

Proclamation - *Manufactured Homes (Residential Parks) Amendment Act 2024* (commencing certain provisions)

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, Meaghan Scanlon, Minister for Housing, Local Government and Planning and Minister for Public Works provide this human rights certificate with respect to the Proclamation of certain provisions made under the *Manufactured Homes (Residential Parks) Amendment Act 2024*.

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

On 6 June 2024, the *Manufactured Homes (Residential Parks) Amendment Act 2024* (Amendment Act) received assent.

The Proclamation will commence certain provisions of the Amendment Act on 20 February 2025. The provisions to be commenced are:

- section 31, to require park owners to prepare a residential park comparison document and host it on a website for their park; require residential parks to be registered prior to operating, require park owners to provide information to the chief executive when applying to register a residential park, and require the chief executive to keep a register of residential parks;
- section 47, to modify the framework in the MHRP Act for parties to review a decision by the chief executive on particular matters, including a decision by the chief executive to refuse to register a residential park;
- section 48, to omit Part 19A of the MHRP Act which provides for the record of residential parks replaced by the new register of residential parks;
- section 49, to provide transitional provisions to support the new register of residential parks and to commence the transitional regulation-making power; and
- section 51(2), to provide the new definitions required to support interpretation of the sections being commenced.

Human Rights Issues

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

The Statement of Compatibility which accompanied the Amendment Act concluded that the Amendment Act is compatible with human rights under the *Human Rights Act 2019* because it limits human rights only to the extent that is reasonable and demonstrably justifiable in a free and democratic society based on human dignity, equality and freedom.

This Proclamation does not engage or limit human rights.

Conclusion

I consider that this Proclamation to commence certain provisions of the *Manufactured Homes (Residential Parks) Amendment Act 2024* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

THE HONOURABLE MEAGHAN SCANLON MP
MINISTER FOR HOUSING, LOCAL GOVERNMENT AND PLANNING
AND MINISTER FOR PUBLIC WORKS

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