



QUEENSLAND PARLIAMENT **COMMITTEES**

**Report on subordinate legislation tabled between 19 February 2025
and 12 March 2025**

State Development, Infrastructure and Works Committee



Report No. 7

58th Parliament, April 2025

Overview

This report summarises the committee's findings following its examination of the subordinate legislation within its portfolio areas tabled between 19 February 2025 and 12 March 2025. It reports on any issues identified by the committee relating to the policy to be given effect by the legislation, fundamental legislative principles and lawfulness. It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (Legislative Standards Act).¹

The report notes any issues identified by the committee in its consideration of compliance with the *Human Rights Act 2019* (Human Rights Act) and the human rights certificates tabled with the subordinate legislation.²

Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date
9	Work Health and Safety and Other Legislation Amendment (Postponement) Regulation 2025	12 March 2025	12 June 2025
12	Building and Other Legislation Amendment Regulation 2025	12 March 2025	12 June 2025
14	Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Regulation 2025	12 March 2025	12 June 2025

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

Committee consideration of the subordinate legislation

Committee Comment



The committee did not identify any significant issues regarding the policy, consistency with fundamental legislative principles, the lawfulness of the subordinate legislation, or compliance with the Human Rights Act.

The committee considers that the explanatory notes tabled with the subordinate legislation comply with the requirements of section 24 of the Legislative Standards Act and that 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 Human Rights Act.

The following sections of this report provide a summary of the objectives of the subordinate legislation, consultation undertaken, and the committee's Legislative Standards Act and Human Rights Act considerations.

¹ *Legislative Standards Act 1992* (Legislative Standards Act), Part 4.

² *Human Rights Act 2019* (Human Rights Act), s 41.

1 SL No. 9 – Work Health and Safety and Other Legislation Amendment (Postponement) Regulation 2025

The Work Health and Safety and Other Legislation Amendment (Postponement) Regulation 2025 (SL No. 9) postpones the automatic commencement of the uncommenced provisions of the *Work Health and Safety and Other Legislation Amendment Act 2024* (WHSOLA Act) to 29 March 2026.³

The uncommenced provisions (sections 9, 52, 64(1), 68, and schedule 1, item 1 of the WHSOLA Act) which would have commenced automatically on 29 March 2025 unless postponed,⁴ relate to a new information sharing power and the definition of ‘high risk plant’ in the *Work Health and Safety Act 2011* (WHS Act):

- new information sharing power (ss 9, 52, 64(1), WHSOLA Act) –
 - section 52 of the WHSOLA Act inserts new section 155A in the WHS Act to allow the regulator to provide information contained in an enforcement notice (improvement notice; prohibition notice; non-disturbance notice) on request from a health and safety representative or work health and safety entry permit holder
 - section 64 of WHSOLA Act applies the confidentiality requirements under section 271 of the WHS Act to information provided in new section 155A
 - section 9 of WHSOLA Act amends section 32 of *Safety in Recreational Water Activities Act 2011* to ensure regulator provisions remain consistent between the Acts
- ‘high risk plant’ (s 68, schedule 1, WHSOLA Act)
 - section 68 of the WHSOLA Act amends schedule 1 of the WHS Act to enable the definition of ‘high risk plant’ to be prescribed by regulation
 - Schedule 1, WHSOLA Act amends the definition of ‘cooling tower’ in the *Public Health Act 2005*, which is linked to the definition of ‘high risk plant’ in the WHS Act.

According to the explanatory notes, SL No. 9 will ‘allow further time for the Office of Industrial Relations to consider the most effective means of implementing the provisions of the WHSOLA Act which have not yet commenced, including to conduct further consultation with industry representatives on prescribing the definition of high risk plant’.⁵

1.1 Consultation

According to the explanatory notes Queensland Health was consulted about the delayed commencement date of the definition of ‘cooling tower’ under the *Public Health Act 2005*. The Department of the Premier and Cabinet and Queensland Treasury was also consulted.⁶ The outcome of this consultation was not stated in the explanatory notes. The notes also state that ‘no further consultation was undertaken as the Postponement Regulation is minor and

³ SL No. 9, s 2; SL No. 9, explanatory notes, p 1.

⁴ Section 15DA of the *Acts Interpretation Act 1954* provides that, within one year of the assent day, a regulation may extend the commencement of provisions by up to 2 years of the assent day. The WHSOLA Act received Royal Assent on 28 March 2024. See also SL No. 9, human rights certificate, p 1.

⁵ SL No. 9, explanatory notes, p 2.

⁶ SL No. 9, explanatory notes, p 3.

technical in nature. However, further consultation will be undertaken on provisions relating to high risk plant prior to implementation'.⁷



1.2 Legislative Standards Act 1992

No issues of fundamental legislative principle were identified.

1.3 Explanatory notes

The explanatory notes comply with part 4 of the Legislative Standards Act.



1.4 Human Rights Act 2019

The committee concluded that SL No. 9 is compatible with human rights.

1.5 Human rights certificate

The human rights certificate tabled with SL No. 9 provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

2 SL No. 12 – Building and Other Legislation Amendment Regulation 2025

The Building and Other Legislation Amendment Regulation 2025 (SL No. 12) amends the following building and construction regulations, as outlined below:

- Building Regulation 2021 (BR 2021)
- Plumbing and Drainage Regulation 2019
- Queensland Building and Construction Commission (Minimum Financial Requirements) Regulation 2018
- Queensland Building and Construction Commission Regulation 2018.

Building Regulation 2021 – professional indemnity insurance

An exemption period for private building certifiers to hold professional indemnity insurance with exclusions for particular cladding-related work until 30 June 2021 was introduced under the Building Regulation 2006, in August 2019. The exemption period has been extended three times since to 30 June 2025.⁸ SL No. 12 extends this existing exemption period under the BR 2021 for a further two years, until 30 June 2027.⁹

SL No. 12 also amends transitional provisions in the BR 2021 to ensure that if the professional indemnity insurance exemption applies for a private certifier and their licence is in force on 30 June 2027, the exemption will continue to apply for the certifier after that date until the end of the one year period after the licence was granted or last renewed, unless the licence is earlier cancelled, suspended, amended or surrendered.¹⁰

⁷ SL No. 9, explanatory notes, p 3.

⁸ In 2020, the exemption period was extended until 30 June 2022. The Building Regulation 2006 was repealed and replaced with the Building Regulation 2021 (BR 2021). In 2022 and 2023, the exemption period was extended under the BR 2021 until 30 June 2025.

⁹ SL No. 12, s 4; explanatory notes, pp 1, 2-3, 7.

¹⁰ SL No. 12, s 5; explanatory notes, p 7.

In relation to the need for an extension of the existing exemption period under the BR 2021 for private building certifiers to hold professional indemnity insurance (PII) with exclusions for particular cladding-related work, the explanatory notes state:

... in recent years, the certification profession globally has experienced difficulties in obtaining affordable exclusion-free PII [professional indemnity insurance]. The use of combustible external cladding has contributed to these issues.

...

The Department of Housing and Public Works engaged with the key stakeholders at the end of 2024 who indicated support for extending the current exemption period for a further two years from 1 July 2025 until 30 June 2027.

The two-year extension period will provide ongoing certainty about PII provisions for certifiers, ensuring sufficient building certifiers exist to support increased construction to address the housing crisis, by ensuring buildings are safe and comply with standards. The extension will also allow for the consideration of the outcomes and recommendations of the 2025 Queensland Productivity Commission review.¹¹

Building Regulation 2021 – exemptions from Modern Homes standards accessibility provisions

SL No. 12 extends exemptions for certain narrow lots and certain pre-built dwellings from the Modern Homes standards accessibility provisions under the BR 2021, for a period of 18 months,¹² by amending *Queensland Development Code Mandatory Part 4.5 – Liveable dwellings and grading to floor wastes*.¹³

The Modern Homes standards, which were introduced into the National Construction Code in 2022, included accessibility requirements for the design and construction of new houses and units. The standards commenced in Queensland on 1 October 2023.¹⁴

Included in the *Queensland Development Code Mandatory Part 4.5 – Liveable dwellings and grading to floor wastes* is an 18-month exemption (due to expire on 31 March 2025) from the accessibility standards, provided strict criteria are met. The exemption applies to certain new dwellings on narrow lots with a frontage of 12.5 metres or less, and certain pre-built small dwellings in particular circumstances.¹⁵

The explanatory notes state that the extension of these exemptions is ‘to remove regulatory burden and support housing supply’,¹⁶ and that:

Housing affordability and supply remain significant pressures in 2025 and allowing the exemption to lapse could potentially impact developments with affected lots as well as create material hardship for certain consumers that are yet to have a relevant pre-built dwelling installed.¹⁷

Plumbing and Drainage Regulation 2019 – licence fee waiver for plumbing and drainage licensees

Tradespeople who perform regulated plumbing and drainage work, and who are contractors, must hold a relevant occupational licence issued under the *Plumbing and Drainage Act 2018* concurrently with an associated contractor licence under the *Queensland Building and*

¹¹ SL No. 12, explanatory notes, pp 2, 3.

¹² The exemptions end on 30 September 2026.

¹³ SL No. 12, s 6; explanatory notes, pp 1, 3.

¹⁴ SL No. 12, explanatory notes, p 3.

¹⁵ SL No. 12, explanatory notes, p 3.

¹⁶ SL No. 12, explanatory notes, p 4.

¹⁷ SL No. 12, explanatory notes, p 3.

Construction Commission Act 1991 to perform their work.¹⁸ SL No. 12 amends the Plumbing and Drainage Regulation 2019 to extend the existing licence fee waiver to relevant plumbing and drainage occupational licensees who also hold an associated Queensland Building and Construction Commission (QBCC) contractor licence.¹⁹

The explanatory notes observe that the extension of the licence fee waiver is necessary because under the fire protection licensing framework which commenced in Queensland on 1 May 2021, some types of associated QBCC contractor licences were not captured, preventing some licensees from receiving an occupational licence fee waiver. Consequently, SL No. 12 proposes amendments ‘which aim to ensure that the occupational licence fee waiver is equitably applied to all relevant licensees’.²⁰

Queensland Building and Construction Commission (Minimum Financial Requirements) Regulation 2018 – Annual financial reporting requirements for individual self-certifying 1 and 2 contractor licensees

SL No. 12 amends the Queensland Building and Construction Commission (Minimum Financial Requirements) Regulation 2018 (MFR Regulation 2018) to remove annual financial reporting requirements for individual self-certifying 1 and 2 contractor licensees, by removing the requirements for an annual reporting day and not specifying financial information for those licensees.²¹

The MFR Regulation 2018 prescribes minimum financial requirements for contractor licensees, including annual reporting requirements, where certain financial information must be provided to the QBCC.²² Under the MFR Regulation 2018, licensees are assigned a category based on the maximum revenue they can earn in a financial year. The lowest categories are self-certifying categories (SC) which include SC1, for licensees with a maximum revenue of up to \$200,000, and SC2, for licensees with a maximum revenue of between \$200,001 and \$800,000.²³

The explanatory notes assert that removing the requirement for annual financial reporting for the specified self-certifying contractor licensees will reduce ‘regulatory burden associated with the Minimum Financial Requirements’ by removing annual reporting for ‘smaller, lower risk licensees’,²⁴ affecting around 50,000 licensees.²⁵ The explanatory notes state:

Consultation indicated that individual ... [self-certifying] licensees are low risk in terms of potential financial impacts on consumers and other licensees or workers. It was also advised that historically there is limited regulatory action taken against individual SC licensees in relation to their annual reporting obligations. As a result, the QBCC collects and collates a large amount of information that is not proving to be of significant regulatory benefit.²⁶

¹⁸ SL No. 12, explanatory notes, p 4.

¹⁹ SL No. 12, s 8; explanatory notes, pp 1, 4, 7.

²⁰ SL No. 12, explanatory notes, p 4.

²¹ SL No. 12, ss 11, 12; explanatory notes, pp 2, 5, 8.

²² SL No. 12, explanatory notes, p 5.

²³ SL No. 12, explanatory notes, p 5.

²⁴ SL No. 12, explanatory notes, p 2.

²⁵ SL No. 12, explanatory notes, p 8.

²⁶ SL No. 12, explanatory notes, p 5.

Queensland Building and Construction Commission Regulation 2018 - Passive fire protection licensing requirements

On 1 May 2021, a revised industry-led fire protection licensing framework commenced through changes to the Queensland Building and Construction Commission Regulation 2018 (QBCC Regulation 2018). SL No. 12:

- postpones the commencement of transitional passive fire protection licensing requirements for licensed builders and certain unlicensed workers under the QBCC Regulation 2018 until 1 May 2030²⁷
- amends the QBCC Regulation 2018 to extend the transitional timeframes for all remaining fire protection licensing upskilling requirements, with remaining fire protection licensees provided until 1 May 2030.²⁸

The explanatory notes state that SL No. 12 ‘does not represent a policy change but is considered necessary to support industry and assist the ongoing implementation of the revised framework’.²⁹

2.1 Consultation

The explanatory notes provide details of consultation in relation to the amendments of each regulation. In summary:

- BR 2021 – stakeholders consulted, including the Australian Institute of Building Surveyors, the Royal Institution of Chartered Surveyors, the Housing Industry Association, Master Builders Queensland and the QBCC, support the proposed amendments
- Plumbing and Drainage Regulation 2019 – stakeholders consulted, including Local Government Association of Queensland, the Master Builders Association Queensland, the Housing Industry Association, the Urban Development Institute of Australia, and the Australian Network for Universal Housing, did not raise any concerns with the proposed extension, noting its limited scope
- Queensland Building and Construction Commission (Minimum Financial Requirements) Regulation 2018 – ‘targeted consultation’ did not raise concerns
- Queensland Building and Construction Commission Regulation 2018 – building industry stakeholders, including the Association of Wall and Ceiling Industries, the Construction, Forestry, Maritime, Mining and Energy Union, Master Builders Queensland, and the Master Plumbers’ Association of Queensland, were consulted.³⁰ The outcome of the consultation was not stated in the explanatory notes.



2.2 Legislative Standards Act 1992

No issues of fundamental legislative principle were identified.

2.3 Explanatory notes

The explanatory notes comply with part 4 of the Legislative Standards Act.

²⁷ SL No. 12, ss 14-17; explanatory notes, pp 2, 5, 6, 8.

²⁸ SL No. 12, s 18; explanatory notes, pp 2, 5, 6, 8.

²⁹ SL No. 12, explanatory notes, p 8.

³⁰ SL No. 12, explanatory notes, pp 9-10.



2.4 Human Rights Act 2019

Section 8 of the HRA provides that a statutory provision is compatible with human rights if it does not limit a human right, or limits a human right only to the extent that is reasonable and demonstrably justifiable.

Section 13 of the Human Rights Act provides that a human right may be subject to reasonable limits that can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom. Section 13 sets out a range of factors that may be relevant in deciding whether a limit on a human right is reasonable and justifiable.

The committee considered the following potential limitations on human rights in its assessment of whether SL No. 12 is compatible with the Human Rights Act.

2.4.1 Right to recognition and equality before the law

By extending exemptions for certain narrow lots and certain pre-built dwellings from the Modern Homes standards accessibility provisions under the BR 2021, SL No. 12 potentially limits the right to recognition and equality before the law.

The exempted provisions include the Liveable Housing Design Standard (LHDS),³¹ which provides for standards which better enable vulnerable persons, such as those with disability or the elderly, access to dwellings with features appropriate to their needs.³² Accessible dwellings include one step-free entry into the home, wider internal doorways and corridors, and an accessible sanitary compartment on ground (or entry) level, and reinforcing for future adaptations, such as grabrails in sanitary compartments and bathrooms.

Extending the exemption continues to allow non-compliance with the LHDS, thereby limiting the right to equality for persons seeking accessible housing.

According to the human rights certificate, the purpose of these amendments is to:

- provide industry stakeholders additional time to understand the complexities of and be able to comply with the liveable housing design provisions
- remove any incentive for developers applying to Local Government to amend subdivision plans to remove lots with a frontage less than 12.5 metres wide and in doing so reduce housing supply and exacerbate Queensland's current housing affordability crisis
- ensure small prebuilt homes (less than 55m² in floor area) completed on or prior to 1 October 2023 (but not yet installed) can be supplied into the market.³³

The human rights certificate concludes that, on balance, the importance of increasing housing supply in the short-term outweighs the importance of preserving the human right on a temporary basis.³⁴

³¹ The LHDS is in the National Construction Code 2022.

³² SL No. 12, human rights certificate, p 6.

³³ SL No. 12, human rights certificate, p 6.

³⁴ SL No. 12, human rights certificate, p 7.

Committee Comment

On balance, the committee is satisfied that the limitation on human rights is reasonable and demonstrably justified in the circumstances noting the purpose of the amendment is to increase housing supply and the limitation is stated as temporary in nature.

2.5 Human rights certificate

The human rights certificate tabled with SL No. 12 provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

3 SL No. 14 – Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Regulation 2025

SL No. 14 supports provisions of the *Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Act 2024* (RTRAOLA Act) that commence on 1 May 2025, by amending the Residential Tenancies and Rooming Accommodation Regulation 2009 (RTRA Regulation) to:

- allow additional information to be requested of a prospective renter by the required application form to ensure property owners can collect information to assess suitability and make an informed decision – this additional information includes the applicant's date of birth, total number of occupants and number of occupants under the age of 18, number and type of pets, number and type of vehicles, and financial ability to pay rent if the applicant cannot provide details about their current employment or income³⁵
- give prospective renters a fee-free way to submit an application by prescribing that a 'restricted way' for submitting an application is a way that requires the prospective renter to pay an amount associated with the application³⁶
- update the standard terms of agreements,³⁷ including to require a property owner to declare any financial benefit they may receive if a renter uses a particular way to pay rent.³⁸

SL No. 14 also amends the State Penalties Enforcement Regulation 2014 (SPE Regulation) to enable the Residential Tenancies Authority (RTA) to issue penalty infringement notices (PINs) for 8 offences, which commence on 1 May 2025, including for:

- failing to use the required application form
- requesting information and documents additional to the information prescribed

³⁵ SL No. 14, s 4. SL No. 14, explanatory notes, p 2.

³⁶ SL No. 14, s 4. SL No. 14, explanatory notes, p 2. The RTRAOLA Act amends the *Residential Tenancies and Rooming Accommodation Act 2008* to require property owners to provide at least 2 ways for a prospective renter to submit an application, one of which must not be a restricted way.

³⁷ Amendments are made across a range of RTRA Regulation schedules, including schedule 1 (General tenancy agreements), schedule 2 (Moveable dwelling agreements), schedule 3 (State tenancy agreements), schedule 3A (Community housing provider tenancy agreements) and schedule 4 (Rooming accommodation agreements). SL No. 14, ss 5-20. SL No. 14, explanatory notes, pp 2, 3.

³⁸ See SL No. 14, s 6, 9, 12, 15, 18. See also RTRAOLA Act, ss 52 and 53 which amends the *Residential Tenancies and Rooming Accommodation Act 2008*, ss 84B(3) and 98B(3).

- requesting prohibited information or documents
- keeping a copy of original identity documents sighted.³⁹

3.1 Consultation

According to the explanatory notes, consultation undertaken with ‘stakeholders and peak bodies’ revealed that:

stakeholders held diverse views on prescribing additional information for the required application form. Industry representatives generally supported prescribing additional information for the required application form to inform property owner and property manager decision making. Tenancy advocacy groups raised concerns about prescribing additional information, including the potential for discrimination and applicant privacy.⁴⁰

The explanatory notes state ‘an appropriate balance between the views of tenant advocacy groups and industry representatives’ has been reached in the additional information prescribed by SL No 14; and that all stakeholders supported prescribing that a way of submitting a rental application that requires payment is a ‘restricted way’.⁴¹

The explanatory notes state that an Impact Analysis Statement⁴² was prepared and showed that amending the regulation would be of greatest net benefit to Queensland.⁴³



3.2 Legislative Standards Act 1992

The committee considered the following issues of fundamental legislative principle as part of its assessment of whether SL No. 14 complies with the Legislative Standards Act.

3.2.1 Rights and liberties of individuals - penalties

Consequences imposed by legislation should be proportionate and relevant to the actions to which the consequences are applied by the legislation.⁴⁴

As described above, SL No. 14 amends the SPE Regulation to enable the RTA to issue PINs for 8 offences for residential tenancy and rooming accommodation agreements. According to the explanatory notes, a PIN may be issued to a lessor, provider or agent who commits one of these offences.⁴⁵

Penalty infringement notices are an alternative enforcement option to prosecuting offences through courts and give the person to whom the notice is issued the option to either pay the fine set out in the notice or elect to have the matter dealt with by a court.

³⁹ SL No. 14 amends schedule 1 (Infringement notice offences and fines for nominated laws) of the SPE Regulation to make new ss 57B-D and 76C-E of the RTRA Act PIN offences for residential tenancy and rooming accommodation agreements. SL No. 14, s 22. SL No. 14, explanatory notes, pp 2, 3, 5-6. SL No. 14, human right certificate, p 2.

⁴⁰ SL No. 14, explanatory notes, p 6.

⁴¹ SL No. 14, explanatory notes, p 6.

⁴² The Impact Analysis Statement was approved by the Director-General, Department of Housing and Public Works and Minister for Housing and Public Works and Minister for Youth.

⁴³ SL No. 14, explanatory notes, p 6.

⁴⁴ LSA, s 4(2)(a)

⁴⁵ SL No. 14, explanatory notes, p 6.

The new PIN fine amounts are 2 penalty units (\$322.60) for individuals and 10 penalty units (\$1,613) for corporations.⁴⁶

The explanatory notes do not state whether the infringement notice fine amounts for the offences are considered proportionate and relevant to the action to which they apply. Rather, when addressing the consistency of SL No. 14 with fundamental legislative principles, the explanatory notes state:

To the extent the amendments are a departure from fundamental legislative principles, this is justified as the restrictions protect renters' privacy and personal information, apply only to the application process and not during a tenancy, and are necessary to ensure the rental application process is fair and equitable, which is consistent with a free and democratic society based on human dignity, equality and freedom.⁴⁷

Committee Comment



The committee is satisfied that the penalties introduced by SL No. 14 have sufficient regard to the rights and liberties of individuals. The penalties appear proportionate and relevant to the actions to which they relate and are within the range of existing PIN fine amounts in the State Penalties Enforcement Regulation 2014 for offences associated with the *Residential Tenancies and Rooming Accommodation Act 2008*.

3.3 Explanatory notes

The explanatory notes comply with part 4 of the Legislative Standards Act.



3.4 Human Rights Act 2019

The committee considered potential limitations on the right to privacy and reputation in relation to both the prospective renter and the property owner in its assessment of whether SL No. 12 is compatible with the Human Rights Act.

3.4.1 Right to privacy and reputation – prospective renter

By expanding the information that can be requested of a prospective renter in the required application form, SL No. 14 potentially limits their right to privacy and reputation.⁴⁸

According to the human rights certificate, the purpose of allowing certain personal information to be collected is to allow property owners to obtain the information they need to decide applications for rental agreements.⁴⁹

The human rights certificate states that while SL No. 14 extends the type of information that may be collected, prospective renter information remains limited and ensures only enough

⁴⁶ The value of a penalty unit is \$161.30. Penalties and Sentences Regulation 2015, s 3; *Penalties and Sentences Act 1992*, s 5A.

⁴⁷ SL No. 14, explanatory notes, pp 5-6.

⁴⁸ HRA, s 25. A person has the right not to have the person's privacy, family, home or correspondence unlawfully or arbitrarily interfered with, and not to have the person's reputation unlawfully attacked.

⁴⁹ SL No. 14, human rights certificate, p 4.

personal information is collected from renters to allow a property owner to assess prospective renters' ability to pay rent and suitability for the property.⁵⁰

The human rights certificate concludes that the amendments strike an appropriate balance between the freedom of property owners to seek and receive information, on the one hand, and the right of renters to keep personal information to themselves.⁵¹

3.4.2 Privacy and reputation – property owner

By amending the relevant schedules of the RTRA Regulation⁵² to ensure that all parties are aware of the requirement that a property owner is required to declare any financial benefit they may receive if the renter uses a particular way to pay rent, SL No. 14 potentially limits the right to privacy and reputation of property owners.⁵³ The purpose of requiring a property owner to declare certain personal information⁵⁴ is to create a rental environment where renters are protected from unreasonable fees and charges and give renters a choice in how they pay rent so that they can avoid incurring unnecessary additional costs.⁵⁵

The human rights certificate concludes that the amendments are 'necessary to ensure greater protections for renters in Queensland' and that the need for a fair private rental market outweighs the impacts on privacy.⁵⁶

Committee Comment



The committee is satisfied that the potential limitations to privacy and reputation are reasonable and demonstrably justified in the circumstances.

3.5 Human rights certificate

The human rights certificate tabled with SL No. 14 provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

4 Committee recommendation



Recommendation 1

The committee recommends that the Legislative Assembly note this report.

⁵⁰ SL No. 14, human rights certificate, p 4.

⁵¹ SL No. 14, human rights certificate, p 4.

⁵² To reflect changes in the RTRA Act in the relevant standard terms of agreements.

⁵³ HRA, s 25.

⁵⁴ Such as the costs of certain payment methods and the financial benefits they may receive.

⁵⁵ SL No. 14, human rights certificate, p 6.

⁵⁶ SL No. 14, human rights certificate, p 7.



Mr Jim McDonald MP
Chair

State Development, Infrastructure and Works Committee

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