

# Transport Legislation (Fees) Amendment Regulation (No. 2) 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* (the HRA), I, Bart Mellish MP, Minister for Transport and Main Roads and Minister for Digital Services provide this human rights certificate with respect to the *Transport Legislation (Fees) Amendment Regulation (No. 2) 2024* (the Amendment Regulation) made under the following Acts:

- *Tow Truck Act 1973*
- *Transport Operations (Road Use Management) Act 1995*

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

## Overview of the Subordinate Legislation

Consistent with Queensland Government policy, the Department of Transport and Main Roads (TMR) must apply the current Government Indexation Rate (GIR) to all prescribed fees and charges in legislation which it administers.

TMR administers not only government fees, but fees charged by industries which TMR regulates. These industries depend on the GIR increase to manage business costs. Industry schemes involve the regulated tow truck scheme under the *Tow Truck Regulation 2009* and the Approved Inspection Station (AIS) scheme under the *Transport Operations (Road Use Management – Vehicle Standards and Safety) Regulation 2021*. These fees are levied directly by industry to consumers, and no revenue is directed to government.

The GIR for 2024-25 financial year is 0% to be applied to all fees and charges set by the Queensland Government. This would have unintended impacts on industry. Supporting the regulated tow truck and AIS industries is critical to TMR in providing a responsive environment for road safety. TMR has received approval to apply an indexation rate of 3.4% in 2024-25 for fees within these schemes.

## Human Rights Issues

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

The Amendment Regulation does not engage any human rights by updating fees.

## Conclusion

I consider that the *Transport Legislation (Fees) Amendment Regulation (No 2) 2024* is compatible with the *Human Rights Act 2019* and it does not raise any human rights issues.

**Honourable Bart Mellish MP**  
Minister for Transport and Main Roads  
Minister for Digital Services

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