Justice and Other Legislation Amendment Bill 2026

Explanatory Notes

Short title

The short title of the Bill is the Justice and Other Legislation Amendment Bill 2026 (the Bill).

Policy objectives and the reasons for them

Disrupting metal theft

Metal theft has become a sustained criminal activity in Queensland where offenders are motivated by the resale value of metal, rather than the value of the property from where the metal is sourced. Metal theft causes significant financial and broader societal costs, and imposes a heavy burden on businesses, government agencies and the broader community due to the direct costs of replacing stolen materials and repairing damaged infrastructure.

Beyond financial losses, there are also wider social impacts that result from metal theft, including public safety risks, such as significant risk of injury or death from compromised electrical equipment or disruption to telecommunication services, and the inconvenience to communities from disrupted transport networks. Metal theft also undermines public confidence in critical infrastructure systems and diverts resources from other essential services.

Therefore, a principal objective of the Bill is to disrupt the theft, sale and disposal of stolen metal as scrap metal which significantly impacts Queensland communities.

Creating greater coronial efficiencies

The Bill amends the *Coroners Act 2003* (Coroners Act) to create immediate efficiencies, ease the pressure on the coronial system and streamline the allocation of coronial resources. In addition, it will expand the reportable deaths framework to reinstate, as a death in care, the deaths of people with disability in Queensland who receive disability supports under the Commonwealth Government's Disability Support for Older Australians (DSOA) Program.

Strengthening stock offence framework

Stock-related offending is a costly aspect of rural crime, with significant losses incurred by primary producers and the expenditure of resources in investigation and prosecution.

The Criminal Code contains a number of dishonesty offences associated with the stealing, use, slaughter, branding, and possession of stock. These sections provide that if the court imposes a fine, in addition to or instead of a term of imprisonment, the minimum monetary penalty is the prescribed fine or the value of the animal whichever is higher. This unique penalty regime is based on the principle that a fine imposed for stock offences should reflect the value of the animal. The Criminal Code also provides a framework for stock disposal orders, which provide

a mechanism to sell animals seized in connection with the offences that cannot be returned to their owner, and for the valuation of animals in accordance with regulations.

To recognise the seriousness of stock offences and ensure procedural requirements remain contemporary and operate effectively, the minimum prescribed fines for the offences are being increased and some procedural matters are being refined.

Disclosure of Information to Accredited Media Entities

The objective of amendments to the *Police Service Administration Act 1990* and amendments to the *District Court of Queensland Act 1967* (District Court of Queensland Act), the *Magistrates Court Act 1921* (Magistrates Court Act), and the *Supreme Court of Queensland Act 1991* (Supreme Court of Queensland Act) is to facilitate existing practices in which information is disclosed to enable media representatives to identify when a court proceeding is to be held.

The attendance of media at criminal proceedings enhances open justice and increases the transparency of criminal proceedings.

Improving the operation of various justice portfolio legislation

Finally, an overall objective of the Bill is to clarify, strengthen and update legislation concerning the administration of justice, including legislation relating to civil and criminal proceedings, court and tribunal administration, judicial appointments, right to information and information privacy laws, and gaming and occupational licensing.

Achievement of policy objectives

Disrupting metal theft

The Bill amends the Criminal Code to increase penalties for certain offences typically charged in relation to metal theft (stealing, wilful damage and receiving tainted property) and introduces two new offences for attempted metal theft and possession of a prescribed metal item reasonably suspected of being stolen.

The amendments are designed to capture the items and places regularly targeted by offenders, including as part of telecommunications infrastructure, electricity supply and road and rail networks and water and sewerage services.

While a new, specific offence is inserted to increase the penalty for attempted metal theft, it is not intended that this would displace the operation of the attempt provisions for stealing any other type of property.

The new special cases for the offences of stealing and wilful damage are designed to reflect the behaviour involved, particularly the significant impacts of metal theft where it occurs in settings such as at sporting and community facilities and agricultural, construction and public infrastructure sites.

The highest maximum penalties capture stealing and wilful damage where the life or health of a person is endangered or the conduct occurs during or in the lead up to a natural disaster. The maximum penalty for these cases is set at 25 years imprisonment.

The circumstance of aggravation applying to natural disasters has been drafted expansively so that it captures offending which occurs:

- while disaster operations are being undertaken as part of the response phase (which includes the taking of appropriate measures to respond to an event, including action taken and measures planned in anticipation of, during, and immediately after an event to ensure that its effects are minimised and that persons affected by the event are given immediate relief and support) in anticipation of a natural disaster
- during a natural disaster
- in an area that is a declared area for a disaster situation under the *Disaster Management Act 2003* (or an area that was, immediately before the offence was committed, a declared area for a disaster situation).

For example, it is intended the provisions would apply where a district or community undertakes preparatory measures in anticipation of a natural disaster, irrespective of whether the disaster ultimately eventuates. This may include scenarios where a tropical cyclone is projected to impact a specific area but unexpectedly changes its course.

In situations where the stealing and wilful damage disrupts the operation or use of a public facility or infrastructure, the new special cases set a maximum penalty of 14 years imprisonment.

In addition, the Bill increases penalties where offenders target telecommunication cables, which are at times being targeted by offenders on the false assumption that the cables contain metal. This is intended to capture, for example, fibre cables used for internet connections.

Also, the Bill introduces new aggravated penalties for the existing offence of receiving tainted property. In situations where the property was a valuable metal item and the offender who received the property was acting as a pawnbroker or dealer in second-hand goods, the Bill increases the maximum penalty to 20 years imprisonment. Where any other person receives tainted property that was a valuable metal item, the penalty is set at 16 years imprisonment. Further, the new offence of attempted metal theft captures any person who attempts to steal a valuable metal item and attracts a maximum penalty of 7 years imprisonment.

The new offence dealing with the possession of a prescribed metal item reasonably suspected of being stolen, specifically captures catalytic converters; diesel particulate filters; and cabling or wiring. These are high impact, high volume items that are reported as being stolen across the community. The maximum penalty to be applied to this offence is 3 years imprisonment.

The Bill also aims to reduce scrap metal theft and improve regulation and enforcement by strengthening the capacity of the *Second-hand Dealers and Pawnbrokers Act 2003* (Second-hand Dealers Act) to disrupt the sale and disposal of stolen scrap metal and increasing penalties for relevant offences.

In particular, the Bill:

- inserts a definition of ‘scrap metal’ into the Second-hand Dealers Act;
- imposes additional photographic identity verification requirements under the Second-hand Dealers Act to ensure second-hand dealers transacting in scrap metal obtain accurate information about the identity of the person selling or providing the scrap metal to the dealer, including their name, date of birth and residential address;
- increases penalties under the Second-hand Dealers Act for unlicensed second-hand dealing in scrap metal;

- requires all transactions involving scrap metal, regardless of value, to be recorded in the transaction register;
- addresses a practical issue for larger scrap metal recycling businesses by providing that scrap metal does not need to be held for 7 clear working days after acquisition, which is generally a requirement for other second-hand property; and
- modernises the offences under the Second-hand Dealers Act for failing to report suspected stolen property to police and provides an escalating penalty for second-hand dealers that repeatedly fail to inform police of scrap metal suspected to have been stolen or unlawfully obtained.

Creating greater coronial efficiencies

Delegation to Registrars and Deputy Registrars

Section 86 of the Coroners Act provides for delegation by the State Coroner of a power to a registrar or an appropriately qualified deputy registrar, with specific powers mentioned in subsections (3) and (4), and certain exclusions in subsection (8).

Amendments to section 86 are to clarify the functions and powers that the State Coroner may delegate to a registrar, or an appropriately qualified deputy registrar. The amendments will create efficiencies in the system by allowing less complex coronial matters to be finalised expeditiously by registrars and appropriately qualified deputy registrars, to provide answers and give comfort to bereaved family members.

The Bill includes safeguards to ensure that only appropriate functions are delegated by the State Coroner. The Bill excludes certain functions from being delegated, such as the ability to conduct inquests, issue search warrants, powers to direct or make requests of police officers under the *Police Powers and Responsibilities Act 2000* (Police Powers and Responsibilities Act), the power to access information from prescribed tissue banks, and other functions prescribed by regulation.

Furthermore, the Bill provides that if a delegate believes for any reason that it is inappropriate for them to perform a function relating to the investigation of a death or suspected death, the delegate must stop performing the function and provide a coroner with written notice stating the reasons for their belief.

Any coroner to investigate and conduct mandatory inquest into certain deaths due to natural causes

Currently, only the State Coroner, a Deputy State Coroner or an approved coroner may investigate and conduct mandatory inquests into a death in custody or a death that happened in the course of, or as a result of, police operations.

The Bill amends section 7 of the Coroners Act to allow natural deaths that occurred in custody or from police operations to be investigated by any coroner. This aims to relieve the pressure on the coronial system and support bereaved families by enabling the allocation of investigation of these types of deaths to other coroners.

All coroners are appointed magistrates with extensive legal experience. Coroners will continue to conduct investigations and inquests with a high level of scrutiny, and in accordance with the Coroners Act and the State Coroner's Guidelines.

The State Coroner or a Deputy State Coroner will retain the ability to investigate a death in custody or a death that happened in the course of or as a result of police operations. The State Coroner may reassign the investigation to another coroner (including the State Coroner or a Deputy State Coroner (section 63)).

Inquests relating to deaths in custody from unnatural causes (including suspicious deaths) will continue to be investigated by the State Coroner, a Deputy State Coroner or a specially appointed or local coroner.

Existing oversight mechanisms will still apply including the requirement for a person to report a death in custody to either a Deputy State Coroner or the State Coroner, and for the Coroners Court annual report to include a summary of the investigation and inquest.

Appointment of a coroner as chairperson of the Domestic and Family Violence Death Review and Advisory Board

Section 91K(1) requires the chairperson of the Domestic and Family Violence Death Review and Advisory Board to be either the State Coroner or a Deputy State Coroner. The Bill amends section 91K to also allow an appropriately qualified coroner to be appointed as chairperson.

This amendment recognises that other coroners also possess the appropriate experience and knowledge relevant to undertake the role of the chairperson, including experience and expertise in dealing with deaths related to domestic and family violence.

Statement of referral of information under section 48

Section 48(2) requires a coroner to give information obtained while investigating a death, to particular entities if the coroner reasonably suspects a person has committed an offence (e.g. the Director of Public Prosecutions (DPP)). Section 48(3) provides that a coroner may give information about corrupt conduct or police misconduct to the Crime and Corruption Commission. Section 48(4) provides a coroner may give information about a person's conduct in a profession or trade to a disciplinary body.

The amendments clarify that a coroner may include in their findings (under section 45) or comments (under section 46), a statement that they have given or intend to give information to a person or entity under section 48. This is consistent with the principles of openness and transparency and supports bereaved family members and members of the public knowing a referral has occurred.

This amendment supports and provides certainty to the State Coroner's Guidelines which state that a coroner should note in their findings if they have made a referral to ensure openness and transparency for bereaved family members and the public. The amendment aims to clarify the application of section 48 to better support coroners to appraise stakeholders of the next steps following the inquest.

The Guidelines set out the existing safeguards for managing referrals, including that the subject of a possible referral be given the right to make submissions, and that the risk to reputation can be ameliorated by the coroner clarifying the low bar for referrals and that the DPP has authority for determining whether charges should be brought.

Minor amendment to remove an example of an unnatural death

Section 8 of the Coroners Act defines a reportable death, which includes an unnatural death as a death of a person who dies at any time after receiving an injury that either caused the death; or contributed to the death and without which the person would not have died.

Currently, the Act includes three examples in section 8(6) including "a person's death from pneumonia suffered after fracturing the person's neck or femur". This example has caused confusion in its application as the example as drafted results in the over-reporting of non-reportable deaths, because of the presence of a fracture of the person's neck of femur. The example also contained a typographical error. The Bill removes this one example to reduce confusion and unnecessary reporting of non-reportable deaths into the coronial system.

Reportable deaths framework

During the transition to the National Disability Insurance Scheme (NDIS), a number of people with disability were in receipt of funding from state-funded disability services, but for various reasons were not eligible for the NDIS.

State and Commonwealth governments provided for continuity of supports for this cohort of people, including through the Commonwealth Government's Continuity of Supports Program, which was replaced by the DSOA Program on 1 July 2021.

The Bill amends the Coroners Act to expand the reportable deaths framework to include, as a death in care, the deaths of people with disability in Queensland who receive disability supports under the DSOA Program. This will require a coroner to investigate these deaths and for an inquest to be held when the circumstances of the death raise issues about the deceased person's care.

Strengthening the stock offence framework

Monetary penalties

The Bill amends the Criminal Code to increase the monetary penalties for nine stock-related offences. The minimum prescribed fine is being increased from:

- four to 10 penalty units for offences relating to using registered brands with criminal intention, unlawfully using stock, suspicion of stealing stock, illegal branding, defacing brands, and possessing stock with a defaced brand;
- 10 to 20 penalty units for offences relating to killing animals with intent to steal, stealing with special circumstance of stealing stock, and injuring animals; and
- 8 to 16 penalty units for injuring animals other than stock.

In accordance with section 11 of the Criminal Code the increased penalties will apply prospectively to conduct occurring after commencement of the provisions.

Stock disposal order applications

An applicant for a stock disposal order must give each person with a legal or equitable interest in the animal a copy of the application at least 28 days before the hearing, unless the person cannot reasonably be located. The Bill replaces the requirement for the application to be accompanied by an affidavit stating the persons who were given a copy of the application and any who could not reasonably be located with a requirement for the applicant to file an affidavit,

stating the persons given a copy of the application and any who could not reasonably be located, at least 14 days prior to the hearing.

The changes will apply only to applications made after commencement.

Regulation making power

The Bill amends the regulation making power for the stock offence framework to ensure it remains flexible and appropriate. The amendments remove references to animal valuer panels to enhance flexibility in how valuations may be conducted, clarify that valuations may be undertaken for the purpose of determining penalties or for stock disposal orders, provide for 'remuneration' to be paid to animal valuers rather than 'fees', and modernise the suitability requirements for appointment as an animal valuer.

Improving the operation of various justice portfolio legislation

The Bill achieves this objective by amending a range of Acts as outlined below.

Repeal the Brisbane Casino Agreement Act

The *Casino Control Act 1982* (Casino Control Act) requires that prior to a casino licence being granted, the State and the proposed casino licensee must enter into an agreement which identifies the proposed casino, location of the site and other terms and conditions as specified by the Governor in Council. The agreement does not have force or effect until it is ratified by Parliament.

The Brisbane Casino Agreement between the State and the former casino licensee of the Treasury Brisbane casino governed the development and operation of the casino and the broader hotel-casino complex. The Brisbane Casino Agreement was ratified by Parliament and given the force of law through its inclusion in the *Brisbane Casino Agreement Act 1992* (Brisbane Casino Agreement Act).

The Brisbane Casino Agreement was terminated on 24 October 2024 by the then Attorney-General on behalf of the State following the closure of the Treasury Brisbane casino on 25 August 2024 and the surrender of the associated casino licence on 23 October 2024. Given the Brisbane Casino Agreement has been terminated, there is no need to retain the Brisbane Casino Agreement Act.

Accordingly, the Bill repeals the Brisbane Casino Agreement Act, and removes redundant references to the Act contained in the Casino Control Act, *Casino Control Regulation 1999* and *Charitable and Non-Profit Gaming Act 1999* (Charitable and Non-Profit Gaming Act), and makes other consequential amendments.

Correct 'Casino Acts' definition in the Charitable and Non-Profit Gaming Act

Part 8A of the Charitable and Non-Profit Gaming Act enables the conduct of two-up games by Returned and Services Leagues (RSLs) or Services Clubs, or a person approved by an RSL sub-branch on designated days (i.e., ANZAC Day, or another day prescribed by regulation that is significant to the remembrance of the sacrifice for the nation by the men and women of its Defence Force). The Act provides that the State may permit or approve the conduct of two-up on a designated day under Part 8A despite any provisions in various Casino Acts which may grant casinos exclusive rights to conduct or play the game.

'Casino Acts' is defined to mean the *Breakwater Island Casino Agreement Act 1984*; Brisbane Casino Agreement Act; *Cairns Casino Agreement Act 1993*; and *Jupiters Casino Agreement Act 1983*. The definition was inserted in 2012 and reflected the casino agreement Acts in force at the time.

In 2016, the *Queen's Wharf Brisbane Act 2016* (Queen's Wharf Brisbane Act) ratified the Queen's Wharf Brisbane Casino Agreement, granting the casino licensee of The Star Brisbane with exclusive rights to conduct two-up within a defined geographical radius. However, the definition of 'Casino Acts' in the Charitable and Non-Profit Gaming Act was not updated to reflect the Queen's Wharf Brisbane Act. It is considered that this consequential amendment was inadvertently overlooked. To rectify this oversight, the Bill amends the Charitable and Non-Profit Gaming Act to ensure the Queen's Wharf Brisbane Act is included in the definition of 'Casino Acts'. The Bill also removes the reference to the Brisbane Casino Agreement Act, due to the repeal of that Act as discussed above.

Remove references to repealed *Criminal Law (Sexual Offences) Act 1978*

On 26 May 2025, the *Criminal Law (Sexual Offences) Act 1978* was repealed as a result of reforms introduced by the *Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024* which gave effect to recommendations from the Women's Safety and Justice Taskforce.

References to this repealed legislation remain in section 94B of the *Housing Act 2003* and sections 193 and 194 of the *Child Protection Act 1999.* The Bill makes amendments to remove these redundant references.

Allow the District Court of Queensland (District Court) and Magistrates Court of Queensland (Magistrates Court) to issue enforcement warrants containing charging orders and stop orders

Charging and stop orders are two specific types of orders related to the enforcement of civil judgments in the Supreme, District and Magistrates Courts. A charging order allows a judgment creditor to secure payment of a judgment debt by effectively freezing or encumbering the debtor's financial interests in specified property until the debt is satisfied. A stop order preserves the status quo and stops any dealing with the property until the court decides how it should be applied towards the judgment debt.

Currently, a civil judgment made in the District Court or the Magistrates Court must be enforced in the Supreme Court of Queensland (Supreme Court) if an enforcement warrant is sought that contains a charging order or a stop order. This limitation appears to be borne out of the historical limitations imposed on the District and Magistrates Courts in equitable matters.

The amendments to the *Civil Proceedings Act 2011* (Civil Proceedings Act), Supreme Court of Queensland Act and the *Uniform Civil Procedure Rules 1999* (Uniform Civil Procedure Rules) will allow the District and Magistrates Courts to issue enforcement warrants containing charging orders and stop orders, consistent with the powers given to the Supreme Court. The amendments will ensure that a person seeking an enforcement warrant for a charging order or a stop order is not put to the cost of applying to a higher level of court than is necessary.

Increase the monetary limit of the District Court's civil jurisdiction from $750,000 to $1.5 million

Under section 68 of the District Court of Queensland Act, the District Court has jurisdiction to hear and determine a range of civil actions and matters where the amount sought to be recovered does not exceed the monetary limit of $750,000. In addition to money claims, the monetary limit also includes the value of property, including in relation to land, trusts, administration of deceased estates and family provision orders.

The amendments to the District Court of Queensland Act align the District Court's monetary limit with that of equivalent courts in other states and territories and address inflationary pressures, given the monetary limit has remained unchanged for 15 years.

The amendments will also enhance access to justice, particularly in regional Queensland. Access to justice will be improved by lowering the costs of running civil matters for litigants and for the justice system as a whole in circumstances where the amount sought to be recovered (or value of property) is between $750,000 and $1.5 million. The increased limit will also deliver an improvement in geographical access to justice as the District Court has more regional locations (31) compared to the Supreme Court (10).

The increase will also improve access to justice for other legislative schemes that reference or are fixed to the District Court's monetary limit.

Clarifying amendments to the *Evidence Act 1977* (Evidence Act)

On 23 September 2024, a framework restricting the cross-examination of sexual assault complainants commenced alongside other sexual violence reforms in the *Criminal Law (Coercive Control and Affirmative Consent) Amendment Act 2024*.

The Evidence Act provides in relation to a sexual offence that a complainant must not be cross-examined, and the court must not admit any evidence, as to the sexual activities, whether consensual or non-consensual, of the complainant (other than those to which the charge relates) without leave of the court.

A party seeking to cross-examine a complainant in relation to sexual activities, or to admit evidence as to the sexual activities of a complainant must apply for leave of the court at least 14 days before the day the trial is listed to commence in the Supreme Court or District Court, or if a 'special hearing' is to be held, at least 14 days before the special hearing.

The term 'special hearing' is not defined in the Evidence Act, nor is it a term that has practical significance in Queensland. It was the intention that a party be required to file and serve their application prior to a hearing where a witness' evidence is taken and recorded prior to the trial.

To provide greater clarity, the Bill removes the redundant reference to a 'special hearing' and instead refers to 'relevant recorded evidence'. This term is defined to mean specific hearings that occur in Queensland, under the provisions of the Evidence Act, that involve a witness' evidence being taken and recorded in advance of a substantive proceeding.

The Bill otherwise clarifies the operation of transitional provisions at section 173 to 177, within part 9, division 17 of the Evidence Act by inserting a definition of the term 'originating step'. The definition captures the arrest of the defendant in the proceeding; or the making of a complaint under the *Justices Act 1886* (Justices Act), section 42 in relation to the defendant in

the proceeding; or the serving of a notice to appear on the defendant in the proceeding under the Police Powers and Responsibilities Act.

Support the effective management of privacy complaints under the *Information Privacy Act 2009* (Information Privacy Act)

The Information Privacy Act provides that a privacy complaint does not include a complaint in relation to personal information if the personal information is *in a document to which the Act does not apply* (section 164(2)(a)).

The term 'document to which the Act does not apply' is not a defined term in the Information Privacy Act. To clarify its meaning, the Bill makes a minor amendment to replace the words 'document to which the Act does not apply' with words used elsewhere in the Information Privacy Act, to confirm that a privacy complaint does not include a complaint about personal information in a document held by an entity which is not subject to the Act (e.g. a document held by a government owned corporation), or in a document to which certain requirements of the Information Privacy Act do not apply (e.g. a document about a person in a witness protection program).

The Information Privacy Act also sets out the response period for a privacy complaint. Therefore, the Bill makes minor amendments to the Information Privacy Act to clarify that, if an agency has asked for an extension of time to deal with a privacy complaint, the response period ends either when a complainant refuses an agency's extension request, or when any extensions which have been requested have ended.

Support delivery of the Integrity Commissioner's core functions

Clarifying delegation powers

Currently, there are no explicit delegation powers in the *Integrity Act 2009* (Integrity Act) for financial management decisions and obligations of the Office of the Queensland Integrity Commissioner (OQIC) under other Acts.

Accordingly, the Bill amends sections 7 and 83 of the Integrity Act to clarify the delegation powers of the Integrity Commissioner, by providing for the Integrity Commissioner to delegate their functions and powers under another Act to the Deputy Integrity Commissioner, an appropriately qualified integrity officer or an appropriately qualified public service officer.

Verbal advice

The Integrity Commissioner has identified that there are circumstances, such as for minor or non-complex matters, whereby a designated person may wish to obtain the Integrity Commissioner's advice verbally rather than making a formal written request for advice. However, sections 7, 15 and 21 of the Integrity Act require that requests for advice on ethics and integrity issues for designated persons must be made in writing, and advice must be given in writing. Consequently, the Bill amends sections 7, 15 and 21 of the Integrity Act to provide the Integrity Commissioner with discretion to receive requests for, and to provide advice verbally on, ethics and integrity issues.

Monarch references in the *Justices of the Peace and Commissioners for Declarations Act 1991* (Justices of the Peace Act)

Section 20(1) of the Justice of the Peace Act provides that before a person other than a Supreme Court judge or District Court judge performs any of the functions of office as a justice of the peace, the person is to take an oath or affirmation of allegiance and office in the form prescribed by the provision. The prescribed oath and affirmation under section 20(1) of the Justice of the Peace Act currently refer to 'Her Majesty Queen Elizabeth the Second, Her Heirs and Successors'.

Section 20(3) of the Justice of the Peace Act provides that in the case of the death or abdication of Her Majesty, the name of Her Majesty's successor according to law for the time being is to be substituted in the form of the oath or affirmation prescribed by the section for the name of Her Majesty.

On 11 September 2022, Australia's Governor-General proclaimed the accession of His Majesty King Charles III as King of Australia and his other Realms and Territories, and Head of the Commonwealth at Australian Parliament House. As such, the Bill amends the Justice of the Peace Act to update the references to the Monarch.

Allow a retired judicial officer to be appointed as an acting member of the Land Court

The amendments to the *Land Court Act 2000* (Land Court Act) will enable the appointment of a retired judicial officer – specifically, a retired Supreme Court judge, District Court judge or Land Court member – as an acting member of the Land Court until 78 years of age. The amendments will assist with the efficient operation of the Land Court by increasing the pool of judicial officers available to hear matters.

Facilitate liaison and work with the National Student Ombudsman (NSO) and clarify the operation of section 92 of the *Ombudsman Act 2001* (Ombudsman Act)

In late 2024, the Commonwealth *Ombudsman Act 1976* (Commonwealth Ombudsman Act) was amended to establish the NSO as a new statutory function of the Commonwealth Ombudsman. The NSO provides a national escalated complaints-handling mechanism for higher education students to complain about the actions of their higher education provider. The Commonwealth Ombudsman Act provides for a state or territory Ombudsman to transfer a complaint to the NSO or share information relating to a complaint if it is relevant to the role of the NSO.

Under the Ombudsman Act, a complaints entity is an entity, other than the Queensland Ombudsman that, under an Act, has responsibility for the investigation or review of matters that may include administrative actions of agencies.

To facilitate the Queensland Ombudsman to liaise and work with the NSO in relation to investigating administrative actions and to avoid inappropriate duplication of investigative activity, the Bill amends section 91A and schedule 3, definition of '*complaints entity*', to include the NSO as a complaints entity and provide for the sharing of relevant information with the NSO under the Commonwealth Ombudsman Act.

Clarify the operation of section 92 (Secrecy)

Section 92 of the Ombudsman Act prohibits the disclosure of information by an officer of the Queensland Ombudsman, an officer of an agency, or another person (e.g. a complainant, person required by the Queensland Ombudsman to provide information or person required by the Queensland Ombudsman to attend before the Queensland Ombudsman) who has obtained information because of the Queensland Ombudsman exercising its functions under the Ombudsman Act, such as conducting a preliminary inquiry or investigation.

The purpose of section 92 of the Ombudsman Act and secrecy provisions more broadly is to provide complainants, agencies and witnesses an assurance the information they provide by way of investigative material and evidence to the Queensland Ombudsman will be treated confidentially and handled appropriately. However, there is a lack of clarity about whether the operation of section 92 of the Ombudsman Act prohibits a person from making a statement in the public domain.

The Bill amends section 92 of the Ombudsman Act to clarify that an officer of the Queensland Ombudsman, officer of an agency or another person is not prohibited from making a public statement where:

- the Ombudsman concludes an investigation of an administrative action and the information identifying the investigation or administrative action is in the public domain; and
- the statement confirms the way in which the investigation was concluded or corrects misinformation in the public domain about the investigation or administrative action.

Examples of statements made following the conclusion of an investigation about information in the public domain that do not breach section 92 include:

- confirming an investigation has concluded and the complaint has not been substantiated or no administrative error found; and
- correcting the record where misinformation has entered the public domain about an administrative action.

Reinsert definition of 'average weekly earnings' in the *Personal Injuries Proceedings Act 2002* (Personal Injuries Proceedings Act)

To clarify the operation of section 75A of the Personal Injuries Proceedings Act, the Bill reinserts the definition of 'average weekly earnings'.

Correct a provision numbering error in the *Property Law Act 2023* (Property Law Act)

The Bill makes a minor amendment to section 191 of the Property Law Act to correct a numbering error - subsection 191(6) needs to be renumbered as subsection 191(4).

Clarify definition of 'chief executive of a public authority' in the *Public Records Act 2023* (Public Records Act)

Section 11 of the Public Records Act requires a chief executive of a public authority to ensure that the public authority complies with obligations to support the management of public records. Section 11(4)(c) of the Public Records Act defines a 'chief executive' to mean, if the authority has a governing body, the chairperson of the governing body of the authority (such as a Board).

To support the appropriate management of public records by public authorities and support compliance activities, the Bill omits section 11(4)(c) of the Public Records Act to ensure the responsibility for the management of public records is consistently placed with the person who has responsibility for day to day management of the public authority, rather than the chairperson of the governing body.

Support the assessment of vexatious applicant declarations under the Act and support the Queensland Government's participation in the Australian Government's Cyber Security Scheme

Vexatious applicant declarations

Following commencement of remaining provisions of the *Information Privacy and Other Legislation Amendment Act 2023* on 1 July 2025, applications for access to documents, including documents containing personal information, are made under the Right to Information Act. This means that the right to apply for personal information under the Information Privacy Act, and provisions relating to that application process, no longer exist.

The Bill makes a technical amendment to section 114 to enable the Information Commissioner to make a vexatious applicant declaration under the *Right to Information Act 2009* (Right to Information Act), taking into account both access and amendment actions under the RTI Act and access and amendment actions made under the Information Privacy Act before 1 July 2025. An access or amendment action is an access application, amendment application, internal review application and an external review application.

Queensland's participation in the Australian Government's Cyber Security Scheme

The *Cyber Security Act 2024* (Cth) (Cyber Security Act) and the *Intelligence Services Act 2001* (Cth) (Intelligence Services Act) enable States and Territories to participate in the Australian Government's Scheme for limited use of cyber security information under these Acts. To support the Queensland Government's limited use obligations under the Scheme, the Bill amends item 1 of schedule 1 of the Right to Information Act to exclude documents originating with, or received from, the National Cyber Security Coordinator from the scope of the Right to Information Act.

The Bill also updates, and provides more specific references, for relevant entities already captured under Schedule 1, item 1 of the Right to Information Act. For example, the amendments will update Schedule 1, item 1 of the Right to Information Act to continue to exclude documents originating with, or received, from the Australian Signals Directorate (which was previously captured as the Defence Signals Directorate).

Provide certainty regarding renewal applications for security provider licences under the *Security Providers Act 1993* (Security Providers Act)

The Security Providers Act provides an occupational licensing framework for the private security industry, including individuals and businesses performing functions of security officers, crowd controllers, bodyguards, private investigators, security equipment installers and security advisers.

While the Security Providers Act explicitly states that original licence applications must be made in the approved form and be accompanied by the fee prescribed under a regulation, the

relevant provision for licence renewal applications (section 20) does not include the same wording, which has led to some uncertainty about the requirement to pay licence renewal fees.

Regulation-making powers under the Security Providers Act include that a regulation may be made *'setting the fees payable under this Act, or providing for a refund of fees paid'* (section 54(2)(c) of the Security Providers Act). Moreover, the *Security Providers Regulation 2008* currently prescribes the fees for the renewal of licences under section 20 of the Security Providers Act. It is apparent from these provisions that the policy intention is that licensees are required to pay the prescribed fees when seeking to renew their licence under the Security Providers Act.

In this respect, the Bill provides more certainty about the existing policy intention and administrative practice by amending the Security Providers Act to clarify that licence renewal applications must be made in the approved form and be accompanied by the prescribed fee. The Bill also contains amendments to enable the chief executive to provide licensees who make, or have made, incomplete licence renewal applications, with an opportunity to provide the required information, documents or fees prior to the expiry of the licence taking effect.

Clarify oath or affirmation of allegiance and of office requirements for reserve judges

Section 6A of the Supreme Court of Queensland Act and section 18 of the District Court of Queensland Act provide for the appointment of reserve judges in the Supreme Court and the District Court. A reserve judge can be appointed for a term up to five years; and during that appointment, can be engaged by the Chief Justice or Chief Judge (respectively) for periods up to six months at a time to undertake the duties of a judge.

Section 59 of the Constitution requires a judge to take or make the oath or affirmation "before entering on the duties of an office". There is a concern that this wording may require a reserve judge to take a fresh oath or affirmation each time they are engaged to perform duties as a judge, rather than only having to take the oath or affirmation once at the commencement of their appointment.

The amendments to the Supreme Court of Queensland Act and the District Court of Queensland Act clarify that a reserve judge must take or make the oath or affirmation of allegiance and office only once at the commencement of their appointment as a reserve judge and need not retake the oath or remake the affirmation upon each engagement during their term of appointment.

Amendments to the *Police Service Administration Act 1990*

The Bill will amend the *Police Service Administration Act 1990* (PSA Act) to require the Queensland Police Service (QPS) to disclose information about an adult who has been charged with an offence to an accredited media entity where the details of the alleged offending have been the subject of a QPS media release. A mechanism in the amendments will enable the department responsible for administering the Supreme Court of Queensland Act to also be subject to the provisions.

The disclosure of alleged offender information under the amendments to PSA Act will give a legislative basis to a longstanding practice which enables accredited media entities to identify when particular criminal proceedings are listed.

Amendments to the Supreme Court of Queensland Act, the District Court of Queensland Act, and the Magistrates Court Act

The Supreme Court of Queensland Act, the District Court of Queensland Act and the Magistrates Court Act (collectively, the Courts Acts) will also be amended to provide a legislative basis upon which a registrar may disclose alleged offender information, for an adult, to accredited media entities.

The amendments to the Courts Acts will provide a legislative basis for the provision of a law list to accredited media entities.

Alternative ways of achieving policy objectives

There are no alternative ways of achieving the policy objectives other than by legislative amendment.

Estimated cost for government implementation

The amendments in the Bill are not expected to present any significant additional administrative or capital costs for the government. Any implementation costs will be absorbed from existing agency resources.

Repeal the Brisbane Casino Agreement Act

The Brisbane Casino Agreement has already been terminated. Accordingly, there are no anticipated implementation costs to the Government associated with the repeal of the Brisbane Casino Agreement Act.

There are no outstanding levies or taxes owing in relation to the former Treasury Brisbane casino. Additionally, as the Treasury Brisbane casino ceased operations in the 2024/2025 financial year, no further taxation liabilities are expected to arise.

Consistency with fundamental legislative principles

The Bill has been drafted having regard to the fundamental legislative principles (FLPs) in the *Legislative Standards Act 1992* (LS Act). Potential breaches of FLPs associated with the Bill are addressed below.

Disrupting metal theft

Criminal Code amendments

Legislation must have sufficient regard to the rights and liberties of individuals (section 4(2)(a) of the LS Act). The Bill increases the maximum penalty for attempted stealing, stealing, wilful damage and receiving tainted property in particular circumstances.

Consequences imposed by legislation should be proportionate to the offence, consistent with other penalties and appropriate to the offence. The various amendments to the Criminal Code to either increase the penalties for existing offences or establish new offences are designed to

denounce metal theft. A tiered penalty structure is adopted in the Bill with the highest maximum penalty reserved for behaviour which endangers, or is likely to endanger, the life or health of a person or which occurs during or in the lead up to a natural disaster. These penalties are considered appropriate and proportionate.

Legislation should generally not reverse the onus of proof (section 4(3)(d) of the LS Act). The offence of possession of a prescribed metal item suspected of being stolen will apply a reverse onus to require the defendant to establish on the balance of probabilities that they had no reasonable grounds for suspecting that the prescribed metal item was stolen. This is considered appropriate as these are matters exclusively within the knowledge of the defendant.

Section 4(4) of the LS Act provides that whether legislative power is delegated only in appropriate circumstances and is sufficiently subjected to the scrutiny of the Legislative Assembly is relevant to the consideration of whether the Bill has sufficient regard to the institution of Parliament.

While the delegation of legislative power, by authorising further items to be prescribed as valuable metal items by regulation, may be a departure from the FLP, any departure is considered justified to allow flexibility and to promptly respond to any issues regarding the types of metal being targeted to support the metal theft offence framework under the Criminal Code. Further, the power is appropriately limited because it may only be exercised in respect of items which are used for a relevant purpose. The Bill sets out these purposes in the primary legislation.

Second-hand Dealers Act amendments

The amendments to the Second-hand Dealers Act impose additional penalties and identity verification requirements on persons involved in scrap metal transactions, which could be seen as derogating from the fundamental legislative principle that legislation have sufficient regard to the rights and liberties of individuals (LS Act, section 4(2)(a)).

The increased penalties for second-hand dealers, who deal in scrap metal without holding a licence, and for repeatedly failing to report suspected stolen scrap metal to police, recognises the serious risks scrap metal theft poses to the community as well as the harm that can be caused by second-hand dealers in providing a possible avenue for the disposal of stolen scrap metal. The amendments are intended to provide a sufficient deterrent to dealing in scrap metal without a licence or failing to report suspected stolen property to police. Higher penalties, up to and including imprisonment, are needed to support community safety and prevent financial losses.

Amendments providing for additional identity verification could be seen as infringing on individuals' privacy. However, these arrangements are needed to further ensure the scrap metal, that is being sold or disposed of by second-hand dealers, is not stolen. The amendments bolster chain of custody requirements by ensuring accountability and transparency for the benefit of the community.

Any potential inconsistency with FLPs regarding the amendments is considered justified given the significant public interest in curtailing metal theft in the community and in disrupting the sale of stolen scrap metal to second-hand dealers.

Correct 'Casino Acts' definition in the Charitable and Non-Profit Gaming Act

The Bill provides that the amendment to the definition of 'Casino Acts' in the Charitable and Non-Profit Gaming Act to include the Queen's Wharf Brisbane Act is taken to have commenced from the beginning of 27 May 2016 (being the commencement of the majority of the provisions of the Queen's Wharf Brisbane Act). Similarly, an approval or permission given by the State on or after this date for the conduct of two-up under section 181 of the Charitable and Non-Profit Gaming Act is taken to be as valid and lawful as if the amended definition had commenced on that date.

The retrospective commencement of a provision may engage section 4(3)(g) of the Legislative Standards Act if it adversely affects rights and liberties, or imposes obligations, without having sufficient regard to the rights and liberties of individuals.

The retrospective clarification that the conduct of two-up under Part 8A of the Charitable and Non-Profit Gaming Act is lawful, notwithstanding the exclusivity provisions of the Queen's Wharf Brisbane Act, and express validation for permissions and approvals given, does not alter existing policy and simply corrects a technical omission. In this regard, it does not adversely affect the rights or obligations of individuals.

Also, the Star Brisbane casino licensee, the Destination Brisbane Consortium Integrated Resort Operations Pty Ltd (Destination Brisbane Consortium), RSL and Services Clubs and RSL sub-branches are entities which do not have any individual rights or obligations.

The only individuals potentially impacted are those who were approved by an RSL sub-branch to conduct two-up in accordance with the Charitable and Non-Profit Gaming Act. The amendment will positively impact these individuals by legitimising their conduct of two-up which may otherwise have been in contravention of the Queen's Wharf Brisbane Act exclusivity provisions.

Further, the proposed retrospectivity date is considered justified as it reflects the date on which the amendment would have taken effect had the definition of 'Casino Acts' been correctly updated upon the commencement of the substantive provisions of the Queen's Wharf Brisbane Act.

The Bill also provides that no compensation is payable by the State in connection with the giving of a such a permission or approval, to the extent that compensation would not have been payable if the amended definition had commenced on 27 May 2016. Compensation may otherwise be sought by relevant casino industry stakeholders in relation to breaches of the exclusivity provisions of the Queen's Wharf Brisbane Act. However, the affected entities, the Star Entertainment Group Limited (as The Star Brisbane casino operator) and Destination Brisbane Consortium are entities which do not have any individual rights or obligations.

Accordingly, despite the retrospective nature of this provision, it is considered section 4(3)(g) of the Legislative Standards Act is not engaged, as there are no individuals that could be adversely impacted by the provision.

Further, this provision is considered necessary and justified as it protects the State from potential liability in relation to permissions and approvals which would have otherwise been in operation had the definition of 'Casino Acts' been updated alongside the commencement of the Queen's Wharf Brisbane Act.

Creating greater coronial efficiencies – Delegation of coroner's functions

The amendments to the Coroners Act provide that the State Coroner may delegate functions of coroners to registrars or deputy registrars. This is a potential departure from the principle that delegation of administrative power should only occur in appropriate cases and to appropriate persons (section 4(4)(a)) of the LS Act).

However, the amendment is considered justified because it will create much needed efficiencies in the coronial system and is accompanied by appropriate safeguards. The amendments specify which functions cannot be delegated and provide that the delegate must refer the matter back to the State Coroner if they believe it is no longer appropriate for them to perform a function.

Creating greater coronial efficiencies – Reportable deaths framework

For legislation to have sufficient regard to the institution of Parliament it should allow the delegation of legislative power only in appropriate cases and to appropriate persons (section 4(4)(a)) of the LS Act).

The amendments in the Coroners Act to expand the reportable deaths framework to include the deaths of people with disability in Queensland who receive disability support under the DSOA Program include a delegation of legislative power to prescribe another program administered by the Commonwealth.

This is considered justified on the grounds that it is considered reasonably necessary to accommodate and futureproof the expansion of the reportable deaths framework in the event the Commonwealth administers the supports currently provided under the DSOA Program via an equivalent program with a changed name.

Support delivery of the Integrity Commissioner's core functions

Clarifying delegation powers

Legislation should allow the delegation of administrative power only in appropriate cases and to appropriate persons (section 4(3)(c) of the LS Act).

The amendments to the Integrity Act provide for the Integrity Commissioner to delegate their functions and powers under another Act to the Deputy Integrity Commissioner, an appropriately qualified integrity officer or an appropriately qualified public service officer. However, the amendments are considered justified on the basis that such delegation will only be made in appropriate cases and to appropriately qualified persons.

Verbal advice

Legislation should be unambiguous and drafted in a sufficiently clear and precise way (section 4(3)(k) of the LS Act).

The amendments to the Integrity Act to provide the Integrity Commissioner with discretion to receive requests for, and to provide advice verbally on, ethics and integrity issues, are potentially inconsistent with this FLP. This inconsistency may be argued on the basis that the amendments should state the matters to which the Integrity Commissioner should have regard to, in the exercise of such discretion.

However, the amendments are considered justified because the discretion is provided in the context of clear and unambiguous provisions relating to the functions of the Integrity Commissioner to provide advice on ethics and integrity issues, as well as the purpose of the Integrity Act.

Further, stating the matters to which the Integrity Commissioner should have regard to in exercising such discretion is considered unnecessarily prescriptive, as the matters will vary on a case-by-case basis and ultimately, the Integrity Commissioner is best placed to determine whether it is appropriate to exercise the proposed discretion in the relevant circumstances.

Strengthening stock offence framework

The Bill amends the Criminal Code to increase the prescribed fines for nine stock-related offences. For these offences, if the court imposes a fine the minimum monetary penalty is the prescribed fine or the value of the animal whichever is higher. The Bill also amends the regulation making power for the stock offence framework. The main amendments to the regulation making power remove references to animal valuer panels and clarify that animal valuations may be undertaken for the purpose of determining monetary penalties or stock disposal orders.

Rights and liberties

Legislation must impose consequences that are proportionate and relevant to the actions to which the consequences are imposed. Whether a penalty is proportionate to an offence is relevant to the consideration of whether the Bill has sufficient regard to the rights and liberties of individuals. The reasonableness and fairness of the treatment of individuals and the principle that legislation should not abrogate common law rights, including the protection of property and the right to personal liberty, without sufficient justification are also relevant to the consideration of whether the Bill has sufficient regard to the rights and liberties of individuals.

While imposing financial penalties for stock offences is not mandatory, and the penalty amount may be determined by reference to the value of the animal, the increases to the prescribed fine amounts may result in the sentencing court imposing a more severe sentence. The increased prescribed fine amounts are considered proportionate and relevant to the conduct as they reflect the seriousness of the offending, recognise the impacts of the criminal conduct, and demonstrate that such behaviour is unacceptable. The court will retain general discretion to determine the appropriate sentence considering all of the relevant circumstances of the offending behaviour.

The increased prescribed fine amounts may be a departure from FLPs to the extent they may disproportionately impact some persons or groups of persons who may find it more challenging to pay a fine due to financial reasons, and because a financial penalty will result in a deprivation of property in the form of money if the fine is paid, or if the person fails to pay the fine the deprivation of any property seized as part of enforcement action taken by the registrar of the State Penalties Enforcement Registry.

Any departures are considered justified as the penalty is a consequence of the person committing an offence. The increased amounts ensure the financial penalties reflect the seriousness of the offences and have an appropriate deterrent and punishment effect.

The increased prescribed fine amounts may also be a departure from FLPs to the extent they may, under the enforcement action permitted by the *State Penalties Enforcement Act 1999* (SPE

Act), result in a term of imprisonment if the person fails to pay the specified amount. The departure from FLPs is considered to be justified as any such deprivation of liberty would occur in accordance with the requirements set out in the SPE Act, which importantly preferences the use of other enforcement actions for unpaid fines.

Independence of the judiciary

Whether the Bill potentially interferes with the principle of judicial independence is relevant to the consideration of whether the Bill has sufficient regard to FLPs.

The imposition of minimum financial penalties for stock offences may be a departure from the FLP. However, the effect of any departure is moderated by the fact that the penalty framework does not require the court to impose a financial penalty, and the fact that the amendments do not alter the operation of the existing framework, they amend only the prescribed fine amounts.

Institution of Parliament

Section 4(4) of the LS Act provides that whether legislative power is delegated only in appropriate circumstances and is sufficiently subjected to the scrutiny of the Legislative Assembly is relevant to the consideration of whether the Bill has sufficient regard to the institution of Parliament.

While the delegation of legislative power, by authorising the requirements for the valuation of animals to be prescribed by regulation, may be a departure from the FLP, any departure is considered justified to allow flexibly and to promptly respond to any issues regarding the valuation of animals to support the stock offence framework under the Criminal Code.

Disclosure of Information to Accredited Media Entities

The Bill has been prepared with due regard to the fundamental legislative principles outlined in the LS Act and is generally consistent with FLPs.

The amendments may potentially infringe upon the right to privacy and confidentiality which arise in the context of section 4(2)(a) of the LS Act. This is because the amendments will permit the disclosure of an alleged offender's name. It will also increase the media's ability to track an individual's court proceedings and therefore may result in increased court attendance by reporters and reporting of proceedings.

The departure can be justified on the basis that there is a strong public interest in ensuring that media can attend particular proceedings to accurately and fairly report on criminal proceedings. The amendments support open justice which enhances public confidence in the justice system.

The amendments are supported by appropriate safeguards. The alleged offender information that can be disclosed is clearly defined and limited in the Bill. Further the disclosure of information is limited to accredited media entities. The amendments also create an offence for the intentional or reckless on-disclosure of information.

Section 4(2)(a) of the LS Act is also relevant to the creation of an immunity against civil and criminal liability and a liability under an administrative process. Provisions establishing the immunities are to be inserted in the PSA Act and the Courts Acts.

Inclusion of the immunity provisions is justified to ensure that a person, acting honestly and without negligence, who is required or permitted to disclose information under the provisions does not attract a liability for having done so. Actions taken under the amendments will enhance open justice and increases the transparency of criminal proceedings.

Consultation

Consultation has occurred with a range of stakeholders in relation to various aspects of the Bill. Feedback received during this process was taken into account in finalising the Bill.

Consistency with legislation of other jurisdictions

The amendments are specific to the legislative framework of the State of Queensland.

Disrupting metal theft
A number of other Australian and international jurisdictions regulate occupations and industries dealing in scrap metal with the aim of reducing scrap metal theft, albeit in varying ways. New South Wales and the United Kingdom have industry specific legislation: *Scrap Metal Industry Act 2016* (NSW) and *Scrap Metal Dealers Act 2013* (UK). Victoria's *Second-hand Dealers and Pawnbrokers Act 1989* regulates the scrap metal industry as part of broader second-hand dealer legislation.

Creating greater coronial efficiencies
The amendments to the Coroners Act are broadly consistent with the approaches adopted in other Australian jurisdictions.

Notes on provisions

Part 1 Preliminary

Clause 1 provides that this Act may be cited as the *Justice and Other Legislation Amendment Act 2026* (Justice and Other Legislation Amendment Act).

Clause 2 provides for the various commencements of provisions under the Bill.

Part 2 Amendment of *Casino Control Act 1982*

Clause 3 provides that this part amends the *Casino Control Act 1982* (Casino Control Act).

Clause 4 amends the definition of 'Brisbane casino' in section 155 (Supervision levy) to insert a note which states the *Brisbane Casino Agreement Act 1992* (Brisbane Casino Agreement Act) was repealed by the Justice and Other Legislation Amendment Act.

Clause 5 amends the definition of 'agreement Act' in the Schedule Dictionary to omit the reference to the Brisbane Casino Agreement Act.

Part 3 Amendment of *Casino Control Regulation 1999*

Clause 6 provides that this part amends the *Casino Control Regulation 1999*.

Clause 7 amends section 19 (Percentage determined for casino gross revenue – Act, s 51(4)) to omit subsection (1)(a) which prescribes, for the purposes of section 51(4) of the Casino Control Act, the percentage of casino gross revenue payable as casino tax for the casino licence relating to the agreement made under the Brisbane Casino Agreement Act.

Clause 8 amends section 46D (Proportion of total amount of supervision levy for casino licensee – Act, s 50B) to replace subsections (1) and (2). Existing subsection (2), which prescribed the proportion of the supervision levy payable by each identified casino for the 2024/2025 financial year, is no longer required as all casinos have paid their proportion of the supervision levy for this financial period.

The table located in current subsection (3) is renamed to remove a spent reference to the previous financial year and relocated to new subsection (2). The remainder of current subsection (3) is omitted.

The clause amends subsection (4) to omit the definition of 'Brisbane Casino'.

Part 4 Amendment of *Charitable and Non-Profit Gaming Act 1999*

Clause 9 provides that this part amends the *Charitable and Non-Profit Gaming Act 1999* (Charitable and Non-Profit Gaming Act).

Clause 10 amends the definition of 'Casino Acts' in section 181(3) (Interaction with Casino Acts) to remove the reference to the Brisbane Casino Agreement Act and insert a reference to the *Queen's Wharf Brisbane Act 2016* (Queen's Wharf Brisbane Act).

Clause 11 replaces the heading in part 10 to 'Repeal, transitional and validation provisions'.

Clause 12 inserts in part 10, new division 4 (Transitional and validation provision for Justice and Other Legislation Amendment Act 2026) and section 200 (Retrospective operation of s 181 and validation of permissions and approvals) which provides that the inclusion of the Queen's Wharf Brisbane Act in the definition of 'Casino Acts' in clause 10 is taken to have had effect from the beginning of 27 May 2016. This reflects the date on which the amendment would have taken effect had the definition of 'Casino Acts' in the Charitable and Non-Profit Gaming Act been correctly updated upon the commencement of the substantive provisions of the Queen's Wharf Brisbane Act.

The clause also provides that any permission or approvals given by the State under section 181 of the Charitable and Non-Profit Gaming Act on or after 27 May 2016 are as valid and lawful as if the amended definition had commenced on that day. No compensation is payable by the State in relation to these permissions or approvals to the extent that compensation would not have been payable if the definition had been correctly updated upon the commencement of the substantive provisions of the Queen's Wharf Brisbane Act.

Part 5 Amendment of *Child Protection Act 1999*

Clause 13 provides that this part amends the *Child Protection Act 1999*.

Clause 14 amends section 193 (Restrictions on reporting certain court proceedings) to remove subsection (5)(c) which refers to the repealed *Criminal Law (Sexual Offences) Act 1978* (Criminal Law (Sexual Offences) Act).

Clause 15 amends section 194 (Publication of information identifying child victim) to remove subsection (2)(c)(iii) which refers to the repealed Criminal Law (Sexual Offences) Act.

Part 6 Amendment of *Civil Proceedings Act 2011*

Clause 16 provides that this part amends the *Civil Proceedings Act 2011* (Civil Proceedings Act).

Clause 17 amends section 90 to insert new subsection (2A) to clarify that an enforcement warrant may contain a charging order. Section 90(3) is amended to improve readability. Section 90(4) is omitted as it restricts the power to issue an enforcement warrant imposing a charging order to the Supreme Court. The amendments also renumber the subsections so that new section 90(2A) becomes section 90(3) and the existing section 90(3) becomes section 90(4).

Clause 18 inserts new part 19 (Transitional provision for Justice and Other Legislation Amendment Act 2026) of the Civil Proceedings Act to provide for transitional provisions for the amendments to section 90 to note that it applies in relation to an original order under section 90(1) only if the original order is made after commencement.

Part 7 Amendment of *Coroners Act 2003*

Clause 19 provides that this part amends the *Coroners Act 2003*.

Clause 20 amends section 7 (Duty to report deaths) to include a reference in subsection (2) to a death in care under new section 9(1)(f), inserted by clause 21, and to update the definition of 'relevant service provider' in subsection (8) to include NDIS providers or registered NDIS providers who were providing services or supports in relation to the death in care of a person mentioned in section 9(1)(f). Subsection (8) is also amended to insert a definition of 'NDIS provider' by reference to the *National Disability Insurance Scheme Act 2013* (Cth) (NDIS Act), section 9. This ensures that NDIS providers and registered NDIS providers who provide disability services or supports under the program administered by the Commonwealth Government known as the Disability Support for Older Australians (DSOA) Program are required to immediately report the death of a DSOA client, regardless of whether someone else has reported or may have reported the death.

Clause 21 omits section 8(6) (Reportable death defined), to remove the description of an *unnatural death* (clause 20 inserts a new definition in new section 8A).

Clause 22 inserts new section 8A (Unnatural death defined) that provides for a definition of *unnatural death.* The definition is consistent with the previous section 8(6) and includes the death of a person who dies at any time after receiving an injury if the injury caused the death; or the injury contributed to the death and the person would not have died if the person had not received the injury. The definition includes examples with one example being removed as it caused confusion and unnecessary reporting of non-reportable deaths into the coronial system. This is because it inadvertently included a death where the fracture was a consequence of an injury from a natural cause (such as seizure or fainting), that is not by itself a reportable death.

Clause 23 amends section 9 (*Death in care* defined) to insert new subsection (1)(f) to include, as a death in care, the death of a person who, when the person died, was not living in a private dwelling or an aged care facility, and was receiving services or supports under the program administered by the Commonwealth known as the Disability Support for Older Australians Program or another program administered by the Commonwealth prescribed by regulation. For the purpose of determining whether the deceased person was living in a private dwelling, subclause (2) amends subsection (4) to include a reference to new subsection (1)(f). Subclause (3) omits the definition of *NDIS Act* in section 9(5); the definition is inserted in schedule 2 (see clause 33).

Clause 24 amends section 11 (Deaths to be investigated – generally) to replace section 11(7) to provide that a death in custody and a death mentioned in subsection 8(3)(h) (i.e. a death that happened in the course of or as a result of police operations) that is an unnatural death, may only be investigated by the State Coroner, a Deputy Coroner or a coroner approved under subsection (8). This allows any coroner to investigate a death in custody or a death mentioned in subsection 8(3)(h) where it is a natural death. New subsection 11(8) replaces the existing approval process for an appointed coroner or a local coroner from the previous section 11(7)(c).

Clause 25 amends section 12 (Not investigating or stopping investigation of particular deaths) to insert subsection (5) to clarify that, a *natural death* means the death of a person that is not an *unnatural death*.

Clause 26 amends section 45 (Coroner's findings) to insert a new subsection (5A) to clarify that, despite subsection (5) (which provides that the coroner must not include in the findings any statement that a person is, or may be guilty of an offence or civilly liable for something), a coroner is not prevented from including in their findings, a statement that the coroner has given, or intends to give, information to an entity under section 48 (for example, the Director of Public Prosecutions (DPP) or the Crime and Corruption Commission (CCC)). Subclause (2) provides for the renumbering of section 45.

Clause 27 amends section 46 (Coroner's comments) to clarify that despite subsection (3) (which provides that the coroner must not include in the comments any statement that a person is, or may be guilty of an offence or civilly liable for something), a coroner is not prevented from including in the comments, a statement that the coroner has given, or intends to give, information to an entity (such as the DPP or the CCC) under section 48.

Clause 28 amends section 47 (Coroner's findings and comments for particular deaths) to insert in subsection (2) a requirement that the coroner give a written copy of the findings and comments made in relation to the death of a person mentioned in section 9(1)(e) or (f) to the Commissioner of the NDIS Quality and Safeguards Commission under the NDIS Act.

Clause 29 amends section 54 (Access to investigation documents for other purposes) by replacing subsections (b) and (c) with new subsection (b) to clarify that where the coroner, who is conducting or had conducted the investigation to which the document relates is not available, another coroner nominated by the State Coroner may provide consent for a person to access investigation documents for purposes other than research.

Clause 30 amends section 71 (Functions and powers of State Coroner) by replacing section 71(1)(e) to provide that the State Coroner, each Deputy State Coroner and an *approved coroner* are together responsible for all investigations into a death in custody that is an unnatural death and a death mentioned in section 8(3)(h) that is an unnatural death. Subclause (2) inserts a new subsection (13) to define an *approved coroner* as a coroner approved under section 11(8) to investigate the particular death or deaths of that type.

Clause 31 replaces section 86 (Delegation of duties or powers to registrar or deputy registrars).

New section 86(1) provides that the State Coroner may delegate the functions of a coroner to a registrar or an appropriately qualified deputy registrar.

New section 86(2) lists certain functions of a coroner that may not be delegated to a registrar or deputy registrar. Functions that cannot be delegated are functions related to: coronial investigations about deaths in custody, deaths in the course of or as a result of police operations, mining related reportable deaths (a function under section 11(7) or 11AAA(1); a function under part 3, division 3, that is related to an inquest; a function related to the issue or execution of a search warrant under the *Police Powers and Responsibilities Act 2000* (Police Powers and Responsibilities Act); access to information by prescribed tissues banks (under section 54AA); access to documents by the Family and Child Commissioner (under section 54); entering into an arrangement with the Domestic and Family Violence Death Review and Advisory Board (DFVDRAB) (under section 91Z); or another function prescribed by regulation.

New section 86(3) provides that before delegating a function of a coroner to a deputy registrar, the State Coroner must consult with the chief executive about the amount of work to be done by the deputy registrar under the delegation.

New section 86(4) provides that, if the State Coroner delegates a function of a particular coroner to a delegate, the *Acts Interpretation Act 1954* (Acts Interpretation Act), section 27A(3C), (3D), (7), (8), (10) and (10A) applies as if the delegator mentioned in those subsections were the coroner. This provides clarity that the State Coroner can delegate functions of a coroner.

New section 86(5) provides that, if the State Coroner delegates a function relating to the investigation of a death or suspected death to a delegate, and the delegate believes it is no longer appropriate for them to perform the function, the delegate must, as soon as practicable, stop performing the function and give a coroner a written notice stating the reasons for the delegate's belief.

New section 86(6) clarifies that for section 86 the word 'functions' includes powers.

Clause 32 replaces the definitions in section 91B (Definitions for Part 4A) of *chairperson* and *deputy chairperson* of the DFVDRAB. This amendment is consequential to the amendment to section 91K(1).

Clause 33 amends section 91K (Chairperson) by replacing subsection (1) to provide the Minister must appoint as the chairperson of the DFVDRAB: the State Coroner, a Deputy State Coroner, or another coroner who is appropriately qualified. This amendment expands who is eligible for appointment to this office, recognising that other coroners may possess the appropriate knowledge or experience to undertake the role of chairperson.

Clause 34 inserts new Part 6, Division 8 to provide for transitional provisions for this Part of the Act.

New section 120 (Definitions for division) provides that the term 'new' in this division means the provision in force from the commencement.

New section 121 (Application of new s11 to deaths reported before the commencement) provides that the new section 11 applies to a death reported under section 7 before or after the commencement.

New section 122 (Existing delegations of duties or powers) provides that existing delegations (under the former section 86) of a duty or power by the State Coroner or another coroner to a registrar or deputy registrar that were in effect immediately before the commencement continue to have effect as if they had been made by the State Coroner under the new section 86, provided that the State Coroner may delegate that duty or power under the new section 86 to the registrar or deputy registrar.

Clause 35 amends the dictionary in schedule 2 to insert a definition for *NDIS Act* to mean the *National Disability Insurance Scheme Act 2013* (Cth), and that *unnatural death* is as defined in new section 8A.

Part 8 Amendment of Criminal Code

Clause 36 provides that this part amends the Criminal Code.

Clause 37 amends section 1 (Definitions) to define the terms 'disaster operations', 'public facility or infrastructure', 'valuable metal component' and 'valuable metal item'.

Clause 38 inserts new section 6B after section 6A to provide for the meaning of 'valuable metal item' in the Code.

Subclause (1) defines valuable metal item to mean a catalytic converter or diesel particulate filter, an item containing metal used for the operation of, or that is part of, or intended to be part of, a facility or infrastructure, relating to water or sewerage services, supply of energy or fuel, telecommunication services, transportation on a railway, or road or on the water, or in the air, and an item containing metal used to manage traffic or safety on a bikeway, footpath, railway, road, on the water, or in the air.

Subclause (1) further defines valuable metal item to be any cladding, flashing, guttering or roofing, electrical equipment, a pipe, pole or tube, or another item prescribed by regulation, containing metal used for a relevant purpose, where a 'relevant purpose' is defined under subclause (2).

Subclause 2 provides an item is used for a relevant purpose if the item is used for the operation of, or is intended to be part of, a facility or infrastructure relating to the exploration of natural resources; management of public safety; production of goods from agriculture, aquaculture, fishery, forestry, manufacturing or mining; provision of community, education or medical services; provision of arts, recreation or sports; provision of retail services; or storage of greenhouse gas.

Subclause 2 further provides that the item is used for a relevant purpose if the item is used for construction and is at a construction site or forms part of any premises that have never been occupied and are not abandoned.

Subclause (3) defines the terms 'electrical equipment' and 'used' for this section.

Clause 39 amends section 398 (Punishment of stealing).

Subclause (1) amends section 398 (Punishment of stealing) to increase the minimum prescribed fine for punishment in the special case of stealing stock from 10 penalty units to 20 penalty units.

Subclause (2) insert several new special cases of punishment.

New item 17 (Stealing valuable metal item or component) sets a maximum penalty of 10 years imprisonment if the thing stolen was a valuable metal item or a valuable metal component at the time the thing was taken or converted.

New item 18 (Stealing valuable metal item or component and disruption to public facility or infrastructure) sets a maximum penalty of 14 years imprisonment if the thing stolen was a valuable metal item or a valuable metal component at the time the thing was taken or converted and the operation or use of a public facility or infrastructure is disrupted because the thing is stolen.

New item 19 (Stealing valuable metal item or component and endangering persons) sets a maximum penalty of 25 years imprisonment if the thing stolen was a valuable metal item or a valuable metal component at the time the thing was taken or converted and the life or health of a person is endangered because the thing is stolen.

New item 20 (Stealing valuable metal item or component—disasters) sets a maximum penalty of 25 years imprisonment if the thing stolen was a valuable metal item or a valuable metal component at the time the thing was taken or converted and any of the following apply—

- the offence is committed in an area in which disaster operations are being undertaken under the *Disaster Management Act 2003* to the extent the operations are being undertaken during the 'response' phase outlined in section 4A(a)(iii) of that Act and in anticipation of a natural disaster;
- the offence is committed during a natural disaster;
- the offence is committed in an area that is a declared area for a disaster situation under the *Disaster Management Act 2003* or was, immediately before the offence was committed, a declared area for a disaster situation under the *Disaster Management Act 2003*.

New item 21 (Stealing telecommunication cable and disruption to public facility or infrastructure) sets a maximum penalty of 14 years imprisonment if the thing stolen was a cable used for telecommunication at the time the thing was taken or converted and the operation or use of a public facility or infrastructure is disrupted because the thing is stolen.

New item 22 (Stealing telecommunication cable and endangering persons) sets a maximum penalty of 25 years imprisonment if the thing stolen was a cable used for telecommunication at the time the thing was taken or converted and the operation or use of a public infrastructure is disrupted because the thing is stolen and the life or health of a person is endangered, or is likely to be endangered, because of the disruption.

New item 23 (Stealing telecommunication cable—disaster) sets a maximum penalty of 25 years imprisonment if the thing stolen was a cable used for telecommunication at the time the thing was taken or converted and any of the following apply—

- the offence is committed in an area in which disaster operations are being undertaken under the *Disaster Management Act 2003* to the extent the operations are being undertaken during the 'response' phase outlined in section 4A(a)(iii) of that Act and in anticipation of a natural disaster;
- the offence is committed during a natural disaster;
- the offence is committed in an area that is a declared area for a disaster situation under the *Disaster Management Act 2003* or was, immediately before the offence was committed, a declared area for a disaster situation under the *Disaster Management Act 2003*.

Clause 40 inserts new sections 400 and 401 after section 399.

New section 400 (Attempted stealing of valuable metal item or component) creates an offence to attempt to steal a valuable metal item or valuable metal component. A maximum penalty of 7 years imprisonment applies. Increased penalties will be available for this offence where the aggravating circumstances outlined in section 161Q (Meaning of serious organised crime circumstance of aggravation) of the *Penalties and Sentences Act 1992* apply. An indictment charging an offence against this section with the circumstance of aggravation stated in the *Penalties and Sentences Act 1992*, section 161Q may not be presented without the consent of a Crown Law Officer.

New section 401 (Unlawful possession of prescribed metal item) creates an offence to unlawfully possess a 'prescribed metal item' reasonably suspected of being stolen. A maximum penalty of 3 years imprisonment applies.

Subsection (2) provides possession of a prescribed metal item is unlawful unless it is authorised or justified or excused by law.

Subsection (3) provides it is a defence to a charge of an offence against this section to prove the accused person had no reasonable grounds for suspecting the prescribed metal item was stolen.

Subsection (4) defines the term 'prescribed metal item' to mean a catalytic converter, diesel particulate filter, cabling or wiring.

Clause 41 amends section 433 (Receiving tainted property) to insert two new increased maximum penalties.

New subsection 433(1)(aa) sets a maximum penalty of 20 years imprisonment if the property was stolen and, at the time it was stolen, the property was a valuable metal item or a valuable metal component and the offender received the property while acting as a pawnbroker or dealer in second hand goods, under a licence or otherwise.

New subsection 433(1)(ab) sets a maximum penalty of 16 years imprisonment if the property was stolen and, at the time it was stolen, the property was a valuable metal item or a valuable metal component.

Clause 42 amends section 444A (Killing animals with intent to steal) to increase the minimum prescribed fine from 10 penalty units to 20 penalty units.

Clause 43 amends section 444B (Using registered brands with criminal intention) to increase the minimum prescribed fine from 4 penalty units to 10 penalty units.

Clause 44 amends section 445 (Unlawfully using stock) to increase the minimum prescribed fine from 4 penalty units to 10 penalty units.

Clause 45 amends section 446 (Suspicion of stealing stock) to increase the minimum prescribed fine from 4 penalty units to 10 penalty units.

Clause 46 amends section 447 (Illegal branding) to increase the minimum prescribed fine from 4 penalty units to 10 penalty units.

Clause 47 amends section 448 (Defacing brands) to increase the minimum prescribed fine from 4 penalty units to 10 penalty units.

Clause 48 amends section 448A (Having in possession stock with defaced brand) to increase the minimum prescribed fine from 4 penalty units to 10 penalty units.

Clause 49 amends section 450EB (Application for stock disposal order).

Clause 50 amends section 450EC (Affidavit to accompany application) to omit paragraphs (h) and (i).

Clause 51 amends section 450ED (When order may be made if party disputes making of order) to replace ‘his or her’ with ‘their’.

Clause 52 amends section 450F (Animal valuers and valuations).

Subclause 1 omits subsections (1) and (2), and inserts a new subsection (1). The new subsection (1) provides that the chief executive may appoint a person as an animal valuer to determine the value of an animal for the purposes of a provision of the Criminal Code,

Subclause 2 amends subsection (3) paragraph(b) to refer to eligibility and suitability requirements for appointment as an animal valuer.

Subclause 3 amends subsection (3) paragraph (c) to replace the reference to fees with a reference to remuneration.

Subclause 4 omits subsection (3) paragraphs (f), (g), and (k).

Subclause 5 amends subsection (3) paragraph (l) to remove the reference to meetings of panels.

Subclause 6 amends subsection (3) paragraph (m) to remove the reference to panels, and refer instead to identification of animals for valuation.

Subclause 7 omits subsection (3) paragraph (r)(ii).

Subclauses 8 and 9 renumber the paragraphs of subsection (3).

Subclause 10 renumbers subsection (3) as subsection (2).

Clause 53 amends section 468 (Injuring animals) to increase the minimum prescribed fine from 10 penalty units to 20 penalty units for stock, and from 8 penalty units to 16 penalty units for other animals.

Clause 54 amends section 469 (Wilful damage) to insert several new special cases of punishment.

New item 14 (Valuable metal item and disruption to public facility or infrastructure) sets a maximum penalty of 14 years imprisonment if the property in question is a valuable metal item and the destruction or damage disrupts the operation or use of a public facility or infrastructure.

New item 15 (Valuable metal item and endangering persons) sets a maximum penalty of 25 years imprisonment if the property in question is a valuable metal item and the destruction or damage endangers, or is likely to endanger, the life or health of a person.

New item 16 (Valuable metal item and disasters) sets a maximum penalty of 25 years imprisonment if the property in question is a valuable metal item and any of the following apply—

- the offence is committed in an area in which disaster operations are being undertaken under the *Disaster Management Act 2003* to the extent the operations are being undertaken during the ‘response’ phase outlined in section 4A(a)(iii) of that Act and in anticipation of a natural disaster;
- the offence is committed during a natural disaster;

- the offence is committed in an area that is a declared area for a disaster situation under the *Disaster Management Act 2003* or was, immediately before the offence was committed, a declared area for a disaster situation under the *Disaster Management Act 2003*.

New item 17 (Telecommunication cable and disruption to public facility or infrastructure) sets a maximum penalty of 14 years imprisonment if the property in question is a cable used for telecommunication and the destruction or damage disrupts the operation or use of a public facility or infrastructure.

New item 18 (Telecommunication cable and endangering persons) sets a maximum penalty of 25 years if the property in question is a cable used for telecommunication and the destruction or damage disrupts the operation or use of a public facility or infrastructure and the life or health of a person is endangered, or is likely to be endangered, because of the disruption.

New item 19 (Telecommunication cable and disasters) sets a maximum penalty of 25 years if the property in question is a cable used for telecommunication and any of the following apply—

- the offence is committed in an area in which disaster operations are being undertaken under the *Disaster Management Act 2003* to the extent the operations are being undertaken during the 'response' phase outlined in section 4A(a)(iii) of that Act and in anticipation of a natural disaster;
- the offence is committed during a natural disaster;
- the offence is committed in an area that is a declared area for a disaster situation under the *Disaster Management Act 2003* or was, immediately before the offence was committed, a declared area for a disaster situation under the *Disaster Management Act 2003*.

Clause 55 amends the table of excluded offences under section 552BB (Excluded offences).

Subclause 1 amends the table entry for section 398 (Punishment of stealing), column 3 to insert new item 4 to add the new special case items 17 (Stealing valuable metal item or component), 18 (Stealing valuable metal item or component and disruption to public facility or infrastructure), 19 (Stealing valuable metal item or component and endangering persons), 20 (Stealing valuable metal item or component—disasters), 21 (Stealing telecommunication cable and disruption to public facility or infrastructure), 22 (Stealing telecommunication cable and endangering persons) and 23 (Stealing telecommunication cable—disaster) as offences excluded from being heard summarily.

Subclause 2 amends the table entry for section 433 (Receiving tainted property), column 3 to insert new item 2 where the offender is liable to 20 years imprisonment under section 433(1)(aa) and new item 3 where the offender is liable to 16 years imprisonment under section 433(1)(ab) as offences excluded from being heard summarily.

Subclause 3 amends the table entry for section 469 (Wilful damage), column 3 to add the new special case items 14 (Valuable metal item and disruption to public facility or infrastructure), 15 (Valuable metal item and endangering persons), 16 (Valuable metal item and disasters), 17 (Telecommunication cable and disruption to public facility or infrastructure), 18

(Telecommunication cable and endangering persons) and 19 (Telecommunication cable and disasters) as offences excluded from being heard summarily.

Part 9 Amendment of *District Court of Queensland Act 1967*

Clause 56 provides that this part amends the *District Court of Queensland Act 1967* (District Court of Queensland Act).

Clause 57 amends section 14 (Retirement of judge) to provide in section 14(2) that a retired Supreme Court judge or retired District Court judge appointed as a reserve judge under section 18(1) remains a reserve judge until the judge's appointment ends.

Clause 58 amends section 18 (Reserve judges) to provide in section 18(3)(b)(i) that similar to a retired District Court judge, a retired Supreme Court judge's appointment may end the day the reserve judge reaches the age of 78 years.

Clause 59 inserts new section 18B (Declaration about when reserve judge enters on duties of office) to provide that for the purposes of section 59(2) of the *Constitution of Queensland 2001* (Constitution of Queensland), a reserve judge appointed under section 18 of the District Court of Queensland Act must take or make the oath or affirmation of allegiance and of office at the commencement of their appointment as a reserve judge. The reserve judge need not retake the oath or remake the affirmation upon each engagement under section 18A of the District Court of Queensland Act.

Clause 60 inserts new sections 40A (Disclosure of alleged offender information to accredited media entities) and 40B (Protection from liability).

New section 40A(1) provides a registrar may disclose alleged offender information to an accredited media entity.

New section 40A(2) provides that the accredited media entity may use the alleged offender information only to the extent necessary to enable the entity to attend a court proceeding relating to the offence.

New section 40A(3) provides that a person who gains, or has access to, alleged offender information disclosed to an accredited media entity under the section must not intentionally disclose the name of the alleged offender to anyone, other than under the section; or recklessly disclose the name of the alleged offender to anyone. The maximum penalty is 20 penalty units.

New section 40A(4) provides that the person may disclose the alleged offender's name to another person (the recipient) if the recipient is an employee, contractor or agent of the accredited media entity; and the disclosure is necessary to enable the recipient, or another employee, contractor or agent of the accredited media entity, to attend a court proceeding relating to the offence.

New section 40A(5) provides that the person may disclose the name of the alleged offender if the name of the alleged offender is lawfully accessible to the public in connection with the offence; or in compliance with a lawful process requiring production of documents to, or giving evidence before, a court or tribunal; or to the extent the disclosure is otherwise required or permitted under an Act or law.

New section 40A(6) inserts definitions for *accredited media entity*, *alleged offender* and *alleged offender information*.

New section 40B(1) provides that the section applies if a person, acting honestly and without negligence, discloses alleged offender information to an accredited media entity under section 40A(1).

New section 40B(2) provides that the person is not liable civilly, criminally or under an administrative process for disclosing the information.

New section 40B(3) provides that if subsection (2) prevents civil liability attaching to a person, the liability attaches instead to the State.

New section 40B(4) provides that this section does not apply to a person who is a prescribed person under the *Public Sector Act 2022*, section 268 to the extent the person is protected from civil liability under section 269 of the Act.

Clause 61 amends section 61 (Criminal jurisdiction if maximum penalty more than 20 years) to insert Criminal Code section 398 (Punishment of stealing) to enable these matters to be heard by the District Court.

Clause 62 amends the current definition of *monetary limit* in section 68(2) to increase the District Court monetary limit from $750,000 to $1.5 million.

Clause 63 Inserts new section 153 (Transitional provision for Justice and Other Legislation Amendment Act 2026) to provide for transitional provisions for the amendments to note that it applies only in relation to an action, matter or proceeding started after the commencement of section 68(2).

Part 10 Amendment of *Evidence Act 1977*

Clause 64 provides that this part amends the *Evidence Act 1977.*

Clause 65 amends section 103ZI (Application for leave) to omit and insert new subsections (a) to (c).

Subclause 1 provides new subsections (a) to (c), including the timing requirements for filing and serving an application for leave under section 103ZH, in respect of summary trials, committal proceedings and trials on indictment.

Subclause 2 defines the term ‘relevant recorded evidence’ for the purposes of section 103ZI, to mean evidence by a special witness given under an order or direction made or given under section 21A(2)(e) or an affected child’s evidence taken at a preliminary hearing under section 21AK.

Clause 66 amends section 103ZJ (Application for leave out of time) and removes a reference to former section 103ZI and provides a more particular reference to section 103ZI(1)

Clause 67 amends the section 103ZM (Determination of application for leave during summary trial, committal proceeding or trial).

Subclause 1 omits and amends the heading of section 103ZM (Determination of application for leave during summary trial, committal proceeding or trial) to 'Deciding application for leave under s 103ZH'.

Subclause 2 amends section 103ZM to remove particular words and replace them with 'The court must not, in relation to a summary trial, committal proceeding or trial on indictment,'

Clause 68 amends the heading of part 9 (Transitional and declaratory provisions) to include the words 'and validating'.

Clause 69 amends part 9, division 17 (Transitional provisions for the Criminal Justice Legislation (Sexual Violence and Other Matters) Amendment Act 2024) to insert a legislative note that provides 'See also section 183 for the meaning of originating step'.

Clause 70 inserts new part 9, division 20 (Transitional and validation provisions for Justice and Other Legislation Amendment Act 2025).

This clause inserts new section 184 (Meaning of *originating step* for div 17). The term *originating step* is defined to mean the arrest of the defendant in the proceeding; or the making of a complaint under the Justices Act, section 42 in relation to the defendant in the proceeding; or the serving of a notice to appear on the defendant in the proceeding under the Police Powers and Responsibilities Act, section 382. Subsection (2) clarifies that this section does not affect a proceeding in relation to which division 17 was applied before the commencement of this section.

This clause also inserts new section 185 (Criminal proceeding that relates wholly or partly to charge for sexual offence), a validating provision that applies to any of the following (a relevant action) done before the commencement of the section:

(a) an exercise or purported exercise of a court's jurisdiction in dealing with a leave application;

(b) anything else done or purportedly done by a court or person in relation to a leave application).

Subsection (2) provides that the rights and liabilities of all persons affected by the relevant action are the same, and are taken to have always been the same, as they would be or would have been if new section 103ZI(1)(c) and (2) had been in force at the time of the relevant action.

Subsection (3) provides that subsection (2) applies for all purposes, including for the purpose of a leave application made but not decided before commencement.

Subsection (4) defines the term 'leave application' to mean an application for leave under part 6B, division 2; and defines the term 'new', in relation to a provision of this Act, to mean the provision as in force from the commencement.

Part 11 Amendment of *Housing Act 2003*

Clause 71 provides that this part amends the *Housing Act 2003.*

Clause 72 amends section 94B (Immunity for disclosure of particular confidential information) to paragraph (e) of the definition of *confidentiality provision* in subsection (5), which refers to

the repealed *Criminal Law (Sexual Offences) Act 1978*. Subsequent paragraphs are renumbered as a consequence.

Part 12 Amendment of *Information Privacy Act 2009*

Clause 73 provides that this part amends the *Information Privacy Act 2009* (Information Privacy Act).

Clause 74 amends section 164 (Meaning of *privacy complaint*) to remove the words 'in a document to which this Act does not apply' in section 164(2)(a) and replace them with '(a) in a document held by an excluded entity; or (ab) in a document to which the privacy principle requirements do not apply'. These replacement words are consistent with language otherwise used in the Information Privacy Act. Clause 24 also renumbers a section as a consequence of the above.

Clause 75 amends section 164A (Response period for privacy complaints) to omit section 164A(4)(b). This clarifies that, where an agency requests further time to consider a privacy complaint, the response period ends when the complainant refuses the request for further time or the further specified period which has been requested ends. Clause 75 also renumbers a section as a consequence of the above.

Part 13 Amendment of *Integrity Act 2009*

Clause 76 provides that this part amends the *Integrity Act 2009* (Integrity Act).

Clause 77 amends section 7 (Functions of Integrity Commissioner) to provide a further function of the Integrity Commissioner is to give oral advice to a designated person, former designated person or former ministerial advisor on ethics or integrity issues as provided for under chapter 3, part 2.

The clause also clarifies that a function of the Integrity Commissioner includes another function conferred under the Integrity Act or another Act.

The clause also further amends section 7 to clarify that the Integrity Commissioner may authorise the Deputy Integrity Commissioner, an appropriately qualified integrity officer or another appropriately qualified public service officer to perform a function or exercise a power to assist the integrity office perform its functions and powers as a statutory body under the *Financial Accountability Act 2009* and *Statutory Bodies Financial Arrangements Act 1982*.

Clause 78 amends section 15 (Request for advice) to provide a designated person may, by oral request to the Integrity Commissioner, ask for the Integrity Commissioner's advice on an ethics or integrity issue. This clause also provides that if an advisee makes an oral request for advice, the Integrity Commissioner must make a written record of the request. Subsequent paragraphs are renumbered as a consequence of the above.

Clause 79 amends section 21 (Advice) to provide the Integrity Commissioner must provide written advice to an advisee if the request is made in writing. This clause provides that if the advisee asks for advice orally, the Integrity Commissioner may provide advice on the issue or defer the request until the advisee makes the request in writing.

This clause provides the Integrity Commissioner may give the advice orally in response to an oral request for advice where the Integrity Commissioner considers it appropriate in the circumstances, but otherwise must give advice in writing. The clause also provides the Integrity Commissioner may ultimately still defer to consider an oral request for advice until it is made in writing.

Further, if the Integrity Commissioner gives advice orally, the Integrity Commissioner must make a written record of the advice. If the Integrity Commissioner defers consideration of an oral request, the Integrity Commissioner must notify the advisee orally or in writing about the decision, and if the advisee is notified of the decision orally, the Integrity Commissioner must make a written record of the notification.

Section 21 is renumbered as a consequence of the above.

Clause 80 amends section 23 (Advice) to provide that if the Integrity Commissioner gives the advice orally, the integrity commissioner must make a written record of the advice.

Clause 81 amends section 25 (Definitions for division) to provide the meaning of *relevant document* includes:

- any written request for advice under section 15 on the ethics or integrity issue;
- any record of an oral request for advice on the ethics or integrity issue made by the integrity commissioner; and
- any record of an oral advice on the ethics or integrity issue made by the integrity commissioner; and
- any record of the notification of a decision to defer consideration of an oral request for advice on the ethics or integrity issue made by the Integrity Commissioner.

This clause also clarifies the reference to ‘the advice’ at former subsection 25(e), to be advice on the ethics or integrity issue. Paragraphs are also renumbered as a consequence of the above.

Clause 82 amends section 34 (Definitions for division), to provide the meaning of *relevant document* also includes any record of an oral advice on the interests issues made by the integrity commissioner. This clause also clarifies the reference to ‘the advice’ at former subsection 34(e), to be advice on the interests issues. Paragraphs are also renumbered as a consequence of the above.

Clause 83 amends section 83 (Delegation of powers) to omit ‘of powers’ from the heading to the section. This clause also provides for the Integrity Commissioner to delegate their functions under another Act to the Deputy Integrity Commissioner, an appropriately qualified integrity officer or another appropriately qualified public service officer.

The amendment also amends section 83(2) to clarify that the Integrity Commissioner may delegate functions under chapter 4 of the Integrity Act, other than under part 4 of chapter 4, to an appropriately qualified integrity officer or appropriately qualified public service officer.

This clause also omits the definition of *appropriately qualified*, as the definition in the Acts Interpretation Act will apply.

Part 14 Amendment of *Justices of the Peace and Commissioners for Declarations Act 1991*

Clause 84 provides that this part amends the *Justices of the Peace and Commissioners for Declarations Act 1991*.

Clause 85 amends section 20 (Oath or affirmation of office) to update the prescribed oath and affirmation of allegiance and office to refer to the current Monarch.

Part 15 Amendment of *Land Act 1994*

Clause 86 provides that this part amends the *Land Act 1994*.

Clause 87 amends section 513 (Casino matters) to insert a note stating that the Brisbane Casino Agreement Act was repealed by the Justice and Other Legislation Amendment Act.

Part 16 Amendment of *Land Court Act 2000*

Clause 88 provides that this part amends the *Land Court Act 2000.*

Clause 89 amends section 16 to clarify the appointment of president and other members when, before the end of the member's term of appointment, the member starts the hearing of a proceeding.

Clause 90 amends section 19 to provide that the appointment of acting members includes a retired judge or retired member until the retired judge or retired member reaches 78 years of age.

Clause 91 amends section 42 to clarify the retirement of members that are either a retired judge or retired member.

Clause 92 amends section 46 to clarify the retirement of judicial registrars.

Clause 93 amends schedule 2 to insert definitions of *retired judge* and *retired member*.

Part 17 Amendment of *Magistrates Courts Act 1921*

Clause 94 provides that this part amends the *Magistrates Courts Act 1921*.

Clause 95 inserts new sections 3BA (Disclosure of alleged offender information to accredited media entities) and 3BB (Protection from liability).

New section 3BA(1) provides that a registrar of a Magistrates Court may disclose alleged offender information to an accredited media entity.

New section 3BA(2) provides that the accredited media entity may use the alleged offender information only to the extent necessary to enable the entity to attend a court proceeding relating to the offence.

New section 3BA(3) provides that a person who gains, or has access to, alleged offender information disclosed to an accredited media entity under this section must not intentionally disclose the name of the name of the alleged offender to anyone, other than under this section; or recklessly disclose the name of the alleged offender to anyone. The maximum penalty is 20 penalty units.

New section 3BA(4) provides that the person may disclose the alleged offender's name to another person (the recipient) if the recipient is an employee, contractor or agent of an accredited media entity; and the disclosure is necessary to enable the recipient, or another employee, contractor or agent of the accredited media entity, to attend a court proceeding relating to the offence.

New section 3BA(5) provides that the person may disclosure the name of the alleged offender if the name of the alleged offender is lawfully accessible to the public in connection with the offence; or in compliance with a lawful process requiring production of documents to, or giving evidence before, a court or tribunal; or to the extent the disclosure is otherwise required or permitted under an Act or law.

New section 3BA(6) inserts definitions for *accredited media entity*, *alleged offender* and *alleged offender information*.

New section 3BB(1) provides that this section applies if a person, acting honestly and without negligence, discloses alleged offender information to an accredited media entity under section 3BA(1).

New section 3BB(2) provides that the person is not liable civilly, criminally or under an administrative process for disclosing the information.

New section 3BB(3) provides that if subsection (2) prevents civil liability attaching to a person, the liability attaches instead to the State.

New section 3BB(4) provides that this section does not apply to a person who is a prescribed person under the *Public Sector Act 2022*, section 268 to the extent the person is protected from civil liability under section 269 of the Act.

Part 18 Amendment of *Ombudsman Act 2001*

Clause 96 provides the part amends the *Ombudsman Act 2001*.

Clause 97 amends section 91A (Disclosure of information) to include the NSO as an agency with whom the Queensland Ombudsman may disclose information obtained in the performance of their functions.

Clause 98 amends section 92 (Secrecy) to clarify the operation of the provision in relation to making public statements. New subsection (2A) states subsection (4) applies if—(a) the ombudsman concludes an investigation of an administrative action; and (b) information identifying the investigation or administrative action is in the public domain.

New subsection (2B) clarifies that a person does not disclose information in contravention of subsection (1) by making a statement about the investigation or administrative action but only the extent the statement—(a) confirms the way in which the investigation was concluded; or

(b) corrects misinformation in the public domain about the investigation or administrative action.

New subsection (3) defines *concludes* in relation to an investigation of an administrative action. The definition includes the ombudsman refusing to investigate a complaint about an administrative action under section 23, giving a report about an administrative action under section 50 and informing the complainant of the result of an investigation under section 57.

Misinformation is defined to mean information, whether or not contained in a document, that is false or misleading.

Examples of statements made following the conclusion of an investigation about information in the public domain that do not breach section 92 include:

- confirming an investigation has concluded and the complaint has not been substantiated or no administrative error found; and
- correcting the record where misinformation has entered the public domain about an administrative action.

Sections 92(2A) to (3) are renumbered as sections 92(3) to (5).

Clause 99 amends schedule 3 (Dictionary), definition *complaints entity*, to ensure the NSO is captured.

Part 19 Amendment of *Penalties and Sentences Act 1992*

Clause 100 provides that this part amends the *Penalties and Sentences Act 1992* (PS Act).

Clause 101 amends schedule 1C (Prescribed offences) to insert Criminal Code section 400 (Attempted stealing of valuable metal item or component) for the purpose of the operation of Part 9D (Serious and Organised Crime) of the PS Act.

Part 20 Amendment of *Personal Injuries Proceedings Act 2002*

Clause 102 provides that this part amends the *Personal Injuries Proceedings Act 2002*.

Clause 103 amends section 75A (Indexation of particular amounts) to reinsert the previously omitted definition of ‘average weekly earnings’.

Part 21 Amendment of *Police Service Administration Act 1990*

Clause 104 provides that this part amends the *Police Service Administration Act 1990*.

Clause 105 amends section 10.2 (Authorisation of disclosure) to insert 10.2CC after 10.2B

Clause 106 amends the heading to Part 10, division 1, subdivision 3 (Information disclosure by direct data feed).

Clause 107 inserts new sections 10.2CB to 10.2CE before section 10.2D

New section 10.2CB inserts into subdivision 3 definitions for *accredited media entity*, *alleged offender* and *alleged offender information*.

New section 10.2CC(1) provides that this section applies if the commissioner publishes a formal public statement (a media release) on the commissioner's website about an offence; and the media release includes a statement that an adult has been charged with the offence by a police officer.

New section 10.2CC(2) provides that if an accredited media entity asks the commissioner for alleged offender information for the offence, the commissioner must disclose to the entity the alleged offender information that is in the possession of the commissioner.

New section 10.2CC(3) provides that the commissioner must comply with the requirements prescribed by regulation in relation to the disclosure.

New section 10.2CC(4) provides that the commissioner must not disclose the name of the alleged offender to the extent disclosure is restricted or prohibited under an order of the court.

New section 10.2CC(5) provides that the commissioner may enter into an arrangement with the chief executive (justice) for the disclosure of alleged offender information by the chief executive (justice) to an accredited media entity.

New section 10.2CC(6) provides that if an arrangement mentioned in subsection (5) is in effect, subsections (2) to (4) and section 10.2CD apply in relation to the chief executive (justice) as if a reference to the commissioner in those provisions included a reference to the chief executive (justice).

New section 10.2CC(7) provides that for subsection (6)(a), subsections (2) and (4) apply in relation to alleged offender information in the possession of the chief executive (justice), regardless of whether the chief executive (justice) possesses the information under the arrangement or for another reason.

New section 10.2CC(8) provides that the accredited media entity may use the offender information disclosed under this section only to the extent necessary to enable the entity to attend a court proceeding relating to the offence.

New section 10.2CC(9) defines *chief executive (justice)*.

New section 10.2CD(1) provides that the section applies if a person, acting honestly and without negligence, discloses alleged offender information to an accredited media entity under section 10.2CC.

New section 10.2CD(2) provides that the person is not liable civilly, criminally or under an administrative process for disclosing the information.

New section 10.2CD(3) provides that if subsection (2) prevents civil liability attaching to a person, the liability attaches instead to the State.

New section 10.2CD(4) provides that the section does not apply to the extent the person is protected from civil liability under section 10.5; or the *Public Sector Act 2022*, section 269.

New section 10.2CE(1) provides that the section applies in relation to a person who gains, or has access to, alleged offender information disclosed to an accredited media entity under section 10.2CC for an offence.

New section 10.2CE(2) provides that the person must not intentionally disclose the name of the alleged offender to anyone, other than under this section; or recklessly disclose the name of the alleged offender to anyone. The maximum penalty is 20 penalty units.

New section 10.2CE(3) provides that the person may disclose the alleged offender's name to another person (the recipient) if the recipient is an employee, contractor or agent of an accredited media entity; and the disclosure is necessary to enable the recipient, or another employee, contractor or agent of the accredited media entity, to attend a court proceeding relating to the offence.

New section 10.2CE(4) provides that the person may disclosure the name of the alleged offender if the name of the alleged offender is lawfully accessible to the public in connection with the offence; or in compliance with a lawful process requiring production of documents to, or giving evidence before, a court or tribunal; or to the extent the disclosure is otherwise required or permitted under an Act or law.

Clause 108 amends Schedule 2 (Dictionary) and inserts *accredited media entity*, *alleged offender* and *alleged offender information*.

Part 22 Amendment of *Property Law Act 2023*

Clause 109 provides that this part amends the *Property Law Act 2023*.

Clause 110 amends section 191 to correct the numbering of the subsections.

Part 23 Amendment of *Public Records Act 2023*

Clause 111 provides that this part amends the *Public Records Act 2023* (Public Records Act).

Clause 112 omits section 11(4)(c) of the Public Records Act. The amendment reflects the need for responsibility for the management of public records to be consistently placed with the chief executive of the public authority, rather than a chairperson of a governing body, to provide clarity about the responsible officers within a public authority who hold duties regarding the management of public records.

Part 24 Amendment of *Right to Information Act 2009*

Clause 113 provides that this part amends the *Right to Information Act 2009*.

Clause 114 adds 'an IP Act access or amendment action' to the list of access or amendment actions for the purposes of section 114 (vexatious applicants). A note to the provision indicates that section 217 of the Information Privacy Act is relevant to access or amendment actions made but not finalised before 1 July 2025.

This clause also inserts a definition of 'IP Act access or amendment action' in section 114(8).

Clause 115 inserts new chapter 7, part 11 to provide a transitional provision that deals with vexatious applicant declarations which were considered but not decided by the Information Commissioner before commencement. New section 206T confirms that section 114 as in force on the commencement applies in relation to the decision.

Clause 116 adds 'the National Cyber Security Coordinator' to section 1(a), schedule 1. This clause also amends section 1(a) of schedule 1 to reflect updates to changes in certain entity names. New section 1(2), schedule 1 also updates references to entity names with respect to their relevant establishing Acts.

Part 25 Amendment of *Second-hand Dealers and Pawnbrokers Act 2003*

Clause 117 provides that this part amends the *Second-hand Dealers and Pawnbrokers Act 2003* (Second-hand Dealers Act).

Clause 118 amends the maximum penalty under section 6 (Acting as licensee) for carrying on a business of dealing in second-hand property, or acting as a market operator, without a licence. An increased penalty is provided for carrying on a business of dealing in second-hand property without a licence to 400 penalty units or 2 years imprisonment, where the second-hand property is scrap metal. The maximum penalty for contraventions of section 6 involving other types of second-hand property remains at 200 penalty units.

Clause 119 amends section 37 (Second-hand dealers must keep a transactions register) by including a specific, stand-alone reference to 'second-hand property that is scrap metal' in the definition of 'second-hand property transaction' provided in section 37(5). As a result of the amendment, a second-hand dealer who enters into a transaction for the acquisition, sale or disposal of second-hand property that is scrap metal will be required to record the transaction in the transactions register kept by the second-hand dealer under section 37(1) of the Second-hand Dealers Act, regardless of the resale value of the scrap metal. The transaction particulars that must be recorded for the transaction are prescribed by regulation (section 37(2) of the Second-hand Dealers Act).

Clause 120 amends section 47 (Second-hand dealer must ask for information) to strengthen identification verification requirements that apply when a second-hand dealer acquires second-hand property that is scrap metal from a person.

Currently, before a second-hand dealer acquires second-hand property from a person, the second-hand dealer must obtain from the person the information set out in subsections (a) to (d) of section 47, including the person's name and address (section 47(a)). Subsection 1 of the clause expands the information a second-hand dealer must obtain about a person from whom the second-hand dealer is acquiring second-hand property that is scrap metal to also include the person's date of birth and residential address.

Section 47(b) currently requires second-hand dealers to obtain verification of a person's name and address that has been provided pursuant to section 47(a). Subsection (1)(b) of the clause also expands these verification requirements for second-hand dealers acquiring second-hand property that is scrap metal from a person to reflect the additional information required to be obtained for these types of transactions.

Subsection 2 of the clause provides for the form of verification required when a second-hand dealer acquires second-hand property that is scrap metal from a person. Specifically, the person's name and date of birth must be verified by sighting photographic identification of the person, which includes a unique identifier for the document (for example, a driver's licence, passport or photographic identification card). If the photographic identification does not show the residential address of the person, then another document is required that states the person's name and residential address.

Clause 121 makes editorial changes to section 48 (Second-hand dealer to inform police about stolen property) to improve the clarity and readability of the provision. Section 48 imposes an obligation on second-hand dealers to inform a police officer if the second-hand dealer becomes aware that property acquired or possessed by the second-hand dealer may be stolen or unlawfully obtained. In addition to clarifying section 48, the clause also introduces higher, and escalating, maximum penalties for second-hand dealers who repeatedly contravene the provision in relation to second-hand property that is scrap metal. The existing maximum penalty (200 penalty units) remains in place for contraventions of section 48 relating to other types of second-hand property.

Clause 122 makes editorial changes to section 71 (Pawnbroker to inform police about stolen property) to improve the clarity and readability of the provision. Similar to section 48 for second-hand dealers, section 71 imposes an obligation on pawnbrokers to inform a police officer if the pawnbroker becomes aware that property acquired or possessed by the pawnbroker may be stolen or unlawfully obtained. As concerns about the disposal of scrap metal appear to primarily relate to second-hand dealers, the clause does not include increased, escalating penalties for pawnbrokers that contravene section 71. However, the existing maximum penalty (200 penalty units) continues to apply to section 71.

Clause 123 amends the Dictionary in schedule 3.

Part 26 Amendment of *Security Providers Act 1993*

Clause 124 provides that this part amends the *Security Providers Act 1993* (Security Providers Act).

Clause 125 makes a minor editorial amendment to section 10 (Application) to increase consistency of the provision with the drafting of amended section 20 (Renewal of unrestricted licence).

Clause 126 makes a minor editorial amendment to section 15(4).

Clause 127 makes a minor editorial amendment to section 17(2).

Clause 128 amends section 20 (Renewal of unrestricted licence) to clarify the requirements for licence renewal applications and to enable the chief executive to provide applicants with an opportunity to rectify a renewal application that does not meet the requirements of the Security Providers Act.

Clause 129 makes a minor editorial amendment to section 25B.

Clause 130 makes a consequential amendment to section 27 (Fingerprints to be taken) to reflect the renumbering of subsections within section 20 pursuant to amendments being made to that section by this Bill.

Clause 131 makes a minor editorial amendment to section 31C(2)(b).

Clause 132 makes a minor editorial amendment to section 31F(2).

Clause 133 as part of an editorial change to the structure of existing transitional provisions contained in Parts 5 to 10 of the Security Providers Act in accordance with current legislative drafting practices, inserts a new Part 5 (Transitional, declaratory and validating provisions) and new Division 1 (Transitional provisions for Security Providers Amendment Act 2007). In summary, transitional, declaratory and validating provisions will all be incorporated into Part 5, with transitional, declaratory and validating provisions for different amending legislation forming individual divisions within the newly constituted Part 5.

Clause 134 makes editorial amendments to section 55 (Definitions for pt 5) to reflect the restructuring of Part 5.

Clause 135 provides for existing Part 6 of the Security Providers Act to form new Part 5, division 2. This division will contain the existing declaratory provision for the *Justice (Fair Trading) Legislation Amendment Act 2008*.

Clause 136 provides for existing Part 7 of the Security Providers Act to form new Part 5, division 3. This division will contain the existing transitional provisions for the *Fair Trading (Australian Consumer Law) Amendment Act 2010.*

Clause 137 provides for existing Part 8 of the Security Providers Act to form new Part 5, division 4. This division will contain the existing transitional provisions for the *Weapons Amendment Act 2011.*

Clause 138 provides for existing Part 9 of the Security Providers Act to form new Part 5, division 5. This division will contain the existing transitional provisions for the *Criminal Law (Criminal Organisations Disruption) and Other Legislation Amendment Act 2013.*

Clause 139 provides for existing Part 10 of the Security Providers Act to form new Part 5, division 6. This division will contain the existing transitional provisions for the *Serious and Organised Crime Legislation Amendment Act 2016.*

Clause 140 provides new division 7 of Part 5, which will contain transitional, declaratory and validating provisions for the Bill (which, if enacted, will be known as the *Justice and Other Legislation Amendment Act 2026*).

New section 72 (Definitions for division) provides the meaning of key terms used in new division 7.

New section 73 (Relevant licence renewal applications made during relevant period for applications) clarifies the requirement for payment of the relevant fee in relation to licence renewal applications made during the relevant period (as defined in new section 72) and validates actions taken during or after the relevant period in relation to required fees.

New section 74 (Unrestricted licence renewal applications not decided before commencement) clarifies arrangements for dealing with licence renewal applications that have been made, but not decided, before commencement of the amendments. Specifically, amended section 20 (with necessary modifications regarding references to fees) applies in relation to the processing and deciding of the application.

New section 75 (Particular proceedings not decided before commencement) may be relevant to an undecided proceeding concerning licence renewal applications. New section 75(2) confirms the payment of the relevant fee for the application is taken to have been, and to have always been, a requirement for renewal of the licence.

Clause 141 makes minor editorial amendments to schedule 2 (Dictionary) by omitting the definitions of *bodyguard functions* and *crowd controller functions* and amending the definition of *prescribed identification*.

Part 27 Amendment of *Supreme Court of Queensland Act 1991*

Clause 142 provides that this part amends the *Supreme Court of Queensland Act 1991* (Supreme Court of Queensland Act).

Clause 143 inserts new section 6C (Declaration about when reserve judge enters on duties of office) to provide that for the purposes of section 59(2) of the Constitution of Queensland, a reserve judge appointed under section 6A of the Supreme Court of Queensland Act must take or make the oath or affirmation of allegiance and of office at the commencement of their appointment as a reserve judge. The reserve judge need not retake the oath or remake the affirmation upon each engagement under section 6B of the Supreme Court of Queensland Act.

Clause 144 amends section 21(2) (Retirement of judges) to provide that a retired Supreme Court judge appointed as a reserve judge under section 6A remains a reserve judge until the judge's appointment ends.

Clause 145 inserts new sections 72A (Disclosure of alleged offender information to accredited media entities) and 72B (Protection from liability).

New section 72A(1) provides that a registrar may disclose alleged offender information to an accredited media entity.

New section 72A(2) provides that the accredited media entity may use the alleged offender information only to the extent necessary to enable the entity to attend a court proceeding relating to the offence.

New section 72A(3) provides that a person who gains, or has access to, alleged offender information disclosed to an accredited media entity under this section must not intentionally disclose the name of the name of the alleged offender to anyone, other than under this section; or recklessly disclose the name of the alleged offender to anyone. The maximum penalty is 20 penalty units.

New section 72A(4) provides that the person may disclose the alleged offender's name to another person (the recipient) if the recipient is an employee, contractor or agent of an accredited media entity; and the disclosure is necessary to enable the recipient, or another

employee, contractor or agent of the accredited media entity, to attend a court proceeding relating to the offence.

New section 72A(5) provides that the person may disclosure the name of the alleged offender if the name of the alleged offender is lawfully accessible to the public in connection with the offence; or in compliance with a lawful process requiring production of documents to, or giving evidence before, a court or tribunal; or to the extent the disclosure is otherwise required or permitted under an Act or law.

New section 72A(6) inserts definitions for *accredited media entity*, *alleged offender* and *alleged offender information*.

New section 72B(1) provides that this section applies if a person, acting honestly and without negligence, discloses alleged offender information to an accredited media entity under section 72A(1).

New section 72B(2) provides that the person is not liable civilly, criminally or under an administrative process for disclosing the information.

New section 72B(3) provides that if subsection (2) prevents civil liability attaching to a person, the liability attaches instead to the State.

New section 72B(4) provides that this section does not apply to a person who is a prescribed person under the *Public Sector Act 2022*, section 268 to the extent the person is protected from civil liability under section 269 of the Act.

Clause 146 replaces Schedule 1, section 23(b) of the Supreme Court of Queensland Act to omit the words ‘for the Supreme Court’ from paragraph (b)(vi). Current Schedule 1, section 23(b) restricts the making of court rules in relation to enforcement warrants for charging orders and stop orders to the Supreme Court. This provision applies despite the operation of section 882 of the *Uniform Civil Procedure Rules 1999* (Uniform Civil Procedure Rules) which does not confine the power to make a stop order to the Supreme Court. The amendments to Schedule 1, section 23(b) also improve clarity and readability by removing the repetitive use of the term ‘enforcement warrants’.

Part 28 Amendment of *Uniform Civil Procedure Rules 1999*

Clause 147 provides that this part amends the Uniform Civil Procedure Rules.

Clause 148 omits section 874 of the Uniform Civil Procedure Rules which restricts the making of enforcement warrants for charging orders under chapter 19, part 8 to the Supreme Court.

Part 29 Repeal of legislation

Clause 149 repeals the *Brisbane Casino Agreement Act 1992*, No. 52.