

# Trans-Tasman Mutual Recognition (Queensland) (NT and Tasmanian Container Deposit Schemes) Notice 2023

## 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 Cameron Dick MP, Treasurer and Minister for Trade and Investment provide this human rights certificate with respect to the *Trans-Tasman Mutual Recognition (Queensland) (NT and Tasmanian Container Deposit Schemes) Notice 2023* made under the *Trans-Tasman Mutual Recognition (Queensland) Act 2003*.

In my opinion, the *Trans-Tasman Mutual Recognition (Queensland) (NT and Tasmanian Container Deposit Schemes) Notice 2023*, 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 purpose of the *Trans-Tasman Mutual Recognition (Queensland) (NT and Tasmanian Container Deposit Schemes) Notice 2023* is to endorse regulations to be made by the Governor-General under section 45 of the *Trans-Tasman Mutual Recognition Act 1997* (Cth) (Cth TTMRA) permanently exempting certain legislation of the Northern Territory (NT) and Tasmania relating to those jurisdictions' Container Deposit Schemes from the application of the Cth TTMRA.

The *Trans-Tasman Mutual Recognition (Queensland) (NT and Tasmanian Container Deposit Schemes) Notice 2023* is subordinate legislation due to section 7(2) of the *Trans-Tasman Mutual Recognition (Queensland) Act 2003*.

The Container Deposit Schemes for the NT and Tasmania are recycling schemes for beverage containers similar to those in operation in other jurisdictions such as Queensland, New South Wales, South Australia, Western Australia and the Australian Capital Territory.

The exemption from the application of the Cth TTMRA will ensure that relevant beverage containers sold in the NT or Tasmania that have been imported from or produced in New Zealand comply with the labelling requirements of the Container Deposit Schemes for NT and Tasmania respectively.

Authorising law:

- Sections 43 and 45 of the *Trans-Tasman Mutual Recognition Act 1997* (Cth)
- Section 7(1) of the *Trans-Tasman Mutual Recognition (Queensland) Act 2003*

## Human Rights Issues

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

No human rights are identified as engaged or limited by the *Trans-Tasman Mutual Recognition (Queensland) (NT and Tasmanian Container Deposit Schemes) Notice 2023*.

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

No human rights are identified as engaged or limited by the *Trans-Tasman Mutual Recognition (Queensland) (NT and Tasmanian Container Deposit Schemes) Notice 2023*.

## Conclusion

I consider that the *Trans-Tasman Mutual Recognition (Queensland) (NT and Tasmanian Container Deposit Schemes) Notice 2023* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

**CAMERON DICK MP**  
TREASURER AND MINISTER FOR TRADE AND INVESTMENT

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