

# *Environmental Protection (Reef Protection Measures) 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*, I, Leeanne Enoch, Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts provide this human rights certificate with respect to amendments contained in the *Environmental Protection (Reef Protection Measures) Amendment Regulation 2020* made under the *Environmental Protection Act 1994*.

In my opinion, the *Environmental Protection (Reef Protection Measures) Amendment Regulation 2020*, 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**

The purpose of the *Environmental Protection (Reef Protection Measures) Amendment Regulation 2020* (Amendment Regulation) is to amend the *Environmental Protection Regulation 2019* to defer new requirements from coming into effect:

- to obtain an environment authority for prescribed environmentally relevant activity (ERA) 13A for new or expanded commercial cropping and horticulture activities in the Great Barrier Reef catchment, from 1 June 2020 to 1 June 2021; and
- new or expanded industrial activities (i.e. resource activities and prescribed ERAs) in the Great Barrier Reef catchment to meet a higher ‘no residual impact’ release standard from 1 December 2020 to 1 June 2021.

These requirements will be delayed from taking effect to allay potential impacts on stakeholders and the government during the COVID-19 pandemic. The COVID-19 pandemic is expected to have a significant impact on the capacity of the agricultural sector and industry to adequately prepare for the new regulatory requirements.

The authorising law for the Amendment Regulation is section 580 of the *Environmental Protection Act 1994*.

## **Human Rights Issues**

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

The potential impact of the Amendment Regulation on human rights in sections 15 to 37 of the *Human Rights Act 2019* was considered. No potential impacts were identified given that the proposed amendments delay new requirements from taking effect under the *Environmental Protection Regulation 2019*.

## Conclusion

I consider the *Environmental Protection (Reef Protection Measures) Amendment Regulation 2020* is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

**LEEANNE ENOCH MP**  
MINISTER FOR ENVIRONMENT AND THE GREAT BARRIER REEF  
MINISTER FOR SCIENCE AND MINISTER FOR THE ARTS

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