

Petroleum and Gas (Production and Safety) Legislation Amendment Regulation 2024

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, Scott Stewart, Minister for Resources and Critical Minerals provide this human rights certificate with respect to the *Petroleum and Gas (Production and Safety) Legislation Amendment Regulation 2024* made under the *Petroleum and Gas (Production and Safety) Act 2004*.

In my opinion, the *Petroleum and Gas (Production and Safety) Legislation Amendment Regulation 2024*, 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 *Petroleum and Gas (Production and Safety) Legislation Amendment Regulation 2024* amends the *Petroleum and Gas (General Provisions) Regulation 2017* and the *Petroleum and Gas (Safety) Regulation 2018* to enable the expansion of the petroleum and gas pipelines framework to hydrogen and hydrogen carriers and to make consequential amendments to better align with the *National Gas (Queensland) Law*.

It provides clarity for the regulation of hydrogen in Queensland by amending the *Petroleum and Gas (General Provisions) Regulation 2017* to update the prescribed list of fuel gas substances and introduces a prescribed list of regulated hydrogen substances.

It also amends definitions in the *Petroleum and Gas (General Provisions) Regulation 2017* and *Petroleum and Gas (Safety) Regulation 2018* to better align with amendments being progressed to the *National Gas (Queensland) Law* and gas elements of the National Electricity Retail Law.

The *Petroleum and Gas (Production and Safety) Legislation Amendment Regulation 2024* supports the *Gas Supply and Other Legislation (Hydrogen Industry Development) Amendment Act 2023* (GSOL(HID)A Act) which will commence on 4 March 2024. The GSOL(HID)A Act contains amendments to the *Petroleum and Gas (Production and Safety) Act 2004* to provide for the licencing and operation of transmission pipelines to transport hydrogen and regulated hydrogen.

Human Rights Issues

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

The *Petroleum and Gas (Production and Safety) Legislation Amendment Regulation 2024* does not limit human rights, protected under the *Human Rights Act 2019*, as the amendments merely

update or introduce definitions or lists of substances allowed to be transported under a pipeline licence, and do not change the requirements for obtaining, constructing or operating a pipeline.

When an application for a pipeline licence to transport hydrogen or regulated hydrogen is made, impacts on human rights will be considered in accordance with the requirements set out in the *Human Rights Act 2019*, on a case-by-case basis.

Conclusion

I consider that the *Petroleum and Gas (Production and Safety) Legislation Amendment Regulation 2024* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

SCOTT STEWART MP
MINISTER FOR RESOURCES AND CRITICAL MINERALS

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