

# Environmental Protection and Other Legislation Amendment (Postponement) Regulation 2024

## 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 and Minister for Science and Innovation provide this human rights certificate with respect to the *Environmental Protection and Other Legislation Amendment (Postponement) Regulation 2024* (Postponement Regulation) made under the *Environmental Protection and Other Legislation Amendment Act 2023* (EPOLA Act 2023).

In my opinion, the Postponement Regulation, 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 EPOLA Act 2023 commenced on 5 April 2023 and inserted new provisions (section 102, 121 and 125(2) to the extent that it inserts the definition of body-worn camera) into the *Environmental Protection Act 1994* to allow body-worn camera to be used by authorised officers during investigations while safeguarding a person's confidential information.

Section 2 of the EPOLA Act 2023 provided that these provisions would commence on a day to be fixed by proclamation.

These provisions have not yet commenced. However, under section 15DA(2) of the *Acts Interpretation Act 1954* they will automatically commence on 6 April 2024 unless a Postponement Regulation is made to extend the deadline for commencement.

The relevant sections of the EPOLA Act 2023 are being considered for amendment through the Environmental Protection and Other Legislation Amendment (Powers and Penalties) Bill 2024 (P&P Bill), which was introduced into the Legislative Assembly on 13 February 2024. Consequently, the Postponement Regulation is to delay the commencement of these provisions to allow the P&P Bill to be considered.

## Human Rights Issues

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

No human rights have been identified as being engaged or limited by the Postponement Regulation.

## Conclusion

I consider that the Postponement Regulation is compatible with the *Human Rights Act 2019* because it does not engage human rights.

**LEANNE LINARD**  
MINISTER FOR THE ENVIRONMENT AND THE GREAT BARRIER REEF  
MINISTER FOR SCIENCE AND INNOVATION

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