



Queensland

Criminal Code (Trespass Offences) Amendment Bill 2019



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2019

A Bill

for

An Act to amend the Criminal Code for particular purposes

	The Parliament of Queensland enacts—	1
Clause 1	Short title	2
	This Act may be cited as the <i>Criminal Code (Trespass Offences) Amendment Act 2019</i> .	3 4
Clause 2	Code amended	5
	This Act amends the Criminal Code.	6
Clause 3	Amendment of s 1 (Definitions)	7
	Section 1—	8
	<i>insert—</i>	9
	<i>private land</i> , for part 6, division 1, chapter 39, see section 418(4).	10 11
	<i>public land</i> , for part 6, division 1, chapter 39, see section 418(4).	12 13
	<i>transport infrastructure</i> , for part 6, division 1, chapter 39, see section 418(4).	14 15
Clause 4	Amendment of s 418 (Definitions)	16
	Section 418(4)—	17
	<i>insert—</i>	18
	<i>private land</i> means land other than public land.	19
	<i>public land</i> means—	20
	(a) land that the public is entitled to use, is open to members of the public or is used by the public, whether or not on payment of money; or	21 22 23 24

	(b) land, the occupier of which allows, whether or not on payment of money, members of the public to enter.	1 2 3
	<i>transport infrastructure</i> means a port or railway.	4
Clause 5	Insertion of new ss 422–424	5
	After section 421—	6
	<i>insert</i> —	7
	422 Aggravated trespass	8
	(1) A person who unlawfully enters or is in premises, private land or transport infrastructure with intent to cause economic loss to another person or the State commits an offence.	9 10 11 12
	Maximum penalty—100 penalty units or 3 years imprisonment.	13 14
	(2) In this section—	15
	<i>unlawfully</i> means without authorisation, justification or excuse by law.	16 17
	423 Serious criminal trespass	18
	A person who enters or is in premises, private land or transport infrastructure used for business purposes and commits an offence punishable by 3 years imprisonment or more commits a crime.	19 20 21 22
	Maximum penalty—3,000 penalty units or 10 years imprisonment.	23 24
	424 Organised trespass	25
	(1) A person commits a crime if—	26
	(a) the person—	27
	(i) is a participant in an organisation; and	28

[s 6]

	(ii) counsels or procures, or arranges for, another person to commit an offence against section 422 or 423; and	1 2 3
	(b) the other person—	4
	(i) is a participant in the same organisation; and	5 6
	(ii) commits an offence against section 422 or 423.	7 8
	Maximum penalty—3,000 penalty units or 10 years imprisonment.	9 10
	(2) This section does not limit section 7.	11
	(3) In this section—	12
	<i>organisation</i> includes a business and a charity.	13
	<i>participant</i> , in an organisation, means a director, member or volunteer of the organisation.	14 15
Clause 6	Amendment of s 552BB (Excluded offences)	16
	Section 552BB, table—	17
	<i>insert</i> —	18
section 423	Serious criminal trespass	
section 424	Organised trespass	