

## Fact sheet: Opt-in to the *Human Rights Act 2019*

Section 60 of the *Human Rights Act 2019* (the Act) enables entities not otherwise captured by the definition of a public entity in the Act to choose to 'opt-in' to the obligations on public entities under the Act.

This mechanism enables entities to commit publicly and voluntarily to acting compatibly with human rights. It contributes to the dialogue of corporate social responsibility and helps build a human rights culture in Queensland.

### What does it mean if an entity opts-in to the Act?

Entities that choose to opt-in to the Act will be deemed a [public entity](#) and become subject to the obligations under Part 3, Division 4 of the Act.

These obligations mean that:

- the entity and their staff must properly consider human rights when making a decision (and not doing so is unlawful);
- the entity and their staff must act or make a decision in a way that is compatible with human rights (and not doing so is unlawful);
- an individual may pursue a cause of action in relation to a failure by the entity to meet their obligations to properly consider human rights when making a decision, or failing to act or make a decision compatible with human rights (in accordance with the model provided for by section 59 of the Act);
- an individual will be able to complain to the [Queensland Human Rights Commission](#) (QHRC) about a contravention of their human rights by the entity, and the QHRC may order the parties to take part in conciliation to resolve the complaint;
- the QHRC may publish information about human rights complaints made against the entity; and
- the QHRC may request information from the entity to allow it to prepare its reports, including annual reports, and the entity must comply unless it has a reasonable excuse.

### How can an entity opt-in to the Act?

Section 60 of the Act sets out the process for an entity to opt-in to the Act. It requires entities to make a written request to the Attorney-General asking that they make a declaration that the entity is subject to the obligations under the Act.

Once the Attorney-General receives a written request from an entity, the declaration will be made by gazette notice and the obligations on the entity will commence.



Entities can submit written requests to the Attorney-General via email or post:

Mail: GPO Box 149  
Brisbane, Qld, 4001

Email: [attorney@ministerial.qld.gov.au](mailto:attorney@ministerial.qld.gov.au)

## If an entity opts-in to the Act, can they later opt-out?

Entities that have been declared under section 60 are able to ask the Attorney-General to revoke the declaration at any time.

Similar to the opt-in process, the request must be made by the entity in writing to the Attorney-General. The revocation will then be given effect through a gazette notice.

## More information about the Act

You can access information and resources about the Act, including about the obligations on public entities, on the Queensland Human Rights Commission's [website](#).