

Geothermal Energy 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* (the HR Act), I, Scott Stewart MP, Minister for Resources provide this human rights certificate with respect to the *Geothermal Energy Regulation 2022* made under the *Geothermal Energy Act 2010* and the *Greenhouse Gas Storage Act 2009*.

In my opinion, the *Geothermal Energy Regulation 2022*, as tabled in the Legislative Assembly, 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 *Geothermal Energy Regulation 2022* is part of the legislative framework governing the exploration and production of geothermal energy and plays an important role in supporting the policy objectives of the *Geothermal Energy Act 2010*. The *Geothermal Energy Regulation 2022* sets out the requirements for work programs and development plans, plugging and abandoning of wells, reporting, notices, sample collection and prescribed rents and fees.

As the matters prescribed in the *Geothermal Energy Regulation 2022* are designed to support the operation of the *Geothermal Energy Act 2010*, the *Geothermal Energy Regulation 2012* must be replaced to ensure that the legislative scheme can continue to operate and not be impacted by the expiry of the existing Regulation.

Similarly, the *Greenhouse Gas Storage Act 2009*, which regulates carbon dioxide storage, sets out an identical framework as the *Geothermal Energy Regulation 2022* and is supported by the *Greenhouse Gas Regulation 2021*. Amendments to the *Greenhouse Gas Regulation 2021* are necessary to achieve harmony with the reporting requirements and confidentiality periods provided for under the *Petroleum and Gas (General Provisions) Regulation 2017*.

Human Rights Issues

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

The *Geothermal Energy Regulation 2022*, including the amendments to the *Greenhouse Gas Regulation 2021* do not raise any human rights issues.

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

As the *Geothermal Energy Regulation 2022* does not raise any human rights issues, it does not limit any human rights and therefore it is not necessary to consider section 13 of the HR Act.

Conclusion

I consider that the *Geothermal Energy Regulation 2022* is compatible with the *Human Rights Act 2019* because it does not raise any human rights issues.

SCOTT STEWART MP
MINISTER FOR RESOURCES

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