

# Safety in Recreational Water Activities (Code of Practice) Notice 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* (HR Act), I, Grace Grace, Minister for Education, Minister for Industrial Relations and Minister for Racing, provide this human rights certificate with respect to the *Safety in Recreational Water Activities (Code of Practice) Notice 2022* (the Notice) made under the *Safety in Recreational Water Activities Act 2011* (the SRWA Act).

In my opinion, the Notice is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

### Overview of the Subordinate Legislation

Making the Notice fulfils a requirement under section 43 of the SRWA Act for the Minister to give notice of approving, varying or revoking a code of practice. The Notice serves as a public record of decisions the Minister is authorised to make in relation to codes of practice.

The Safety in Recreational Water Activities (Codes of Practice) Notice 2011 (the existing notice) automatically expires on 1 September 2022 under section 54 of the *Statutory Instruments Act 1992*. The existing notice is being repealed and replaced to retain a record of notification of approved codes of practice under the SRWA Act. Repealing the existing notice prior to its expiry on 1 September 2022 enables the Notice to commence on 1 August 2022.

### Human Rights Issues

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

The Notice does not engage or limit any human rights.

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

The Notice does not limit any human rights protected under the HR Act. Therefore, it is not necessary to consider section 13 of the HR Act.

### Conclusion

I consider that the Notice is compatible with the HR Act as it does not raise a human rights issue.

**GRACE GRACE MP**  
MINISTER FOR EDUCATION  
MINISTER FOR INDUSTRIAL RELATIONS AND  
MINISTER FOR RACING

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