

Mutual Recognition (Queensland) 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, the Honourable Cameron Dick MP, Deputy Premier, Treasurer and Minister for Trade and Investment provide this human rights certificate with respect to the *Mutual Recognition (Queensland) Amendment Regulation 2024* made under the *Mutual Recognition (Queensland) Act 1992*.

In my opinion, the *Mutual Recognition (Queensland) Amendment Regulation 2024*, 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 *Mutual Recognition (Queensland) Amendment Regulation 2024* is to approve the terms of amendments to the *Mutual Recognition Act 1992* (Cth) (the Cth MRA) to replace references to the Administrative Appeals Tribunal (AAT) with references to the Administrative Review Tribunal (ART) under sections 5(1)(b) and 6 of the *Mutual Recognition (Queensland) Act 1992*.

The Australian Government has passed legislation to abolish the AAT and replace it with a new ART.

The consequential amendments to the Cth MRA will replace references in that Act to the AAT with references to the ART, which will perform the same functions under the Act.

Authorising law:

- Sections 5 and 6 of the *Mutual Recognition (Queensland) Act 1992*
- Section 20A of the *Statutory Instruments Act 1992*

Human Rights Issues

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

The *Mutual Recognition (Queensland) Amendment Regulation 2024* supports the right to a fair hearing under section 31 of the *Human Rights Act 2019* by maintaining provision for the review of administrative decision-making and appeals processes under the Cth MRA by replacing references to the AAT with the new ART, which will perform the same function.

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

No human rights are identified as limited by the *Mutual Recognition (Queensland) Amendment Regulation 2024*.

Conclusion

I consider that the *Mutual Recognition (Queensland) Amendment Regulation 2024* is compatible with the *Human Rights Act 2019*.

CAMERON DICK MP
DEPUTY PREMIER
TREASURER
MINISTER FOR TRADE AND INVESTMENT

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