



Queensland

Child Protection (More Stringent Offender Reporting) Amendment Bill 2010



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2010

A Bill

for

An Act to amend the *Child Protection (Offender Reporting) Act 2004* for particular purposes

The Parliament of Queensland enacts—

1

Clause 1 Short title

2

This Act may be cited as the *Child Protection (More Stringent
Offender Reporting) Amendment Act 2010*.

3

4

Clause 2 Commencement

5

This Act commences on a day to be fixed by proclamation.

6

Clause 3 Act amended

7

This Act amends the *Child Protection (Offender Reporting)
Act 2004*.

8

9

Clause 4 Amendment of s 3 (Purpose of this Act)

10

Section 3(2)(c), ‘annually’—

11

omit, insert—

12

‘periodically’.

13

**Clause 5 Amendment of s 18 (Reportable offender must report
annually)**

14

15

(1) Section 18, heading, ‘annually’—

16

omit, insert—

17

‘periodically’.

18

(2) Section 18(1) and (2)—

19

omit, insert—

20

‘(1) A reportable offender must report his or her personal details to
the police commissioner every 3 months, unless the offender
is required, under subsection (2A), to make the report every
calendar month.

21

22

23

24

- ‘(2) A reportable offender who is required under subsection (1) to make a report every 3 months must make each report by the end of the third calendar month after the month in which the offender last reported under this Act, or a corresponding Act.

Example—

J last reported his personal details to the police commissioner on 11 March 2010. This section requires J to make a further report of those details on or before 30 June 2010. If J makes the further report on 2 May 2010, this section requires J to make the next report on or before 31 August 2010 ... (and so on).

- ‘(2A) If a reportable offender is found guilty of an offence against section 50(1), the offender must report his or her personal details to the police commissioner every calendar month for the shorter of the following periods—

- (a) 1 year after the offender is sentenced for the offence;
(b) the period ending when the offender’s reporting period ends.

Note—

If, at the end of 1 year after the reportable offender is sentenced for the offence, the offender’s reporting period has not ended, the offender must report periodically as required under subsection (1).’.

Clause 6 Amendment of s 26 (How reports must be made) 22

Section 26(1)(b), ‘annual’— 23

omit, insert— 24

‘periodic’. 25

Clause 7 Amendment of s 50 (Failure to comply with reporting obligations) 26 27

- (1) Section 50(1), ‘penalty’— 28

omit, insert— 29

‘Maximum penalty— 30

- (a) if the reporting obligations are those mentioned in section 18(1) or (2A)—5 years imprisonment; or 31
32

[s 8]

(b) otherwise—150 penalty units or 2 years imprisonment.’. 1

(2) Section 50— 2

insert— 3

‘(4) A court, in sentencing a reportable offender for a subsequent 4
offence against subsection (1), should consider imposing a 5
sentence of imprisonment instead of any other sentence. 6

‘(5) An offence against subsection (1) for which the maximum 7
penalty is 5 years imprisonment is a crime. 8

‘(6) In this section— 9

subsequent offence against subsection (1) means an offence 10
against the subsection committed after the reportable offender 11
was found guilty of a previous offence against the 12
subsection.’. 13

Clause 8 Insertion of new s 70A 14

After section 70— 15

insert— 16

‘70A Release of information if reporting obligations not 17 complied with 18

‘(1) This section applies if a reportable offender fails to make a 19
report within 3 months after the time limit stated in section 20
18(1) or (2A) for the report. 21

‘(2) Despite the other provisions of this part or any other law, the 22
police commissioner must publish the following personal 23
information about the reportable offender on the Queensland 24
Police Service web site— 25

(a) the offender’s name; 26

(b) an image of the offender; 27

(c) a statement that the offender is alleged to have 28
committed an offence about complying with the 29
offender’s reporting obligations; 30

(d) a statement that the offender is wanted by a police 31
officer for questioning about the alleged offence.’. 32