

# Education 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* (HR Act), I, Grace Grace, Minister for Education, Minister for Industrial Relations and Minister for Racing, provide this human rights certificate with respect to the *Education Legislation (Fees) Amendment Regulation 2021* (the Regulation) made under the:

- *Education (General Provisions) Act 2006*;
- *Education (Overseas Students) Act 2018*;
- *Education (Queensland College of Teachers) Act 2005*; and
- *Education (Queensland Curriculum and Assessment Authority) Act 2014*.

In my opinion, the Regulation 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 Queensland Government Principles for Fees and Charges requires agencies to set fees and charges to accurately reflect the cost of providing their services, and to ensure these fees and charges maintain their value over time. Where a regular comprehensive review of fees and charges is not cost effective or no specific indexation method has been otherwise approved, agencies are required to annually apply the Government-endorsed indexation factor to their fees and charges. The Government endorsed indexation factor is 1.7% for 2021–22.

The objective of the Regulation is to index fees and charges prescribed in the following Regulations in accordance with Government policy:

- *Education (General Provisions) Regulation 2017* (EGP Regulation);
- *Education (Overseas Students) Regulation 2018*;
- *Education (Queensland College of Teachers) Regulation 2016* (QCT Regulation); and
- *Education (Queensland Curriculum and Assessment Authority) Regulation 2014*.

The Regulation will also increase the criminal history check fee under the EGP Regulation and QCT Regulation to \$27.15 in accordance with advice by the Queensland Police Service.

## Human Rights Issues

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

The Regulation does not engage or limit any human rights.

**Consideration of reasonable limitations on human rights (section 13 *Human Rights Act 2019*)**

The Regulation does not limit any human rights protected under the HR Act. Therefore, it is not necessary to consider section 13 of the HR Act.

**Conclusion**

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

**GRACE GRACE MP**  
MINISTER FOR EDUCATION  
MINISTER FOR INDUSTRIAL RELATIONS AND  
MINISTER FOR RACING

© The State of Queensland 2021