

Environmental Protection (ERA Standards) Amendment Regulation 2022

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, Meaghan Scanlon, Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs, provide this human rights certificate with respect to the *Environmental Protection (ERA Standards) Amendment Regulation 2022* made under the *Environmental Protection Act 1994*.

In my opinion, the *Environmental Protection (ERA Standards) Amendment Regulation 2022*, 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 objective of the *Environmental Protection (ERA Standards) Amendment Regulation 2022* (the Amendment Regulation) is to approve new versions (version 2) of the agricultural environmentally relevant activity (ERA) standards for beef cattle grazing, banana cultivation and sugarcane cultivation and the Prescribed Methodology for Sugarcane Cultivation (prescribed methodology), and make other miscellaneous amendments.

The Amendment Regulation will give effect to version 2 of the agricultural ERA standards for beef cattle grazing, banana cultivation and sugarcane cultivation and Prescribed methodology for sugarcane cultivation. Version 2 of these documents contain administrative updates from version 1 that remove duplication and clarify existing requirements to make it easier for producers to comply with the requirements. There will be no change to producers' requirements.

The Amendment Regulation corrects an omission in Section 29 of the EP Regulation that gives effect to ERA standards listed in Schedule 7 after 1 September 2019 and the title of the Prescribed methodology for banana cultivation.

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* has been considered. The Amendment Regulation is administrative in nature, by approving new versions of the agricultural ERA standards for beef cattle grazing, banana cultivation and sugarcane cultivation and the Prescribed methodology for sugarcane

cultivation, and making minor corrections. No human rights have been identified as being engaged nor limited through this subordinate legislation.

Conclusion

I consider that the *Environmental Protection (ERA Standards) Amendment Regulation 2022* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

MEAGHAN SCANLON MP
MINISTER FOR THE ENVIRONMENT AND THE GREAT BARRIER REEF
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