

Suzanne Orr MLA

Minister for Aboriginal and Torres Strait Islander Affairs
Minister for Climate Change, Environment, Energy and Water
Minister for Disability, Carers and Community Services
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Our ref: 25/0196700

Mr Peter Cain MLA

Chair

Standing Committee on Legal Affairs (Legislative Scrutiny Role)

scrutiny@parliament.act.gov.au

Dear Mr Cain

Thank you for the comments made by the Standing Committee on Legal Affairs (Legislative Scrutiny Role) in Scrutiny Report 6 on the Biosecurity (National Livestock Identification System) Regulation 2025 and the Biosecurity Regulation 2025.

In its report, the Committee notes that the explanatory statements for both subordinate laws mentioned above state (in the introductory paragraphs):

The regulation is a Significant Regulation. Significant Regulations are regulations that have been assessed as likely to have significant engagement of human rights and require more detailed reasoning in relation to compatibility with the Human Rights Act 2004 (HRA).

The Committee notes that it does not recall seeing such a statement before and is unaware of its basis.

I acknowledge the Committee's comments that it has not seen such a statement before and that it is unaware of the statement's basis. The Committee is correct that a 'Significant Regulation' is not a special category of regulation. However, in this instance, the author of the explanatory statements decided to include the statement to identify the significant engagement of the regulations with human rights.

Thank you for raising this matter. I trust this information is of assistance.

Sincerely

A handwritten signature in blue ink, consisting of two main strokes that sweep upwards and to the right, with a small loop and a comma at the end.

Suzanne Orr MLA
Minister for Climate Change, Environment, Energy and Water

10/06/25