

# Proclamation – Justice and Other Legislation Amendment Act 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* (the HR Act), I, Yvette D’Ath MP, Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence, provide this human rights certificate with respect to the proclamation made under the *Justice and Other Legislation Amendment Act 2023* (the JOLA Act).

In my opinion, the proclamation as tabled in the Legislative Assembly, is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

### Overview of the Subordinate Legislation

The proclamation commences certain provisions of the JOLA Act. The provisions commenced by the proclamation:

- clarify and simplify various provisions under the *Acts Interpretation Act 1954* (AIA);
- amend the *Legal Profession Act 2007* and the *Legal Profession Regulation 2017* to:
  - allow a law practice, the Queensland Law Society and community legal centres to destroy or dispose of client documents in certain circumstances; and
  - provide for changed costs disclosure obligations for law practices (including an increase in the full costs disclosure threshold from \$1,500 to \$3,000); and
- make various consequential amendments to other legislation following changes to the AIA.

The proclamation fixes the commencement dates of:

- 1 February 2024 for the provisions relating to the destruction or disposal of client documents, the provisions amending the AIA, and the consequential amendments to other legislation; and
- 1 March 2024 for the provisions relating to changed costs disclosure obligations for law practices.

### Human Rights Issues

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

I have considered each of the rights protected by part 2 of the HR Act. In my opinion, the proclamation does not engage or limit human rights.

## **Conclusion**

I consider that the proclamation is compatible with the HR Act because it does not limit human rights.

**YVETTE D'ATH MP**  
Attorney-General and Minister for Justice and  
Minister for the Prevention of Domestic and Family Violence

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