

Proclamation Corrective Services and Other Legislation Amendment Act 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, Mark Ryan, Minister for Police and Minister for Corrective Services provide this human rights certificate with respect to the Proclamation Corrective Services and Other Legislation Amendment Act 2020, made under the *Corrective Services and Other Legislation Amendment Act 2020*.

In my opinion, the Proclamation Corrective Services and Other Legislation Amendment Act 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 subordinate legislation is a proclamation to commence parts 5 and 6 and the Schedule 1, part 2 amendment of the *Weapons Regulation 1997* of the *Corrective Services and Other Legislation Amendment Act 2020*. These parts relate to Queensland Police Service policies for the regulation of replica firearms and the creation of a permanent firearms amnesty.

The proclamation commences these sections on 1 February 2021 and 1 April 2021.

Human Rights Issues

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

The proclamation commences all provisions of the *Corrective Services and Other Legislation Amendment Act 2020* relating to replica firearms and a permanent firearms amnesty.

Some of these amendments do limit human rights, and the statement of compatibility that accompanied the amendments in the *Corrective Services and Other Legislation Amendment Bill 2020* details how those amendments are reasonable and demonstrably justified in a free and democratic society based on human dignity, equality and freedom under section 13 of the *Human Rights Act 2019*.

However, as the proclamation does not contain any substantive legislative provisions and is of a machinery nature, it does not raise any further human rights issues.

Consideration of reasonable limitations on human rights (section 13 *Human Rights Act 2019*)

As the proclamation itself does not raise any human rights issues, it does not limit any human rights and therefore it is not necessary to consider section 13 of the *Human Rights Act 2019*.

Conclusion

I consider that the Proclamation Corrective Services and Other Legislation Amendment Act 2020, is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

MARK RYAN
MINISTER FOR POLICE AND
MINISTER FOR CORRECTIVE SERVICES

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