

# Health Legislation (Fees) Amendment Regulation 2021

## 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 Yvette D'Ath MP, Minister for Health and Ambulance Services provide this human rights certificate with respect to the *Health Legislation (Fees) Amendment Regulation 2021* made under the *Ambulance Service Act 1991*, *Food Act 2006* and *Private Health Facilities Act 1999*.

In my opinion, the *Health Legislation (Fees) Amendment Regulation 2021*, 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 *Queensland Government Principles for Fees and Charges* (January 2020) requires agencies to set fees and charges to accurately reflect the cost of providing their services, and to ensure these fees and charges maintain their value over time. Where a regular comprehensive review of fees and charges is not cost effective or no specific indexation method has been otherwise approved, agencies are required to annually apply the Government-endorsed indexation factor to their fees and charges. The Government-endorsed indexation factor is 1.7 per cent for 2021-2022.

The following health portfolio Acts provide for fees and charges to be prescribed by regulation:

- *Ambulance Service Act 1991*, in relation to ambulance services such as emergency and non-emergency transport, ambulance attendance and for the treatment of a person by an ambulance officer;
  - *Food Act 2006*, in relation to prescribed fees and charges for application and renewal of approvals as an auditor; and
- Private Health Facilities Act 1999*, in relation to prescribed fees for approvals and licences to operate a private health facility.

The main objective of the amendment regulation is to index the fees and charges prescribed in regulations made under the above Acts, in accordance with Government policy.

### Human Rights Issues

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

The Regulation does not raise any human rights issues.

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

As the *Health Legislation (Fees) Amendment Regulation 2021* does not raise any human rights issues, it does not limit any human rights, therefore it is not necessary to consider section 13 of the *Human Rights Act 2019*.

**Conclusion**

I consider that the *Health Legislation (Fees) Amendment Regulation 2021* is compatible with the *Human Rights Act 2019* because it does not raise any human rights issue.

**YVETTE D'ATH MP**  
MINISTER FOR HEALTH AND  
AMBULANCE SERVICES

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