



Queensland

Criminal and Other Legislation Amendment Bill 2011



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2011

A Bill

for

An Act to amend the *Animal Care and Protection Act 2001*, the *Collections Act 1966*, the *Credit (Commonwealth Powers) Act 2010*, the *Criminal Code*, the *Drugs Misuse Act 1986*, the *Drugs Misuse Regulation 1987*, the *Justices Act 1886*, the *Land Sales Act 1984*, the *Land Sales Regulation 2000*, the *Liquor Act 1992*, the *Residential Services (Accreditation) Act 2002*, the *Retirement Villages Act 1999*, the *Roman Catholic Church Lands Act 1985* and the *Security Providers Act 1993*, and to make minor and consequential amendments of other Acts as stated in the schedule, for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3
This Act may be cited as the *Criminal and Other Legislation* 4
Amendment Act 2011. 5

Clause 2 Commencement 6
The following provisions commence on a day to be fixed by 7
proclamation— 8
(a) part 2; 9
(b) sections 20(1), 21 and 22; 10
(c) parts 5 to 10; 11
(d) part 16 and the schedule. 12

Part 2 Amendment of Animal Care 13
and Protection Act 2001 14

Clause 3 Act amended 15
This part amends the *Animal Care and Protection Act 2001*. 16

Clause 4 Amendment of s 18 (Animal cruelty prohibited) 17
Section 18(1), penalty— 18
omit, insert— 19

‘Maximum penalty—2000 penalty units or 3 years imprisonment.’. 1
2

Clause 5 Amendment of s 122 (Power of entry) 3
Section 122(1)(g)(i), ‘against this Act’— 4
omit. 5

Clause 6 Amendment of s 127 (Issue of warrant) 6
(1) Section 127(1)(b), ‘there is’— 7
omit. 8
(2) Section 127(1)(b), ‘offence against this Act’— 9
omit, insert— 10
‘animal welfare offence, or another offence against this Act,’. 11

Clause 7 Amendment of s 142 (General power to seize evidence) 12
Section 142(1)(a), from ‘of’— 13
omit, insert— 14
‘of— 15
(i) an animal welfare offence; or 16
(ii) another offence against this Act; or’. 17

Clause 8 Amendment of s 163 (Power to require name and address) 18
(1) Section 163(1)(a), from ‘commit,’— 19
omit, insert— 20
‘commit— 21
(i) an animal welfare offence; or 22
(ii) another offence against this Act; or’. 23
24

[s 9]

- | | | |
|-----|---|---|
| (2) | Section 163(1)(b), from ‘committed’— | 1 |
| | <i>omit, insert—</i> | 2 |
| | ‘committed— | 3 |
| | (i) an animal welfare offence; or | 4 |
| | (ii) another offence against this Act; or’. | 5 |

- | | | |
|-----------------|---|----|
| Clause 9 | Amendment of s 164 (Failure to comply with personal details requirement) | 6 |
| | | 7 |
| | Section 164(2)(a), from ‘committed’— | 8 |
| | <i>omit, insert—</i> | 9 |
| | ‘committed— | 10 |
| | (i) an animal welfare offence; or | 11 |
| | (ii) another offence against this Act; and’. | 12 |

- | | | |
|------------------|---|----|
| Clause 10 | Insertion of new s 181A | 13 |
| | Chapter 7, part 2— | 14 |
| | <i>insert—</i> | 15 |
| | ‘181A Interim prohibition order | 16 |
| | ‘(1) This section applies if a person is charged with an animal welfare offence (the <i>alleged offence</i>). | 17 |
| | | 18 |
| | ‘(2) The court may order (an <i>interim prohibition order</i>) that, pending completion of the proceeding for the alleged offence, the person must not possess or purchase or otherwise acquire— | 19 |
| | | 20 |
| | | 21 |
| | | 22 |
| | (a) any animal; or | 23 |
| | (b) a stated type of animal; or | 24 |
| | (c) any animal, or a stated type of animal, for trade or commerce or another stated purpose. | 25 |
| | | 26 |
| | ‘(3) The court may make an interim prohibition order against the person only if the court is satisfied there are reasonable | 27 |
| | | 28 |

-
- grounds for believing there is an unacceptable risk the person
will commit an animal welfare offence before the completion
of the proceeding for the alleged offence.
- ‘(4) An interim prohibition order may be made against the
person—
- (a) only at the court’s initiative or on an application by the
prosecution; and
- (b) in the person’s absence.
- ‘(5) However, the court must not make an interim prohibition
order unless the person has been given an opportunity to be
heard about whether the order should be made.
- ‘(6) An interim prohibition order—
- (a) takes effect—
- (i) if the person or the person’s legal representative is
at the hearing when the order is made—when the
order is made; or
- (ii) otherwise—when the order is served on the person;
and
- (b) ends when the proceeding for the alleged offence is
completed.
- ‘(7) For this section, if the alleged offence is heard and decided on
indictment, the proceeding for the offence is completed when
the proceeding on indictment is completed.’.

- Clause 11 Amendment of s 183 (Prohibition order)**
- (1) Section 183(1), from ‘purchase’ to ‘possession of’—
omit, insert—
‘possess or purchase or otherwise acquire’.
- (2) Section 183—
insert—

[s 12]

- ‘(1A) However, if a person is convicted of a serious animal welfare offence, the court must make a prohibition order against the person if required under section 186A.’. 1
2
3
- (3) Section 183(1A) and (2)— 4
renumber as section 183(2) and (3). 5

- Clause 12 Amendment of s 184 (Order against owner in certain cases)** 6
7
- Section 184— 8
insert— 9
- ‘(3) To remove any doubt, it is declared that the court is not required to make a prohibition order against the owner because the person has been convicted of a serious animal welfare offence.’. 10
11
12
13

- Clause 13 Amendment of s 185 (Criteria for making disposal or prohibition order)** 14
15
- (1) Section 185, before subsection (1)— 16
insert— 17
- ‘(1AA) This section does not apply to the making of a prohibition order against a person under section 186A.’. 18
19
- (2) Section 185(2)— 20
insert— 21
- ‘(e) if an interim prohibition order is in effect against the person—the person’s compliance or otherwise with the order.’. 22
23
24
- (3) Section 185(3), ‘Subsection (2)’— 25
omit, insert— 26
‘Subsection (3)’. 27
- (4) Section 185(1AA) to (4)— 28
renumber as section 185(1) to (5). 29

Clause 14	Insertion of new s 186A	1
	After section 186—	2
	<i>insert—</i>	3
	‘186A Mandatory prohibition order—serious animal welfare offence	4
		5
	‘(1) This section applies if a person is convicted of a serious animal welfare offence.	6
		7
	‘(2) If the serious animal welfare offence is an offence against the Criminal Code, section 242 or 468, the court must make a prohibition order against the person.	8
		9
		10
	‘(3) The prohibition order must—	11
	(a) order that the person not possess or purchase or otherwise acquire at least the following—	12
		13
	(i) the animal the subject of the offence;	14
	(ii) any animal of the type of animal the subject of the offence; and	15
		16
	(b) be for a stated period of at least 2 years.	17
	‘(4) If the serious animal welfare offence is an offence against section 18, the court must make a prohibition order against the person unless the person satisfies the court, on the balance of probabilities, that it would be unjust in the circumstances of the particular case to make the order.	18
		19
		20
		21
		22
	‘(5) In considering whether it would be unjust to make the prohibition order, the court—	23
		24
	(a) must consider the matters mentioned in section 185(3)(a) to (e); and	25
		26
	(b) may consider any other matters the court considers relevant.	27
		28
	‘(6) The court must not make a prohibition order under subsection (4) unless the person has been given an opportunity to be heard about whether it would be unjust in the circumstances of the particular case to make the order.	29
		30
		31
		32
	‘(7) This section does not limit section 186(4).’.	33

[s 15]

Clause 15	Amendment of s 187 (Contravention of prohibition order unlawful)	1 2
	Section 187, after ‘prohibition order’—	3
	<i>insert—</i>	4
	‘or interim prohibition order’.	5
Clause 16	Insertion of new s 187A	6
	After section 187—	7
	<i>insert—</i>	8
	‘187A Amendment or revocation of interim prohibition order	9 10
	‘(1) This section applies if an interim prohibition order is made against a person.	11 12
	‘(2) A relevant court may amend or revoke the interim prohibition order on an application under this section.	13 14
	‘(3) An application may be made by—	15
	(a) the person, if at least 6 months has passed—	16
	(i) after the interim prohibition order was made; or	17
	(ii) after the person last made an application under this section; or	18 19
	(b) the prosecution, at any time.	20
	‘(4) The court may amend or revoke the interim prohibition order only if satisfied that—	21 22
	(a) there has been a substantial change in the person’s circumstances since the order was made; or	23 24
	(b) in all the circumstances, it is reasonable to amend or revoke the order.	25 26
	‘(5) The applicant must give the chief executive notice of the application.	27 28

- ‘(6) In deciding the application, the court must give the chief executive and anyone else it considers appropriate an opportunity to be heard. 1
2
3
- ‘(7) In this section— 4
relevant court means— 5
(a) the court that made the interim prohibition order; or 6
(b) if another court is dealing with the proceeding for the alleged offence on indictment—that court.’. 7
8

Clause 17 Amendment of s 188 (Review of certain prohibition orders) 9
10
Section 188(5)(b), ‘section 185(2)’— 11
omit, insert— 12
‘section 185(3)’. 13

Clause 18 Amendment of schedule (Dictionary) 14

(1) Schedule— 15
insert— 16
‘*interim prohibition order* see section 181A(2). 17
serious animal welfare offence means an offence against— 18
(a) section 18 of this Act; or 19
(b) the Criminal Code, section 242 or 468.’. 20

(2) Schedule, definition *animal welfare offence*, item 1(b), after ‘section’— 21
22
insert— 23
‘242 or’. 24

[s 19]

Part 3	Amendment of Collections Act 1966	1 2
Clause 19	Act amended	3
	This part amends the <i>Collections Act 1966</i> .	4
Clause 20	Amendment of s 5 (Meaning of terms)	5
	(1) Section 5(1)—	6
	<i>insert—</i>	7
	‘ <i>appointed members</i> see section 35A(4).’.	8
	(2) Section 5(1), definition <i>inspector</i> , from ‘a person’ to ‘under this Act’—	9 10
	<i>omit, insert—</i>	11
	‘an inspector under the <i>Fair Trading Act 1989</i> , section 5’.	12
Clause 21	Amendment of s 35A (Disaster appeals trust fund and committee)	13 14
	Section 35A(4), (7), (9)(d), (10) and (11), ‘Governor in Council’—	15 16
	<i>omit, insert—</i>	17
	‘chief executive’.	18
Clause 22	Insertion of new s 49	19
	After section 48—	20
	<i>insert—</i>	21
‘49	Transitional provision for Criminal and Other Legislation Amendment Act 2011	22 23
	‘(1) On the commencement of this section—	24
	(a) if the chief executive was an appointed member of the disaster appeals trust fund committee immediately	25 26

- before the commencement of this section—the chief executive stops being a member of the committee; and
- (b) if the chief executive was the chairperson of the committee immediately before the commencement of this section—the chief executive stops being the chairperson; and
- (c) if the chief executive was the deputy chairperson of the committee immediately before the commencement of this section—the chief executive stops being the deputy chairperson.
- ‘(2) A person, other than the chief executive, who was an appointed member of the committee immediately before the commencement of this section continues to be an appointed member as if the person was appointed by the chief executive.
- ‘(3) A person, other than the chief executive, who was the chairperson of the committee immediately before the commencement of this section continues to be the chairperson as if the person was designated to be the chairperson by the chief executive.’.

Clause	23	Act amended	23
		This part amends the <i>Credit (Commonwealth Powers) Act 2010</i> .	24 25

[s 24]

Clause 24	Amendment of s 25 (Monitoring, enforcement and administration generally)	1
	Section 25(3), ‘section 33(3)’—	2
	<i>omit, insert</i> —	3
	‘section 33(4)’.	4
Clause 25	Amendment of s 33 (Enforcement of maximum annual percentage rate)	5
	(1) Section 33(3) and (4)—	6
	<i>renumber</i> as section 33(4) and (5).	7
	(2) Section 33—	8
	<i>insert</i> —	9
	‘(3) The chief executive may publish on the department’s website the information contained in the register of conduct deeds kept under section 20 of the repealed <i>Consumer Credit (Queensland) Act 1994</i> as applied by subsection (2)(a).	10
	<i>Editor’s note</i> —	11
	The address of the department’s website is <www.justice.qld.gov.au>.’.	12

Part 5 Amendment of Criminal Code 18

Clause 26	Code amended	19
	This part amends the Criminal Code.	20
Clause 27	Amendment of s 207A (Definitions for this chapter)	21
	Section 207A, definition <i>child exploitation material</i> , ‘someone’—	22
	<i>omit, insert</i> —	23
	‘a person, or a representation of a person,’.	24

Clause 28	Amendment of s 208 (Unlawful sodomy)	1
	(1) Section 208—	2
	<i>insert—</i>	3
	‘(2A) For an offence defined in subsection (1)(a) or (b) other than an attempt, the offender is liable to imprisonment for life if the offence is committed in respect of a child who is a person with an impairment of the mind.’	4 5 6 7
	(2) Section 208—	8
	<i>insert—</i>	9
	‘(5) For an offence defined in subsection (1)(a) or (b) alleged to have been committed with the circumstance of aggravation mentioned in subsection (2A), it is a defence to the circumstance of aggravation to prove that the accused person believed on reasonable grounds that the child was not a person with an impairment of the mind.’	10 11 12 13 14 15
Clause 29	Amendment of s 210 (Indecent treatment of children under 16)	16 17
	(1) Section 210—	18
	<i>insert—</i>	19
	‘(4A) If the child is a person with an impairment of the mind, the offender is guilty of a crime, and is liable to imprisonment for 20 years.’	20 21 22
	(2) Section 210—	23
	<i>insert—</i>	24
	‘(5A) If the offence is alleged to have been committed with the circumstance of aggravation mentioned in subsection (4A), it is a defence to the circumstance of aggravation to prove that the accused person believed on reasonable grounds that the child was not a person with an impairment of the mind.’	25 26 27 28 29

[s 30]

Clause 30	Amendment of s 215 (Carnal knowledge with or of children under 16)	1 2
	(1) Section 215—	3
	<i>insert—</i>	4
	‘(4A) If the child is a person with an impairment of the mind, the offender is guilty of a crime, and is liable to imprisonment for life.’.	5 6 7
	(2) Section 215—	8
	<i>insert—</i>	9
	‘(5A) If the offence is alleged to have been committed with the circumstance of aggravation mentioned in subsection (4A), it is a defence to the circumstance of aggravation to prove that the accused person believed on reasonable grounds that the child was not a person with an impairment of the mind.’.	10 11 12 13 14
Clause 31	Amendment of s 216 (Abuse of persons with an impairment of the mind)	15 16
	Section 216(2), ‘subsection (3)(c)’—	17
	<i>omit, insert—</i>	18
	‘subsections (3)(c) and (3A)’.	19
Clause 32	Amendment of s 218A (Using internet etc. to procure children under 16)	20 21
	(1) Section 218A(1) and (2)—	22
	<i>omit, insert—</i>	23
	‘(1) Any adult who uses electronic communication with intent to procure a person under the age of 16 years, or a person the adult believes is under the age of 16 years, to engage in a sexual act, either in Queensland or elsewhere, commits a crime.	24 25 26 27 28
	Maximum penalty—10 years imprisonment.	29
	‘(2) The adult is liable to 14 years imprisonment if—	30

-
- (a) the person is— 1
 - (i) a person under 12 years; or 2
 - (ii) a person the adult believes is under 12 years; or 3
 - (b) the offence involves the adult— 4
 - (i) intentionally meeting the person; or 5
 - (ii) going to a place with the intention of meeting the 6
person.’. 7
 - (2) Section 218A(3), (5) and (6), ‘(1)(a)’— 8
omit, insert— 9
‘(1)’. 10
 - (3) Section 218A(10)— 11
renumber as section 218A(11). 12
 - (4) Section 218A(9)— 13
omit, insert— 14
 - ‘(9) It is a defence to a charge under this section to prove the adult 15
believed on reasonable grounds that the person was at least 16
years. 17
 - ‘(10) For an offence defined in subsection (1) alleged to have been 18
committed with the circumstance of aggravation mentioned in 19
subsection (2)(a)(i), it is a defence to the circumstance of 20
aggravation to prove that the adult believed on reasonable 21
grounds that the person was at least 12 years.’. 22
 - (5) Section 218A(11), as renumbered— 23
insert— 24
‘**meeting** means meeting in person.’. 25

Clause 33 Insertion of new s 218B 26
After section 218A— 27
insert— 28

[s 33]

‘218B Grooming children under 16

‘(1) Any adult who engages in any conduct in relation to a person under the age of 16 years, or a person the adult believes is under the age of 16 years, with intent to—

(a) facilitate the procurement of the person to engage in a sexual act, either in Queensland or elsewhere; or

(b) expose, without legitimate reason, the person to any indecent matter, either in Queensland or elsewhere;

commits a crime.

Note—

See section 1 for the definition *indecent matter*.

Maximum penalty—5 years imprisonment.

‘(2) The adult is liable to 10 years imprisonment if the person is—

(a) a person under 12 years; or

(b) a person the adult believes is under 12 years.

‘(3) For subsection (1)(a), a person engages in a sexual act if the person—

(a) allows a sexual act to be done to the person’s body; or

(b) does a sexual act to the person’s own body or the body of another person; or

(c) otherwise engages in an act of an indecent nature.

‘(4) Subsection (3) is not limited to sexual intercourse or acts involving physical contact.

‘(5) For subsection (1)(a)—

(a) it is not necessary to prove that the adult intended to facilitate the procurement of the person to engage in any particular sexual act; and

(b) it does not matter that, by reason of circumstances not known to the adult, it is impossible in fact for the person to engage in the sexual act; and

(c) it does not matter when the adult intended the person would be procured to engage in a sexual act. 1
2

‘(6) For subsection (1), it does not matter that the person is a fictitious person represented to the adult as a real person. 3
4

‘(7) Evidence that the person was represented to the adult as being under the age of 16 years, or 12 years, as the case may be, is, in the absence of evidence to the contrary, proof that the adult believed the person was under that age. 5
6
7
8

‘(8) It is a defence to a charge under this section to prove the adult believed on reasonable grounds that the person was at least 16 years. 9
10
11

‘(9) For an offence defined in subsection (1) alleged to have been committed with the circumstance of aggravation mentioned in subsection (2)(a), it is a defence to the circumstance of aggravation to prove that the adult believed on reasonable grounds that the person was at least 12 years. 12
13
14
15
16

‘(10) In this section—
procure means knowingly entice or recruit for the purposes of sexual exploitation.’. 17
18
19

Clause 34 Amendment of s 228A (Involving child in making child exploitation material) 20
21

Section 228A(1), ‘10 years imprisonment’— 22

omit, insert— 23

‘14 years imprisonment’. 24

Clause 35 Amendment of s 228B (Making child exploitation material) 25
26

Section 228B(1), ‘10 years imprisonment’— 27

omit, insert— 28

‘14 years imprisonment’. 29

[s 36]

Clause 36	Amendment of s 228C (Distributing child exploitation material)	1 2
	Section 228C(1), ‘10 years imprisonment’—	3
	<i>omit, insert—</i>	4
	‘14 years imprisonment’.	5
Clause 37	Amendment of s 228D (Possessing child exploitation material)	6 7
	Section 228D, ‘5 years imprisonment’—	8
	<i>omit, insert—</i>	9
	‘14 years imprisonment’.	10
Clause 38	Amendment of s 228G (Forfeiture of child exploitation material etc.)	11 12
	Section 228G(1)(a)—	13
	<i>omit, insert—</i>	14
	‘(a) section 210(1)(e) or (f), 218A or 218B; or’.	15
Clause 39	Insertion of new pt 4, ch 25	16
	Part 4—	17
	<i>insert—</i>	18
	‘Chapter 25 Cruelty to animals	19
‘242	Serious animal cruelty	20
	‘(1) A person who, with the intention of inflicting severe pain or suffering, unlawfully kills, or causes serious injury or prolonged suffering to, an animal commits a crime.	21 22 23
	Maximum penalty—7 years imprisonment.	24

[s 40]

- ‘(2) An act or omission that causes the death of, or serious injury or prolonged suffering to, an animal is unlawful unless it is authorised, justified or excused by—
- (a) the *Animal Care and Protection Act 2001*; or
 - (b) another law, other than section 458 of this Code.
- ‘(3) In this section—
- serious injury* means—
- (a) the loss of a distinct part or an organ of the body; or
 - (b) any bodily injury of such a nature that, if left untreated, would—
 - (i) endanger, or be likely to endanger, life; or
 - (ii) cause, or be likely to cause, permanent injury to health.’.

Clause 40 Amendment of s 450I (Forfeiture in cases of conviction for offences under specified sections)

Section 450I(1), after ‘section’—

insert—

‘242,’.

Clause 41 Amendment of s 568 (Cases in which several charges may be joined)

Section 568—

insert—

‘(10A) In an indictment against a person for an offence against section 228A, 228B, 228C or 228D, the person may be charged and proceeded against on 1 charge for the offence even though—

- (a) any number of separate acts constituting the offence have been committed, whether or not the separate acts constituting the offence can be identified; or

[s 42]

- (b) the separate acts constituting the offence have extended over any space of time; or 1
2
- (c) different acts constituting the offence took place at different times, whether or not the different acts can be identified.’. 3
4
5

Clause 42 Amendment of s 669A (Appeal by Attorney-General) 6

Section 669A, after subsection (1)— 7

insert— 8

‘(1AA) The Court must not take into account any element of double jeopardy involved in the respondent being sentenced again when doing either or both of the following under subsection (1)— 9
10
11
12

(a) exercising the Court’s discretion in deciding whether to allow an appeal; 13
14

(b) imposing a sentence. 15

‘(1AB) Without limiting subsection (1AA), in imposing a sentence under subsection (1), the Court must not take into account any rule, principle or practice that— 16
17
18

(a) would otherwise apply only because of any element of double jeopardy involved in the defendant being sentenced again; and 19
20
21

(b) would require the Court to do any or all of the following— 22
23

(i) impose a sentence at the lower end of the available range; 24
25

(ii) impose a sentence that is less than the sentence the Court considers should have been imposed when the respondent was first sentenced; 26
27
28

(iii) be limited by the submissions made by the prosecution when the respondent was first sentenced.’. 29
30
31

Clause 43	Insertion of new ch 90	1
	Part 9—	2
	<i>insert—</i>	3
‘Chapter 90	Transitional provisions for	4
	Criminal and Other	5
	Legislation Amendment Act	6
	2011	7
‘729	Indictments for offences	8
	‘This Code, as amended by the <i>Criminal and Other</i>	9
	<i>Legislation Amendment Act 2011</i> , section 41, applies to an	10
	indictment against a person for an offence against section	11
	228A, 228B, 228C or 228D whether the act or omission	12
	constituting the offence happened before, on or after the	13
	commencement of this section.	14
‘730	Appeal by Attorney-General	15
	‘This Code, as amended by the <i>Criminal and Other</i>	16
	<i>Legislation Amendment Act 2011</i> , section 42, applies to a	17
	proceeding for an appeal under section 669A(1) started on or	18
	after the commencement of this section.’	19
Part 6	Amendment of Drugs Misuse	20
	Act 1986	21
Clause 44	Act amended	22
	This part amends the <i>Drugs Misuse Act 1986</i> .	23

[s 45]

Clause 45	Amendment of s 4 (Definitions)	1
	(1) Section 4—	2
	<i>insert—</i>	3
	‘ Australian Crime Commission means the Australian Crime Commission established under the <i>Australian Crime Commission Act 2002</i> (Cwlth), section 7.’	4
		5
		6
	(2) Section 4, definition <i>dangerous drug</i> , paragraph (c), from ‘and that has’—	7
		8
	<i>omit, insert—</i>	9
	‘and that—	10
	(i) has a substantially similar pharmacological effect;	11
	or	12
	(ii) is intended, or apparently intended, to have a substantially similar pharmacological effect;’.	13
		14
Clause 46	Amendment of s 9A (Possessing relevant substances or things)	15
		16
	Section 9A—	17
	<i>insert—</i>	18
	‘(1A) It is a defence to a charge of an offence against subsection (1) for a person to prove that the person has a reasonable excuse for possessing the relevant substance or thing.’.	19
		20
		21
Clause 47	Insertion of new s 9D	22
	After section 9C—	23
	<i>insert—</i>	24
‘9D	Trafficking in relevant substances or things	25
	‘A person who carries on the business of unlawfully trafficking in a relevant substance or thing as defined under	26
		27

section 9A(2), for use in connection with the commission of a
crime under section 8, commits a crime.
Maximum penalty—20 years imprisonment.’

Clause 48 Amendment of s 10 (Possessing things)

Section 10, after subsection (4)—
insert—

‘(4AA) For subsection (4), it is immaterial whether the hypodermic
syringe or needle was for use, or had been used, in connection
with the administration of a dangerous drug.’

Clause 49 Amendment of s 43U (Confidentiality of information)

(1) Section 43U(2)(c) and (d)—
renumber as section 43U(2)(d) and (e).

(2) Section 43U(2)—
insert—

‘(c) disclosure of information to a member of the staff of the
Australian Crime Commission to enable the member to
perform his or her functions as a member of the staff of
the Australian Crime Commission; or’.

Clause 50 Amendment of s 46 (Definitions for pt 5B)

Section 46, definition *serious offence*, paragraph (a)(ii), ‘or
8’—

omit, insert—

‘, 8 or 9D’.

Clause 51 Insertion of new s 129A

After section 129—

insert—

[s 52]

‘129A	Evidentiary provision—s 4, definition	1
	<i>dangerous drug</i>, paragraph (c)(ii)	2
‘(1)	This section applies if, in a proceeding for an offence against this or another Act, it is relevant to prove that a thing is a dangerous drug under section 4, definition <i>dangerous drug</i> , paragraph (c)(ii).	3 4 5 6
‘(2)	The thing is proved to be a dangerous drug if there is evidence that—	7 8
	(a) the accused person actually intended that the thing have a substantially similar pharmacological effect; or	9 10
	(b) an ordinary person would reasonably consider, in the circumstances of the case, that the accused intended that the thing have a substantially similar pharmacological effect.’.	11 12 13 14
Clause 52	Insertion of new pt 7, div 8	15
	Part 7—	16
	<i>insert—</i>	17
‘Division 8	Provision for Criminal and Other Legislation Amendment Act 2011	18 19
‘143	Amendment of regulation by Criminal and Other Legislation Amendment Act 2011 does not affect powers of Governor in Council	20 21 22
	‘The amendment of the <i>Drugs Misuse Regulation 1987</i> by the <i>Criminal and Other Legislation Amendment Act 2011</i> does not affect the power of the Governor in Council to further amend the regulation or to repeal it.’.	23 24 25 26

Part 7	Amendment of Drugs Misuse Regulation 1987	1 2
Clause 53	Regulation amended	3
	This part amends the <i>Drugs Misuse Regulation 1987</i> .	4
Clause 54	Amendment of sch 8A (Gross weight of relevant substances for ss 9A, 9B and 9C of Act)	5 6
	(1) Schedule 8A, heading, ‘and 9C’—	7
	<i>omit, insert—</i>	8
	‘, 9C and 9D’.	9
	(2) Schedule 8A, authorising section, after ‘9C’—	10
	<i>insert—</i>	11
	‘, 9D’.	12
Clause 55	Amendment of sch 8B (Things specified for ss 9A, 9B and 9C, and prescribed for s 134, of Act)	13 14
	(1) Schedule 8B, heading, ‘and 9C’—	15
	<i>omit, insert—</i>	16
	‘, 9C and 9D’.	17
	(2) Schedule 8B, authorising section, after ‘9C’—	18
	<i>insert—</i>	19
	‘, 9D’.	20

[s 56]

Part 8	Amendment of Justices Act 1886	1 2
Clause 56	Act amended	3
	This part amends the <i>Justices Act 1886</i> .	4
Clause 57	Amendment of s 4 (Definitions)	5
(1)	Section 4, definition <i>private complaint</i> —	6
	<i>omit.</i>	7
(2)	Section 4—	8
	<i>insert—</i>	9
	<i>‘private complaint—</i>	10
(a)	means a complaint made by a person who is not—	11
	(i) a public officer; or	12
	(ii) in making the complaint, acting in—	13
	(A) the execution of a duty imposed on the person by law; or	14 15
	(B) the proper administration of an Act or Commonwealth Act; and	16 17
(b)	does not include a complaint of an offence against the Criminal Code, section 242 or 468 made by an RSPCA inspector.	18 19 20
	<i>RSPCA inspector</i> means a person who—	21
(a)	holds appointment as an inspector under the <i>Animal Care and Protection Act 2001</i> ; and	22 23
(b)	is an employee of the Royal Society for the Prevention of Cruelty to Animals Queensland Incorporated.’.	24 25

Clause 58	Amendment of 39 (Power of court to order delivery of certain property)	1
		2
	Section 39(6), definition <i>public officer</i> —	3
	<i>omit, insert</i> —	4
	<i>‘public officer</i> —	5
	(a) in relation to a complaint of an offence against the Criminal Code, section 242 or 468, includes an RSPCA inspector; and	6
		7
		8
	(b) other than in relation to a thing seized by a police officer that is in the possession of the Crime and Misconduct Commission, does not include a police officer.’.	9
		10
		11

Part 9	Amendment of Land Sales Act 1984	12
		13

Clause 59	Act amended	14
	This part amends the <i>Land Sales Act 1984</i> .	15

Clause 60	Amendment of s 6 (Definitions)	16
	(1) Subsections (2) to (4) amend section 6, definition <i>registrable instrument of transfer</i> .	17
		18
	(2) Paragraph (a), from ‘memorandum’ to ‘land’—	19
	<i>omit, insert</i> —	20
	‘transfer under the <i>Land Title Act 1994</i> ’.	21
	(3) Paragraph (b), ‘an instrument of transfer’—	22
	<i>omit, insert</i> —	23
	‘a transfer under the <i>Land Act 1994</i> ’.	24
	(4) Paragraph (c), ‘memorandum of transfer’—	25

[s 61]

omit, insert—

‘transfer under the *Land Title Act 1994*’.

(5) Section 6—

insert—

‘**land registry** means for—

(a) freehold land—the land registry under the *Land Title Act 1994*; or

(b) leasehold land—the land registry under the *Land Act 1994*’.

Clause 61 Replacement of ss 27 and 28

Sections 27 and 28—

omit, insert—

‘27 Purchaser’s avoidance right if not given a registrable instrument of transfer within a particular period

‘(1) This section applies if—

(a) a purchaser enters into an instrument to purchase a proposed lot; and

(b) the vendor under the instrument has not, unconditionally, given the purchaser a registrable instrument of transfer for the lot (a **registrable transfer**) before the earliest of the following to happen—

(i) the end of any unqualified settlement period required under the instrument;

(ii) any unqualified settlement time required under the instrument;

(iii) if the instrument has no unqualified settlement period or unqualified settlement time—the end of 3½ years after the day the instrument was made;

(iv) the end of 5½ years after the day the instrument was made.

- ‘(2) The purchaser may avoid the instrument by giving the vendor
written notice of the avoidance before the vendor gives the
purchaser a registrable transfer. 1 2 3
- ‘(3) In this section— 4
- unqualified settlement period* means— 5
- (a) a period provided for under the instrument within which 6
the vendor must give the purchaser a registrable transfer; 7
and 8
- (b) that is not— 9
- (i) subject to a right of extension by the vendor; or 10
- (ii) conditional on the happening of an event. 11
- unqualified settlement time* means— 12
- (a) the time provided for under the instrument by which the 13
vendor must give the purchaser a registrable transfer; 14
and 15
- Examples of time for paragraph (a)—* 16
- 4pm on a particular day 17
 - between 9am and 5pm on a particular day 18
 - a particular day, month or year 19
- (b) that is not— 20
- (i) subject to a right of extension by the vendor; or 21
- (ii) conditional on the happening of an event.’. 22

Clause 62 Insertion of new pt 5 23

After section 36— 24

insert— 25

[s 62]

‘Part 5	Transitional provisions for	1
	Criminal and Other Legislation	2
	Amendment Act 2011	3
‘37	Definitions for pt 5	4
	‘In this part—	5
	<i>former section 27</i> means section 27 as in force immediately	6
	before the commencement of this section.	7
	<i>former section 28</i> means section 28 as in force immediately	8
	before the commencement.	9
‘38	Application of s 27	10
	‘Section 27 applies—	11
	(a) only for an instrument of purchase for a proposed lot	12
	entered into by a purchaser after the commencement of	13
	this section; and	14
	(b) even if an extension of the period mentioned in former	15
	section 27 has been prescribed under former section 28	16
	for the proposed lot.	17
‘39	Continuing application of former ss 27 and 28	18
	‘Former sections 27 and 28 continue to apply for an	19
	instrument of purchase for a proposed lot entered into by the	20
	purchaser before the commencement.	21
‘40	Effect of regulation amendment	22
	‘The amendment of the <i>Land Sales Regulation 2000</i> under the	23
	<i>Criminal and Other Legislation Amendment Act 2011</i> does	24
	not affect the power of the Governor in Council to further	25
	amend the regulation or to repeal it.’.	26

Part 10	Amendment of Land Sales Regulation 2000	1
		2
Clause 63	Regulation amended	3
	This part amends the <i>Land Sales Regulation 2000</i> .	4
Clause 64	Amendment of s 2 (Fees)	5
	Section 2, ‘in schedule 1’—	6
	<i>omit, insert—</i>	7
	‘stated in the schedule’.	8
Clause 65	Omission of ss 3 and 4	9
	Sections 3 and 4—	10
	<i>omit.</i>	11
Clause 66	Amendment of sch 1, hdg (Fees)	12
	Schedule 1, heading, ‘Schedule 1’—	13
	<i>omit, insert—</i>	14
	‘Schedule’.	15
Clause 67	Omission of schs 2 and 3	16
	Schedules 2 and 3—	17
	<i>omit.</i>	18

[s 68]

Part 11 **Amendment of Liquor Act 1992** 1

Clause 68 **Act amended** 2

This part amends the *Liquor Act 1992*. 3

Clause 69 **Amendment of s 12 (Exemptions)** 4

(1) Section 12(2)— 5

insert— 6

‘(n) a sale of liquor in a nursing home, other than a nursing 7
home in a relevant restricted area, to an adult person 8
who is a resident of the nursing home, or an adult guest 9
of a resident of the nursing home, if the quantity of 10
liquor sold to the person is not more than 2 standard 11
drinks in a day; 12

(o) a sale of liquor in a hospital, other than a hospital in a 13
relevant restricted area, to an adult person who is an 14
inpatient of the hospital if the quantity of liquor sold to 15
the person is not more than 2 standard drinks in a day.’. 16

(2) Section 12(4)— 17

insert— 18

‘*hospital* means— 19

(a) a hospital operated by the State; or 20

(b) a private hospital under the *Private Health Facilities Act* 21
1999. 22

nursing home means a facility in which residential care is 23
provided in relation to an allocated place under the *Aged Care* 24
Act 1997 (Cwlth). 25

relevant restricted area means a restricted area to which 26
section 168B applies because of a declaration under section 27
173H.’. 28

Part 12	Amendment of Residential Services (Accreditation) Act 2002	1 2 3
Clause 70	Act amended	4
	This part amends the <i>Residential Services (Accreditation) Act 2002</i> .	5 6
Clause 71	Amendment of s 41 (Meaning of <i>accreditation decision</i>)	7
	Section 41(b), after ‘accreditation’—	8
	<i>insert—</i>	9
	‘, or renewal of accreditation,’.	10
Clause 72	Amendment of s 50 (Renewal of accreditation)	11
	(1) Section 50(6) to (8)—	12
	<i>renumber</i> as section 50(7) to (9).	13
	(2) Section 50—	14
	<i>insert—</i>	15
	‘(6) The chief executive may renew the accreditation on conditions the chief executive considers appropriate.’.	16 17
Clause 73	Amendment of s 152 (Register of undertakings)	18
	Section 152—	19
	<i>insert—</i>	20
	‘(3) The chief executive may publish the information contained in the register on the department’s website.	21 22
	<i>Editor’s note—</i>	23
	The address of the department’s website is	24
	<www.communities.qld.gov.au>.’.	25

[s 74]

Clause 74	Amendment of sch 1 (Reviewable decisions for this Act)	1
	Schedule 1, entry for service provider for a residential service, after fourth dot point—	2 3
	<i>insert—</i>	4
	• to impose conditions on a renewal of accreditation of the service (s 50(6)).	5 6
Part 13	Amendment of Retirement Villages Act 1999	7 8
Clause 75	Act amended	9
	This part amends the <i>Retirement Villages Act 1999</i> .	10
Clause 76	Amendment of s 28 (Registration of retirement village scheme)	11 12
	(1) Section 28(4) to (6)—	13
	<i>renumber</i> as section 28(5) to (7).	14
	(2) Section 28—	15
	<i>insert—</i>	16
	‘(4) However, the chief executive must not register a retirement village scheme if the chief executive reasonably considers the scheme is contrary to the regulatory framework under this Act.	17 18 19 20
	<i>Example—</i>	21
	It is contrary to that regulatory framework for the scheme operator to directly or indirectly require the retirement village’s residents to be responsible for things the Act makes the scheme operator responsible for.’	22 23 24 25

Clause 77	Amendment of s 56 (Interpretation for div 5)	1
	Section 56(1), definition <i>termination date</i> , paragraph (b)—	2
	<i>omit, insert—</i>	3
	‘(b) if a relative of the resident has a right under section	4
	70B(5) to enter into a residence contract for the	5
	accommodation unit—the date the relative advised the	6
	scheme operator, under section 70B(5)(d), that the	7
	relative wants to enter into a residence contract for the	8
	accommodation unit; or	9
	(c) if a relative of the resident has a right under section	10
	70B(2) to reside in the accommodation unit but does not	11
	have a right under section 70B(5) to enter into a	12
	residence contract for the accommodation unit—the	13
	date the relative vacates the accommodation unit.’.	14
Clause 78	Amendment of s 91 (Capital replacement fund)	15
	Section 91(5)(a), after ‘repairs’—	16
	<i>insert—</i>	17
	‘, other than repairs that are reinstatement work the cost of	18
	which must be paid out of the fund under section 62(4)’.	19
Clause 79	Amendment of s 105 (General services charges for unsold right to reside in accommodation units)	20
	Section 105(2), from ‘an’ to ‘subsection (1)’—	21
	<i>omit, insert—</i>	22
	‘any part of an amount payable under subsection (1) that is a	23
	maintenance reserve fund contribution’.	24
		25
Clause 80	Amendment of s 106 (Increasing charges for general services)	26
	Section 106(2), definition <i>CPI percentage increase</i> ,	27
	paragraphs (a) and (b), ‘for the quarter ending immediately’—	28
		29

[s 81]

omit, insert—

1

‘most recently’.

2

Clause 81 Insertion of new pt 15, div 3

3

Part 15—

4

insert—

5

**‘Division 3 Transitional provisions for Criminal
and Other Legislation Amendment
Act 2011**

6

7

8

**‘237H When retirement village scheme must not be
 registered**

9

10

‘Section 28(4) applies to an application to register a retirement village scheme under section 27(1), whether the application was made before or after the commencement of this section.

11

12

13

14

**‘237I Continuing application of former definition
 termination date in former s 56(1)**

15

16

‘(1) This section applies if, immediately before the commencement of this section, a relative of a resident had a right, under section 70B(2), to reside in an accommodation unit.

17

18

19

20

‘(2) The former definition *termination date* in former section 56(1) continues to apply to the resident for the accommodation unit as if the *Criminal and Other Legislation Amendment Act 2011* had not been enacted.

21

22

23

24

‘(3) In this section—

25

former, of a provision mentioned in this section, means the provision to which the reference relates is a provision of the pre-amended Act.

26

27

28

pre-amended Act means this Act as in force immediately before the commencement of this section.’.

29

30

Clause 82	Amendment of schedule (Dictionary)	1
	Schedule, definition <i>decision notice</i> —	2
	<i>omit.</i>	3

Part 14	Amendment of Roman Catholic Church Lands Act 1985	4
		5

Clause 83	Act amended	6
	This part amends the <i>Roman Catholic Church Lands Act 1985</i> .	7
		8

Clause 84	Amendment of sch 1 (Land vesting in the Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane)	9
	Schedule 1—	10
	<i>insert</i> —	11
		12
		13

'Freehold Title reference 10052141	Churchill Brassall	Lot 1 on RP8351	1 acre	Henry Brun and James Shea as trustees under Nomination of Trustees No. 20733'.
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Part 15	Amendment of Security Providers Act 1993	14
		15

Clause 85	Act amended	16
	This part amends the <i>Security Providers Act 1993</i> .	17

[s 86]

Clause 86	Insertion of new pt 2, div 5, sdiv 1, hdg	1
	Part 2, division 5, after heading—	2
	<i>insert—</i>	3
	‘Subdivision 1 Renewal of unrestricted licences’.	4
Clause 87	Insertion of new pt 2, div 5, sdiv 2, hdg	5
	Part 2, division 5, before section 21—	6
	<i>insert—</i>	7
	‘Subdivision 2 Suspending, cancelling or refusing to renew licence’.	8 9
Clause 88	Amendment of s 21 (Grounds for suspension, cancellation or refusal to renew)	10 11
	Section 21, heading—	12
	<i>omit, insert—</i>	13
	‘21 Grounds for deciding’.	14
Clause 89	Amendment, renumbering and relocation of s 21A (Approved security industry association must give notice of persons whose membership of the association ends)	15 16 17
	(1) Section 21A, heading, ‘persons’—	18
	<i>omit, insert—</i>	19
	‘security firm’.	20
	(2) Section 21A(a), ‘person’—	21
	<i>omit, insert—</i>	22
	‘security firm’.	23
	(3) Section 21A—	24
	<i>renumber and relocate</i> , in part 2, division 5, subdivision 5 as inserted under this Act, as section 25F.	25 26

Clause 90	Amendment of s 22 (Procedure for suspension, cancellation or refusal to renew)	1
	Section 22, heading—	2
	<i>omit, insert—</i>	3
'22	Procedure for deciding'.	4
Clause 91	Insertion of new pt 2, div 5, sdiv 3, hdg	5
	Part 2, division 5, before section 25—	6
	<i>insert—</i>	7
	'Subdivision 3 Replacement licences'.	8
Clause 92	Insertion of new pt 2, div 5, sdiv 4, hdg	9
	Part 2, division 5, before section 25A—	10
	<i>insert—</i>	11
	'Subdivision 4 Production of licences'.	12
Clause 93	Insertion of new pt 2, div 5, sdiv 5, hdg	13
	Part 2, division 5, before section 25B—	14
	<i>insert—</i>	15
	'Subdivision 5 Approval, or withdrawal of approval, of security industry association and duty of approved security industry association'.	16
Clause 94	Amendment of s 25B (Approval of security industry associations)	17
	(1) Section 25B, heading, after 'Approval'—	18
	<i>insert—</i>	19
	', or withdrawal of approval,'.	20

[s 95]

-
- (2) Section 25B(b), before ‘withdraw’— 1
insert— 2
‘subject to sections 25C and 25D,’. 3
- (3) Section 25B— 4
insert— 5
- ‘(2) The chief executive may decide to impose a condition (an *approval condition*) on the approval at either or both of the 6
following times— 7
8
- (a) when the approval is granted (an *initial approval condition*); 9
10
- (b) while the approval is in force. 11
- ‘(3) However, the chief executive may make the decision only if— 12
- (a) for an initial approval condition—the chief executive is 13
reasonably satisfied it is necessary to ensure the 14
association complies with the requirements; or 15
- (b) for another approval condition—the chief executive— 16
- (i) considers there are reasonable grounds for 17
withdrawing the approval because the association 18
no longer complies with the requirements; and 19
- (ii) is reasonably satisfied the condition is necessary to 20
ensure the association complies with the 21
requirements. 22
- ‘(4) The association must comply with the approval condition.’. 23

- Clause 95 Insertion of new ss 25C–25E** 24
- After section 25B— 25
- insert—* 26
- ‘25C Grounds for withdrawing approval** 27
- ‘Either of the following is a ground for withdrawing a security 28
industry association’s approval under section 25B(1)(a)— 29

(a)	it has failed to comply with an approval condition on the approval; or	1 2
(b)	it has failed to comply with a requirement mentioned in section 25B(1).	3 4
'25D	Procedure for withdrawing approval or imposing approval condition other than initial approval condition	5 6 7
'(1)	This section applies if the chief executive considers that reasonable grounds exist to do either of the following (the <i>proposed action</i>) under section 25B—	8 9 10
(a)	withdraw a security industry association's approval;	11
(b)	impose an approval condition, other than an initial approval condition.	12 13
'(2)	Before making the decision, the chief executive must give the association a written notice (the <i>show cause notice</i>) that—	14 15
(a)	states the proposed action; and	16
(b)	states the grounds for the proposed action; and	17
(c)	outlines the facts and circumstances that form the basis for the chief executive's belief; and	18 19
(d)	invites the association to show cause within a stated period of at least 28 days why the proposed action should not be taken.	20 21 22
'(3)	If, after considering all representations made within the stated period, the chief executive still believes that grounds to take the proposed action exist, the chief executive may take that action.	23 24 25 26
'25E	Notice of decisions	27
'(1)	This section applies if the chief executive makes a decision under this subdivision about a security industry association.	28 29
'(2)	The chief executive must give the association written notice of the decision.	30 31

[s 96]

	‘(3) Also, if the decision is to do any of the following, the notice must include, or be accompanied by, a QCAT information notice for the decision—	1 2 3
	(a) to refuse to approve;	4
	(b) to withdraw an approval;	5
	(c) to impose an approval condition.’.	6
Clause 96	Replacement of pt 2, div 6 (Review of licence decisions)	7
	Part 2, division 6—	8
	<i>omit, insert—</i>	9
	‘Division 6 Review of particular decisions	10
‘26	Review by QCAT of decisions under divs 1–5	11
	‘(1) A relevant person may, as provided under the QCAT Act, apply to QCAT for a review of a decision under divisions 1 to 5.	12 13 14
	‘(2) In this section—	15
	<i>approval</i> means an approval under section 25B.	16
	<i>decision</i> includes—	17
	(a) a decision to take any action that may or must be taken under division 1 to 5; and	18 19
	(b) for a licence application—to grant a licence other than the one applied for.	20 21
	<i>relevant person</i> means—	22
	(a) for an application—the applicant; or	23
	(b) for a decision about an approval—the relevant security industry association; or	24 25
	(c) for a licence—the licence holder or, if it has been cancelled, the former licence holder.’.	26 27

Clause 97	Amendment of sch 2 (Dictionary)	1
	Schedule 2—	2
	<i>insert—</i>	3
	<i>‘approval condition</i> see section 25B(2).	4
	<i>initial approval condition</i> see section 25B(2)(a).’.	5

Part 16	Minor and consequential amendments	6
		7

Clause 98	Acts amended	8
	The schedule amends the Acts it mentions.	9

Schedule

Schedule	Other minor and consequential amendments	1 2
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section 98	3
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Child Protection (Offender Reporting) Act 2004	4
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1	Schedule 2, item 1(a)—	5
	<i>insert—</i>	6
	• section 218B (Grooming children under 16)’.	7

Commission for Children and Young People and Child Guardian Act 2000	8 9
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2	Schedule 2, item 4—	10
	<i>insert—</i>	11
‘218B	Grooming children under 16’.	

3	Schedule 2, item 5—	12
	<i>insert—</i>	13
‘9D	Trafficking in relevant substances or things’.	

4	Schedule 3—	1
	<i>insert—</i>	2
	‘218A(1)(b) Using internet etc. to procure children under 16	as the provision was in force from time to time before its repeal by the <i>Criminal and Other Legislation Amendment Act 2011</i> ’.
5	Schedule 4, item 4—	3
	<i>insert—</i>	4
	‘218B Grooming children under 16’.	
6	Schedule 5—	5
	<i>insert—</i>	6
	‘218A(1)(b) Using internet etc. to procure children under 16	as the provision was in force from time to time before its repeal by the <i>Criminal and Other Legislation Amendment Act 2011</i> ’.
7	Schedule 6, item 4—	7
	<i>insert—</i>	8
	‘218B Grooming children under 16’.	

Corrective Services Act 2006 1

- 8** **Schedule 1, entry for Criminal Code—** 2
 insert— 3
 ‘section 218B (Grooming children under 16)’. 4

Criminal Organisation Act 2009 5

- 9** **Schedule 1—** 6
 insert— 7
‘218B Grooming children under 16’.

Disability Services Act 2006 8

- 10** **Schedule 3, item 4—** 9
 insert— 10
‘218B Grooming children
 under 16’.

- 11** **Schedule 3, item 5—** 11
 insert— 12
‘9D Trafficking in
 relevant substances
 or things’.

12	Schedule 4, entry for Criminal Code—	1
	<i>insert—</i>	2
	‘218A(1)(b) Using internet etc. to procure children under 16	as the provision was in force from time to time before its repeal by the <i>Criminal and Other Legislation Amendment Act 2011</i> ’.
13	Schedule 5, item 4—	3
	<i>insert—</i>	4
	‘218B Grooming children under 16’.	
14	Schedule 6, entry for Criminal Code—	5
	<i>insert—</i>	6
	‘218A(1)(b) Using internet etc. to procure children under 16	as the provision was in force from time to time before its repeal by the <i>Criminal and Other Legislation Amendment Act 2011</i> ’.
15	Schedule 6A, item 4—	7
	<i>insert—</i>	8
	‘218B Grooming children under 16’.	
	Liquor Act 1992	9
16	Section 173Y(2)(b), ‘interim’—	10
	<i>omit.</i>	11

	Police Powers and Responsibilities Act 2000	1
17	Section 379(1)(c), ‘or 8’—	2
	<i>omit, insert—</i>	3
	‘, 8 or 9D’.	4
18	Schedule 2, section 4—	5
	<i>insert—</i>	6
	• section 218B (Grooming children under 16)’.	7
19	Schedule 6, definition <i>animal welfare offence</i>, item 1(b), after ‘section’—	8
	<i>insert—</i>	9
	‘242 or’.	10
		11
	Private Employment Agents Act 2005	12
20	Section 39(3), definition <i>offence of a sexual nature</i>, after ‘218A’—	13
	<i>insert—</i>	14
	‘, 218B’.	15
		16

Prostitution Act 1999		1
21	Schedule 4, definition <i>disqualifying offence</i>, paragraph (a)(ii), after ‘5’—	2
	<i>insert—</i>	3
	<i>‘or 9D’.</i>	4
		5
Transport Operations (Passenger Transport) Act 1994		6
22	Schedule 1A, part 1, division 1—	7
	<i>insert—</i>	8
	‘7A section 218B (Grooming children under 16)’.	9