

Disability Services Amendment Regulation (No. 2) 2025

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, Amanda Camm, Minister for Families, Seniors, Disability Services; Minister for Child Safety and the Prevention of Domestic and Family Violence, provide this human rights certificate with respect to the *Disability Services Amendment Regulation (No. 2) 2025* (the DS Amendment Regulation No. 2) made under the *Disability Services Act 2006* (DS Act).

In my opinion, the DS Amendment Regulation No. 2, as tabled in the Legislative Assembly, 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

The DS Amendment Regulation No. 2 amends section 2 of the *Disability Services Amendment Regulation 2025* (DS Amendment Regulation No. 1). This omits reference to the commencement date of 1 July 2025 and replaces it with reference to the commencement of the *Aged Care Act 2024* (Cwlth) (the new Aged Care Act), section 65. The amendment will ensure commencement of the DS Amendment Regulation No. 1 aligns with commencement of the relevant provision in the new Aged Care Act, which is now scheduled to commence on 1 November 2025.

Human Rights Issues

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

DS Amendment Regulation No. 2 has been considered in line with the HR Act, and it has been determined that no human rights are engaged by the DS Amendment Regulation No. 2.

The DS Amendment Regulation No. 2 enacts a minor amendment to section 2 of the DS Amendment Regulation No. 1 to remove reference to the start date of the new Aged Care Act, and to replace it with reference to the commencement of the new Aged Care Act, section 65. The proposed amendments will not change the purpose of section 12 of the DS Regulation, but rather will promote regulatory certainty for providers and participants once the new Aged Care Act commences. Therefore, there are no limits on human rights.

Conclusion

I consider that the DS Amendment Regulation No. 2 is compatible with the HR Act because it does not limit human rights.

AMANDA CAMM MP
MINISTER FOR FAMILIES, SENIORS AND DISABILITY SERVICES
MINISTER FOR CHILD SAFETY AND THE PREVENTION OF DOMESTIC AND
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