

Economics and Governance Committee

Report No. 39, 57th Parliament

Subordinate legislation tabled between
31 August 2022 and 8 November 2022

1 Aim of this report

This report summarises our findings following our examination of the subordinate legislation within our portfolio areas tabled between 31 August 2022 and 8 November 2022.

It reports on any issues we identified relating to the policy to be given effect by the legislation, its consistency with fundamental legislative principles (FLPs),¹ its compatibility with human rights² and its lawfulness.³

It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (LSA)⁴ and on our consideration of compliance with the *Human Rights Act 2019* (HRA) and the human rights certificate tabled with the subordinate legislation.⁵

2 Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date*
123	Major Events (Motor Racing Events) (Gold Coast 500) Amendment Regulation 2022	12 October 2022	21 February 2023
134	Government Owned Corporations (Pumped Hydro Energy Storage Restructure) Regulation 2022	12 October 2022	21 February 2023
143	Major Events (T20 World Cup) Regulation 2022	25 October 2022	14 March 2023
151	Queensland Veteran's Council (Postponement) Regulation 2022	8 November 2022	29 March 2023
152	Proclamation—Queensland Veterans' Council Act 2021	8 November 2022	29 March 2023

*The disallowance date is 14 sitting days after the tabling date. (See section 50 of the *Statutory Instruments Act 1992*.) Disallowance dates are based on proposed sitting dates as advised by the Leader of the House. These dates are subject to change.

¹ *Legislative Standards Act 1992* (LSA) s 4.

² *Human Rights Act 2019* (HRA) s 8.

³ *Parliament of Queensland Act 2001* (POQA) s 93.

⁴ LSA, Part 4.

⁵ HRA, s 41.

3 Committee consideration of the subordinate legislation

We identified potential issues with the subordinate legislation in terms of fundamental legislative principles and compatibility with human rights. These issues are discussed further in the next section. However, we were ultimately satisfied that the subordinate legislation is consistent with FLPs and compatible with human rights.

We considered that the explanatory notes tabled with the five items of subordinate legislation comply with the requirements of part 4 of the LSA. Further, the human rights certificates tabled with the regulations provide a sufficient level of information to facilitate understanding of the regulations in relation to their compatibility with the HRA.

4 Major Events (Motor Racing Events) (Gold Coast 500) Amendment Regulation 2022

The objective of the Major Events (Motor Racing Events) (Gold Coast 500) Amendment Regulation 2022 (SL No. 123) is to enable holding the 2022 Boost Mobile Gold Coast 500 (event) by prescribing:

- the event as a major event under the *Major Events Act 2014*
- V8 Supercars Australia Pty Ltd as the event organiser
- the major event areas (areas surrounding Macintosh Island Park in Surfers Paradise, areas in the South Port Broadwater Parklands and 3332 Surfers Paradise Boulevard at Surfers Paradise)
- the periods for carrying out temporary works for the event, being from:
 - the beginning of the day on 19 September 2022 to midday on 27 October 2022
 - midday on 31 October 2022 to midnight on 19 November 2022.⁶

4.1 Consistency with fundamental legislative principles

4.1.1 Rights and liberties of individuals

Fundamental legislative principles include requiring that legislation should have sufficient regard to the rights and liberties of individuals.⁷

The prescribing of a major event results in restrictions on individuals in the major event area, limiting their rights and liberties. These restrictions potentially commence with the carrying out of temporary works before the event, and continue until the land is returned to its original condition before those works.

The restrictions include altered access to roads and paths, limitations on entering the event area (for example, not being able to enter the event area without paying the entry fee⁸), and persons being subject to possible infringements on their rights within the event area.

These potential infringements on rights and liberties include:

- being frisked by a police officer⁹
- limitations on what a person may possess or do while entering or within the major event area (e.g. no laser pointer and no offering a service for a fee, gain or reward)¹⁰

⁶ SL No. 123, explanatory notes, pp 1 and 2.

⁷ *Legislative Standards Act 1992* (LSA), s 4(2)(a).

⁸ Unless certain exceptions apply, such as the person has an occupant's pass: *Major Events Act 2014*, ss 18(1)-(4), 19.

⁹ *Major Events Act 2014*, s 18(6).

¹⁰ *Major Events Act 2014*, s 20.

- being directed to immediately leave the event area and not enter it for up to 24 hours¹¹
- not being permitted to park a car in the event area.¹²

According to the explanatory notes, the prescribed periods for carrying out temporary works ensure that SL No. 123 does not have a significant impact on rights and liberties of individuals.¹³

Elsewhere, the explanatory notes outline the economic benefits of the event in delivering tourism and showcasing the Gold Coast to domestic and international television audiences.¹⁴

Committee comment

On balance, we consider the economic and tourism benefits for the Gold Coast hosting the event outweigh the potential temporary inconvenience to local residents resulting from noise, road closures, diversions and other restrictions associated with the event, such that any breach of fundamental legislative principles is justified.

4.2 Explanatory notes

The explanatory notes comply with part 4 of the LSA.

4.3 Compatibility with human rights

4.3.1 Freedom of movement

Every person lawfully in Queensland has the right to move freely within Queensland.¹⁵

The *Major Events Act 2014* and Major Events (Motor Racing Events) Regulation 2015 (as amended by SL No. 123) (combined, the motor events legislation) limit the ability of persons to move freely due to road closures, other restrictions on vehicles, being subject to a possible decision to leave an area, and limited entry and exit points.

As regards the limitation on the freedom of movement, the human rights certificate states:

The limitations help achieve the purpose by limiting the movement of individuals into and within the major event area, ensure appropriate behaviour of visitors and spectators, and are necessary to ensure the major event organisers have sufficient capacity to provide for and manage a safe event space for the Gold Coast 500 event.¹⁶

4.3.2 Freedom of expression

Every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds.¹⁷

The motor event legislation limits this right through advertising restrictions, limits on conduct within the event area, prohibitions on broadcast, and use of official logos.¹⁸

Regarding the restriction on broadcasting, the human rights certificate states:

The potential limitation on the right to freedom of expression by section 36(1) which might be provided to individuals by broadcasting the 2022 Gold Coast 500 event is justifiable, in that it prevents unauthorised third parties from exploiting the major event for their own gain or affecting the integrity of the event or

¹¹ *Major Events Act 2014*, s 26. In certain circumstances, the event organiser may direct the person not to enter the major event area for a period of more than 24 hours.

¹² *Major Events Act 2014*, s 28.

¹³ SL No. 123, explanatory notes, p 3.

¹⁴ SL No. 123, explanatory notes, p 2.

¹⁵ HRA, s 19.

¹⁶ SL No. 123, human rights certificate, p 4.

¹⁷ HRA, s 21.

¹⁸ See for example, *Major Events Act 2014*, pt 5, subdivs 3, 4; pt 6.

the exclusive rights of the event's official sponsors. The freedom of expressions is not unreasonably limited because an individual may still broadcast or record the major event:

- (i) on a personal electronic device;
- (ii) for personal use; and
- (iii) for a purpose other than for profit or gain.¹⁹

Regarding the restriction on the use of logos and the like, the human rights certificate notes:

... the provisions regarding the use of the official logo or title are not intended to limit freedom of expression; rather, they are intended to protect the rights of event organisers and sponsors from unauthorised activities, consistent with the object of the [*Major Events Act 2014*]. The limitation is justifiable as it prevents unauthorised third parties from exploiting the 2022 Gold Coast 500 event for their own gain or affecting the integrity of the event or the exclusive rights of the event's official sponsors.²⁰

4.3.3 Property rights

A person must not be arbitrarily deprived of their property.²¹

The motor events legislation involve limits on this right, including through conditions of entry to a person's property (if within the event area); limits on conduct within the event area; powers to move unattended vehicles, remove articles of clothing from a person or items from a vehicle; and to inspect a person's possessions.²²

Regarding the possible limit on the right to property, by allowing the movement of an individual's unattended vehicle located in the major event area, the human rights certificate argues:

The potential for a limitation to occur on property rights is managed through provisions under the [*Major Events Act 2014*] which require details of the temporary works and time periods to be published in advance of the works occurring; to allow individuals time to prepare and remove vehicles which might otherwise need to be moved.²³

Further, in relation to other limits on property rights:

The power to seize an item from a person is also available (under section 54 of the [*Major Events Act 2014*]) where the person has an item that displays the official logo or official title of the event, and it is reasonably suspected that the person intends to sell the item and does not have the authority to do so.

These limitations are considered reasonable and are aimed at preventing unauthorised persons from seeking to exploit a major event for their own gain. The provisions are intended to protect the rights of event organisers and sponsors from unauthorised street trading, consistent with the object of the [*Major Events Act 2014*].²⁴

4.3.4 Privacy and reputation

A person has the right to not have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with.²⁵

The major events legislation contains limits on this right, including through:

- persons entering the major event area may be asked to consent to:
 - the use of an electronic detection device on the person or their possessions

¹⁹ SL No. 123, human rights certificate, p 5.

²⁰ SL No. 58, human rights certificate, p 5.

²¹ HRA, s 24.

²² SL No, 123, human rights certificate, p 3.

²³ SL No. 123, human rights certificate, p 6.

²⁴ SL No. 123, human rights certificate, p 6.

²⁵ HRA, s 25(2).

- inspection of their belongings, removal and inspection of outer garments and of articles in their possession
- inspection of a person's vehicle and removal of an article from the vehicle and inspection of the article
- persons within the major event area being asked to consent to open and allow the inspection of an item in their possession
- a person who is directed to leave the major event area may have their photo (or other image) taken
- a person who is found to be committing (or is reasonably suspected of having just committed) an offence against the *Major Events Act 2014* may be required to state their name and address, and provide evidence of correctness of that statement.²⁶

The human rights certificate argues:

The inspection of property and the search of a person is necessary to ensure prohibited items are not being carried and is similar to a search at an airport or a private ticketed venue. These limitations are balanced by the requirement under the [*Major Events Act 2014*] that individuals must consent to the search, and authorised persons must be appropriately trained and have a sufficient reason to exercise these powers. These 'entry conditions' are essential to ensure individuals have paid the appropriate fee and are not drunk or affected by drugs, as well as to meet the need to control the safe flow of people into the event area.²⁷

Further, regarding the power to photograph a person who is being removed from the event area, the human rights certificate justifies the limitation as follows:

This limitation is considered reasonable and necessary in circumstances where multiple entry points to the major event area are available and will assist the major event organiser in managing disruptive behaviour and the potential for the reoccurrence of unauthorised or un-ticketed entry by individuals.²⁸

More generally, the human rights certificate emphasises:

The limitations on the right to privacy under the Amendment Regulation are considered necessary and appropriate to meet the objective of the [*Major Events Act 2014*] which is to ensure the safety and enjoyment of visitors and spectators at a major event, and the restrictions to the type of authorised person who may exercise the powers under sections 25 [Inspecting thing in person's possession inside major event area] and 63 [Requiring name and address] of the [*Major Events Act 2014*] helps reduce the potential impact on the right to privacy when applying the powers.²⁹

Committee comment

We are satisfied that the subordinate legislation is compatible with human rights, and that any limitations regarding freedom of expression, property rights and privacy and reputation are reasonable and justifiable.

4.4 Human rights certificate

The human rights certificate tabled with the subordinate legislation provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

²⁶ SL No. 123, human rights certificate, pp 3–4.

²⁷ SL No. 123, human rights certificate, p 7.

²⁸ SL No. 123, human rights certificate, p 7.

²⁹ SL No. 123, human rights certificate, p 7.

5 Government Owned Corporations (Pumped Hydro Energy Storage Restructure) Regulation 2022

The objective of the Government Owned Corporations (Pumped Hydro Energy Storage Restructure) Regulation 2022 (SL No. 134) is to transfer assets, liabilities, instruments and employees relating to the Borumba Dam pumped hydro energy storage (PHES) from Powerlink to 239 George Pty Ltd ACN 661 444 515 (pumped hydro entity).³⁰

Following the transfer of assets, shares in the pumped hydro entity will be transferred to the Under Treasurer to hold on trust for the State.³¹

The transfer of assets to the pumped hydro entity will enable it to plan, deliver, own and operate future State-owned large-scale, long-duration PHES assets.³²

SL No. 134 provides for the transfer of Powerlink's liabilities as identified in a transfer schedule. It clarifies that, unless the liability has been discharged or otherwise satisfied or expressly identified in an exclusion schedule, a liability existing immediately before the transfer date which arises from a transferred asset, instrument or employee in a specified way, will be transferred to the pumped hydro entity, without needing to be specified in a liability transfer schedule. Other liabilities of Powerlink may be transferred to the pumped hydro entity if identified in a liability transfer schedule, unless the liability has been discharged or otherwise satisfied or mentioned in an exclusion schedule.³³

Items to be transferred are specified in commercial-in-confidence schedules, but broadly include:

- interests in land (including freehold, leasehold and agistment agreements)
- rights and entitlements under contracts, such as the existing engagements of contractors
- intellectual property rights licensed to Powerlink
- employees
- various other assets, such as piezometers.³⁴

Powerlink's liability position is clarified for the benefit of third parties, by specifying, for example:

- successor-at-law status for the pumped hydro entity in relation to transferred assets, liabilities and instruments, and liabilities relating to these which arise on or after transfer
- for the completion of proceedings commenced by or against Powerlink, which retains the associated liabilities both of the proceedings and for the acts or omissions that are the subject of the proceedings.³⁵

5.1 Consistency with fundamental legislative principles

5.1.1 Rights and liberties of individuals—ordinary activities should not be unduly restricted

Section 6 of SL No. 134 enables the transfer of employees of Powerlink to the pumped hydro entity.³⁶

The transfer of employees does not:

- affect the employee's benefits, entitlements or remuneration
- prejudice the employee's existing or accruing rights to superannuation or recreation, sick, long service or other leave

³⁰ SL No. 134, explanatory notes, p 2.

³¹ SL No. 134, explanatory notes, p 2.

³² SL No. 134, explanatory notes, p 4.

³³ SL No. 134, explanatory notes, p 2.

³⁴ SL No. 134, explanatory notes, p 3.

³⁵ SL No. 134, explanatory notes, p 3.

³⁶ SL No. 134, s 6.

- interrupt continuity of service, except that the employee is not entitled to claim the benefit of a right or entitlement more than once in relation to the same period of service
- constitute a termination of employment by Powerlink or a retrenchment or redundancy
- entitle the employee to a payment or other benefit because he or she is no longer employed by Powerlink
- require Powerlink to make any payment in relation to the employee's accrued rights to recreation, sick, long service or other leave regardless of any arrangement between Powerlink and the employee.³⁷

The reasonableness and fairness of treatment of individuals is relevant to deciding whether legislation has sufficient regard to the rights and liberties of individuals. In this case, employees of Powerlink will be required to change employer.

The explanatory notes state that employees have been 'consulted, agree to the transfer, and will not have any loss or reduction or entitlements'.³⁸

Committee comment

Based on the terms of the transfer specified in section 6, and the statement in the explanatory notes, we are satisfied there is no adverse impact on the rights of individual employees.

Explanatory notes

The explanatory notes comply with part 4 of the LSA.

Compatibility with human rights

We are satisfied that the subordinate legislation is compatible with human rights.

Human rights certificate

The human rights certificate tabled with the subordinate legislation provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

6 Major Events (T20 World Cup) Regulation 2022

The objective of the Major Events (T20 World Cup) Regulation 2022 (SL No. 143) is to prescribe:

- the International Cricket Council (ICC) Men's T20 World Cup 2022 as a major event (section 3)
- the T20 World Cup 2020 Ltd as the major event organiser (section 4)
- the Allan Border Field and the Brisbane Cricket Ground as the major event areas, and the areas surrounding these venues as the controlled areas (section 5 and schedules 1 and 2)
- the relevant major event periods and control periods for each venue (section 6)
- the official logos and titles for the major event (section 9)
- venue and event security provisions from the Act including controlling entry and conduct, prohibiting certain items within a major event area, and providing powers to inspect bags and direct persons to leave a major event area (section 7)
- commercial protections from the Act to prevent ticket scalping, unauthorised street trading, ambush marketing, unauthorised broadcasting within the major event and controlled areas, and providing powers to direct removal or seize items (section 8)
- arrangements for the major event organiser to appoint licenced crowd controllers and security officers under the *Security Providers Act 1993* as authorised persons (section 11)

³⁷ SL No. 134, s 6(4).

³⁸ SL No. 134, explanatory notes, p 4.

- the limits to powers for particular authorised persons (section 11).³⁹

6.1 Consistency with fundamental legislative principles

6.1.1 Rights and liberties of individuals

The explanatory notes state that the regulation ‘is machinery in nature’.⁴⁰ However, fundamental legislative principles include requiring that legislation should have sufficient regard to the rights and liberties of individuals.⁴¹

Prescribing the ICC Men’s T20 World Cup 2022 as a major event results in restrictions on individuals in the major event areas, limiting their rights and liberties during the major event period and the controlled period.

Section 7 of SL No. 143 applies certain provisions of the Act to the ICC Men’s T20 World Cup 2022. Those provisions impose certain restrictions, include altered access to roads and paths, limitations on entering the event area (for example, not being able to enter the event area without paying the entry fee⁴²), and persons being subject to possible infringements on their rights within the event area.

These potential infringements on rights and liberties include being frisked by a police officer,⁴³ limitations on what a person may possess or do while entering or within the major event area (e.g. no laser pointer),⁴⁴ and being directed to immediately leave the event area and not enter it for up to 24 hours⁴⁵.

In the section dealing with achievement of policy objectives, the explanatory notes suggest that without regulation under the Act, the major event organiser will be exposed to increased risks in managing crowd safety and protecting their intellectual property and commercial sponsorship rights, for example, due to ambush marketing, ticket scalping, sale of knock-off merchandise and other unauthorised use of the event’s official logos or titles.⁴⁶

Elsewhere, the explanatory notes observe that the ICC Men’s T20 World Cup 2022 will deliver significant economic and tourism benefits for Brisbane and Queensland.⁴⁷

Committee comment

On balance, the committee could consider that the economic and tourism benefits for Brisbane hosting the ICC Men’s T20 World Cup 2022 outweigh the potential temporary inconvenience to local residents resulting from the restrictions associated with the event, such that any breach of fundamental legislative principles is justified.

6.2 Explanatory notes

The explanatory notes comply with part 4 of the LSA.

³⁹ Explanatory notes, p 2.

⁴⁰ Explanatory notes, p 3.

⁴¹ *Legislative Standards Act 1992* (LSA), s 4(2)(a).

⁴² Unless certain exceptions apply, such as the person has an occupant’s pass: *Major Events Act 2014* (Act), ss 18(1)-(4), 19.

⁴³ Act s 18(6).

⁴⁴ Act, s 20.

⁴⁵ Act, s 26(2).

⁴⁶ Explanatory notes, p 2.

⁴⁷ Explanatory notes, p 3.

6.3 Compatibility with human rights

6.3.1 Freedom of movement

Every person lawfully in Queensland has the right to move freely within Queensland.⁴⁸

SL No. 143 prohibits an individual entering or exiting the major event area except through an entrance or exit the major event organiser designates, which limits an individual's ability to move through, remain in, enter or leave from areas that are public space. Individuals may also be subject to a direction to leave the major event area.⁴⁹

The human rights certificate states that:

While these limitations on movement are necessary to provide for a safe major event area, to ensure these limitations aren't unduly restrictive, [s]ection 19 of the [Act] provides for the granting of an *occupant's pass* to individuals who live, work or have a business within a major event area. The occupant's pass authorises a person to enter and remain in the major event area during the major event period.⁵⁰

It is noted that section 7 of SL No. 143 does not list section 19 of the Act as a provision applying to the ICC Men's T20 World Cup 2022.

6.3.2 Freedom of expression

Every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds.⁵¹

SL No. 143 limits this right by imposing restrictions on advertising in the major event area, preventing use of the official logo, and limiting the conduct within the event area.

Regarding the restrictions on broadcasting, the human rights certificate provides:

The potential limitation on the right to freedom of expression by section 36(1) which might be provided to individuals broadcasting T20 World Cup warm-up or tournament matches is justifiable, in that it prevents unauthorised third parties from exploiting the major event for their own gain or affecting the integrity of the event or the exclusive rights of the event's official sponsors. The freedom of expression is not unreasonably limited because an individual may still broadcast or record the major event:

- (i) on a personal electronic device;
- (ii) for personal use; and
- (iii) for a purpose other than for profit or gain.⁵²

Regarding the restriction on the use of logos, the human rights certificate notes:

the provisions regarding the use of the official logo or title are not intended to limit freedom of expression; rather, they are intended to protect the rights of event organisers and sponsors from unauthorised activities, consistent with the object of the Act. The limitation is justifiable as it prevents unauthorised third parties from exploiting the 2022 Gold Coast 500 event for their own gain or affecting the integrity of the event or the exclusive rights of the event's official sponsors. Section 52 also provides that the major event organiser may give a person a written notice authorising the person to use an official logo or official title.⁵³

⁴⁸ HRA, s 19.

⁴⁹ Human rights certificate, p 2.

⁵⁰ Human rights certificate, p 4.

⁵¹ HRA, s 21.

⁵² Human rights certificate p 5.

⁵³ Human rights certificate, p 5.

6.3.3 Property rights

A person must not be arbitrarily deprived of their property.⁵⁴ SL No. 143 involves limits on this right, including for example, providing for property (a garment or article in person's possession) to an authorised officer for inspection.

The human rights certificate argues that the limitations:

... aren't unduly restrictive and would be minor in effect excluding where this property might be a prohibited item, and otherwise seized or confiscated under the Act or another Act.

Further, in relation seizure of property it states the limitations:

... are considered reasonable and are aimed at preventing unauthorised persons from seeking to exploit a major event for their own gain. The provisions are intended to protect the rights of event organisers and sponsors from unauthorised street trading, consistent with the object of the Act.⁵⁵

6.3.4 Privacy and reputation

A person has the right to not have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with.⁵⁶ SL No. 143 contains limits on this right by applying sections 18(5) and 25 of the Act, which allow an authorised person to:

- for section 18(5)—ask a person entering a major event area to consent to all or any of the following:
 - the use of an electronic detection device, including a metal detector, on the person or the person's possessions
 - inspection of the person's belongings
 - removal of outer garments and inspection of the garments
 - removal of articles from the person's clothing and the inspection of those articles
 - inspection of an article in the person's possession
 - if a person is entering the major event area in a vehicle—inspection of the vehicle, removal of an article from the vehicle and inspection of the article.
- for section 25—ask a person inside the event to consent to:
 - opening a bag, container or other thing in the possession of the person
 - allowing the authorised officer to inspect the bag, container or other thing.

The human rights certificate contends that:

The limitations on the right to privacy through the application of sections 18(5) and 25 of the [Act] are non-arbitrary and required in order to meet the objective of the Act to ensure the safety of visitors and spectators at a major event or to enforce other sections of the Act such as the use of official logo under Part 6 official logos or titles. The inspection of property and the search of a person is necessary to ensure prohibited items are not being carried and is similar to a search at an airport or a private ticketed venue. These limitations are balanced by the requirement under the [Act] that individuals must consent to the search, and authorised persons must be appropriately trained and have a sufficient reason to exercise these powers. These 'entry conditions' are essential to ensure individuals have paid the appropriate fee and are not drunk or affected by drugs, as well as to meet the need to control the safe flow of people into the event area.

These provisions are considered a lawful and non-arbitrary intrusion because they seek to ensure compliance with the [Act] and are only able to be used for the purposes of the Act.⁵⁷

The human rights certificate also notes that:

⁵⁴ HRA, s 24.

⁵⁵ Human rights certificate, p 6.

⁵⁶ HRA, s 25(2).

⁵⁷ Human rights certificate, p 6.

While the Act provides the power to authorised persons to be able to require the provision of a person's name and address where they are found to be committing or are reasonably suspected of having just committed an offence, the Regulation would restrict this power to authorised persons who are police officers. The powers provided to authorised persons under the [Act] (section 25) to inspect a thing in a person's possession inside the major event would be similarly restricted by the Regulation to only police officers.⁵⁸

6.4 Human rights certificate

The human rights certificate tabled with the subordinate legislation provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

Committee comment

We are satisfied that the subordinate legislation is compatible with human rights, and that any limitations regarding freedom of movement, freedom of expression, property rights and privacy and reputation are reasonable and justifiable.

7 Queensland Veterans' Council (Postponement) Regulation 2022

The objective of the Queensland Veterans' Council (Postponement) Regulation 2022 (SL No. 151) is to extend the period before automatic commencement of the uncommenced provisions of the *Queensland Veterans Council Act 2021*.

7.1 Consistency with fundamental legislative principles

7.1.1 Rights and liberties of individuals

No issues of fundamental legislative principle were identified.

7.2 Explanatory notes

The explanatory notes comply with part 4 of the LSA.

7.3 Compatibility with human rights

The committee could be satisfied that the subordinate legislation is compatible with human rights.⁵⁹

7.4 Human rights certificate

The human rights certificate tabled with the subordinate legislation provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

8 Proclamation—Queensland Veterans' Council Act 2021

The objective of the Proclamation—Queensland Veterans' Council Act 2021 (SL No. 152) is to commence certain parts of the *Queensland Veterans' Council Act 2021* on 4 November 2022.

The provisions will establish, and provide for appointment of members of, the Queensland Veterans' Council and Veterans' Reference Group, allow the Council to meet to determine its key strategic and operational objectives, support the Council to establish corporate governance arrangements; and allow the Council to enter into contracts, partnerships and other arrangements to carry out its functions.

⁵⁸ Human rights certificate, p 6–7.

⁵⁹ Section 8 of the *Human Rights Act 2019* (HRA) relevantly provides that a statutory provision is compatible with human rights if the provision does not limit a human right or limits a human right only to the extent that is reasonable and demonstrably justifiable in accordance with section 13 of the HRA. Section 13 of the HRA provides that a human right may be subject under law only to reasonable limits that can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom.

8.1 Consistency with fundamental legislative principles

8.1.1 Rights and liberties of individuals

No issues of fundamental legislative principle were identified.

8.2 Explanatory notes

The explanatory notes comply with part 4 of the LSA.

8.3 Compatibility with human rights

The committee could be satisfied that the subordinate legislation is compatible with human rights.

8.4 Human rights certificate

The human rights certificate tabled with the subordinate legislation provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

9 Recommendation

We recommend that the House notes this report.

Linus Power MP

Chair

November 2022

Economics and Governance Committee

Chair

Mr Linus Power MP, Member for Logan

Deputy Chair

Mr Ray Stevens MP, Member for Mermaid Beach

Members

Mr Michael Crandon MP, Member for Coomera

Mrs Melissa McMahon MP, Member for Macalister

Mr Daniel Purdie MP, Member for Ninderry

Mr Adrian Tantari MP, Member for Hervey Bay