

# Proclamation – Criminal Code and Other Legislation (Wage Theft) Amendment Act 2020

## Statement of Compatibility

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

In accordance with section 41 of the *Human Rights Act 2019* (Human Rights Act), I, Grace Grace MP, Minister for Education and Minister for Industrial Relations, provide this human rights certificate with respect to the Proclamation of the un-commenced sections of the *Criminal Code and Other Legislation (Wage Theft) Amendment Act 2020* (the Proclamation).

In my opinion, the Proclamation 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 Proclamation is to:

- commence Part 3 of the *Criminal Code and Other Legislation (Wage Theft) Amendment Act 2020* (the Act), except for section 8 and sections 9 to 15, on 2 October 2020; and
- commence all remaining un-commenced sections of the Act on 1 March 2021.

## Human Rights Issues

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

The Proclamation fixes the dates for the commencement of all sections of the Act that have not yet commenced. As the Proclamation does not contain any substantive legislative provisions and is of a machinery nature, it does not raise any 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

In my opinion, the Proclamation is compatible with human rights under the *Human Rights Act 2019* because it does not limit a human right.

**THE HONOURABLE GRACE GRACE MP**  
MINISTER FOR EDUCATION AND  
MINISTER FOR INDUSTRIAL RELATIONS