

Public Records Bill 2023

Statement of Compatibility

FOR

Amendments to be moved during consideration in detail by the Honourable Leeanne Enoch MP, Minister for Treaty, Minister for Aboriginal and Torres Strait Islander Partnerships, Minister for Communities and Minister for the Arts

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 38 of the *Human Rights Act 2019*, I, Leeanne Enoch MP, Minister for Treaty, Minister for Aboriginal and Torres Strait Islander Partnerships, Minister for Communities and Minister for the Arts make this statement of compatibility with respect to the amendments to the Public Records Bill 2023.

In my opinion, the amendments to the Public Records Bill 2023 are 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 Amendments

The amendments will make three minor corrections to the Bill.

The long title of the Bill is 'A Bill for An Act about making, managing and accessing public records and continuing the role of the State Archivist and the Office of State Archives, to repeal the *Public Records Act 2002*, and to amend this Act and the legislation mentioned in schedules 4 and 5 for particular purposes'. The minor correction to change 'Office of State Archives' is required to reflect the name of the relevant institution.

The amendment will correct the reference by amending clause 106 to replace 'Office of State Archives' with 'office of the Queensland State Archives'.

Schedule 5 makes consequential amendments to update references in various legislation from '*Public Records Act 2002*' to '*Public Records Act 2023*'. These consequential amendments include changes to section 191(2) in the *Information Privacy Act 2009* (clause 5) and section 182(2) in the *Right to Information Act 2009* (clause 10) to replace in both Acts from 'under' to '*Public Records Act 2002*' with 'as permitted under the repealed *Libraries Act 1988*...'.

The amendment will remove the reference to ‘repealed’ in front of the ‘*Libraries Act 1988*’ because that Act has not been repealed.

Human Rights Issues

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

There are no human rights implications related to these amendments as they are minor in nature.

Conclusion

In my opinion, the amendments to the Public Records Bill 2023 are compatible with human rights under the *Human Rights Act 2019* because they do not limit a human right.

LEEANNE ENOCH MP

Minister for Treaty
Minister for Aboriginal and Torres Strait Islander Partnerships
Minister for Communities and
Minister for the Arts

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