

Electrical Safety and Other Legislation Amendment Bill 2025

Statement of Compatibility

FOR

Amendments to be moved during consideration in detail by the Honourable Jarrod Bleijie MP, Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations.

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

In accordance with section 38 of the *Human Rights Act 2019*, I, the Honourable Jarrod Bleijie MP, Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations, make this statement of compatibility with respect to the amendments to be moved during consideration in detail of the Electrical Safety and Other Legislation Amendment Bill 2025 (the Bill).

In my opinion, the amendments to the Bill to be moved during consideration in detail are compatible with the human rights protected by the *Human Rights Act 2019* (HR Act). I base my opinion on the reasons outlined in this statement.

Overview of the amendments

The *James Cook University Act 1997* (JCU Act) is amended to reshape the James Cook University (JCU) Council membership structure, to align the governance structure with other university council compositions and national governance reform priorities.

The amendments remove the current discretionary power for JCU Council to pass a resolution (under Part 2, Division 3A of the JCU Act) regarding Council composition and revert the Council member structure to being only a prescribed legislated model (the legislated model). The amendments also modify the legislative model under Part 2, Division 3 of the JCU Act.

Under the amended legislative model, Council membership will reduce from the existing 22 members to 16, which aligns with the current size of the Council under the existing resolution passed in 2023. The amended prescribed legislated Council membership would consist of three official members, six appointed members, five elected members and two additional members.

This amended legislated model would align with the overall council size across Queensland universities, which ranges from 15 to 23 members, and noting that regional universities

generally have between 15 and 18 members. It is noted that other universities have four additional members under their legislated model, whereas under the proposed legislated model for JCU, the JCU Council would include two additional members.

Providing for the amendments to commence on Royal Assent of the Bill will ensure they take effect before the terms of 10 out of the 16 Council members expire on 19 April 2026, comprising 2 (of 3) appointed members, 4 (of 6) additional members, and (all) 4 elected members. Transitional provisions will ensure that no person loses their existing membership of the Council as a result of the amendments. The remaining 6 members whose terms extend beyond 19 April 2026 will continue on the Council under the new composition, with their existing terms unaffected. Of the remaining 6 members, the 3 ex officio roles and the 1 remaining appointed member's terms expire on 19 April 2028, while the 2 additional members' terms expire on 19 April 2027 and 31 March 2028.

Human Rights Issues

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

In my opinion, the human right that is potentially engaged is the right to take part in public life (section 23 of the HR Act).

This right is based on Article 25 of the International Covenant on Civil and Political Rights, which Australia ratified in 1980.

The Queensland Human Rights Commission states that *while everyone in Queensland has the right to take part in public life without discrimination, this does not provide a right to a specific outcome from participation. The right to vote, be elected, and access public service roles is limited to eligible people*¹.

The amendments do not remove anyone's particular right to participate in the JCU Council, but it may impact on a person's eligibility (either positively or negatively), by changing the composition of membership. Due to the timing of the commencement of the amendments, no person will lose their existing membership on the JCU council.

Therefore, the amendments do not limit the right to take part in public life.

Additionally, as no person will be removed from a position on the JCU council, the right to property (through a potential loss of remuneration) (section 24 of the HR Act), and the right to privacy and reputation (section 25 of the HR Act), through a potential impact on professional reputation, will not be engaged.

While the proposed amendments will increase the clarity and transparency of the JCU council, the amendments do not engage the right to education (section 36 of the HR Act) as the scope of this right relates only to primary and secondary education and does not extend to tertiary education.

¹ Queensland Human Rights Commission website <https://www.qhrc.qld.gov.au/your-rights/human-rights/right-to-take-part-in-public-life>

Conclusion

In my opinion, the amendments to the Electrical Safety and Other Legislation Amendment Bill 2025 are compatible with human rights under the *Human Rights Act 2019* because they do not limit a human right.

JARROD BLEIJIE MP
DEPUTY PREMIER, MINISTER FOR STATE DEVELOPMENT, INFRASTRUCTURE
AND PLANNING AND MINISTER FOR INDUSTRIAL RELATIONS

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