

Proclamation – Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Act 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, Yvette D’Ath, 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 *Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Act 2024* (the Act).

In my opinion, the Proclamation, 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 purpose of the Proclamation is to fix 2 August 2024 as the date to commence all provisions of the Act, other than section 17, as stated in the Schedule to the Proclamation. Section 17 will commence immediately after the commencement of the *Criminal Code and Other Legislation (Double Jeopardy Exception and Subsequent Appeals) Amendment Act 2024*, section 27. The provisions of the Act will provide for-

- the establishment of a decriminalised framework for the sex work industry;
- the repeal of existing criminal offences relating to sex work;
- the creation of new offences for the protection of sex workers and children;
- the strengthening of the protection of all sex workers from unfair discrimination; and
- the prevention of local governments from making local laws specifically about the regulation of sex work.

Human Rights Issues

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

As the Proclamation is machinery in nature, it does not affect or engage any human rights.

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

As the Proclamation itself does not raise any human rights issues, it is not necessary to consider section 13 of the *Human Rights Act 2019*.

Conclusion

I consider that the Proclamation is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

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

© The State of Queensland 2024