

# Disaster Management (Local Disaster Management Group Interim Chairperson) Amendment Regulation 2020

## 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* (HR Act), I, Craig Crawford, Minister for Fire and Emergency Services provide this human rights certificate with respect to the Disaster Management (Local Disaster Management Group Interim Chairperson) Amendment Regulation 2020 made under the *Disaster Management Act 2003* (the DM Act).

In my opinion, the Disaster Management (Local Disaster Management Group Interim Chairperson) Amendment Regulation 2020, is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

### Overview of the Subordinate Legislation

On 28 March 2020, Local Government elections were held across Queensland. Until such time as the Queensland Electoral Commission publishes on its website the last declaration of a poll conducted for the local government area, the existing local government remains in caretaker mode.

After that time, and until new appointments can be made (except in the case of returning mayors), there will be no chair of the Local Disaster Management Group (LDMG), which may have flow on effects to the operations of the LDMG.

On 12 March 2020, the World Health Organisation declared COVID-19 a global pandemic. The *Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Remote Communities) Determination 2020* (the Determination) was made by the Commonwealth Minister for Health on 26 March 2020, under subsection 477(1) of the *Biosecurity Act 2015*, and came into effect at 11.59pm on that day.

The Determination declares the chairperson of the LDMG under the DM Act as a decision-maker.

Section 34 of the DM Act sets out that the chairperson and deputy chairperson of local groups are prescribed by regulation. Section 10 of the *Disaster Management Regulation 2014* (DM Regulation) states, for section 34(2) of the DM Act, the chairperson and deputy chairperson of a local group are the persons appointed by the relevant local government for the local group to be the chairperson and deputy chairperson.

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Amendments to the DM Regulation are required to ensure any necessary actions or decisions of the chairperson of the LDMG can be addressed during this period.

## **Human Rights Issues**

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

In my opinion, no human rights are relevant to this subordinate legislation.

### ***Disaster Management (Local Disaster Management Group Interim Chairperson) Amendment Regulation 2020***

In my opinion, this amendment does not limit any human rights.

## **Conclusion**

I consider that the Disaster Management (Local Disaster Management Group Interim Chairperson) Amendment Regulation 2020 is compatible with the HR Act.

**CRAIG CRAWFORD**  
MINISTER FOR FIRE AND EMERGENCY SERVICES

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