

Statement of compatibility with human rights

Prepared in accordance with the Thirteenth Assembly Sessional Orders (part 12.3) as adopted on 24 August 2017.

Education and Care Services (National Uniform Legislation) Amendment Bill 2019

This Bill is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth).

Overview of the bill

The *Education and Care Services (National Uniform Legislation) Act 2011* (the Act) enacts the Education and Care Services National Law (the National Law) in the Northern Territory (NT). The National Law, along with the Education and Care Services National Regulations, form the legal platform for the National Quality Framework (the NQF). The NQF is designed to drive the continuous improvement of quality in early childhood education and care services across Australia.

The Education and Care Services (National Uniform Legislation) Amendment Bill 2019 (the Bill) proposes administrative changes aimed at streamlining the administration of the Act. This includes:

- allowing nationally approved amendments to the National Law to be automatically adopted in the NT upon commencement in the host jurisdiction, Victoria
- making minor or technical amendments to clarify the intent of certain provisions and ensure alignment between the Act, National Law and subordinate legislation.

The Bill does not amend the underlying policy positions in the National Law, nor does it have regulatory effect on education and care services – it merely amends how changes to the National Law come into effect in the NT.

Human rights implications

The Bill has no adverse effects on the applicable rights or freedoms, with its primary purpose to streamline the administration of the National Law in the NT.

Under section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (Vic), Victoria, as the host jurisdiction, is required to prepare a statement of compatibility when introducing nationally agreed legislation to amend the National Law.

This process aligns with the statement of compatibility requirements for the NT as provided for under Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth), and ensures that any human rights implications will be addressed through the process of amending the National Law.

Conclusion

This Bill is compatible with human rights as it does not raise any human rights issues.