation as a disaster district. Section 19 of the DM Regulation provides that each part of the State mentioned in schedule 1, column 1 of the DM Regulation is prescribed as a disaster district.

On 26 February 2016, the Disaster Management Amendment Regulation (No. 1) 2016 (SL 2016 No. 11) created a Far North Disaster District by amalgamating the Cairns and Mareeba Disaster Districts. The Far North Disaster District commenced as a trial following a recommendation of the Disaster District Boundary Review Steering Committee in 2014, based on consultation with regional stakeholders. The trial was to assess potential efficiencies in disaster preparation, planning and recovery from amalgamating the two districts.

On 3 September 2019, following a review of the trial, the Inspector General of Emergency Management (IGEM) recommended that the original two districts of Cairns and Mareeba be re-established following the expiration of the trial period. The recommendation of the IGEM was given effect by allowing the trial to expire through the relevant provisions of the DM Regulation (former subsections 19(3) and (4)).

The Regulation will omit a note in Schedule 1 to the DM Regulation that, notwithstanding the expiry of subsections 19(3) and (4), references the former amalgamated Disaster Districts and those expired subsections.

Human Rights Issues

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

The Regulation does not raise a human rights issue.

Conclusion

I consider that the *Disaster Management (Disaster Districts) Amendment Regulation 2021* is compatible with the HR Act because it does not raise a human rights issue.

THE HONOURABLE MARK RYAN MP
Minister for Police and Corrective Services and
Minister for Fire and Emergency Services

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