

Disaster Management (QDMC and SDM Group Membership) 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, Mark Ryan MP, Minister for Police and Community Safety provide this human rights certificate with respect to the *Disaster Management (QDMC and SDM Group Membership) Amendment Regulation 2024* (Amendment Regulation) made under the *Disaster Management Act 2003* (DM 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

The DM Act creates a disaster management framework reliant upon disaster management groups established at a State, district and local level. The Queensland Disaster Management Committee (QDMC) operates at the State level and is the paramount body providing strategic leadership for disaster management in Queensland. The DM Act provides for the membership of the QDMC, which includes persons prescribed by regulation and invitees invited by the chairperson. The standing membership is a core group of Ministers.

The DM Act was recently amended by the *Emergency Services Reform Amendment Act 2024* which established the State Disaster Management Group (SDMG). The SDMG supports the QDMC by providing rapid and agile strategic leadership early in a disaster event, acting as a precursor to the convening of the QDMC.

The DM Act provides for the membership of the SDMG, which includes persons prescribed by regulation or invited by the chairperson. Invited members' participation is subject to the chairperson's conditions. The membership of the SDMG includes core Ministers, departmental officials, and statutory position holders responsible for disaster management in Queensland.

The objective of the Amendment Regulation is to amend the *Disaster Management Regulation 2014* (DM Regulation) to expand the prescribed membership of the QDMC and the SDMG to include the following Ministers who have significant involvement in disaster management:

- the Minister for Fire and Disaster Recovery and Minister for Corrective Services; and
- the Minister for State Development and Infrastructure, Minister for Industrial Relations and Minister for Racing.

The Amendment Regulation will also include the chief executive of the department administering the *Economic Development Act 2012* as a person who may assist the QDMC and as a member of the SDMG.

Finally, the Amendment Regulation makes a technical amendment by replacing a reference to ‘the commissioner of the Queensland Fire and Emergency Service’ with ‘the commissioner under the *Fire Service Act 1990*’.

Human Rights Issues

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

No human rights have been identified as being engaged or limited by the Amendment Regulation.

Conclusion

I consider that the Amendment Regulation is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

MARK RYAN MP
MINISTER FOR POLICE AND COMMUNITY SAFETY

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