

Education Legislation (Fees) Amendment Regulation 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, Grace Grace, Minister for Education, Minister for Industrial Relations and Minister for Racing, provide this human rights certificate with respect to the *Education Legislation (Fees) Amendment Regulation 2023* made under the *Education and Care Services Act 2013*, the *Education (General Provisions) Act 2006*, and the *Education (Queensland College of Teachers) Act 2005*.

In my opinion, the *Education Legislation (Fees) Amendment Regulation 2023* 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 *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 fees and charges maintain their value over time. Best practice is for agencies to review their fees and charges annually or, at a minimum, every three years. 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 apply the current Government Indexation Rate (GIR) as advised by Queensland Treasury annually.

There are a number of fees in the Education portfolio legislation that are not in scope of the GIR, and continue to be prescribed as dollar values rather than being stated as a fee unit. The objective of the Amendment Regulation is to amend the particular fees that are not in scope of the GIR, in accordance with government policy:

- fees and charges prescribed in the *Education and Care Services Regulation 2013* (ECS Regulation); and
- the criminal history check fee under the *Education (General Provisions) Regulation 2013* (EGP Regulation) and the *Education (Queensland College of Teachers) Regulation 2016* (QCT Regulation) in accordance with advice from the Queensland Police Service.

Human Rights Issues

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

In my opinion the amendments in the *Education Legislation (Fee) Amendment Regulation 2023* do not engage or limit any human rights.

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

The *Education Legislation (Fees) Amendment Regulation 2023* does not limit any human rights protected under the *Human Rights Act 2019*. Therefore, it is not necessary to consider section 13 of the *Human Rights Act 2019*.

Conclusion

I consider that the *Education Legislation (Fees) Amendment Regulation 2023* is compatible with the *Human Rights Act 2019* as it does not raise any human rights issues.

GRACE GRACE MP
MINISTER FOR EDUCATION
MINISTER FOR INDUSTRIAL RELATIONS AND
MINISTER FOR RACING

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