

Nature Conservation and Other Legislation Amendment Regulation (No. 2) 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, Leanne Linard, Minister for the Environment and the Great Barrier Reef, Minister for Science and Minister for Multicultural Affairs provide this human rights certificate with respect to the *Nature Conservation and Other Legislation Amendment Regulation (No. 2) 2023* made under the *Environmental Offsets Act 2014* and the *Nature Conservation Act 1992*.

In my opinion, the *Nature Conservation and Other Legislation Amendment Regulation (No. 2) 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 *Nature Conservation and Other Legislation Amendment Regulation (No. 2) 2023* (the Amendment Regulation) amends the *Nature Conservation (Animals) Regulation 2020* (Animals Regulation), the *Nature Conservation (Plants) Regulation 2020* (Plants Regulation) and the *Environmental Offsets Regulation 2014* (Offsets Regulation) to progress the reclassification of wildlife and make other minor consequential and clarification amendments.

A key policy objective of the Amendment Regulation is to progress the reclassification of wildlife under the Animals Regulation and Plants Regulation. Species reclassification is a routine, ongoing process undertaken to meet the requirements of the *Nature Conservation Act 1992* (NC Act), including the protection and conservation of Queensland's native wildlife. It ensures that listings under the NC Act are kept up to date with current scientific knowledge. The Species Technical Committee (STC), an expert panel of government and non-government scientists, is responsible for overseeing the wildlife classification process. The STC provides an independent, unbiased, scientific assessment of nominations for changes to species listings, based on the most recent scientific data, and makes recommendations for changes to species classifications. Administrative amendments to the Animals Regulation and Plants Regulation are also required to update species nomenclature.

The Amendment Regulation will amend the Offsets Regulation to refer to the newest version of the Environmental Offsets Policy, under the *Environmental Offsets Act 2014*, which is updated to reflect changes to wildlife classifications.

The amendments to the Animals Regulation are required to clarify existing provisions that relate to particular entities dealing with animals, requirements for dealing with sick, injured, or orphaned animals and authorisations for veterinarians. The proposed amendments are minor in nature and do not seek to change or affect the original intent or impose any additional regulatory burden on business or community.

Amendments to the Plants Regulation are also required to update the title of the reference source that is used for the scientific names of plants mentioned under the regulation.

Human Rights Issues

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

Consideration has been given as to whether the Amendment Regulation engages human rights under the *Human Rights Act 2019* (HR Act).

The proposed amendments to the Animals Regulation, Plants Regulation and Offsets Regulation do not engage human rights as they update scientific nomenclature, clarify existing provisions to reflect original policy intent, and ensure listings under the NC Act are kept up to date with current scientific knowledge.

Conclusion

I consider that the *Nature Conservation and Other Legislation Amendment Regulation (No. 2) 2023* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

LEANNE LINARD
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MINISTER FOR SCIENCE AND MINISTER FOR MULTICULTURAL AFFAIRS

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