

Energy (Renewable Transformation and Jobs) (Transmission Ring-fencing Rule) Amendment Regulation 2025

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, the Honourable David Janetzki MP, Treasurer, Minister for Energy and Minister for Home Ownership provide this human rights certificate with respect to the *Energy (Renewable Transformation and Jobs) (Transmission Ring-fencing Rule) Amendment Regulation 2025* made under the *Energy (Renewable Transformation and Jobs) Act 2024* (Energy Act).

In my opinion, the *Energy (Renewable Transformation and Jobs) (Transmission Ring-fencing Rule) Amendment Regulation 2025*, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

Section 170A of the Energy Act provides a power to make a regulation modifying the obligations imposed on Powerlink, as a Transmission Network Service Provider, under the Australian Energy Regulator's (AER) Transmission Ring-Fencing Guidelines.

Using section 170A of the Energy Act, Queensland has established ring-fencing provisions for Powerlink in section 42 of the *Energy (Renewable Transformation and Jobs) Regulation 2024* (Energy Regulation) to support its role in implementing transmission frameworks under the Energy Act. These provisions replace certain obligations in the AER's *Ring-fencing Guideline Electricity Transmission (Version 4)* with the corresponding obligations from the AER's *Ring-fencing Guideline Electricity Transmission (Version 3)*. These derogated obligations include legal separation, obligation not to discriminate, information access and disclosure, and staff separation.

On 24 February 2025, the AER published the *Ring-fencing Guideline Electricity Transmission (Version 5)*, which is due to take full effect from 24 August 2025. To ensure the continued effectiveness of Queensland's ring-fencing arrangements, updated derogations to the *Ring-fencing Guideline Electricity Transmission (Version 5)* are required, as they remain necessary to support Powerlink's role in implementing frameworks under the Energy Act.

The *Energy (Renewable Transformation and Jobs) (Transmission Ring-fencing Rule) Amendment Regulation 2025* amends the Energy Regulation to achieve this. The amendments apply versions 3 and 5 (in place of version 4) of the AER's guidelines, and they continue to apply the same legal separation, non-discrimination, information access and disclosure, and staff separation obligations from version 3 to Powerlink. Since the updated AER guidelines have been extended to cover negotiated services, these replaced obligations will similarly be

extended to include negotiated services. The ring-fencing provisions cover negotiated services on the basis they are needed to continue to support Powerlink's role in implementing transmission frameworks under the Energy Act and ensure a consistent approach to the ring-fencing of information within one organisation.

Additionally, the *Energy (Renewable Transformation and Jobs) (Transmission Ring-fencing Rule) Amendment Regulation 2025* continues consequential amendments in relation to the definition, waiver, and reporting clauses, and they also make a new modification to ensure Powerlink's third-party service providers are subject to the same obligations as Powerlink under these hybrid arrangements.

The remaining obligations from the AER's *Ring-fencing Guideline Electricity Transmission (Version 5)* continue to apply to Powerlink under these arrangements.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

The *Energy (Renewable Transformation and Jobs) (Transmission Ring-fencing Rule) Amendment Regulation 2025* does not engage any human rights under the *Human Rights Act 2019*. Additionally, the *Energy (Renewable Transformation and Jobs) (Transmission Ring-fencing Rule) Amendment Regulation 2025* principally relates to corporate entities, which do not have human rights, as stipulated under section 11 of the *Human Rights Act 2019*.

Conclusion

I consider that the *Energy (Renewable Transformation and Jobs) (Transmission Ring-fencing Rule) Amendment Regulation 2025* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

DAVID JANETZKI MP
TREASURER
MINISTER FOR ENERGY AND MINISTER FOR HOME OWNERSHIP

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