

Transport and Other Legislation Amendment Bill 2026

Statement of Compatibility

FOR

Amendments to be moved during consideration in detail by the Honourable Brent Mickelberg MP, Minister for Transport and Main Roads

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

In accordance with section 38 of the *Human Rights Act 2019* (HR Act), I, Brent Mickelberg MP, Minister for Transport and Main Roads make this statement of compatibility with respect to the amendments to be moved during consideration in detail of the Transport and Other Legislation Amendment Bill 2026 (the Bill).

In my opinion, the amendments are compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

Overview of the Amendments

The amendments make consequential changes relating to dangerous driving reforms, provide a transitional arrangement for existing approved testing entities under the speed camera evidentiary certificate framework, refine the severe hardship permit review framework, update a cross-reference and make minor technical amendments.

Human Rights Issues

Human rights relevant to the amendments (Part 2, Divisions 2 and 3 of the HR Act)

The amendments relating to dangerous driving reforms, evidentiary certificates for speed cameras, and the amendments that are technical or consequential in nature do not engage human rights protected under the HR Act.

The human rights protected under the HR Act relevant to the amendments refining the severe hardship permit review framework are:

- recognition and equality before the law (section 15 of the HR Act),
- freedom of movement (section 19 of the HR Act), and
- fair hearing (section 31 of the HR Act).

Recognition and equality before the law

Section 15 of the HR Act recognises that every person is equal before the law and is entitled to equal protection of the law without discrimination.

The amendments refining the severe hardship permit review framework engage the right because they provide greater clarity and consistency in access to review by clarifying review rights, service requirements, court powers and procedures, and the role of the chief executive in review proceedings. This supports the fair and consistent operation of the review procedures. The amendments are compatible with the right because they promote and do not limit the right.

Freedom of movement

Section 19 of the HR Act protects a person's right to move freely within Queensland.

The amendments refining the severe hardship permit review framework engage freedom of movement because they concern review of decisions made in the context of immediate driver licence suspension. However, the amendments are compatible with this right because they do not limit the right. They do not affect when a driver licence may be suspended, or narrow eligibility for a severe hardship permit. The clarification that filing a review application does not stay the suspension or reconsidered decision preserves the existing position pending review and does not prevent the applicant from seeking review.

Fair hearing

Section 31 of the HR Act provides that a person has the right to have a civil proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

The amendments refining the severe hardship permit review framework engage the right because they clarify the procedures for review by a court, the material that may be considered, the chief executive's role as a party, allow evidence to be given and tested where appropriate, and allow suitable matters to be dealt with based on the documents. Requiring applications to be heard and decided as soon as practicable also supports timely access to review. Together, these amendments promote procedural fairness and the effective and efficient determination of review applications. The amendments are compatible with the right because they promote and do not limit the right.

Conclusion

In my opinion, the amendments to the Transport and Other Legislation Amendment Bill 2026 are compatible with human rights under the *Human Rights Act 2019* because they do not limit human rights.

Brent Mickelberg MP
Minister for Transport and Main Roads