

Agriculture and Other Legislation Amendment Bill 2019

Erratum to Explanatory Notes

Title of the Bill

Agriculture and Other Legislation Amendment Bill 2019

Reasons for erratum

The Agriculture and Other Legislation Amendment Bill 2019 (Bill) is an omnibus Bill which was introduced into the Queensland Legislative Assembly on 22 August 2019.

As currently explained in the section of the Explanatory Notes for the Bill, clause 133 of the Bill would amend section 13 (Unlawfully entering farming land etc.) of the *Summary Offences Act 2005* to double the maximum penalty to 20 penalty units or one year's imprisonment. The new maximum penalty would be the same as for unlawful entry to a dwelling. This will reflect that similar levels of fear and intimidation that may be experienced as a result of unauthorised entry to farm and other relevant land, especially in relatively isolated rural and regional locations.

The purpose of this erratum is to highlight that the increase in maximum penalty for the offence against section 13(1) of the *Summary Offences Act 2005* is also justified because the recent history of protests demonstrates that the existing penalty of 10 penalty units or six months' imprisonment appears to have been insufficient to deter protestors.

Achievement of policy objectives

On page 6, replace everything after the words "This will reflect that" in the first paragraph, second sentence, with:

"land owners and occupiers may experience similar levels of fear and intimidation as a result of unauthorised entry to farm land, especially in relatively isolated rural and regional communities. The increased maximum penalty of 20 penalty units or 12 months' imprisonment for an offence against section 13(1) is also justified because the recent history of protests demonstrates that the existing penalty of 10 penalty units or six months' imprisonment appears to have been insufficient to deter protestors."

Consistency with fundamental legislative principles

On page 21, insert at the end of the fifth paragraph, which ends in the words “remote locations”, the following sentence:

“The increased maximum penalty for an offence against section 13(1) is also justified because the recent history of protests demonstrates that the existing penalty of 10 penalty units or six months’ imprisonment appears to have been insufficient to deter protestors.”

Notes on Provisions

On page 53, at the end of the paragraph about clause 133, replace the words “unlawfully entering farming land” with:

“unlawfully entering farming and other relevant land. The increased maximum penalty for an offence against section 13(1) is also justified because the recent history of protests demonstrates that the existing penalty of 10 penalty units or six months imprisonment appears to have been insufficient to deter protestors.”

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