

*I hereby certify that this PUBLIC BILL has finally passed the
Legislative Assembly of Queensland.*

*Legislative Assembly Chamber,
Brisbane,*

The Clerk of the Parliament.

7 May 2019.

In the name and on behalf of the Queen, I assent to this Bill.

Paul de Jersey

*Government House,
Brisbane,*

7 May 2019



Queensland

No. 15 of 2019

A BILL for

**An Act to amend the Criminal Code, the Evidence Act 1977 and the Penalties
and Sentences Act 1992 for particular purposes**



Queensland

Criminal Code and Other Legislation Amendment Bill 2019

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2019

A Bill

for

An Act to amend the Criminal Code, the *Evidence Act 1977* and the *Penalties and Sentences Act 1992* for particular purposes

[s 1]

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Criminal Code and Other Legislation Amendment Act 2019*.

Part 2 Amendment of Criminal Code

2 Code amended

This part amends the Criminal Code.

3 Amendment of s 302 (Definition of *murder*)

Section 302(1), after paragraph (a)—

insert—

(aa) if death is caused by an act done, or omission made, with reckless indifference to human life;

4 Amendment of s 324 (Failure to supply necessities)

Section 324, from ‘misdemeanour’—

omit, insert—

crime.

Maximum penalty—7 years imprisonment.

5 Insertion of new s 575A

After section 575—

insert—

575A Evidence at murder trial

- (1) This section applies in relation to the trial of a person charged with murder under a paragraph of section 302(1).
- (2) The person may be convicted of murder if the evidence at the trial establishes that the person is guilty of murder under any other paragraph of section 302(1).

Part 3 Amendment of Evidence Act 1977

6 Act amended

This part amends the *Evidence Act 1977*.

7 Amendment of s 21M (Meaning of *protected witness*)

Section 21M(3), definition *prescribed special offence*, after ‘323B,’—

insert—

324,

Part 4 Amendment of Penalties and Sentences Act 1992

8 Act amended

This part amends the *Penalties and Sentences Act 1992*.

[s 9]

9 Amendment of s 9 (Sentencing guidelines)

Section 9—

insert—

- (9B) In determining the appropriate sentence for an offender convicted of the manslaughter of a child under 12 years, the court must treat the child's defencelessness and vulnerability, having regard to the child's age, as an aggravating factor.

10 Amendment of sch 1 (Serious violent offences)

Schedule 1, entry for Criminal Code—

insert—

30A section 324 (Failure to supply necessities)

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