



QUEENSLAND PARLIAMENT **COMMITTEES**

Report on subordinate legislation tabled between 10 June and 28 July 2025

Health, Environment and Innovation Committee



Report No. 13

58th Parliament, August 2025

Overview

This report summarises the committee's findings following its examination of the subordinate legislation within its portfolio areas tabled between 10 June 2025 and 28 July 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* (LSA).¹

The report also notes any issues identified by the committee in its consideration of compliance with the *Human Rights Act 2019* (HRA)² and the human rights certificates tabled with the subordinate legislation.³

Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date
42	Environmental Legislation Amendment Regulation 2025	10 June 2025	15 October 2025
46	Major Events (Motor Racing Events) (Townsville 500) Amendment Regulation 2025	24 June 2025	29 October 2025
51	Major Events (British and Irish Lions Tour) Regulation 2025	24 June 2025	29 October 2025
-	Health Practitioner Regulation National Law Amendment (Professional Indemnity Insurance) Regulation 2025	28 July 2025	19 November 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



Unless noted below, the committee did not identify any significant issues regarding the policy, consistency with fundamental legislative principles, the lawfulness of the subordinate legislation or non-compliance with the HRA.

Similarly, unless noted below, the committee considers that the explanatory notes tabled with the subordinate legislation noted in this report comply with the requirements of section 24 of the LSA, which includes advice about consultation, 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 HRA.

¹ *Legislative Standards Act 1992*, Part 4. See also, LSA s 4.

² *Human Rights Act 2019*, s 8, 13.

³ HRA, s 41.

1 SL No. 42 – Environmental Legislation Amendment Regulation 2025

The Environmental Legislation Amendment Regulation 2025 (SL No. 42) amends various legislation in relation to waste matters to:⁴

- change the non-regulated waste threshold values for per- and poly-fluoroalkyl substances (PFAS)
- clarify the application of non-regulated waste threshold values for PFAS
- clarify that waste solar panels are not regulated waste under the Environmental Protection Regulation 2019 (EP Regulation)
- clarify that soil managed under the contaminated land provisions in the Environmental Protection Act 1994 is not regulated waste under the EP Regulation
- prescribe mixed construction and demolition waste recycling as an activity for which a residue waste discount application may be made and correct drafting errors in the Waste Reduction and Recycling Regulation 2023; and
- make minor administrative and clarification amendments.⁵

SL No. 42 also amends various legislation in relation to nature conservation matters to:

- complete the routine update of listings and nomenclature of wildlife listed under the Nature Conservation Act 1992 (NC Act)
- update the definition of koala habitat tree stated in the Koala Conservation Plan
- update the Environmental Offsets Regulation 2014 to refer to the new version of the Queensland Environmental Offsets Policy
- make minor and consequential amendments to the Nature Conservation (Animals) Regulation 2020 (Animals Regulation) to ensure appropriate management of the largetooth sawfish under the NC Act, and to the Fisheries (General) Regulation 2019 to ensure the species is still regulated under the Fisheries Act 1994
- make minor clarification and consequential amendments to the Animals Regulation to correct errors and better ensure achievement of original policy intent
- introduce a new offence related to macropods under the Nature Conservation (Macropod) Conservation Plan 2017 (NC Plan); and
- amend the State Penalties Enforcement Regulation 2014 (SPE Regulation) to create an infringement notice offence corresponding to the new offence under the Plan.⁶

SL No. 42 amends various legislation in relation to waste management matters, including the *Environmental Protection Regulation 2019*, which classifies commercial or industrial waste containing certain hazardous contaminants or properties as regulated waste.⁷

⁴ SL No. 42, Explanatory Notes, p 2. Note: This includes the Environmental Protection Regulation 2019, which classifies commercial or industrial waste containing certain hazardous contaminants or properties as regulated waste.

⁵ SL No. 42, Human Rights Certificate, p 1.

⁶ SL No. 42, Human Rights Certificate, p 2.

⁷ SL No. 42, Explanatory Notes, p 2.

1.1 Consultation

The explanatory notes generally comply with part 4 of the LSA. However, where consultation takes place about subordinate legislation, the LSA requires the explanatory notes to include: a brief statement of the way the consultation was carried out; an outline of the results of the consultation; and a brief explanation of any changes made to the legislation because of the consultation.⁸

Committee Comment



Although the explanatory notes identify those elements of SL No. 42 subject to consultation, the committee notes that they do not outline the results of the all the various consultation undertaken and (if relevant) provide a brief explanation of any changes made to the legislation because of the consultation. Further commentary would have been useful and facilitated greater compliance with the LSA requirements.



1.2 Legislative Standards Act 1992

Assessment of SL No. 42's compliance with the LSA identified issues with the below.

1.2.1 Penalties – Proportionality and Consistency

SL No. 42 amends the NC Plan to require the holder of an animal authority for macropods who possesses a Queensland macropod tag to keep the tag:⁹

- in the holder's physical possession, or
- at the licensed premises for the animal authority, or in the holder's vehicle, in a way that prevents a person other than the holder from accessing the tag.¹⁰

Failure to comply with this requirement is an offence attracting a maximum penalty of 165 penalty units (\$26,614.50).¹¹ This is consistent with other penalties contained in the NC Plan.¹² Although not addressed in terms of its consistency with fundamental legislative principles, the explanatory notes seek to justify the new offence, as follows:

The amendment ... addresses a regulatory gap regarding the potentially unsustainable and inhumane take of macropods resulting from provision of macropod tags, by macropod harvesting licence holders, to unauthorised persons without penalty.¹³

⁸ LSA, s 24(2).

⁹ SL No. 42, s 42 (NC Plan, replaces s 79). Note: A tag that was supplied to the holder by the chief executive and has not been attached to a macropod. However, SL No. 42 does not apply to the holder if: the holder has given notice to the chief executive that the tag has been stolen, lost, destroyed or damaged; or the harvest period for which the tag was supplied has ended.

¹⁰ SL No. 42, s 42 (NC Plan, inserts s 79A).

¹¹ The value of a penalty unit is \$161.30: Penalties and Sentences Regulation 2015, s 3; *Penalties and Sentences Act 1992*, ss 5, 5A. This value increases to \$166.90 on 1 July 2025. See Penalties and Sentences (Penalty Unit Value) Amendment Regulation 2025, s 2-4.

¹² See NC Plan, s 31(2), 32(3), 40(2), 41, 42.

¹³ SL No. 42, Explanatory Notes, p 5.

Committee Comment

Given that the penalties are within the range of existing penalties contained in the legislation, the committee is satisfied that the proposed penalties in SL No. 42 are proportionate in the circumstances and have sufficient regard to fundamental legislative principles.

1.3 Human Rights Act 2019

Assessment of SL No. 42's compatibility with the HRA identified issues with the right to a fair hearing and rights in criminal proceedings.

1.3.1 Right to fair trial and rights in a criminal proceeding

A person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.¹⁴ A person charged with a criminal offence has the right to be presumed innocent until proven guilty according to law, as well as rights to certain minimum guarantees, including:

- to be informed promptly and in detail of the nature and reason for a charge
- to have adequate time and facilities to defend themselves personally or through legal assistance.¹⁵

SL No. 42 amends the SPE Regulation to make the new offence for improper possession or storage of approved Queensland macropod tags, subject to the issuing of a Penalty Infringement Notice (PIN) under the *State Penalties and Enforcement Act 1999*.¹⁶ According to the human rights certificate:

*PIN offences are an alternative to prosecution through the court system. A person who is issued a PIN for an offence may discharge their liability by payment of a financial penalty. There is no requirement for the offence to be prosecuted through the court system, although a person may elect to go to court to challenge the offence or the penalty imposed by the PIN.*¹⁷

The human rights certificate acknowledges that SL No. 42 may limit the right to a fair hearing and rights in criminal proceedings to the extent that it prescribes infringement offences because a person does not have to attend court in relation to an infringement notice offence.¹⁸ In seeking to justify the limitation on human rights, the human rights certificate asserts that allowing infringement notices to be issued for non-compliance

¹⁴ HRA, s 31(1).

¹⁵ HRA, s 32(1), (2).

¹⁶ SL No. 42, s 51. Note: The infringement notice fine is prescribed as 5 penalty units (\$806.50). The value of a penalty unit is currently \$161.30. The value will increase to \$166.90 from 1 July 2025. See Penalties and Sentences (Penalty Unit Value) Amendment Regulation 2025, s 4; Penalties and Sentences Regulation 2015, s 3; *Penalties and Sentences Act 1992*, s 5A.

¹⁷ SL No. 42, Human Rights Certificate, p 5.

¹⁸ SL No. 42, Human Rights Certificate, p 7.

provides an efficient enforcement option where the alleged offender does not contest the penalty:

Without that option, all persons charged with the offences outlined above would be forced to expend the time, effort and stress involved in court proceedings. Even those prepared to plead guilty would also be required to pay the costs associated with the offender levy and the issuing of the complaint and summons.¹⁹

The human rights certificate concludes that limitations are justified on the basis that they further the objectives and implementation of the Macropod Conservation Plan.²⁰

Committee Comment



The committee found that SL No. 42 is compatible with human rights and that any limitations on the right to a fair hearing and rights in a criminal proceeding are justified on the basis of the analysis below.

The committee notes that the human rights certificate identified other rights which may be limited by the operation of SL No 42. However, the committee is satisfied that any limitation is justified in the circumstances.

1.4 Human Rights Certificate

Section 41 of the HRA requires that the responsible Minister for the subordinate legislation prepare a human rights certificate for the legislation.

Committee Comment



The committee is satisfied that the statement contained a sufficient level of information to facilitate understanding of SL No. 42 in relation to its compatibility with human rights.

1.5 Explanatory Notes

The explanatory notes comply with part 4 of the LSA.

¹⁹ SL No. 42, Human Rights Certificate, p 9.

²⁰ SL No. 42, Human Rights Certificate, p 8-9.

2 SL No. 46 – Major Events (Motor Racing Events) (Townsville 500) Amendment Regulation 2025

SL No. 46 facilitates hosting the 2025 NTI Townsville 500 (Townsville 500) by prescribing the Townsville 500 as a major event under the *Major Events Act 2014* (MEA) and utilises the same prescribed event area which has been declared since 2022, which surrounds the Townsville Civic Centre.²¹ SL No. 46 also prescribes the major event period and other relevant periods of time, from:

- 10 July 2025 to ‘midday’ on 14 July 2025, for the race which takes place between 11 to 13 July 2025
- ‘the beginning of the day’ on 16 June 2025 to ‘midday’ on 10 July 2025, to enable the carrying out of works in advance of the event; and
- ‘midday’ on 14 July 2025 to ‘midnight’ on 2 August 2025, to enable the carrying out of works after the conclusion of the event.²²



2.1 Legislative Standards Act 1992

The explanatory notes do not identify any fundamental legislative principles which may be impacted by its introduction, contending that SL No. 46 is machinery in nature and does not depart from fundamental legislative principles.²³ However, the committee’s assessment of SL No. 46’s compliance with the LSA identified issues listed below:

- rights and liberties of individuals
- clear and unambiguous drafting; and
- the institution of Parliament.

2.1.1 Rights and Liberties of Individuals

By declaring the Townsville 500 as a ‘major event’, the rights and liberties of individuals will be restricted within the major event area, potentially commencing with works occurring in advance of the event itself. The restrictions in a declared major event area include:

- altered road and pathway access
- limitation on entrance (i.e. entrance being limited to ticket holders);²⁴ and
- subjecting individuals within the area to infringements on their rights, such as:
 - being frisked by a police officer
 - limitations on what a person may possess or do while entering, or remaining within, the major event area (i.e. no weapons)
 - being directed to leave the area and not enter for up to 24 hours; and

²¹ SL No 46, Explanatory Notes, p 1. Note: The organiser, V8 Supercars Australia Pty Ltd, is the same as the 2024 event.

²² SL No. 46, s 4 and 5.

²³ SL No. 46, Explanatory Notes, p 2.

²⁴ See, e.g. MEA, s 18(1)-(4) and 19. Note: Exceptions may apply, for example, where a person has accreditation to enter the area or some other type of occupant’s pass.

- unless certain circumstances apply, not being permitted to park a car in the event area, that, but for the declaration of the major event area, the individual would be able to freely enter and park.²⁵

The explanatory notes for SL No. 61/2024 which prescribed the 2024 Townsville 500 as a ‘major event’ contended that restrictions on the rights and liberties of individuals were reasonable and justifiable:

... is consistent with the objectives of the MEA; meets the public’s expectation during the nominated duration based off historic hosting of the event; and ensures public safety during the duration of the event.

*Furthermore, the provisions in the Amendment Regulation for the 2024 NTI Townsville 500 specify timeframes and includes other limits which help to minimise undue impacts on individuals’ rights and liberties.*²⁶

The explanatory notes for SL No. 61/2024 assert that the relevant time limitations on the declaration ensure that the rights and liberties of individuals is not impacted more than is reasonably necessary for the carrying out of the event in line with the objectives of the MEA.²⁷

The explanatory notes for SL No. 46 include a description of expected tourism and economic benefits of the event, which could be seen as a justification of any perceived or actual limitation on the rights and liberties of individuals impacted by SL No. 46.²⁸

Committee Comment



The committee is satisfied that the benefits of such an event outweigh the potential temporary limitations on the rights and liberties of individuals for the period specified and is therefore justified.

2.1.2 Clear and unambiguous drafting

Legislation should be unambiguous and drafted in a sufficiently clear and precise way.²⁹ SL No. 46 includes prescribed times where the powers are applicable but are drafted in a manner which could lead to multiple interpretations. For example:

- 10 July 2025 to ‘midday’ on 14 July 2025, for the race which takes place between 11 to 13 July 2025
- ‘the beginning of the day’ on 16 June 2025 to ‘midday’ on 10 July 2025, to enable the carrying out of works in advance of the event; and

²⁵ See, for example, MEA, s 9, 20, 26 (note: the event organiser can impose exclusion from the area for a period of more that 24 hours in certain circumstances) and 28.

²⁶ SL No. 61/2024, Explanatory Notes, p 2.

²⁷ SL No. 61/2024, Explanatory Notes, p 3.

²⁸ SL No. 46, Explanatory Notes, p 2.

²⁹ LSA, s 4(3)(k).

- ‘midday’ on 14 July 2025 to ‘midnight’ on 2 August 2025, to enable the carrying out of works after the conclusion of the event.³⁰

References to ‘midday’, ‘the beginning of the day’ and ‘midnight’ are not sufficiently clear to define when SL No. 46 is intended to operate.

Committee Comment



The committee encourages the Minister to ensure that future subordinate legislation which includes prescribed time periods of application is explicit in its application, especially in circumstances where the rights and liberties of individuals are impacted. Where limitations on fundamental legislative principles are justified by virtue of the limited period of application, it is essential that the period of limitation is clearly defined. See for example, SL No. 51 – Major Events (British and Irish Lions Tour) Regulation 2025 in Section 3 below.

2.1.3 Institution of Parliament

The Townsville 500 is an annual event that has occurred 19 times (with 2 races held in 2020 and 2021 respectively in response to COVID-19).³¹ SL No. 46 was notified on 13 June 2025 and tabled on 24 June 2025. The timing of the tabling of SL No. 46, noting that it was tabled during Budget Week and the next formal sitting week is in August 2025, denied the Parliament the ability to scrutinise the regulation, and to potentially move a disallowance motion, prior to the regulation taking effect (and the events occurring).

Committee Comment



The committee encourages the Minister to ensure that future regulations of this nature (especially for annual events, such as the Townsville 500) are tabled in a timely fashion and with consideration of the Parliamentary sitting calendar, to ensure the availability of the Parliament to duly consider the regulations is not impeded.

2.2 Human Rights Act 2019



Assessment of SL No. 46’s compatibility with the HRA identified issues with the following:

- freedom of movement
- freedom of expression
- property; and
- privacy and reputation.³²

³⁰ SL No. 46, s 4 and 5.

³¹ Repco Supercars Championship, ‘What is Supercars?’ (Website, accessed 20 August 2025) <<https://www.supercars.com/what-is-supercars>>.

³² Section 8 of the 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

2.2.1 Freedom of movement

Every person lawfully in Queensland has the right to move freely.³³ The MEA and SL No. 46 (together, '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. With respect to these limitations 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 Townsville 500 event.*³⁴

The human rights certificate also notes that limitations or restrictions on movement are exempted where a person meets conditions of entry, either as a ticket holder, accredited entrant, such as a competitor or staff member, or with an occupant's pass, which are issued to individuals who live, work or have a business within the declared major event area.³⁵

2.2.2 Freedom of Expression

Every person has the right to freely express themselves, including the freedom to seek, receive and impart information and ideas of all kinds.³⁶ The motor events legislation limits this right, through advertising restrictions, limits on conduct within the event area, and prohibitions on broadcast and use of official logos.³⁷ Regarding the restriction on broadcasting, the human rights certificate provides:

The potential limitation on the right to freedom of expression by [the ban on broadcasting or recording a major 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 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.*³⁸

can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom.

³³ HRA, s 19.

³⁴ SL No. 46, Human Rights Certificate, p 4.

³⁵ SL No. 46, Human Rights Certificate, p 5.

³⁶ HRA, s 21.

³⁷ See, for example, MEA, pt 5, div 3, subdivs 3, 4; pt 6.

³⁸ SL No. 46, Human Rights Certificate, p 5.

The human rights certificate states that these limitations are intended to protect the rights of event organisers and sponsors from unauthorised activity, which is consistent with the objectives of the MEA.³⁹

2.2.3 Property

A person must not be arbitrarily deprived of their property.⁴⁰ The motor events legislation limits this right, including:

- conditions of entry to a person's property (if within the event area)
- limits on conduct within the event area (such as not being permitted to sell or distribute certain items without approval)
- powers to move unattended vehicles
- remove articles of clothing from a person or items from a vehicle; and
- to inspect a person's possessions.⁴¹

The human rights certificate states:

The potential for a limitation to occur on property rights is managed through provisions under the MEA which require details of the temporary works and time periods to be published in advance of the works occurring. ...

*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 the event organisers and sponsors from unauthorised street trading, consistent with the object of the MEA.*⁴²

2.2.4 Privacy and reputation

A person has the right to not have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with.⁴³ The motor events legislation limits this right, including through:

- persons entering the major event area may be asked to consent to:
 - the use of an electronic detection device on them or their possessions
 - inspection of their belongings, and removal and inspection of outer garments and articles in their possession
 - inspection of their vehicle and removal and inspection of an article from their vehicle
- persons within the major event area being asked to consent to open and allow the inspection of an item in their possession

³⁹ SL No. 46, Human Rights Certificate, p 5.

⁴⁰ HRA, s 24.

⁴¹ SL No. 46, Human Rights Certificate, p 3.

⁴² SL No. 46, Human Rights Certificate, p 6.

⁴³ HRA, s 25.

- persons who are directed to leave the major event area may have their photo (or other image) taken; and
- persons who are found to be committing, or are reasonably suspected of having just committed, an offence against the MEA, may be required to state their name and address, and provide evidence of correctness of that statement.⁴⁴

Broadly, the human rights certificate concludes that the limitations on the right to privacy:

*... are considered necessary and appropriate to ... meet the objective of the MEA 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 MEA helps reduce the potential impact on the right to privacy when applying the powers.*⁴⁵

The human rights certificate states that any limitations on the right to privacy are non-arbitrary and are required to satisfy the objectives of the MEA, that is, to provide successful and safe events for spectators and the general public in the area.⁴⁶

Committee Comment



The committee is satisfied that SL No. 46 is compatible with human rights. Any limitation on a right engaged by SL No. 46 is justified in the circumstances.

2.3 Human rights certificate

Section 41 of the HRA requires that the responsible Minister for the subordinate legislation prepare a human rights certificate for the legislation.

Committee Comment



The committee is satisfied that the statement contained a sufficient level of information to facilitate understanding of SL No. 46 in relation to its compatibility with human rights.

2.4 Explanatory Notes

Apart from the deficiency in justifying potential limitations on fundamental legislative principles, the explanatory notes comply with part 4 of the LSA.

⁴⁴ SL No. 46, Human Rights Certificate, p 3-4.

⁴⁵ SL No. 46, Human Rights Certificate, p 7.

⁴⁶ SL No. 46, Human Rights Certificate, p 7.

3 SL No. 51 – Major Events (British and Irish Lions Tour) Regulation 2025

SL No. 51 is intended to facilitate hosting the British and Irish Lions Tour (2025 Tour) to the extent the tour is held in Queensland, by prescribing the 2025 Tour as a major event.⁴⁷ The prescribed major event area includes Suncorp Stadium and surrounding areas outlined in schedule 1 of SL No. 51.⁴⁸ SL No. 51 also declares the major event period and other relevant control times, including:

- 4:00 pm on 2 July 2025 to 10:45 pm on 19 July 2025 for the period of games associated with the 2025 tour and other relevant events; and,
- 4:00 pm to 10:45 pm on 2 July 2025 and 4:00 pm to 10:45 pm on 19 July 2025 are prescribed for the express purpose of a control period before and after the event.⁴⁹

SL No. 51 prescribes:

- Rugby Australia Ltd, as the major event organiser
- the official logos for the major event
- venue and event security provisions from the MEA that apply, 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
- commercial protections from the MEA 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
- that the major event organiser may appoint crowd controllers and security officers under the *Security Providers Act 1993* as authorised persons; and
- the limits to powers for authorised persons.⁵⁰



3.1 Legislative Standards Act 1992

The explanatory notes do not identify any fundamental legislative principles which may be impacted by its introduction, and state that SL No. 51 is machinery in nature and therefore does not depart from fundamental legislative principles engaged by the MEA.⁵¹ However, the committee's assessment of SL No. 51's compliance with the LSA identified issues listed below:

- rights and liberties of individuals; and
- the institution of Parliament.

⁴⁷ SL No. 51, Explanatory Notes, p 2. See also, SL No. 51, s 5, 9, sch 1.

⁴⁸ SL No. 51, sch 1.

⁴⁹ SL No. 51, s 10.

⁵⁰ SL No. 51, Explanatory Notes, p 2.

⁵¹ SL No. 46, Explanatory Notes, p 2.

3.1.1 Rights and Liberties of Individuals

By declaring the 2025 Tour as a ‘major event’, the rights and liberties of individuals will be restricted within the major event area, potentially commencing with works occurring in advance of the event itself. The restrictions in a declared major event area include:

- altered road and pathway access
- limitation on entrance (i.e. entrance being limited to ticket holders);⁵² and
- subjecting individuals within the area to infringements on their rights, such as:
 - being frisked by a police officer
 - limitations on what a person may possess or do while entering, or remaining within, the major event area (i.e. no weapons)
 - being directed to leave the area and not enter for up to 24 hours; and
 - unless certain circumstances apply, not being permitted to park a car in the event area, that, but for the declaration of the major event area, the individual would be able to freely enter and park.⁵³

The explanatory notes contend that restrictions on the rights and liberties of individuals were reasonable and justifiable:

*The provisions prescribed under the Regulation will not be ongoing, will only be in force for limited periods and in a clearly defined area immediately surrounding the major event venue. These limitations will minimise undue impacts on individuals’ rights and liberties, ensuring there are no unnecessary limitations on public enjoyment of the event or restrictions on nearby businesses and residents going about their ordinary activities.*⁵⁴

The explanatory notes for SL No. 51 include a description of expected tourism and economic benefits of the event, which could be seen as a justification of any perceived or actual limitation on the rights and liberties of individuals impacted by SL No. 51.⁵⁵

Committee Comment



The committee is satisfied that the benefits of such an event outweigh the potential temporary limitations on the rights and liberties of individuals for the period specified and therefore is justified.

⁵² See, e.g. MEA, s 18(1)-(4) and 19. Note: Exceptions may apply, for example, where a person has accreditation to enter the area or some other type of occupant’s pass.

⁵³ See, for example, MEA, s 9, 20, 26 (Note: the event organiser can impose exclusion from the area for a period of more than 24 hours in certain circumstances) and 28.

⁵⁴ SL No. 51, Explanatory Notes, p 3-4.

⁵⁵ SL No. 51, Explanatory Notes, p 2.

3.1.2 Institution of Parliament

The 2025 Tour was announced in July 2023.⁵⁶ SL No. 51 was notified on 20 June 2025 and tabled on 24 June 2025. The timing of the tabling of SL No. 51, noting that it was tabled during Budget Week and the next formal sitting week is in August 2025, denied the Parliament the ability to scrutinise the regulation, and to potentially move a disallowance motion, prior to the regulation taking effect (and the relevant event commencing).

Committee Comment



The committee encourages the Minister to ensure that future regulations of this nature (especially for events which have been announced with substantial advanced notice like the 2025 Tour) are tabled in a timely fashion and with consideration of the Parliamentary sitting calendar, to ensure the availability of the Parliament to duly consider the regulations is not impeded.

3.2 Human Rights Act 2019



Assessment of SL No. 51's compatibility with the HRA identified issues with the following:

- freedom of movement
- freedom of expression
- property; and
- privacy and reputation.⁵⁷

3.2.1 Freedom of movement

Every person lawfully in Queensland has the right to move freely.⁵⁸ The MEA and SL No. 51 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. With respect to these limitations on the freedom of movement, the human rights certificate states:

*These limitations help achieve the purpose of the MEA 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 2025 Tour.*⁵⁹

⁵⁶ Hon Stirling Hinchcliffe MP, 'British and Irish Lions first Test secured for Queensland' (Media Release, 19 July 2023) <<https://statements.qld.gov.au/statements/98255#:~:text=Brisbane%20secures%20the%20first%20Test,rugby%20fans%20to%20Suncorp%20Stadium.>>.

⁵⁷ Section 8 of the 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.

⁵⁸ HRA, s 19.

⁵⁹ SL No. 51, Human Rights Certificate, p 4.

The human rights certificate also notes that limitations or restrictions on movement are exempted where a person meets conditions of entry, either as a ticket holder, accredited entrant, such as a competitor or staff member, or with an occupant's pass, which are issued to individuals who live, work or have a business within the declared major event area.⁶⁰

3.2.2 Freedom of Expression

Every person has the right to freely express themselves, including the freedom to seek, receive and impart information and ideas of all kinds.⁶¹ SL No. 51 limits this right, through advertising restrictions, limits on conduct within the event area, and prohibitions on broadcast and use of official logos.⁶² Regarding the restriction on broadcasting, the human rights certificate provides:

The potential limitation on the right to freedom of expression by [the ban on broadcasting or recording a major 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 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.⁶³*

The human rights certificate states that these limitations are intended to protect the rights of event organisers and sponsors from unauthorised activity, which is consistent with the objectives of the MEA.⁶⁴

Committee Comment



The committee is satisfied that the limitation on the freedom of expression is justified in the circumstances, but notes that the timing of tabling SL No. 51 is inconsistent with this justification, owing to the fact that a persons' freedom of expression would not be limited with respect to this event until such time that it was tabled, which was only 8 days before the event commenced on 2 July 2025.

In circumstances where an individual or other entity not prescribed under SL No. 51 was 'exploiting' the event in advance of tabling, there would have been no statutory declaration with respect to official sponsors and logos, which would have been confirmed far in advance. In effect, enforcement measures prescribed by SL No. 51 would be unenforceable against a person until that time, which is inconsistent with the objectives of the MEA.

⁶⁰ SL No. 51, Human Rights Certificate, p 5.

⁶¹ HRA, s 21.

⁶² See, for example, MEA, pt 5, div 3, subdivs 3, 4; pt 6.

⁶³ SL No. 51, Human Rights Certificate, p 4-5.

⁶⁴ SL No. 51, Human Rights Certificate, p 5.

3.2.3 Property

A person must not be arbitrarily deprived of their property.⁶⁵ SL No. 51 limits this right, including through:

- conditions of entry to a person's property (if within the event area)
- limits on conduct within the event area (such as not being permitted to sell or distribute certain items without approval)
- powers to move unattended vehicles
- remove articles of clothing from a person or items from a vehicle; and
- the right to inspect a person's possessions.⁶⁶

The human rights certificate states:

*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 MEA.*⁶⁷

3.2.4 Privacy and reputation

A person has the right to not have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with.⁶⁸ SL No. 51 limits this right, including through:

- persons entering the major event area may be asked to consent to:
 - the use of an electronic detection device on them or their possessions
 - inspection of their belongings, and removal and inspection of outer garments and articles in their possession
 - inspection of their vehicle and removal and inspection of an article from their vehicle
- persons within the major event area being asked to consent to open and allow the inspection of an item in their possession
- persons who are directed to leave the major event area may have their photo (or other image) taken; and
- persons who are found to be committing, or are reasonably suspected of having just committed, an offence against the MEA, may be required to state their name and address, and provide evidence of correctness of that statement.⁶⁹

⁶⁵ HRA, s 24.

⁶⁶ SL No, 51, Human Rights Certificate, p 3.

⁶⁷ SL No. 51, Human Rights Certificate, p 5.

⁶⁸ HRA, s 25.

⁶⁹ SL No. 51, Human Rights Certificate, p 3.

The human rights certificate states that any limitations on the right to privacy are non-arbitrary and are required to satisfy the objectives of the MEA, that is, to provide successful and safe events for spectators and the general public in the area.⁷⁰

Committee Comment



The committee is satisfied that SL No. 51 is compatible with human rights. Any limitation on a right engaged by SL No. 51 is justified in the circumstances.

3.3 Human rights certificate

Section 41 of the HRA requires that the responsible Minister for the subordinate legislation prepare a human rights certificate for the legislation.

Committee Comment



The committee is satisfied that the statement contained a sufficient level of information to facilitate understanding of SL No. 51 in relation to its compatibility with human rights.

3.4 Explanatory Notes

Apart from the deficiency in addressing and justifying potential limitations on fundamental legislative principles, the explanatory notes comply with part 4 of the LSA.

⁷⁰ SL No. 51, Human Rights Certificate, p 6.

4 Health Practitioner Regulation National Law Amendment (Professional Indemnity Insurance) Regulation 2025

The Health Practitioner Regulation National Law Amendment (Professional Indemnity Insurance) Regulation 2025 (PIIR) was tabled in the Legislative Assembly on 28 July 2025 by the Minister for Health and Ambulance Services, Hon Timothy Nicholls MP. The PIIR was made by the Ministerial Council under the Health Practitioner Regulation National Law (National Law) on 1 May 2025.⁷¹ Under the National Law, a regulation:

- must be tabled in, or notice of its making given to, the Parliament of each participating jurisdiction (but failure to comply with this requirement does not affect the validity of the regulation)
- may be disallowed by the Parliament of a participating jurisdiction, in the usual manner as applies in that jurisdiction
- does not cease to have effect unless it is disallowed in a majority of participating jurisdictions, in which case it ceases to have effect in all participating jurisdictions (from the date of the last relevant disallowance).⁷²

The PIIR does not form part of the numbered subordinate legislation series.

4.1 Objective

The PIIR provides an extension to the current exemption for privately practising midwives (PPMs) who attend homebirths to comply with the requirement to hold professional indemnity insurance (PII).⁷³

Under the National Law, registered health practitioners cannot practice unless they hold appropriate PII.⁷⁴ However, since the National Law commenced in 2010, there has not been a suitable PII product that covers PPMs attending homebirths.⁷⁵

To enable PPMs to have registration certainty and allow time for a suitable insurance product to be identified, the National Law includes a provision which provides for a time limited exemption from the requirement to hold PII.⁷⁶ The explanatory notes provide:

*Extending the exemption ... will allow sufficient time for PPMs to be informed about the new insurance product and make the necessary arrangements to purchase PII to maintain their registration status. If the exemption expires before this can occur, PPMs may be unable to maintain their registration and women and families seeking a homebirth may be adversely impacted if they are unable to access registered PPMs. The 18-month timeframe will also allow the Australian Health Practitioner Regulation Agency and the Nursing and Midwifery Board of Australia to update their policies and guidelines in relation to PPMs.*⁷⁷

⁷¹ See Health Practitioner Regulation National Law (Queensland), s 245.

⁷² Health Practitioner Regulation National Law (Queensland), ss 246, 247.

⁷³ PIIR, Explanatory Notes, p 2.

⁷⁴ National Law, s 129.

⁷⁵ PIIR, Explanatory Notes, p 1.

⁷⁶ National Law, s 284.

⁷⁷ PIIR, Explanatory Notes, p 1-2.

The transition period was originally set to expire on 30 June 2012. It has been extended several times and was due to expire on 1 July 2025.⁷⁸ The PIIR amends the Health Practitioner Regulation National Law Regulation 2018 to provide a further extension of the exemption until 31 December 2026.⁷⁹

Committee Comment



The committee is satisfied that the PIIR is compliant with fundamental legislative principles and human rights, and that the accompanying documentation is compliant with the LSA.



Recommendation 1

The committee recommends that the Legislative Assembly note this report.

Rob Molhoek MP

Chair

Health, Environment and Innovation Committee

Chair Mr Rob Molhoek MP, Member for Southport

Deputy Chair Mr Joe Kelly MP, Member for Greenslopes

Members Ms Sandy Bolton MP, Member for Noosa

Ms Kerri-Anne Dooley MP, Member for Redcliffe

Dr Barbara O'Shea MP, Member for South Brisbane

Mr David Lee MP, Member for Hervey Bay

⁷⁸ PIIR, Explanatory Notes, p 1.

⁷⁹ PIIR, s 4.