

Work Health and Safety (Codes of Practice) (Solar Farms) and Other Legislation Amendment Notice 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* (HR Act), I, Grace Grace, Minister for State Development and Infrastructure, Minister for Industrial Relations and Minister for Racing, provide this human rights certificate with respect to the *Work Health and Safety (Codes of Practice) (Solar Farms) and Other Legislation Amendment Notice 2024* (Amendment Notice) made under the *Electrical Safety Act 2002* (ES Act) and *Work Health and Safety Act 2011* (WHS Act).

In my opinion, the Amendment Notice 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

Making the Amendment Notice fulfils a requirement under section 44(2) of the ES Act for the Minister to give public notice of the making, amending or repealing of a code of practice. The Amendment Notice similarly, fulfils a requirement under section 274(4) of the WHS Act for the Minister to give public notice of the approval, variation or revocation of a code of practice. The Amendment Notice serves as a public record of decisions the Minister is authorised to make in relation to codes of practice.

The Amendment Notice amends the *Electrical Safety (Codes of Practice) Notice 2013* (ES Notice) as follows:

- repeals the *Construction and Operation of Solar Farms Code of Practice 2019*
- makes the *Construction and Operation of Solar Farms Code of Practice 2024*.

The Amendment Notice amends the *Work Health and Safety (Codes of Practice) Notice 2022* (WHS Notice) as follows:

- revokes the *Construction and Operation of Solar Farms Code of Practice 2019*
- approves the *Construction and Operation of Solar Farms Code of Practice 2024*.

Human Rights Issues

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

Human rights considerations have been assessed under the HR Act. The Amendment Notice notifies the making/approval of the *Construction and Operation of Solar Farms Code of*

Practice 2024, which provides for improved health and safety and electrical safety standards for workers, upholding the right to life and the right not to be arbitrarily deprived of life (section 16, HR Act).

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

The introduction of the Amendment Notice does not limit human rights under the HR Act. Therefore, it is not necessary to consider section 13 of the HR Act.

Conclusion

I consider that the Amendment Notice is compatible with the HR Act as it does not raise a human rights issue.

GRACE GRACE MP
MINISTER FOR STATE DEVELOPMENT AND INFRASTRUCTURE
MINISTER FOR INDUSTRIAL RELATIONS AND
MINISTER FOR RACING

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