Queensland

Criminal Code (Trespass Offences) Amendment Bill 2019
# Criminal Code (Trespass Offences) Amendment Bill 2019

## Contents

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Short title</td>
<td>4</td>
</tr>
<tr>
<td>2</td>
<td>Code amended</td>
<td>4</td>
</tr>
<tr>
<td>3</td>
<td>Amendment of s 1 (Definitions)</td>
<td>4</td>
</tr>
<tr>
<td>4</td>
<td>Amendment of s 418 (Definitions)</td>
<td>4</td>
</tr>
<tr>
<td>5</td>
<td>Insertion of new ss 422–424</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Aggravated trespass</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Serious criminal trespass</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Organised trespass</td>
<td>5</td>
</tr>
<tr>
<td>6</td>
<td>Amendment of s 552BB (Excluded offences)</td>
<td>6</td>
</tr>
</tbody>
</table>
2019

A Bill

for

An Act to amend the Criminal Code for particular purposes
Criminal Code (Trespass Offences) Amendment Bill 2019

[s 1]

The Parliament of Queensland enacts—

Clause 1  Short title
This Act may be cited as the Criminal Code (Trespass Offences) Amendment Act 2019.

Clause 2  Code amended
This Act amends the Criminal Code.

Clause 3  Amendment of s 1 (Definitions)
Section 1—

insert—

private land, for part 6, division 1, chapter 39, see section 418(4).

public land, for part 6, division 1, chapter 39, see section 418(4).

transport infrastructure, for part 6, division 1, chapter 39, see section 418(4).

Clause 4  Amendment of s 418 (Definitions)
Section 418(4)—

insert—

private land means land other than public land.

public land means—

(a) land that the public is entitled to use, is open to members of the public or is used by the public, whether or not on payment of money; or

Authorised by the Parliamentary Counsel
Clause 5 Insertion of new ss 422–424

After section 421—

insert—

422 Aggravated trespass

(1) A person who unlawfully enters or is in premises, private land or transport infrastructure with intent to cause economic loss to another person or the State commits an offence.

Maximum penalty—100 penalty units or 3 years imprisonment.

(2) In this section—

unlawfully means without authorisation, justification or excuse by law.

423 Serious criminal trespass

A person who enters or is in premises, private land or transport infrastructure used for business purposes and commits an offence punishable by 3 years imprisonment or more commits a crime.

Maximum penalty—3,000 penalty units or 10 years imprisonment.

424 Organised trespass

(1) A person commits a crime if—

(a) the person—

(i) is a participant in an organisation; and
(ii) counsels or procures, or arranges for, another person to commit an offence against section 422 or 423; and

(b) the other person—

(i) is a participant in the same organisation; and

(ii) commits an offence against section 422 or 423.

Maximum penalty—3,000 penalty units or 10 years imprisonment.

(2) This section does not limit section 7.

(3) In this section—

organisation includes a business and a charity.

participant, in an organisation, means a director, member or volunteer of the organisation.

Clause 6 Amendment of s 552BB (Excluded offences)

Section 552BB, table—

<table>
<thead>
<tr>
<th>insert</th>
<th>16</th>
</tr>
</thead>
</table>

| section 423            | Serious criminal trespass |
| section 424            | Organised trespass       |