

Assisted Reproductive Technology (Postponement) Regulation 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*, I, the Honourable Timothy Nicholls MP, Minister for Health and Ambulance Services, provide this human rights certificate with respect to the Assisted Reproductive Technology (Postponement) Regulation 2025 (Regulation) made under the *Assisted Reproductive Technology Act 2024* (Act) and the *Acts Interpretation Act 1954*.

In my opinion, the Regulation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the Human Rights Act. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

On 19 September 2024, the Act received Royal Assent. The Act establishes a state-based regulatory framework for assisted reproductive technology providers. It also establishes a donor conception information register (Register) in Queensland for people to access information about donors and donor-conceived people. Some parts of the Act commenced on assent, with section 2 of the Act stating that a range of provisions will commence on a day to be fixed by proclamation.

Under section 15DA(2) of the Acts Interpretation Act, if the commencement of a provision has been postponed to commence by proclamation, rather than assent, and has not commenced within one year of assent, it automatically commences on the next day. However, section 15DA(3) provides that within one year of the day of assent, a regulation may extend the period before automatic commencement to not more than two years of the day of assent.

Pursuant to section 15DA of the Acts Interpretation Act, the Regulation will postpone commencement of the remaining provisions of the Act to the end of 19 September 2026. This will ensure the provisions do not automatically commence one year from assent on 20 September 2025.

Following the postponement, the uncommenced provisions relating to the regulation of assisted reproductive technology services are intended to be commenced by proclamation on 1 March 2026. Provisions relating to the Register are intended to be commenced in two stages in 2026. This will allow time for implementation activities associated with establishing the regulatory framework and the Register.

Human Rights Issues

The Act engages and limits human rights. The statement of compatibility that accompanied the Act details how its provisions are reasonable and demonstrably justified in a free and democratic society based on human dignity, equality and freedom under section 13 of the Human Rights Act.

The Regulation itself does not engage or limit any human rights.

Conclusion

I consider that the Regulation is compatible with the Human Rights Act because it does not engage or limit human rights.

TIMOTHY NICHOLLS MP
MINISTER FOR HEALTH AND
AMBULANCE SERVICES

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