

Sugar Industry 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*, I, Mark Furner MP, Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities, provide this human rights certificate with respect to the *Sugar Industry Regulation 2022* made under the *Sugar Industry Act 1999*.

In my opinion, the *Sugar Industry Regulation 2022*, 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 *Sugar Industry Regulation 2022* (the Regulation) is made under the *Sugar Industry Act 1999* (the Act).

The authorising laws for the Regulation are sections 237, and 257 of the Act.

The main objective of the Regulation is to remake the *Sugar Industry Regulation 2010* to continue to give effect to section 237 of the Act which provides that certain actions related to making or varying a collective contract between a group of growers and a mill owner who are within the same region are authorised for the *Competition and Consumer Act 2010* (*Commonwealth*), section 51(1)(b) or the *Competition Code*, section 51. It does this by:

- a) defining Local Government Areas (regions for collective contracts); and,
- b) updating the prescribed Local Government Areas in the Regulation to reflect current local government boundaries.

Human Rights Issues

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

The human rights prescribed in sections 15 to 37 of the *Human Rights Act 2019* have been considered in regard to the *Sugar Industry Regulation 2022*. The Regulation is merely facilitatory in nature, serving only to remake the *Sugar Industry Regulation 2010* which expires under the provisions of the *Statutory Instruments Act 1992* and continues to prescribe regions relevant to section 237 of the Act.

The remaking of the *Sugar Industry Regulation 2010* is considered to be consistent with human rights and, therefore, it has been determined that it does not raise any human rights issues.

Conclusion

I consider that the *Sugar Industry Regulation 2022* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

MARK FURNER MP
MINISTER FOR AGRICULTURAL INDUSTRY
DEVELOPMENT AND FISHERIES AND
MINISTER FOR RURAL COMMUNITIES

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