

Health, Environment and Agriculture Committee

Report No. 7, 57th Parliament

Subordinate legislation tabled between 14 February 2024 and 19 March 2024

1 Aim of this report

This report summarises the committee's findings following its examination of the subordinate legislation within its portfolio areas tabled between 14 February 2024 and 19 March 2024. It reports on any issues identified by the committee relating to the policy to be given effect by the legislation, fundamental legislative principles (FLPs),¹ its compatibility with human rights,² and its lawfulness.³ It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (LSA),⁴ and the compliance of the human rights certificate with the *Human Rights Act 2019* (HRA).⁵

2 Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date*
12	Aboriginal Land (Endeavour River Resources Reserve) Amendment Regulation 2024	19 March 2024	13 June 2024
13	Rural and Regional Adjustment (Variation of Fisheries Structural Adjustment Scheme) Amendment Regulation 2024	19 March 2024	13 June 2024

* Disallowance dates are based on proposed sitting dates as advised by the Leader of the House. These dates are subject to change.

3 Committee consideration of the subordinate legislation

No issues were identified with the policy, consistency with FLPs, lawfulness, or the compatibility with human rights of the subordinate legislation. The explanatory notes tabled with the subordinate legislation comply with the requirements of s 24 of the LSA. The human rights certificates tabled with the subordinate legislation provide a sufficient level of information to facilitate understanding of the subordinate legislation in relation to their compatibility with the HRA.

A brief overview of the subordinate legislation is provided in the following sections.

4 SL No. 12 – Aboriginal Land (Endeavour River Resources Reserve) Amendment Regulation 2024

The Aboriginal Land (Endeavour River Resources Reserve) Amendment Regulation 2024 (SL No. 12) amends schedule 1 (Prescribed protected areas) of the Aboriginal Land Regulation 2011 to:

- remove Olkola (Kurrumbila) Resources Reserve 1

¹ *Legislative Standards Act 1992*, s 4.

² *Human Rights Act 2019*, s 8.

³ *Legislative Standards Act 1992*, Part 4.

⁴ *Legislative Standards Act 1992*, Part 4.

⁵ *Human Rights Act 2019*, s 41.

- insert part of the Endeavour River Resources Reserve.⁶

The Olkola (Kurrumbila) Resources Reserve 1 has been removed as it has been dedicated as part of the Olkola National Park (Cape York Peninsula Aboriginal Land).⁷

The inclusion of the Endeavour River Resources Reserve as a prescribed protected area allows the resource reserve to be recognised as transferable and to become national park (Cape York Peninsula Aboriginal Land).⁸

5 SL No. 13 – Rural and Regional Adjustment (Variation of Fisheries Structural Adjustment Scheme) Amendment Regulation 2024

The Rural and Regional Adjustment (Variation of Fisheries Structural Adjustment Scheme) Amendment Regulation 2024 (SL No. 13) amends schedule 57 of the Rural and Regional Adjustment Regulation 2011.⁹ Schedule 57 relates to the Fisheries Structural Adjustment Scheme (scheme) administered by the Queensland Rural and Industry Development Authority to provide financial assistance to holders of eligible fishing authorities that have been affected by the phasing out of large-mesh commercial gillnet fishing in the Great Barrier Reef World Heritage Area and changes to the Great Sandy Marine Park Zoning Plan.

The amendments in SL No. 13:

- extend closing dates for the scheme
- extend eligibility criteria for payments for loss of income under the scheme, to include part-time lease holders where appropriate
- correct technical inconsistencies.¹⁰

5.1 Consistency with fundamental legislative principles

The explanatory notes state, without details, that consideration was given to the issue of retrospectivity in drafting SL No. 13.¹¹

Committee comment

The committee is satisfied that the subordinate legislation has sufficient regard for the rights and liberties of individuals and the institution of Parliament.

6 Recommendation

The committee recommends that the Legislative Assembly notes this report.



Aaron Harper MP
Chair
May 2024

⁶ SL No. 12, s 3.

⁷ SL No. 12, explanatory notes, p 1.

⁸ SL No. 12, explanatory notes, p 2.

⁹ SL No. 13, ss 3-14.

¹⁰ SL No. 13, explanatory notes, p 2.

¹¹ SL No. 13, explanatory notes, p 3.

Health, Environment and Agriculture Committee

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