

Housing 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 Leeanne Enoch MP, Minister for Communities and Housing, Minister for Digital Economy and Minister for the Arts make this human rights certificate with respect to the *Housing Legislation (Fees) Amendment Regulation 2021* made under the:

Housing Act 2003

Residential Services (Accreditation) Act 2002

Residential Tenancies and Rooming Accommodation Act 2008

Retirement Villages Act 1999

(Acts).

In my opinion, the *Housing 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 Communities, Housing and Digital Economy (DCHDE) 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 set 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:

- *Housing Regulation 2015*
- *Residential Services (Accreditation) Regulation 2018*
- *Residential Tenancies and Rooming Accommodation Regulation 2009*
- *Retirement Villages 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 *Housing Legislation (Fees) Amendment Regulation 2021* is compatible with the *Human Rights Act 2019* because it does not limit, restrict or interfere with human rights.

LEEANNE ENOCH MP
Minister for Communities and Housing
Minister for Digital Economy
Minister for the Arts

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