

Agriculture and Fisheries Legislation (Fee Unit Conversion) 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, Mark Furner MP, Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities, provide this human rights certificate with respect to the Agriculture and Fisheries Legislation (Fee Unit Conversion) Amendment Regulation 2022 made under the following Acts:

- *Agricultural Chemicals Distribution Control Act 1966*
- *Animal Care and Protection Act 2001*
- *Animal Management (Cats and Dogs) Act 2000*
- *Biosecurity Act 2014*
- *Brands Act 1915*
- *Chemical Usage (Agricultural and Veterinary) Control Act 1988*
- *Drugs Misuse Act 1986*
- *Fisheries Act 1994*
- *Food Production (Safety) Act 2000*
- *Veterinary Surgeons Act 1936*.

In my opinion, the Agriculture and Fisheries Legislation (Fee Unit Conversion) 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 Amendment Regulation implements fee units within the portfolio of the Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities. The way fees and charges will be expressed will be converted from dollar amounts to an amount of fee units. Fees and charges will then be calculated by reference to the value of a fee unit prescribed under the *Acts Interpretation Act 1954*. The fee unit model will be implemented in the following regulations:

- *Agricultural Chemicals Distribution Control Regulation 1998*
- *Animal Care and Protection Regulation 2012*
- *Animal Management (Cats and Dogs) Regulation 2019*
- *Biosecurity Regulation 2016*
- *Brands Regulation 2012*
- *Chemical Usage (Agricultural and Veterinary) Control Regulation 2017*
- *Drugs Misuse Regulation 1987*
- *Fisheries (General) Regulation 2019*

- *Food Production (Safety) Regulation 2014*
- *Veterinary Surgeons Regulation 2016.*

Certain fees prescribed in the *Fisheries (General) Regulation 2019* have been rounded to two decimal places.

The Amendment Regulation also clarifies that the monitoring fee prescribed in the *Drugs Misuse Regulation 1987* also applies to travel time of officers undertaking the monitoring activity.

Human Rights Issues

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

In my opinion, this subordinate legislation does not engage or limit any human rights protected under the *Human Rights Act 2019*.

Conclusion

I consider that the Agriculture and Fisheries Legislation (Fee Unit Conversion) Amendment Regulation 2022 is compatible with the *Human Rights Act 2019* because it does not limit human rights.

Mark Furner MP
Minister for Agricultural Industry Development and Fisheries and Minister for Rural
Communities

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