

# Safety in Recreational Water Activities (Code of Practice) 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 *Safety in Recreational Water Activities (Code of Practice) Amendment Notice 2024* (Amendment Notice) made under the *Safety in Recreational Water Activities Act 2011* (SRWA 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 43(2) of the SRWA Act for the Minister to give public notice of the approving, varying or revoking 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 *Safety in Recreational Water Activities (Code of Practice) Notice 2022* (SRWA Notice) as follows:

- revokes the *Recreational Diving, Recreational Technical Diving and Snorkelling Code of Practice 2018* (2018 Diving Code); and
- approves the *Recreational Diving, Recreational Technical Diving and Snorkelling Code of Practice 2024* (2024 Diving Code).

## 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 approval of the 2024 Diving Code, which provides for improved health and safety standards for those whom recreational diving, recreational technical diving and snorkelling is provided by a dive operator, 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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