

# Statutory Instruments (Exemptions from Expiry) Amendment 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, Steven Miles MP, Premier provide this human rights certificate with respect to the *Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2024* (Amendment Regulation) made under the *Statutory Instruments Act 1992* (the Act).

In my opinion, the Amendment 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

Part 7 of the Act is designed to require regular review of Queensland's subordinate legislation by causing most subordinate legislation to automatically expire on 1 September first occurring after the tenth anniversary of the day of its making.

Section 56A(1) of the Act allows a regulation to be made to exempt subordinate legislation from expiry for one year on the following grounds:

- replacement subordinate legislation is being drafted and is proposed to be made before the stated period ends [section 56A(1)(a)(i)];
- the subordinate legislation is not proposed to be replaced or preserved when it expires at the end of the stated period [section 56A(1)(a)(ii)]; or
- the Act or provision under which or in relation to which the subordinate legislation, or part of the subordinate legislation, is made or preserved is subject to review [section 56A(1)(b)].

Subordinate legislation previously extended under section 56A(1)(b) may also be further extended for periods of not more than one year under section 56A(2) of the Act.

The Amendment Regulation ensures that subordinate legislation listed in Schedule 3 are exempted from expiry, or further exempted from expiry, where appropriate grounds exist under section 56A of the Act.

## Human Rights Issues

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

The Amendment Regulation is an administrative mechanism that maintains the effect of existing subordinate legislation and does not independently engage or limit human rights.

## Conclusion

I consider that the *Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2024* is compatible with the *Human Rights Act 2019* because it does not engage human rights.

**STEVEN MILES MP**  
PREMIER

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