



QUEENSLAND PARLIAMENT **COMMITTEES**

**Report on subordinate legislation tabled between 15 October 2025
and 18 November 2025**

Education, Arts and Communities Committee



Report No. 14

58th Parliament, February 2026

Overview

This report summarises the committee's findings following its examination of the subordinate legislation within its portfolio areas tabled between 15 October 2025 and 18 November 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 certificate tabled with the subordinate legislation.³

Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date
135	Education (General Provisions) (Prescribed State Schools) Amendment Regulation 2025	18 November 2025	26 March 2026

* 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
 <p>The committee did not identify any significant issues regarding the policy, consistency with fundamental legislative principles, lawfulness, or non-compliance with the HRA.</p> <p>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 certificate tabled with the subordinate legislation provide a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with the HRA.</p>

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

² *Human Rights Act 2019* (HRA), ss 8, 13.

³ HRA, s 41.

1 SL No. 135 – Education (General Provisions) (Prescribed State Schools) Amendment Regulation 2025

In accordance with the *Education (General Provisions) Act 2006*, the Minister for Education may approve a program focussed on literacy and numeracy for preparing a child for education in the preparatory year, to be a kindergarten learning program for a prescribed state school.⁴ The prescribed state schools are listed in the Education (General Provisions) Regulation 2017.⁵

The Education (General Provisions) (Prescribed State Schools) Amendment Regulation 2025 (SL No. 135) amends the Education (General Provisions) Regulation 2017 to prescribe Irvinebank State School (Irvinebank SS)⁶ and Mutarnee State School (Mutarnee SS)⁷ as additional state schools that can deliver a kindergarten learning program.⁸

The explanatory notes advise that targeted consultation was undertaken and that '[f]eedback from both the Mutarnee and Irvinebank communities indicates support for the delivery of an SDK [State Delivered Kindergarten] program at the respective state schools'.⁹

1.1 Explanatory notes and fundamental legislative principles

No issues of fundamental legislative principle were identified. The explanatory notes comply with part 4 of the LSA.

1.2 Human Rights Act 2019

The committee is satisfied that the subordinate legislation is compatible with human rights.¹⁰

⁴ See *Education (General Provisions) Act 2006*, s 419A. SL No. 135, explanatory notes, p 2.

⁵ See *Education (General Provisions) Regulation 2017*, s 74, sch 4.

⁶ The closure of a service in Herberton led to Irvinebank SS being eligible. SL No. 135, explanatory notes, p 2.

⁷ A distance recalculation based on mapping data received from the Queensland Government Statistician's Office led to Mutarnee SS being eligible. SL No. 135, explanatory notes, p 2.

⁸ SL No. 135, s 3; SL No. 135, explanatory notes, p 1.

⁹ SL No. 135, explanatory notes, p 3.

¹⁰ Section 8 of the HRA 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.

1.3 Human Rights Certificate

The human rights certificate tabled with SL No. 135 provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.



Recommendation 1

The committee recommends that the Legislative Assembly note this report.

A handwritten signature in blue ink that reads 'Nigel Hutton'.

Nigel Hutton MP

Chair

Education, Arts and Communities Committee

Chair Nigel Hutton MP, Member for Keppel

Deputy Chair Corrine McMillan MP, Member for Mansfield

Members Wendy Bourne MP, Member for Ipswich West

Nicholas (Nick) Dametto MP, Member for Hinchinbrook (until 13 October 2025)

Hon Michael (Mick) de Brenni MP, Member for Springwood (from 14 October 2025)

Ariana Doolan MP, Member for Pumicestone

Jon Krause MP, Member for Scenic Rim (until 9 December 2025)

Kendall Morton MP, Member for Caloundra (from 10 December 2025)