

Proclamation commencing remaining provisions of the *Workers’ Compensation and Rehabilitation 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* (HR Act), I, Grace Grace MP, Minister for State Development and Infrastructure, Minister for Industrial Relations and Minister for Racing, provide this human rights certificate with respect to the proclamation made under section 2 of the *Workers’ Compensation and Rehabilitation and Other Legislation Amendment Act 2024* (Amendment Act).

In my opinion, the proclamation as tabled in the Legislative Assembly, 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

The proclamation commences the remaining provisions of the Amendment Act. The Amendment Act gives effect to the Queensland Government’s response to recommendations from the 2023 Review of the operation of the Queensland workers’ compensation scheme (Review).

Section 2(2) of the Amendment Act provides that particular provisions commence on a day to be fixed by Proclamation.

Certain provisions commenced by the proclamation (sections 24, 26 and 59) amend the *Workers’ Compensation and Rehabilitation Act 2003* (WCR Act) to enable a regulation extending workers’ compensation coverage to be made in response to a minimum standards order, minimum standards guideline, or relevant collective agreement made or registered by the Fair Work Commission under new provisions of the *Fair Work Act 2009* (Cth) (relevant FWC instrument). Noting the new provisions of the *Fair Work Act 2009* (Cth) commenced on 26 August 2024 it is appropriate for these provisions to commence as soon as possible.

Further provisions commenced by proclamation (sections 29, 34 and 64) amend the WCR Act and *Workers’ Compensation and Rehabilitation Regulation 2014* by requiring information statements about the workers’ compensation scheme to be given to workers (by their employer and the insurer) and employers (by their insurer) on commencement of employment and on lodgement of a workers’ compensation claim, respectively. The information statements will contain information on the respective rights and obligations of workers and employers in the scheme with a view to assisting them to navigate the scheme. The prospective start date of 1 January 2025 provides adequate lead in time for insurers and employers to be in a position to disseminate the required statement and provides certainty for when this obligation commences.

Human Rights Issues

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

I have considered each of the rights protected by part 2 of the HR Act. In my opinion, the proclamation does not engage or limit human rights.

A full assessment of the amendments was undertaken in the Human Rights Statement of Compatibility for the Amendment Act.

Conclusion

I consider that the proclamation of the Amendment is compatible with the *Human Rights Act 2019* because it does not limit human rights.

GRACE GRACE MP
Minister for State Development and Infrastructure
Minister for Industrial Relations and
Minister for Racing

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