

# Public Guardian Bill 2014

Amendments during consideration in detail to be moved by  
The Honourable the Attorney-General and Minister for Justice

**1 Clause 2 (Commencement)**

Page 14, line 7, ‘and 243’—

*omit, insert—*

, 243 and chapter 8, part 15A

**2 Clause 2 (Commencement)**

Page 14, after line 9—

*insert—*

(3) Chapter 8, part 15A commences on the commencement of the *Disability Services (Restrictive Practices) and Other Legislation Amendment Act 2014*, section 26.

**3 Clause 17 (Definitions for ch 3)**

Page 23, line 17—

*omit, insert—*

commencement; or

(d) a similar document under the law of another jurisdiction.

**4 Clause 39 (Definitions for pt 6))**

Page 40, line 2, after ‘2000’—

*insert—*

that provides inpatient services

**5 After clause 76**

Page 66, after line 20—

*insert—*

### **76A Matters to which ss 74 and 76 are subject**

- (1) If the visitable site under section 74 or 76 is a corrective services facility, the exercise of power under the section is subject to any direction or procedure given or made by the chief executive (corrective services) to facilitate the effective and efficient management of corrective services.
- (2) Sections 74 and 76 are subject to any direction given by the chief executive (youth justice services) for the security and management of detention centres and the safe custody and wellbeing of children detained in detention centres.

## **6 After clause 83**

Page 70, after line 8—

*insert—*

### **83A Application of pt 4—separate representatives**

This part does not apply to information about a child and the child's circumstances in the possession or control of the chief executive officer of Legal Aid Queensland if—

- (a) the information came into the possession or control of the chief executive officer because a person is separately representing, or separately represented, the child under the Child Protection Act 1999, section 99Q or 110; and
- (b) the person was appointed by Legal Aid Queensland to separately represent the child.

## **7 Clause 84 (Prescribed entities)**

Page 71, line 5—

*omit, insert—*

- (r) the Family Responsibilities Commission;
- (s) another entity prescribed under a regulation.

**8 Clause 85 (Information requirement made by public guardian)**

Page 71, lines 25 to 30—

*omit.*

**9 Clause 85 (Information requirement made by public guardian)**

Page 71, line 31, '(5)'—

*omit, insert—*

(4)

**10 Clause 85 (Information requirement made by public guardian)**

Page 72, line 3, '(6)'—

*omit, insert—*

(5)

**11 Clause 85 (Information requirement made by public guardian)**

Page 72, line 6, '(7)'—

*omit, insert—*

(6)

**12 Clause 85 (Information requirement made by public guardian)**

Page 72, line 22, '(8)'—

*omit, insert—*

(7)

**13 Clause 201 (Insertion of new ss 108B–108D)**

Page 132, line 18, after ‘document’—

*insert—*

, and make copies of the document,

**14 Clause 211 (Amendment of sch 4 (Dictionary))**

Page 136, line 9—

*omit, insert—*

*Guardian Act 2014; or*

- (i) a child advocacy officer under the *Public Guardian Act 2014*.

**15 After clause 219**

Page 138, after line 27—

*insert—*

**Part 5A                      Amendment of  
Disability Services  
(Restrictive Practices)  
and Other Legislation  
Amendment Act 2014**

**219A Act amended**

This part amends the *Disability Services (Restrictive Practices) and Other Legislation Amendment Act 2014*.

**219B Amendment of s 16 (Amendment of s 123O  
(Containing or secluding an adult under  
short term approval))**

Section 16, inserted section 123O(1)(d), ‘adult guardian’—

*omit, insert—*

public guardian

*Editor’s note—*

Legislation ultimately amended—

- *Disability Services Act 2006*

**219C Amendment of s 17 (Insertion of new s  
123OA)**

- (1) Section 17, inserted section 123OA(1)(a), ‘adult guardian’—

*omit, insert—*

public guardian

- (2) Section 17, inserted section 123OA(2)(a), ‘adult guardian’s’—

*omit, insert—*

public guardian’s

*Editor’s note—*

Legislation ultimately amended—

- *Disability Services Act 2006*

**219D Amendment of s 22 (Insertion of new s  
123ZCA)**

- (1) Section 22, inserted section 123ZCA, ‘adult guardian’—

*omit, insert—*

public guardian

- (2) Section 22, inserted section 123ZCA(3)(a), ‘adult guardian’s’—

*omit, insert—*

public guardian’s

*Editor’s note—*

Legislation ultimately amended—

- *Disability Services Act 2006*

**219E Amendment of s 36 (Insertion of new pt 10A, div 8, sdiv 4)**

Section 36, inserted section 123ZZK(2)(b), ‘adult guardian’—

*omit, insert—*

public guardian

*Editor’s note—*

Legislation ultimately amended—

- *Disability Services Act 2006*

**219F Amendment of s 46 (Amendment of s 80ZH (When adult guardian may give short-term approval for use of containment or seclusion))**

Section 46, before subsection (1)—

*insert—*

- (1A) Section 80ZH, ‘adult guardian’—

*omit, insert—*

public guardian

*Editor’s note—*

Legislation ultimately amended—

- *Guardianship and Administration Act 2000*

**219G Amendment of s 47 (Replacement of ss 80ZI and 80ZJ)**

Section 47, inserted section 80ZI, ‘adult guardian’—

*omit, insert—*

public guardian

*Editor’s note—*

Legislation ultimately amended—

- *Guardianship and Administration Act 2000*

**219H Amendment of s 48 (Amendment of s 80ZK (When adult guardian may give short-term approval for use of other restrictive practices))**

Section 48, before subsection (1)—

*insert—*

(1A) Section 80ZK, heading, ‘adult guardian’—

*omit, insert—*

**public guardian**

*Editor’s note—*

Legislation ultimately amended—

- *Guardianship and Administration Act 2000*

**219I Amendment of s 49 (Amendment of s 80ZM (Requirement for adult guardian to give notice of decision))**

Section 49, ‘Section’—

*omit, insert—*

(1) Section 80ZM, heading, ‘adult guardian’—

*omit, insert—*

**public guardian**

(2) Section

*Editor's note—*

Legislation ultimately amended—

- *Guardianship and Administration Act 2000*

**16 After clause 265**

Page 152, after line 18—

*insert—*

**Part 15A            Amendment of  
Queensland Civil and  
Administrative Tribunal  
Act 2009**

**265A Act amended**

This part amends the *Queensland Civil and Administrative Tribunal Act 2009*.

**265B Amendment of s 46 (Withdrawal of  
application or referral)**

Section 46(2)(b), 'section 123ZK(8) or 123ZN(5)'—

*omit, insert—*

section 123ZK(9)

**17 Long title**

Long title, after '*Disability Services Act 2006*,'—

*insert—*

***the Disability Services (Restrictive Practices) and  
Other Legislation Amendment Act 2014,***

**18 Long title**

Long title, after '*the Public Trustee Act 1978*,'—



*insert—*

***the Queensland Civil and Administrative Tribunal  
Act 2009,***

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