

# Rural and Regional Adjustment (Primary Producer Flood Management Grants Scheme) 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, Mark Furner MP, Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities, make this human rights certificate with respect to the *Rural and Regional Adjustment (Primary Producer Flood Management Grants Scheme) Amendment Regulation 2023* made under the *Rural and Regional Adjustment Act 1994*.

In my opinion, the *Rural and Regional Adjustment (Primary Producer Flood Management Grants Scheme) 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 *Rural and Regional Adjustment (Primary Producer Flood Management Grants Scheme) Amendment Regulation 2023* is made under the *Rural and Regional Adjustment Act 1994*.

The authorising law for the regulation is section 44 of the *Rural and Regional Adjustment Act 1994*. All schemes of financial assistance administered by the Queensland Rural and Industry Development Authority (QRIDA) are required to be set out in regulation.

This subordinate legislation a business support measure under the Disaster Recovery Funding Arrangements (DRFA). This regulatory amendment introduces a new schedule 54 which is a scheme of financial assistance for primary producers impacted by eligible disasters in late 2021-early 2022.

On 18 May 2022 the Australian Government agreed to a suite of measures under DRFA to provide additional support for the recovery from the disaster events impacting on southern Queensland during late 2021-early 2022. One of these measures was the Industry Recovery and Resilience Officer (IRRO) program which provides funding for industry-based recovery officers who assist impacted producers access disaster assistance and assist them improve disaster resilience.

The Primary Producer Flood Management Grants Scheme will provide a grant of up to \$7,500 excluding GST for producers in an eligible disaster impacted area for eligible professional advice that improves their flood and high rainfall risk management such as flood planning and related activities.

In summary, the program principal eligible criteria are:

- The applicant is a primary production enterprise
- That operates in a disaster eligible area (one of the areas activated for primary producer DRFA assistance for the eligible disasters of late 2021-early 2022 namely:
  - DRFA event-Central, Southern and Western Queensland Rainfall and Flooding, 10 November - 3 December 2021;
  - DRFA event-Ex-Tropical Cyclone Seth, 29 December 2021 - 10 January 2022;
  - DRFA event-South East Queensland Rainfall and Flooding, 22 February - 5 April 2022;
  - DRFA event-Southern Queensland Flooding, 06 - 20 May 2022.
- That has conducted and paid for eligible professional advice that will improve the resilience to flooding and high rainfall of the primary production enterprise (the applicant must provide a written statement from an IRRO confirming that the advice will do so). Examples of eligible professional advice includes accountancy advice, agronomic advice, financial planning, flood mapping, geotechnical surveying, soil mapping and assessment.
- The applicant provides a copy of their flood management plan to QRIDA.
- This activity is conducted in the eligible period 18 May 2022 to 31 March 2024 or an earlier date if available assistance funds have been exhausted or a date not later than 24 December 2024 if the Minister for Agricultural Industry Development and Fisheries decides to extend the closing date for the scheme.

## Human Rights Issues

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

The potential impact of the *Rural and Regional Adjustment (Primary Producer Flood Management Grants Scheme) Amendment Regulation 2023* on the human rights in sections 15 to 37 of the *Human Rights Act 2019* was considered and no potential impact was identified.

## Conclusion

I consider that the *Rural and Regional Adjustment (Primary Producer Flood Management Grants Scheme) Amendment Regulation 2023* is compatible with the Human Rights Act because it does not limit any of the human rights protected by the *Human Rights Act 2019*.

**Mark Furner MP**  
Minister for Agricultural Industry Development and Fisheries and  
Minister for Rural Communities