

Education and Other Legislation (Fee Unit Conversion) Amendment Regulation 2022

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 and Other Legislation (Fee Unit Conversion) Amendment Regulation 2022* (the Regulation) made under the:

- *Education (General Provisions) Act 2006*;
- *Education (Overseas Students) Act 2018*;
- *Education (Queensland College of Teachers) Act 2005*;
- *Education (Queensland Curriculum and Assessment Authority) Act 2014*;
- *Electrical Safety Act 2002*;
- *Industrial Relations Act 2016*;
- *Labour Hire Licensing Act 2017*;
- *Racing Act 2002*;
- *Workers' Compensation and Rehabilitation Act 2003*; and
- *Work Health and Safety Act 2011*.

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 Queensland Government has implemented a new policy in relation to the annual indexation of fees and charges. The *Acts Interpretation Act 1954* (AIA) was amended in 2021 through the *Debt Reduction and Savings Act 2021* to allow for a fee unit model, which will replace the previous system of prescribing and indexing fees as dollar values in legislation.

The new government policy is for fees to be prescribed in fee units, with the *Acts Interpretation (Fee Unit) Regulation 2022* (AI Regulation) to be updated annually in order to apply the government indexation rate (GIR). All prescribed fees, subject to the GIR, are to be converted to fee units in the legislation.

The objective of the Regulation is to convert fees and charges, subject to GIR, prescribed in the following Regulations to fee units in accordance with government policy:

- *Education (General Provisions) Regulation 2017;*
- *Education (Overseas Students) Regulation 2018;*
- *Education (Queensland College of Teachers) Regulation 2016;*
- *Education (Queensland Curriculum and Assessment Authority) Regulation 2014;*
- *Electrical Safety Regulation 2013;*
- *Industrial Relations (Tribunals) Rules 2011;*
- *Labour Hire Licensing Regulation 2018;*
- *Racing Regulation 2013;*
- *Workers' Compensation and Rehabilitation Regulation 2014;* and
- *Work Health and Safety Regulation 2011.*

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 and Other Legislation (Fee Unit Conversion) Amendment Regulation 2022* 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