

Agriculture and Fisheries 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, Mark Furner, Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities, provide this human rights certificate with respect to the *Agriculture and Fisheries Legislation (Fees) Amendment Regulation 2021* made under the following Acts:

- *Agricultural Chemicals Distribution Control Act 1966*
- *Animal Care and Protection Act 2001*
- *Animal Management (Cats and Dogs) Act 2000*
- *Biosecurity Act 2014*
- *Brands Act 1915*
- *Chemical Usage (Agricultural and Veterinary) Control Act 1988*
- *Drugs Misuse Act 1986*
- *Fisheries Act 1994*
- *Food Production (Safety) Act 2000*
- *Veterinary Surgeons Act 1936*.

In my opinion, the *Agriculture and Fisheries Legislation (Fees) Amendment Regulation 2021* (the 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 Amendment Regulation effects the annual indexation of the regulatory fees and charges within the portfolio of the Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities by the government indexation rate of 1.70 per cent for the financial year 2021-22.

The fees and charges increased by the Amendment Regulation are prescribed in the following regulations:

- *Agricultural Chemicals Distribution Control Regulation 1998*
- *Animal Care and Protection Regulation 2012*
- *Animal Management (Cats and Dogs) Regulation 2019*
- *Biosecurity Regulation 2016*
- *Brands Regulation 2012*
- *Chemical Usage (Agricultural and Veterinary) Control Regulation 2017*
- *Drugs Misuse Regulation 1987*
- *Fisheries (General) Regulation 2019*

- *Food Production (Safety) Regulation 2014*
- *Veterinary Surgeons Regulation 2016.*

Fees for the Stocked Impoundment Permit Scheme (SIPS) in the *Fisheries (General) Regulation 2019* will increase this year for the first time in five years. Government policy was to fix SIPS fees for the five-year period from 1 July 2016 and to index the fees after the five years by the cumulative amount of the GIR and then round the fees to the next highest dollar to increase efficiency at the point of collection. Amendment Regulation has indexed the SIPS fees in accordance with this policy.

Increases to fees and charges in the *Food Production (Safety) Regulation 2014* will commence on 1 January 2021. Accreditations and auditor approvals are effective for a calendar year, from 1 January to 31 December each year.

All other amendments to fees and charges under subordinate legislation within the Agricultural Industry Development and Fisheries portfolio will commence on 1 July 2021.

Human Rights Issues

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

In my opinion, this subordinate legislation does not engage or limit any human rights protected under the *Human Rights Act 2019*.

Conclusion

I consider that the *Agriculture and Fisheries Legislation (Fees) Amendment Regulation 2021* is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

Mark Furner MP
Minister for Agricultural Industry
Development and Fisheries and Minister for Rural Communities

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