

# Queensland Building and Construction Commission (Fire Protection Licensing) 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, provide this human rights certificate with respect to the *Queensland Building and Construction Commission (Fire Protection Licensing) Amendment Regulation 2021* (Amendment Regulation) made under the *Queensland Building and Construction Commission Act 1991*.

In my opinion, 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 makes minor transitional amendments to the *Queensland Building and Construction Commission Regulation 2018* (QBCC Regulation) to assist the ongoing implementation of Queensland's new fire protection licensing framework.

On 1 May 2021, the new modernised and rationalised fire protection licensing framework commenced in Queensland. The framework will strengthen the building and construction industry and further protect Queenslanders. It also reflects a commitment under the Queensland Building Plan 2017.

Providing high quality fire protection standards is crucial to ensuring the safety of occupants within buildings, evidenced by events such as the fire spread at Melbourne's Lacrosse and Spencer Street buildings and tragic loss of life at London's Grenfell Tower fire. The national 'Building Confidence Report' also highlighted the need for a strong regulatory framework for fire safety, including mandatory registration of fire safety practitioners and greater oversight of the installation and certification of fire safety systems.

The minor amendments made by the Amendment Regulation will support the policy intent of the framework and will ensure that only suitably qualified licensees can perform certain types of fire protection work, such as work on fire sprinkler systems.

These changes will also assist the ongoing implementation of the new framework, specifically by ensuring that licence applications for a continuing licence class that were lodged prior to commencement of the framework on 1 May 2021 can still be assessed for eligibility for the same licence class.

## Human Rights Issues

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

In my opinion, the human rights under the HR Act that are relevant to the Amendment Regulation is the right to life outlined in section 16. This right includes an obligation on states to take steps to protect the lives of individuals. The Amendment Regulation maintains and enhances public health and safety standards and therefore positively addresses obligations of the right to life of all Queenslanders.

The amendments to the transitional arrangements are consistent with the policy intent that individuals carrying out work on fire protection systems must hold the appropriate technical qualifications specific to that fire protection system.

There are no other human rights affected or engaged by the Amendment Regulation.

## Conclusion

I consider that the *Queensland Building and Construction Commission (Fire Protection Licensing) Amendment Regulation 2021* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

**MICK DE BRENNI MP**  
MINISTER FOR ENERGY, RENEWABLES AND HYDROGEN  
MINISTER FOR PUBLIC WORKS AND PROCUREMENT

© The State of Queensland 2021