

Nature Conservation and Other Legislation 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, Leanne Linard MP, Minister for the Environment and the Great Barrier Reef and Minister for Science and Innovation provide this human rights certificate with respect to the *Nature Conservation and Other Legislation Amendment Regulation 2024* made under the *Nature Conservation Act 1999*, the *Fisheries Act 1994*, the *Environmental Offsets Act 2014* and the *State Penalties Enforcement Act 1999*.

In my opinion, the *Nature Conservation and Other Legislation Amendment Regulation 2024*, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019* (HR Act). I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The Nature Conservation and Other Legislation Amendment Regulation 2024 (the Amendment Regulation) amends the *Environmental Offsets Regulation 2014*, the *Nature Conservation (Animals) Regulation 2020* (Animals Regulation), the *Nature Conservation (Plants) Regulation 2020* (Plants Regulation), the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2018* (Crocodile Plan), and the *Nature Conservation (Protected Areas Management) Regulation 2017* (PAM Regulation).

The amendments are to complete the routine update of listings and nomenclature of wildlife listed under the *Nature Conservation Act 1992* (the NC Act), introduce new and enhance existing offences related to estuarine crocodiles and K'gari dingoes, and make other minor administrative and clarification amendments. Minor and consequential amendments are also made to the Animals Regulation and Plants Regulation to update cultural language, and to the *Fisheries Declaration 2019* (Fisheries Declaration) and *Fisheries (General) Regulation 2019* (Fisheries General Regulation) to prescribe certain species, protected under the NC Act, not to be fish under the *Fisheries Act 1994* (Fisheries Act). The Amendment Regulation also amends the *State Penalties Enforcement Regulation 2014* (SPE Regulation) to alter and create infringement notice offences corresponding to offences under the NC Act and the *Environmental Offsets Act 2014* (Offsets Act).

The policy objectives of the Amendment Regulation are to:

1. ensure the prescription, conservation status and taxonomy of fauna and flora species reflect current scientific knowledge;
2. strengthen existing regulations for managing human interactions with dangerous native animals;
3. clarify provisions for keeping, dealing and interacting with protected animals; and
4. make other minor, consequential and administrative amendments.

Conservation status of protected wildlife

The main policy objective of the Amendment Regulation is to progress the reclassification of wildlife under the Animals Regulation and Plants Regulation. Species reclassification is a routine, ongoing process undertaken to meet the requirements of the NC Act, including the protection and conservation of Queensland's native wildlife. It ensures that listings under the NC Act are kept up to date with current scientific knowledge. The Species Technical Committee (STC), an expert panel of government and non-government scientists, is responsible for overseeing the wildlife classification process. The STC provides an independent, unbiased, scientific assessment of nominations for changes to species listings, based on the most recent scientific data, and makes recommendations for changes to species classifications. Administrative amendments are also required to the Animals and Plants Regulations to provide nomenclature updates.

Management of protected fish species

The Amendment Regulation also includes the listing of fish requiring management under both the NC Act and Fisheries Act. Minor and consequential amendments to the Animals Regulation, Fisheries Declaration and Fisheries General Regulation will allow certain fish that are protected under the NC Act to be managed under the Fisheries Act, while making others solely managed under the NC Act.

Management of estuarine crocodiles and K'gari dingoes

The amendments to the Animals Regulation, Crocodile Plan and PAM Regulation, under the NC Act, will create new, and alter existing offences relating to estuarine crocodiles and K'gari dingoes to aid the deterrence of problematic human-animal interactions.

Amendments to the Animals Regulation and PAM Regulation includes adding to the current feeding and disturbing dangerous animals in the wild offences by imposing increased penalties if the animal in question is an estuarine crocodile, similar to dingoes on K'gari. The penalty for feeding or disturbing dingoes on K'gari will also be increased and a new offence requiring food to be kept in a way that prevents dingoes on K'gari from accessing it will be introduced to the Animals Regulation. Minor administrative amendments to the PAM Regulation will also ensure the management of dangerous animal interactions, including crocodiles, is consistently applied across all protected area tenures. Amendments to the Crocodile Plan will increase the penalty for interfering with crocodile traps, introduce a new land-based proximity to estuarine crocodiles offence, allow conservation officers to direct persons to move away from crocodiles, and create an offence for discarding food in a way that may attract estuarine crocodiles to a public place.

The amendments to the SPE Regulation, under the *State Penalties Enforcement Act 1999* (SPE Act), will create new and adjust existing infringement notice offences corresponding to the new and amended offences relating to estuarine crocodiles and K'gari dingoes. A total of three infringement notice offences will also be created, corresponding to offences under the Offsets Act. The ability to issue penalty infringement notices (PIN) for existing offences under the Offsets Act will serve as an additional tool for cost-effective enforcement and administrative efficiency.

Other miscellaneous amendments

Minor clarifying and administrative amendments to the Animals Regulation are also required to make several miscellaneous changes. The amendment relating to the use of particular fish for non-commercial reasons will allow the buying and selling of the relevant species as was the case in the previous regulation. It does not seek to change or affect the original intent of the provision.

The amendment relating to processed products will consider animals which have been registered by a State museum to be processed products, allowing movement, transfer, loan etc. It does not seek to change or affect the original intent of the provision.

The amendment relating to the Dictionary will include change the term ‘remotely piloted aircraft’ to the term ‘drone’ and clarify the forms of aircraft captured by the definition. It does not seek to change or affect the original intent of related provisions.

The amendment to the Offsets Regulation to require the consent of the Chief Executive of the *Forestry Act 1959* to establish an environmental offset protection area over a forest consent area is necessary to align the consent requirements in the Offsets Regulation with the existing requirements of the *Forestry Act 1959*.

An amendment to section 6 of the Offsets Regulation is required to prescribe a new version of the Environmental Offsets Policy which seeks to progress the following minor amendments to clarify and simplify requirements for environmental offsets by:

- enabling fauna species to be co-located where a conservation outcome can be achieved;
- enabling improvement of regional ecosystems in a higher class than those impacted;
- clarifying that landholders may voluntarily legally secure advanced offsets;
- acknowledging existing requirements under cultural heritage legislation to consider First Nations peoples’ rights;
- clarifying requirements to publish offset delivery plans and associated reports on relevant websites; and
- minor structural updates to consolidate requirements and remove duplication.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 of the HR Act)

Some of the amendments to the Crocodile Plan and the SPE Regulation have been assessed as engaging the following human rights:

1. Crocodile Plan
 - Cultural rights – Aboriginal peoples and Torres Strait Islander peoples (section 28 of the HR Act)
 - Freedom of movement (section 19 of the HR Act)
2. SPE Regulation
 - Property rights (section 24 of the HR Act)
 - Right to liberty and security of person (section 29 of the HR Act)
 - Fair hearing (section 31 of the HR Act)
 - Rights in criminal proceedings (section 32 of the HR Act)

Cultural rights – Aboriginal and Torres Strait Islander peoples (section 28 of the HR Act)

The proposed amendments do not limit the cultural rights of Aboriginal peoples and Torres Strait Islander peoples (section 28 of the HR Act). In circumstances where a First Nations person is undertaking cultural practices, the provisions made by the Amendment Regulation will be applied in a manner that does not deny any First Nations person their rights under section 28 of the HR Act. This includes further dialogue with the First Nations person/s to ensure that the compliance officer is aware that cultural practices are taking place.

In addition to the rights recognised under the HR Act, the *Native Title Act 1993* (Cwlth) takes precedence over the NC Act, providing for the recognition and protection of communal, group or individual rights and interests of Aboriginal peoples and Torres Strait Islanders, regardless of if a determination exists. While the amendments to the Crocodile Plan will introduce a new land-based proximity to estuarine crocodiles offence and allow conservation officers to direct persons to move away from crocodiles, a core component of conservation officer standard training is education around consideration of defences for acts under the NC Act. Cultural rights and Native Title are defences that are emphasised. The amendments are not intended to prevent Aboriginal and Torres Strait Islander peoples from their cultural practices, but to prevent other disturbances of dangerous animals in the wild.

Additionally, conservation officers in crocodile habitat maintain regular contact with Traditional Owners and awareness of customary practices as a matter of core business practices. Conservation officers are instructed to ask apparent offenders why an act was undertaken. If it is stated they are a First Nations person acting in accordance with Native Title or cultural rights, further investigation is undertaken to ensure an appropriate response where there is demonstrable cultural justification. The proposed amendments are not new policy or business and will be implemented in the same manner as the existing feeding and disturbing offences they are seeking to enhance.

Targeted consultation was undertaken with First Nations representatives, including Indigenous Corporations, Local Government Authorities and Indigenous Land and Sea Rangers, seeking feedback on the proposed changes. The details and purpose of the regulatory proposals were provided alongside the relevant consultation timeframes and means of providing feedback or contacting the Department of Environment, Science and Innovation for further information, or to arrange a meeting. One submission was received voicing support for the changes with no issues raised in relation to the content of the new offences. Therefore, I conclude that the proposed amendments will engage with, but not limit, the cultural rights of Aboriginal peoples and Torres Strait Islander peoples (section 28 of the HR Act).

Consideration of reasonable limitations on human rights (section 13 of the HR Act)

1. Crocodile Plan

Freedom of movement (section 19 of the HR Act)

(a) the nature of the right

The right to freedom of movement under section 19 of the HR Act protects the right of all persons to move freely within Queensland, to enter and leave it, and to choose where to live.

One of the amendments to the Crocodile Plan will prescribe that a person must not, without a reasonable excuse, remain within a certain distance of an estuarine crocodile that is on, or partly on land, in the wild. A conservation officer may also direct a person (if they lack a reasonable excuse) to move away from an estuarine crocodile if reasonably necessary to protect or deal with the crocodile. The distance was consulted with key stakeholders, including Aboriginal peoples and Torres Strait Islander peoples.

This amendment represents a limitation on a person's freedom to move freely and will include a penalty for non-compliance.

(b) the nature of the purpose of the limitation, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

Estuarine crocodiles have the potential to injure or take the life of a person. People may increase the likelihood of such occurring by being in the proximity of an animal, changing their behaviour towards humans. If an estuarine crocodile displays behaviour that is, or is likely to become a danger to humans, it is removed from the wild.

The purpose of limitations to freedom of movement is to ensure public safety and to promote the undisturbed existence of estuarine crocodiles in the wild. The distance allows people to observe large members of the species without placing themselves at risk or altering the behaviour of an animal and subsequently placing others at risk. The objective is consistent with a free and democratic society based on human dignity, equality and freedom.

(c) the relationship between the limitation and its purpose, including whether the limitation helps to achieve the purpose

Restricting persons from remaining in proximity to estuarine crocodiles discourages the approach or disturbance of the species by people. Such actions can result in immediate conflicts or lead to crocodile behavioural changes, causing public safety risks and the removal of animals from the wild.

(d) whether there are any less restrictive and reasonably available ways to achieve the purpose

This approach is considered the least restrictive approach for protecting both people and estuarine crocodiles. The regulatory framework is supported by the Be Crocwise education program which, when paired, promote public safety and conservation.

The provision has been informed by operational knowledge and community feedback to balance people's right to move freely in crocodile habitat without jeopardising their own safety, the safety of others or the persistence of a particular estuarine crocodile in the wild. The

proximity restriction is adequate to protect animals without being unduly restrictive to the movement of the public.

- (e) the balance between the importance of the purpose of the limitation and the importance of preserving the human right, taking into account the nature and extent of the limitation

The limitation on freedom of movement to remain within a prescribed distance from an estuarine crocodile on land is balanced by the benefit of ensuring public safety, positively engaging the right to life (section 16 of the HR Act), and the persistence of crocodiles in the wild.

- (f) any other relevant factors

N/A

2. Offence provisions listed in the SPE Regulation as infringement notice offences

Property rights (section 24 of the HR Act)

- (a) the nature of the right

Section 24 of the HR Act protects the right of all persons to own property (alone or with others) and provides that people have a right to not arbitrarily be deprived of their property. This right does not provide a right to compensation.

The SPE Regulation amendments limit the right to property to the extent that a PIN may be prescribed and failure to pay a PIN may result in enforcement action relating to an unpaid fine. This can include seizure of a person's property or vehicle immobilisation as provided for under the SPE Act, thus limiting a person's right to property by inhibiting their capacity to trade the property, and/or restrict their access to and interactions with property.

- (b) the nature of the purpose of the limitation, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The amendments to the SPE Regulation will allow PINs to be issued for the newly introduced offences and ensure infringement fines for existing offences are updated to reflect the changes to maximum penalties or enforcement needs.

This enforcement may in specific circumstances limit the right to property as described above. The purpose of these amendments is to ensure there is an effective system for issuing and enforcing fines for unlawful direct and indirect interactions or dealings with estuarine crocodiles, K'gari dingoes or the offsets framework. This will ensure that there continues to be a proportionate and effective enforcement response and will encourage compliance with the law, minimising illegal wildlife trade risks. These objectives are consistent with a free and democratic society based on human dignity, equality and freedom.

- (c) the relationship between the limitation and its purpose, including whether the limitation helps to achieve the purpose

The relationship between the purpose of the new and amended infringement notice offences, and the potential limitation, is to provide an efficient system for issuing and enforcing proportionate fines. This will encourage individuals to comply with the law by acting in accordance with conservation values, maintaining their safety and the safety of the public.

(d) whether there are any less restrictive and reasonably available ways to achieve the purpose

It is considered that there is no less restrictive and reasonably available way to achieve the purpose of safeguarding conservation and animal welfare and ensuring there is an efficient system for issuing and enforcing fines relating to corresponding offences, other than by prescribing the offences to be infringement notice offences under the SPE Regulation.

Importantly, there are several protections built into the fine enforcement system under the SPE Act which ensure seizure and sale of property or vehicle immobilisation would only occur infrequently for the offences. Importantly, the threshold amount which must be owed to the State Penalties and Enforcement Registry (SPER) before vehicle immobilisation can occur is prescribed under the SPE Act and currently set at \$5,000. In terms of seizure and sale, the SPER only undertakes this activity where it has registered an interest over the property to be seized. The SPE Act requires that the total amount owed by a debtor must be more than \$500 before the SPER can register an interest over property.

Other protections include that:

- a person who considers a fine should not have been issued may elect to have the matter heard by a court instead of paying the fine;
- if a fine is not paid within the specified timeframe and the infringement notice is registered with the SPER for enforcement action, the person may apply to pay their debt by instalments; and
- individuals who are experiencing hardship can apply to resolve their debt under a work and development order (which can include undertaking relevant courses, attending counselling and treatment programs or completing work with an approved hardship partner).

Authorised persons appointed to issue fines also receive training to ensure that fines are only issued in appropriate cases and circumstances and that it is made clear to the person receiving the fine that they can challenge the fine in court. The fine amount has been set at up to 10 per cent of the maximum penalty which is likely less than a court would impose but still at an amount to act as a disincentive for offending behaviour.

(e) the balance between the importance of the purpose of the limitation and the importance of preserving the human right, taking into account the nature and extent of the limitation

Unlawful dealings with animals or the offsets framework can create significant impacts on species conservation, ecosystem function, animal safety, public safety or other environmental matters.

While there are material limitations on property rights through enforcement of the Animals Regulation, PAM Regulation, Crocodile Plan and Offsets Act via SPER, these limitations are not arbitrary and are not enforced without consideration of surrounding factual circumstances and not exercised without training and legislated authority. To that end, the benefit of the provisions in achieving the objectives of nature conservation, animal welfare, public safety and counterbalancing impacts on environmental matters, outweighs any limitation on the right to property.

(f) any other relevant factors

N/A

Right to liberty and security of person (section 29 of the HR Act)

(a) the nature of the right

Section 29 of the HR Act provides that every person has the right to liberty and security, including not being arbitrarily arrested or detained.

SPE Regulation amendments corresponding to the Animals Regulation, PAM Regulation, Crocodile Plan and Offsets Act may limit the right to liberty and security of person to the extent that it prescribes infringement notice offences and failure to pay a penalty infringement fine may result in enforcement action under the SPE Act, which includes the issue of an arrest and imprisonment warrant by the SPER. Importantly, the SPER Charter, provided for under section 9 of the SPE Act, preferences the use of other enforcement actions for unpaid fines over arrest and imprisonment to reduce the use of imprisonment for fine default.

(b) the nature of the purpose of the limitation, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The ability to issue a PIN for listed offences in the Animals Regulation, PAM Regulation, Crocodile Plan and Offsets Act allows enforcement and compliance actions that are proportionate to the offending behaviours. Such actions may potentially limit the right to liberty and security through arrest and imprisonment as described above. The purpose of these amendments is to ensure the appropriate conservation and management of native animals, and that there is an effective system for issuing and enforcing fines to persons who commit PIN offences, which will encourage compliance with the law. These objectives are consistent with a free and democratic society based on human dignity, equality and freedom.

(c) the relationship between the limitation and its purpose, including whether the limitation helps to achieve the purpose

The relationship between the purpose of the PIN offences and the potential limitation is the benefit to the courts system by ensuring there is an efficient system for issuing and enforcing penalties outside of the court as well as maintaining conservation objectives. The limitation through enforcement also acts as a deterrent to both the offending party and other people considering offending in the same way.

(d) whether there are any less restrictive and reasonably available ways to achieve the purpose

As discussed above, there are a number of protections built into the fine enforcement system under the SPE Act to ensure that there are options available to assist persons who are experiencing hardship and unable to pay their fines. In addition, the SPER Charter ensures the powers of the SPER to issue arrest and imprisonment warrants are rarely used in practice.

While there may be less restrictive options, it is considered that they would not promote compliance with the licencing framework and uphold conservation, welfare, safety and offsetting objectives to the same extent. For example, an option which could potentially be considered less restrictive is to prosecute these offences through a court. Under the *Penalties and Sentences Act 1992*, a court is required to consider the financial circumstances of the offender and the nature of the burden that payment of the fine will have on the offender before imposing a fine. However, the burden of prosecuting each of these matters in a court means that this option is not feasible for each PIN, but a person may make that election if they wish.

Therefore, there is no less restrictive and reasonably available way to achieve the purpose of the regulation other than through the issuing of fines for certain offences.

- (e) the balance between the importance of the purpose of the limitation and the importance of preserving the human right, taking into account the nature and extent of the limitation

A person has several options in relation to an infringement notice fine. For example, the person may pay the fine in full, elect for a matter in relation to an infringement notice offence to be heard by a court or apply for approval to pay the fine by instalments. If the person does not act in relation to a fine, the SPER may take further enforcement action relating to the unpaid amount under the SPE Act. This may, as a last resort, result in the SPER issuing an arrest and imprisonment warrant under the SPE Act. The SPER Charter makes it clear that the use of other enforcement actions for unpaid fines is to be preferred over arrest and imprisonment. Other enforcement actions may include, among others, suspension of an individual's driver licence, seizure and sale of property and vehicle immobilisation.

Having regard to the nature and extent of the potential limitation on the right to liberty and security of person, the importance of implementing effective enforcement responses to offences that jeopardise the objectives of the Animals Regulation, PAM Regulation, Crocodile Plan and Offsets Act are proportionate to the risk created by the offending behaviours.

- (f) any other relevant factors

N/A

Fair hearing and rights in criminal proceedings (section 31 and 32 of the HR Act)

- (a) the nature of the right

Section 31 of the HR Act provides that a person has the right to a fair and public hearing. Section 32 of the HR Act protects the right to be presumed innocent until proven guilty and identifies minimum guarantees for which the person charged is entitled, including to be informed of the nature and reason for a charge and to defend themselves personally or through legal assistance.

A person does not have to attend court in relation to a PIN but may elect to do so if they believe the PIN has been improperly issued or they are unable to pay the PIN and wish to negotiate a lesser fine. While the SPE Regulation amendments do not make any explicit limitation on the rights to a fair hearing and rights in criminal proceedings, some people may encounter barriers to the court process, including but not limited to disability, language and financial standing. Further disincentives include the time, effort and stress involved in court processes and the disincentive of the offender levy which will be imposed in any case where a court imposes a sentence, and this is in addition to any court-imposed fine. Therefore, there is an arguable link and possible limitation imposed by the SPE Regulation amendments where the PIN is taken to court.

- (b) the nature of the purpose of the limitation, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The purpose of the SPE Regulation amendments is to implement effective enforcement responses that are proportionate to the risk created by the offending behaviour and help manage

demand in the courts in Queensland while maintaining the right to a fair hearing and a person's rights in criminal proceedings.

The right to a fair hearing and rights in criminal proceedings are likely to have particular significance for certain individuals. For example, individuals may have a reasonable excuse for non-compliance including because they have trouble understanding the requirements of the Animals Regulation, PAM Regulation, Crocodile Plan or Offsets Act. This is particularly relevant for persons for whom English is their second language (including immigrants and tourists) or persons who suffer from disadvantage (including intellectual disabilities or mental health conditions). In addition, some persons may not have access to identity documents, including persons in crisis or suffering homelessness. Further, some people may not have the financial capacity to pay a PIN and are therefore faced with no choice other than negotiation firstly with the authorised officer and then possibly the court for a less burdensome penalty. These are matters that would be taken into account by a court before any penalty is imposed on an individual.

Prescribing an offence under the SPE Act enables a fine to be issued to an alleged offender by an authorised officer without a charge being decided by an independent court after a fair and public hearing, and without the person having the opportunity to exercise their rights in criminal proceedings. It is possible that such a fine may be imposed where the alleged offender has a reasonable excuse for their offending behaviour or even did not commit the offence that is alleged. In addition, it is possible that the particular circumstances of the offending behaviour, or the financial circumstances of the offender, or the burden which payment of the fine would impose on the offender could mean that if the matter was heard by a court a lesser fine than the amount prescribed under the SPE Act would be imposed.

(c) the relationship between the limitation and its purpose, including whether the limitation helps to achieve the purpose

The amendments to the SPE Regulation will aid compliance with the new dingo and crocodile offences, and existing Offsets Act offences, by ensuring there is an efficient system for issuing and enforcing fines, which encourages compliance with the law.

The relationship between the purpose of the Animals Regulation, PAM Regulation, Crocodile Plan and Offsets Act infringement notice offences and the potential limitation is the regulatory benefit to the courts system, as well as the retention of enforcement capabilities for requirements under the NC Act and Offsets Act.

(d) whether there are any less restrictive and reasonably available ways to achieve the purpose

There are various protections built into the fine enforcement system under the SPE Act, including the ability for persons to elect to have the matter heard in court at various stages of the process. In addition, the SPER enforcement system includes a number of protections to ensure that there are supports and options available to assist persons who are experiencing hardship and unable to pay their fines.

Further, authorised officers are provided with extensive training by the Department of Environment, Science and Innovation relating to the issuing fines for offences in appropriate circumstances, including guidelines which provide information and guidance for authorised

persons in respect of reasonable excuses for a person's failure to comply with the Animals Regulation, PAM Regulation, Crocodile Plan or Offsets Act.

There is no less restrictive and reasonably available way to uphold the purpose and requirements of the Animals Regulation, PAM Regulation, Crocodile Plan and Offsets Act.

(e) the balance between the importance of the purpose of the limitation and the importance of preserving the human right, taking into account the nature and extent of the limitation

On balance, it is considered that the importance of implementing effective enforcement responses that are proportionate to the risk created by the offending behaviour and help manage demand in the criminal courts in Queensland, outweighs any potential limitations imposed on the right to a fair hearing or rights in criminal proceedings. Any potential limitation would not represent a complete restriction on an individual's right to a fair hearing or rights in criminal proceedings as individuals retain the capacity to elect to have the matter heard in court instead of paying the penalty amount. Further, there are various protections under the SPE Act which include the option for persons to elect to have their matter heard in court at various stages of the process. In particular, section 15 of the SPE Act requires that all penalty infringement notices must indicate that the alleged offender may elect to have the matter of the offence decided by a court, which promotes awareness that persons may elect for the matter of the offence to be heard by a court at the time the person is issued with an infringement notice fine. In addition, there are various protections to assist persons who are unable to pay their fines.

Having regard to the nature and extent of the potential limitation on the right to a fair hearing and rights in criminal proceedings, the rights are protected by creating an infringeable offence with the option to challenge the matter in court. Any remaining potential limitation is reasonable considering the importance of implementing effective enforcement responses to offences that jeopardise the objectives of the Animals Regulation, PAM Regulation, Crocodile Plan and Offsets Act.

(f) any other relevant factors

N/A

Conclusion

I consider that the *Nature Conservation and Other Legislation Amendment Regulation 2024* is compatible with the *Human Rights Act 2019* because it limits human rights only to the extent that is reasonable and demonstrably justified in a free and democratic society based on human dignity, equality, and freedom.

LEANNE LINARD MP
MINISTER FOR THE ENVIRONMENT AND THE GREAT BARRIER REEF
MINISTER FOR SCIENCE AND INNOVATION

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