

# Energy and Public Works Legislation (Fees) 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 Mick de Brenni MP, Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement make this human rights certificate with respect to the *Energy and Public Works Legislation (Fees) Amendment Regulation 2021* made under the:

*Architects Act 2002*  
*Building Act 1975*  
*Building Industry Fairness (Security of Payment) Act 2017*  
*Electricity Act 1994*  
*Gas Supply Act 2003*  
*Plumbing and Drainage Act 2018*  
*Professional Engineers Act 2002*  
*Queensland Building and Construction Commission Act 1991*  
(Acts).

In my opinion, the *Energy and Public Works Legislation (Fees) Amendment Regulation 2021* (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 Department of Energy and Public Works administers Acts which provide for the prescription of fees and charges.

Queensland Treasury's Principles for Fees and Charges (Principles for Fees and Charges) requires agencies to set regulated fees to reflect the cost of providing their services and ensure the fees are maintained over time. The Principles for Fees and Charges provide that, where regular comprehensive review is not cost effective or no specific indexation method was approved by Cabinet Budget Review Committee, agencies should apply the Government indexation rate for fees.

The Government indexation rate advised by Queensland Treasury for 2021-22 is 1.7%.

The objective of the Amendment Regulation is to increase fees prescribed in the following regulations by 1.7% in accordance with the current Government indexation rate:

- *Architects Regulation 2019*
- *Building Industry Fairness (Security of Payment) Regulation 2018*
- *Building Regulation 2006*

- *Electricity Regulation 2006*
- *Gas Supply Regulation 2007*
- *Plumbing and Drainage Regulation 2019*
- *Professional Engineers Regulation 2019*
- *Queensland Building and Construction Commission Regulation 2018*

The Amendment Regulation will achieve the objectives of ensuring the prescribed fees adhere to the Principles for Fees and Charges which requires all government departments to apply the Government indexation rate to increase the fees in regulations by 1.7% from 1 July 2021.

## **Human Rights Issues**

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

No human rights have been identified as being engaged or limited by the Amendment Regulation.

## **Conclusion**

I consider that the *Energy and Public Works Legislation (Fees) Amendment Regulation 2021* is compatible with the *Human Rights Act 2019* because it does not limit, restrict or interfere with human rights.

Mick de Brenni MP  
**Minister for Energy, Renewables and Hydrogen**  
**Minister for Public Works and Procurement**

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