



# **Corrective Services and Other Legislation Amendment Bill 2020**





Queensland

# Corrective Services and Other Legislation Amendment Bill 2020

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|                   | 18      | Amnesty for firearms and prescribed things                                                                         | 50 |
| 66                |         | Amendment of sch 2 (Dictionary)                                                                                    | 50 |
| <b>Part 6</b>     |         | <b>Amendment of Weapons Regulation 2016</b>                                                                        |    |
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| 68                |         | Insertion of new s 160A                                                                                            | 50 |
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# 2020

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## A Bill

for

**An Act to amend the *Corrective Services Act 2006*, the Criminal Code, the *Criminal Law Amendment Act 1945*, the *Penalties and Sentences Act 1992*, the *Racing Integrity Act 2016*, the *Racing Integrity Regulation 2016*, the *Weapons Act 1990*, the *Weapons Categories Regulation 1997* and the *Weapons Regulation 2016* for particular purposes**

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[s 1]

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**The Parliament of Queensland enacts—** 1

## **Part 1 Preliminary** 2

### **Clause 1 Short title** 3

This Act may be cited as the *Corrective Services and Other  
Legislation Amendment Act 2020*. 4  
5

### **Clause 2 Commencement** 6

The following provisions of this Act commence on a day to be  
fixed by proclamation— 7  
8

(a) sections 39, 43 and 50; 9

(b) parts 5 and 6; 10

(c) schedule 1, part 2. 11

## **Part 2 Amendment of Corrective Services Act 2006** 12 13

### **Clause 3 Act amended** 14

This part amends the *Corrective Services Act 2006*. 15

*Note—* 16

See also the amendments in schedule 1. 17

### **Clause 4 Amendment of s 60 (Maximum security order)** 18

(1) Section 60— 19

*insert—* 20

(1A) However, the chief executive may direct that the  
prisoner be accommodated for the whole or a part 21  
22

|                 |                                                                                                                                                          |                      |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
|                 | of the period for which the maximum security order is in effect in an area in the corrective services facility other than a maximum security unit.       | 1<br>2<br>3<br>4     |
| (2)             | Section 60(1A) to (3)—<br><i>renumber</i> as section 60(2) to (4).                                                                                       | 5<br>6               |
| <b>Clause 5</b> | <b>Amendment of s 62 (Other matters about maximum security order)</b>                                                                                    | 7<br>8               |
| (1)             | Section 62(1)(a), ‘accommodated in the maximum security unit’—<br><i>omit.</i>                                                                           | 9<br>10<br>11        |
| (2)             | Section 62(2)(a), after ‘unit’—<br><i>insert</i> —<br><br>or in the area in which the prisoner is accommodated                                           | 12<br>13<br>14<br>15 |
| (3)             | Section 62(3), ‘, within the maximum security unit,’—<br><i>omit.</i>                                                                                    | 16<br>17             |
| <b>Clause 6</b> | <b>Insertion of new s 63A</b>                                                                                                                            | 18                   |
|                 | After section 63—<br><i>insert</i> —                                                                                                                     | 19<br>20             |
|                 | <b>63A Suspension of maximum security order</b>                                                                                                          | 21                   |
| (1)             | This section applies if a prisoner subject to a maximum security order is transferred to another place and lawfully given into another person’s custody. | 22<br>23<br>24<br>25 |
|                 | <i>Note</i> —<br>See, for example, section 68(5).                                                                                                        | 26<br>27             |
| (2)             | The maximum security order is suspended while the prisoner is in the other person’s custody.                                                             | 28<br>29             |

[s 7]

|                 |                                                                                                                                                                               |                  |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
|                 | (3) The suspension ends when the prisoner returns to the chief executive's custody.                                                                                           | 1<br>2           |
|                 | (4) Within 7 days after the prisoner returns to the corrective services facility, the chief executive must review the maximum security order and confirm, amend or cancel it. | 3<br>4<br>5<br>6 |
| <b>Clause 7</b> | <b>Amendment of s 65 (Record)</b>                                                                                                                                             | 7                |
|                 | (1) Section 65(2)—                                                                                                                                                            | 8                |
|                 | <i>insert—</i>                                                                                                                                                                | 9                |
|                 | (da) if the maximum security order is suspended under section 63A—                                                                                                            | 10<br>11         |
|                 | (i) the date on which the order was suspended; and                                                                                                                            | 12<br>13         |
|                 | (ii) the date on which the suspension ended;                                                                                                                                  | 14<br>15         |
|                 | (2) Section 65(2)(da) to (f)—                                                                                                                                                 | 16               |
|                 | <i>renumber</i> as section 65(2)(e) to (g).                                                                                                                                   | 17               |
| <b>Clause 8</b> | <b>Amendment of s 66 (Work order)</b>                                                                                                                                         | 18               |
|                 | (1) Section 66(5)—                                                                                                                                                            | 19               |
|                 | <i>omit.</i>                                                                                                                                                                  | 20               |
|                 | (2) Section 66(6) and (7)—                                                                                                                                                    | 21               |
|                 | <i>renumber</i> as section 66(5) and (6).                                                                                                                                     | 22               |
| <b>Clause 9</b> | <b>Amendment of s 67 (Restriction on eligibility for transfer to work camp)</b>                                                                                               | 23<br>24         |
|                 | Section 67(1)(e)—                                                                                                                                                             | 25               |
|                 | <i>omit, insert—</i>                                                                                                                                                          | 26               |
|                 | (e) the prisoner is ineligible under section 68A for transfer to a low custody facility.                                                                                      | 27<br>28         |

|                  |                                                                                                                                                     |                |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>Clause 10</b> | <b>Amendment of s 68 (Transfer to another corrective services facility or a health institution)</b>                                                 | 1<br>2         |
|                  | Section 68(1)(a), before ‘another’—                                                                                                                 | 3              |
|                  | <i>insert—</i>                                                                                                                                      | 4              |
|                  | subject to section 68A,                                                                                                                             | 5              |
| <b>Clause 11</b> | <b>Insertion of new s 68A</b>                                                                                                                       | 6              |
|                  | After section 68—                                                                                                                                   | 7              |
|                  | <i>insert—</i>                                                                                                                                      | 8              |
|                  | <b>68A Restriction on eligibility for transfer to low custody facility</b>                                                                          | 9<br>10        |
|                  | (1) A prisoner (an <i>ineligible prisoner</i> ) is not eligible to be transferred from a secure facility to a low custody facility if the prisoner— | 11<br>12<br>13 |
|                  | (a) has been convicted of a sexual offence; or                                                                                                      | 14             |
|                  | (b) has been convicted of murder; or                                                                                                                | 15             |
|                  | (c) is serving a life sentence.                                                                                                                     | 16             |
|                  | (2) Subsection (1) is subject to section 268.                                                                                                       | 17             |
|                  | (3) In this section—                                                                                                                                | 18             |
|                  | <i>low custody facility</i> means—                                                                                                                  | 19             |
|                  | (a) a prison, other than a secure facility; or                                                                                                      | 20             |
|                  | (b) a community corrections centre; or                                                                                                              | 21             |
|                  | (c) a work camp.                                                                                                                                    | 22             |
| <b>Clause 12</b> | <b>Amendment of s 73 (Compassionate leave)</b>                                                                                                      | 23             |
|                  | (1) Section 73(1)—                                                                                                                                  | 24             |
|                  | <i>insert—</i>                                                                                                                                      | 25             |
|                  | (e) for a prisoner who is a child’s parent or kin but, before being imprisoned, was not the primary care giver of the child—to establish            | 26<br>27<br>28 |

[s 13]

---

|                  |                                                                                                                                                                                                                                                                                                                      |                                                    |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
|                  | a relationship, or maintain the relationship,<br>with the child.                                                                                                                                                                                                                                                     | 1<br>2                                             |
| (2)              | Section 73—<br><i>insert—</i>                                                                                                                                                                                                                                                                                        | 3<br>4                                             |
| (4)              | In this section—<br><i>kin</i> , in relation to a child, see the <i>Child Protection Act 1999</i> , schedule 3.                                                                                                                                                                                                      | 5<br>6<br>7                                        |
| <b>Clause 13</b> | <b>Amendment of s 84 (Prisoner’s duties while on leave)</b>                                                                                                                                                                                                                                                          | 8                                                  |
| (1)              | Section 84(2)—<br><i>omit.</i>                                                                                                                                                                                                                                                                                       | 9<br>10                                            |
| (2)              | Section 84(3), penalty, ‘subsection (3)’—<br><i>omit, insert—</i><br>subsection (2)                                                                                                                                                                                                                                  | 11<br>12<br>13                                     |
| (3)              | Section 84(3)—<br><i>renumber</i> as section 84(2).                                                                                                                                                                                                                                                                  | 14<br>15                                           |
| <b>Clause 14</b> | <b>Omission of ch 2, pt 2, div 10 (Conditional release)</b><br>Chapter 2, part 2, division 10—<br><i>omit.</i>                                                                                                                                                                                                       | 16<br>17<br>18                                     |
| <b>Clause 15</b> | <b>Insertion of new s 110A</b><br>After section 110—<br><i>insert—</i><br><b>110A Chief executive may order early release from custody</b><br>(1) The chief executive may order that a prisoner be released from custody within 7 days immediately before the day on which the prisoner is to be released on parole. | 19<br>20<br>21<br>22<br>23<br>24<br>25<br>26<br>27 |

- (2) On release from custody and until the parole order starts, the prisoner is subject to the conditions of the parole order as if the parole order had started on the day the prisoner was released from custody.

- Clause 16      Amendment of s 111 (Remaining in corrective services facility after discharge day)**
- (1) Section 111, heading, after ‘day’—  
*insert—*  
**or release day**
- (2) Section 111(1) and (4), after ‘day’—  
*insert—*  
or release day
- (3) Section 111(3), after ‘If’—  
*insert—*  
the prisoner has applied to remain in the corrective services facility after the prisoner’s discharge day and
- (4) Section 111—  
*insert—*  
(8) In this section—  
**release day** means the day on which a prisoner is to be released on parole.

- Clause 17      Amendment of s 114 (Breach of discipline constituting an offence)**
- Section 114(2)—  
*omit, insert—*  
(2) The chief executive must decide whether to refer the matter to the commissioner.

[s 18]

- (3) However, if the matter could be prosecuted as a sexual offence mentioned in schedule 1 or as an offence that has a maximum penalty of 14 years or more, the chief executive must refer the matter to the commissioner. 1  
2  
3  
4  
5
- (4) Subsection (5) applies if the chief executive— 6
  - (a) decides to refer the matter to the commissioner under subsection (2); or 7  
8
  - (b) must refer the matter to the commissioner under subsection (3). 9  
10
- (5) The chief executive must, within 48 hours after the corrective services officer informs the chief executive of the matter— 11  
12  
13
  - (a) refer the matter to the commissioner; and 14
  - (b) tell the prisoner that the matter has been referred to the commissioner. 15  
16

**Clause 18      Amendment of s 138 (Seizing property)** 17

Section 138— 18

*insert—* 19

- (3) Section 140(6) does not apply in relation to a thing seized under this section if the chief executive refers the matter to the commissioner under section 114. 20  
21  
22  
23

**Clause 19      Amendment of s 140 (Forfeiting seized thing)** 24

Section 140(5)(b)(iii)— 25

*omit, insert—* 26

- (iii) destroying it. 27



|                  |                                                                                                                        |    |
|------------------|------------------------------------------------------------------------------------------------------------------------|----|
| <b>Clause 20</b> | <b>Amendment of s 173 (Search of staff member)</b>                                                                     | 1  |
|                  | (1) Section 173(1), from ‘scanning search’—                                                                            | 2  |
|                  | <i>omit, insert—</i>                                                                                                   | 3  |
|                  | scanning search—                                                                                                       | 4  |
|                  | (a) at any time the staff member is at the facility; or                                                                | 5  |
|                  | (b) before entering the facility.                                                                                      | 6  |
|                  | (2) Section 173(2), after ‘search’—                                                                                    | 7  |
|                  | <i>insert—</i>                                                                                                         | 8  |
|                  | or scanning search                                                                                                     | 9  |
|                  |                                                                                                                        | 10 |
| <b>Clause 21</b> | <b>Insertion of new s 173A</b>                                                                                         | 11 |
|                  | After section 173—                                                                                                     | 12 |
|                  | <i>insert—</i>                                                                                                         | 13 |
|                  | <b>173A Prohibition on intimate relationships between staff members and offenders</b>                                  | 14 |
|                  | (1) An <i>intimate relationship</i> between 2 persons is a relationship that includes either or both of the following— | 15 |
|                  | (a) sexual conduct or other physical expressions of affection or sexual contact;                                       | 16 |
|                  | (b) the exchange of written or other forms of communications of a sexual or intimate nature.                           | 17 |
|                  | (2) A staff member must not have an intimate relationship with a person who is an offender.                            | 18 |
|                  | Maximum penalty—100 penalty units or 3 years imprisonment.                                                             | 19 |
|                  | (3) Subsection (2) does not apply to a staff member if—                                                                | 20 |
|                  |                                                                                                                        | 21 |
|                  |                                                                                                                        | 22 |
|                  |                                                                                                                        | 23 |
|                  |                                                                                                                        | 24 |
|                  |                                                                                                                        | 25 |
|                  |                                                                                                                        | 26 |
|                  |                                                                                                                        | 27 |
|                  |                                                                                                                        | 28 |
|                  |                                                                                                                        | 29 |

[s 22]

|                  |                                                                                                                                           |                      |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
|                  | (a) the staff member does not know, or could not reasonably have known, the person was an offender; or                                    | 1<br>2<br>3          |
|                  | (b) the staff member and the person were in an intimate relationship before the person became an offender.                                | 4<br>5<br>6          |
| <b>Clause 22</b> | <b>Insertion of new ch 4, pt 5</b>                                                                                                        | 7                    |
|                  | Chapter 4—                                                                                                                                | 8                    |
|                  | <i>insert—</i>                                                                                                                            | 9                    |
|                  | <b>Part 5                      Scanning searches</b>                                                                                      | 10                   |
|                  | <b>175A Conducting scanning searches of persons</b>                                                                                       | 11                   |
|                  | A corrective services officer conducting a scanning search of a person must—                                                              | 12<br>13             |
|                  | (a) ensure, as far as reasonably practicable, the way the person is searched causes minimal embarrassment to the person; and              | 14<br>15<br>16       |
|                  | (b) take reasonable care to minimise any physical contact with the person.                                                                | 17<br>18             |
| <b>Clause 23</b> | <b>Amendment of s 188 (Submission from eligible person)</b>                                                                               | 19                   |
|                  | (1) Section 188(3)—                                                                                                                       | 20                   |
|                  | <i>insert—</i>                                                                                                                            | 21                   |
|                  | (d) the person may apply to the parole board to extend the period under paragraph (c) for making written submissions to the parole board. | 22<br>23<br>24<br>25 |
|                  | (2) Section 188—                                                                                                                          | 26                   |
|                  | <i>insert—</i>                                                                                                                            | 27                   |
|                  | (3A) The eligible person may apply to the parole board                                                                                    | 28                   |

|                  |                                                                                                                                                              |                      |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
|                  | to extend the period under subsection (3)(c) for making written submissions to the parole board.                                                             | 1<br>2               |
|                  | (3B) The parole board may extend the period if the parole board considers it reasonable in the circumstances.                                                | 3<br>4<br>5          |
|                  | (3) Section 188(4), after ‘subsection (3)(c)’—<br><i>insert—</i>                                                                                             | 6<br>7               |
|                  | or in the further period allowed under subsection (5)                                                                                                        | 8<br>9               |
|                  | (4) Section 188(3A) to (4)—<br><i>renumber</i> as section 188(4) to (6).                                                                                     | 10<br>11             |
| <b>Clause 24</b> | <b>Amendment of s 193A (Deciding particular applications where victim’s body or remains have not been located)</b>                                           | 12<br>13             |
|                  | Section 193A(7)(a)(iii)—<br><i>omit, insert—</i>                                                                                                             | 14<br>15             |
|                  | (iii) any relevant remarks made by the sentencing court that sentenced the prisoner to the term of imprisonment the prisoner is serving for the offence; and | 16<br>17<br>18<br>19 |
|                  | (iv) if the prisoner requests the board to consider a transcript of a proceeding against the prisoner for the offence—the transcript; and                    | 20<br>21<br>22       |
| <b>Clause 25</b> | <b>Amendment of s 193E (Reports about prisoners’ links to terrorism)</b>                                                                                     | 23<br>24             |
|                  | (1) Section 193E(2)(b), from ‘with—’—<br><i>omit, insert—</i>                                                                                                | 25<br>26             |
|                  | with a law enforcement agency.                                                                                                                               | 27                   |
|                  | (2) Section 193E(6)—<br><i>omit.</i>                                                                                                                         | 28<br>29             |

[s 26]

|                  |                                                                                                                                                                         |                |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>Clause 26</b> | <b>Amendment of s 194 (Types of parole orders granted by parole board)</b>                                                                                              | 1<br>2         |
|                  | (1) Section 194(4)—                                                                                                                                                     | 3              |
|                  | <i>omit.</i>                                                                                                                                                            | 4              |
|                  | (2) Section 194(5)—                                                                                                                                                     | 5              |
|                  | <i>renumber</i> as section 194(4).                                                                                                                                      | 6              |
| <b>Clause 27</b> | <b>Amendment of s 199 (Court ordered parole order)</b>                                                                                                                  | 7              |
|                  | (1) Section 199(4)—                                                                                                                                                     | 8              |
|                  | <i>omit.</i>                                                                                                                                                            | 9              |
|                  | (2) Section 199(5)—                                                                                                                                                     | 10             |
|                  | <i>renumber</i> as section 199(4).                                                                                                                                      | 11             |
| <b>Clause 28</b> | <b>Amendment of s 200A (Directions to prisoners subject to parole order)</b>                                                                                            | 12<br>13       |
|                  | (1) Section 200A(2)(c), before ‘the place’—                                                                                                                             | 14             |
|                  | <i>insert—</i>                                                                                                                                                          | 15             |
|                  | a stated place, including, for example,                                                                                                                                 | 16             |
|                  | (2) Section 200A(2)—                                                                                                                                                    | 17             |
|                  | <i>insert—</i>                                                                                                                                                          | 18             |
|                  | <i>Note—</i>                                                                                                                                                            | 19             |
|                  | See section 267(2).                                                                                                                                                     | 20             |
| <b>Clause 29</b> | <b>Amendment of s 206 (Warrant for prisoner’s arrest)</b>                                                                                                               | 21             |
|                  | Section 206(3)—                                                                                                                                                         | 22             |
|                  | <i>insert—</i>                                                                                                                                                          | 23             |
|                  | <i>Notes—</i>                                                                                                                                                           | 24             |
|                  | 1 See section 112 for the power of the parole board, a<br>magistrate or the chief executive, on the application<br>of a corrective services officer, to issue a warrant | 25<br>26<br>27 |

|                  |                                                                                                                                                                                                                                |                            |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
|                  | for a prisoner's arrest if the prisoner is unlawfully at large and the prisoner's parole order is suspended or cancelled.                                                                                                      | 1<br>2<br>3                |
| 2                | See section 112(1)(a) for the power of a corrective services officer to arrest a prisoner without warrant if the prisoner is unlawfully at large and the prisoner's parole order is suspended or cancelled.                    | 4<br>5<br>6<br>7           |
| <b>Clause 30</b> | <b>Amendment of s 208 (Reconsidering decision to suspend or cancel parole order)</b>                                                                                                                                           | 8<br>9                     |
|                  | Section 208(3), after 'effect'—                                                                                                                                                                                                | 10                         |
|                  | <i>insert—</i>                                                                                                                                                                                                                 | 11                         |
|                  | on the day stated in the written notice                                                                                                                                                                                        | 12                         |
| <b>Clause 31</b> | <b>Amendment of s 208B (Parole board or prescribed board member may suspend parole order and issue warrant)</b>                                                                                                                | 13<br>14                   |
| (1)              | Section 208B, heading—                                                                                                                                                                                                         | 15                         |
|                  | <i>omit, insert—</i>                                                                                                                                                                                                           | 16                         |
|                  | <b>208B Decision on request for immediate suspension of parole order</b>                                                                                                                                                       | 17<br>18                   |
| (2)              | Section 208B(1)—                                                                                                                                                                                                               | 19                         |
|                  | <i>omit, insert—</i>                                                                                                                                                                                                           | 20                         |
| (1)              | If a request is made under section 208A, the parole board or a prescribed board member must as soon as practicable consider the request.                                                                                       | 21<br>22<br>23             |
| (1A)             | However, the parole board or a prescribed board member may decide the priority for considering requests made under section 208A, having regard to the seriousness of the nature of the grounds on which the requests are made. | 24<br>25<br>26<br>27<br>28 |
| (1B)             | If the parole board considers the request, the parole board must decide whether to suspend or cancel the parole order.                                                                                                         | 29<br>30<br>31             |
| (1C)             | If a prescribed board member considers the                                                                                                                                                                                     | 32                         |

[s 31]

- 
- |     |                                                          |    |
|-----|----------------------------------------------------------|----|
|     | request, the prescribed board member must decide         | 1  |
|     | whether to suspend the parole order.                     | 2  |
| (3) | Section 208B(2), from ‘The’ to ‘only’—                   | 3  |
|     | <i>omit, insert—</i>                                     | 4  |
|     | The parole board may decide to suspend or cancel         | 5  |
|     | the parole order, or the prescribed board member         | 6  |
|     | may decide to suspend the parole order, only             | 7  |
| (4) | Section 208B(3), after ‘suspend’—                        | 8  |
|     | <i>insert—</i>                                           | 9  |
|     | or cancel                                                | 10 |
| (5) | Section 208B(4), from ‘If’ to ‘order’—                   | 11 |
|     | <i>omit, insert—</i>                                     | 12 |
|     | If the parole board decides not to suspend or            | 13 |
|     | cancel the parole order, or the prescribed board         | 14 |
|     | member decides not to suspend the parole order           | 15 |
| (6) | Section 208B(5)(b), ‘prescribed by regulation’—          | 16 |
|     | <i>omit.</i>                                             | 17 |
| (7) | Section 208B(8)—                                         | 18 |
|     | <i>omit, insert—</i>                                     | 19 |
| (8) | When arrested, the prisoner must be taken to a           | 20 |
|     | prison—                                                  | 21 |
| (a) | if the order was suspended—to be kept there              | 22 |
|     | for the suspension period; or                            | 23 |
| (b) | if the order was cancelled—to serve the                  | 24 |
|     | unexpired portion of the prisoner’s period of            | 25 |
|     | imprisonment.                                            | 26 |
|     | <i>Notes—</i>                                            | 27 |
| 1   | See section 112 for the power of the parole board, a     | 28 |
|     | magistrate or the chief executive, on the application    | 29 |
|     | of a corrective services officer, to issue a warrant     | 30 |
|     | for a prisoner’s arrest if the prisoner is unlawfully at | 31 |
|     | large and the prisoner’s parole order is suspended.      | 32 |

|                  |     |                                                                                                                                                                                                                                                                         |                                  |
|------------------|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
|                  | 2   | See section 112(1)(a) for the power of a corrective services officer to arrest a prisoner without warrant if the prisoner is unlawfully at large and the prisoner's parole order is suspended.                                                                          | 1<br>2<br>3<br>4                 |
|                  | (8) | Section 208B(1A) to (8)—<br><i>renumber</i> as section 208B(2) to (11).                                                                                                                                                                                                 | 5<br>6                           |
| <b>Clause 32</b> |     | <b>Amendment of s 208C (Parole board must consider suspension by prescribed board member)</b>                                                                                                                                                                           | 7<br>8                           |
|                  | (1) | Section 208C(1)(b)—<br><i>omit, insert—</i>                                                                                                                                                                                                                             | 9<br>10                          |
|                  |     | (b) cancel the parole order; or                                                                                                                                                                                                                                         | 11                               |
|                  |     | (c) set aside the decision.                                                                                                                                                                                                                                             | 12                               |
|                  | (2) | Section 208C(2), from 'member's decision' to 'suspend'—<br><i>omit, insert—</i>                                                                                                                                                                                         | 13<br>14                         |
|                  |     | member's decision or cancel the parole order as if it were a decision to suspend or cancel                                                                                                                                                                              | 15<br>16                         |
| <b>Clause 33</b> |     | <b>Amendment of s 209 (Automatic cancellation of order by further imprisonment)</b>                                                                                                                                                                                     | 17<br>18                         |
|                  |     | Section 209(1) and (2)—<br><i>omit, insert—</i>                                                                                                                                                                                                                         | 19<br>20                         |
|                  | (1) | If a prisoner is sentenced to another period of imprisonment for an offence committed, in Queensland or elsewhere, during the period of the prisoner's parole order, the order is taken to have been automatically cancelled on the date on which the offence occurred. | 21<br>22<br>23<br>24<br>25<br>26 |
|                  | (2) | Subsection (1) applies—                                                                                                                                                                                                                                                 | 27                               |
|                  |     | (a) whether or not the prisoner is sentenced to the other period of imprisonment before or after the parole order has expired; and                                                                                                                                      | 28<br>29<br>30                   |

[s 34]

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|                  |                                                                                                                                                                                                                                                                                |                            |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
|                  | (b) subject to section 205.                                                                                                                                                                                                                                                    | 1                          |
|                  | <i>Note—</i>                                                                                                                                                                                                                                                                   | 2                          |
|                  | See section 211 for the effect of the cancellation.                                                                                                                                                                                                                            | 3                          |
| <b>Clause 34</b> | <b>Amendment of s 210 (Warrant for prisoner's arrest)</b>                                                                                                                                                                                                                      | 4                          |
|                  | (1) Section 210(1)(a), 'prescribed by regulation'—                                                                                                                                                                                                                             | 5                          |
|                  | <i>omit.</i>                                                                                                                                                                                                                                                                   | 6                          |
|                  | (2) Section 210(3)—                                                                                                                                                                                                                                                            | 7                          |
|                  | <i>insert—</i>                                                                                                                                                                                                                                                                 | 8                          |
|                  | <i>Notes—</i>                                                                                                                                                                                                                                                                  | 9                          |
|                  | 1 See section 112 for the power of the parole board, a magistrate or the chief executive, on the application of a corrective services officer, to issue a warrant for a prisoner's arrest if the prisoner is unlawfully at large and the prisoner's parole order is cancelled. | 10<br>11<br>12<br>13<br>14 |
|                  | 2 See section 112(1)(a) for the power of a corrective services officer to arrest a prisoner without warrant if the prisoner is unlawfully at large and the prisoner's parole order is cancelled.                                                                               | 15<br>16<br>17<br>18       |
| <b>Clause 35</b> | <b>Amendment of s 211 (Effect of cancellation)</b>                                                                                                                                                                                                                             | 19                         |
|                  | Section 211(1)—                                                                                                                                                                                                                                                                | 20                         |
|                  | <i>insert—</i>                                                                                                                                                                                                                                                                 | 21                         |
|                  | <i>Note—</i>                                                                                                                                                                                                                                                                   | 22                         |
|                  | For subsection (1)(a), (b), (c) and (d), see also sections 208B(6) and 208C(2).                                                                                                                                                                                                | 23<br>24                   |
| <b>Clause 36</b> | <b>Amendment of s 228 (Acting appointments)</b>                                                                                                                                                                                                                                | 25                         |
|                  | Section 228(2), '3 months'—                                                                                                                                                                                                                                                    | 26                         |
|                  | <i>omit, insert—</i>                                                                                                                                                                                                                                                           | 27                         |
|                  | 1 year                                                                                                                                                                                                                                                                         | 28                         |



|                      |                                                                                         |              |
|----------------------|-----------------------------------------------------------------------------------------|--------------|
| <b>Clause 37</b>     | <b>Amendment of s 234 (Meetings about particular matters relating to parole orders)</b> | 1<br>2       |
|                      | (1) Section 234(1), ‘Subsection (2)’—                                                   | 3            |
|                      | <i>omit, insert—</i>                                                                    | 4            |
|                      | This section                                                                            | 5            |
|                      | (2) Section 234(3) to (6)—                                                              | 6            |
|                      | <i>omit.</i>                                                                            | 7            |
|                      | (3) Section 234(7), definition <i>prescribed prisoner</i> , paragraph (a)—              | 8<br>9       |
|                      | <i>insert—</i>                                                                          | 10           |
|                      | (vi) section 193A(1); or                                                                | 11           |
|                      | (4) Section 234(7)—                                                                     | 12           |
|                      | <i>renumber</i> as section 234(3).                                                      | 13           |
| <br><b>Clause 38</b> | <br><b>Amendment of s 265 (Administrative procedures)</b>                               | <br>14       |
|                      | (1) Section 265(3), note—                                                               | 15           |
|                      | <i>omit.</i>                                                                            | 16           |
|                      | (2) Section 265(4), from ‘publication’—                                                 | 17           |
|                      | <i>omit, insert—</i>                                                                    | 18           |
|                      | publication—                                                                            | 19           |
|                      | (a) may pose a risk to the security or good order of a corrective services facility; or | 20<br>21     |
|                      | (b) may compromise the safety or effective management of offenders.                     | 22<br>23     |
| <br><b>Clause 39</b> | <br><b>Amendment of s 266 (Programs and services to help offenders)</b>                 | <br>24<br>25 |
|                      | (1) Section 266(1), after ‘establish’—                                                  | 26           |
|                      | <i>insert—</i>                                                                          | 27           |

[s 40]

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- or facilitate 1
- (2) Section 266(1)(a), ‘medical or’— 2  
*omit.* 3
- (3) Section 266(1)— 4  
*insert—* 5
- (aa) to support the health and wellbeing of 6  
prisoners; and 7
- (4) Section 266(1)(aa) to (d)— 8  
*renumber* as section 266(1)(b) to (e). 9
- (5) Section 266(2), example— 10  
*omit.* 11

**Clause 40      Amendment of s 267 (Monitoring devices) 12**

- (1) Section 267, from ‘may’ to ‘location.’— 13  
*omit, insert—* 14
- may, for monitoring an offender’s location, direct 15  
the offender— 16
- (a) to wear a stated device; or 17
- (b) to permit the installation of any device or 18  
equipment at a stated place, including, for 19  
example, the place where the offender 20  
resides. 21
- (2) Section 267— 22  
*insert—* 23
- (2) An offender who has been directed under 24  
subsection (1) or section 200A(2) to wear a stated 25  
device or permit the installation of any device or 26  
equipment (each *associated equipment*) at a 27  
stated place must not, without a reasonable 28  
excuse, remove or tamper with the stated device 29  
or associated equipment. 30

|                  |                                                                                                                                                                                 |                      |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
|                  | Maximum penalty for subsection (2)—30 penalty units or 3 months imprisonment.                                                                                                   | 1<br>2               |
| <b>Clause 41</b> | <b>Amendment of s 268 (Declaration of emergency)</b>                                                                                                                            | 3                    |
| (1)              | Section 268(1), from ‘at a prison’—                                                                                                                                             | 4                    |
|                  | <i>omit, insert—</i>                                                                                                                                                            | 5                    |
|                  | that threatens or is likely to threaten—                                                                                                                                        | 6                    |
|                  | (a) the security or good order of a prison; or                                                                                                                                  | 7                    |
|                  | (b) the safety of a prisoner or another person in a prison.                                                                                                                     | 8<br>9               |
| (2)              | Section 268(2), from ‘approval’—                                                                                                                                                | 10                   |
|                  | <i>omit, insert—</i>                                                                                                                                                            | 11                   |
|                  | approval—                                                                                                                                                                       | 12                   |
|                  | (a) declare that an emergency exists in relation to the prison for a stated period that must not be more than 3 days; and                                                       | 13<br>14<br>15       |
|                  | (b) declare a place to be a corrective services facility (a <b><i>temporary corrective services facility</i></b> ) for the period the declaration of the emergency is in force. | 16<br>17<br>18<br>19 |
| (3)              | Section 268(4)—                                                                                                                                                                 | 20                   |
|                  | <i>insert—</i>                                                                                                                                                                  | 21                   |
|                  | (aa) transfer the prisoners to another corrective services facility, including a temporary corrective services facility; or                                                     | 22<br>23<br>24       |
|                  | (ab) if the prisoners have been transferred under paragraph (b) to another corrective services facility, return the prisoners to the prison; or                                 | 25<br>26<br>27       |
| (4)              | Section 268(4)(aa) to (c)—                                                                                                                                                      | 28                   |
|                  | <i>renumber</i> as section 268(4)(b) to (e).                                                                                                                                    | 29                   |

[s 42]

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|                  |                                                                                         |          |
|------------------|-----------------------------------------------------------------------------------------|----------|
| <b>Clause 42</b> | <b>Amendment of s 271 (Delegation of functions of chief executive)</b>                  | 1<br>2   |
|                  | Section 271(1), after ‘Act’—                                                            | 3        |
|                  | <i>insert—</i>                                                                          | 4        |
|                  | , other than section 306F(1) or 306K(1)                                                 | 5        |
| <b>Clause 43</b> | <b>Omission of ch 6, pt 5 (Doctors)</b>                                                 | 6        |
|                  | Chapter 6, part 5—                                                                      | 7        |
|                  | <i>omit.</i>                                                                            | 8        |
| <b>Clause 44</b> | <b>Amendment of s 294 (Appointing inspectors generally)</b>                             | 9        |
|                  | (1) Section 294(2)—                                                                     | 10       |
|                  | <i>insert—</i>                                                                          | 11       |
|                  | (aa) to investigate alleged misconduct or alleged corrupt conduct of a staff member; or | 12<br>13 |
|                  | (2) Section 294(2), ‘probation and parole office’—                                      | 14       |
|                  | <i>omit, insert—</i>                                                                    | 15       |
|                  | community corrections office                                                            | 16       |
|                  | (3) Section 294(2)(aa) to (d)—                                                          | 17       |
|                  | <i>renumber</i> as section 294(2)(b) to (e).                                            | 18       |
| <b>Clause 45</b> | <b>Amendment of s 303 (Inspector’s powers generally)</b>                                | 19       |
|                  | (1) Section 303(1)(a)—                                                                  | 20       |
|                  | <i>omit, insert—</i>                                                                    | 21       |
|                  | (a) at any time, enter—                                                                 | 22       |
|                  | (i) a corrective services facility; or                                                  | 23       |
|                  | (ii) a community corrections office; or                                                 | 24       |
|                  | (2) Section 303(1)(c) and (d), ‘probation and parole office’—                           | 25       |

*omit, insert—* 1  
community corrections office 2

**Clause 46 Amendment of s 304 (Inspector’s power to require information)** 3  
4  
(1) Section 304(1)— 5  
*omit, insert—* 6  
(1) This section applies if an inspector investigating 7  
an incident, or alleged misconduct or alleged 8  
corrupt conduct of a staff member, reasonably 9  
believes a person performing a function under this 10  
Act may be able to give information about the 11  
incident or alleged misconduct or alleged corrupt 12  
conduct. 13  
(2) Section 304(2), after ‘incident’— 14  
*insert—* 15  
or alleged misconduct or alleged corrupt conduct 16

**Clause 47 Amendment of s 305 (Inspectors’ reports)** 17  
Section 305(1), after ‘incident’— 18  
*insert—* 19  
, or alleged misconduct or alleged corrupt conduct 20  
of a staff member, 21

**Clause 48 Insertion of new ch 6, pt 9A** 22  
Chapter 6— 23  
*insert—* 24  
**Part 9A Alcohol and drug testing** 25  
26

[s 48]

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|                                                           |                    |    |
|-----------------------------------------------------------|--------------------|----|
| <b>Division 1</b>                                         | <b>Preliminary</b> | 1  |
| <b>306A Definitions for part</b>                          |                    | 2  |
| In this part—                                             |                    | 3  |
| <i>alcohol test</i> means a test for determining whether  |                    | 4  |
| a corrective services person is over the limit            |                    | 5  |
| applying to the person when the test is conducted.        |                    | 6  |
| <i>corrective services officer recruit</i> means a person |                    | 7  |
| who is participating in a training program.               |                    | 8  |
| <i>corrective services person</i> see section 306B.       |                    | 9  |
| <i>low alcohol limit</i> see section 306C(b).             |                    | 10 |
| <i>no alcohol limit</i> see section 306C(a).              |                    | 11 |
| <i>random alcohol test</i> means an alcohol test          |                    | 12 |
| conducted under section 306F.                             |                    | 13 |
| <i>random substance test</i> means a substance test       |                    | 14 |
| conducted under section 306K.                             |                    | 15 |
| <i>sample</i> means—                                      |                    | 16 |
| (a) for an alcohol test—a sample of breath or             |                    | 17 |
| blood; or                                                 |                    | 18 |
| (b) for a substance test—a sample of urine or             |                    | 19 |
| another bodily substance, including, for                  |                    | 20 |
| example, hair or saliva.                                  |                    | 21 |
| <i>substance test</i> means a test for determining the    |                    | 22 |
| presence and concentration of a dangerous drug or         |                    | 23 |
| targeted substance in a sample taken from a               |                    | 24 |
| corrective services person.                               |                    | 25 |
| <i>targeted substance</i> means—                          |                    | 26 |
| (a) a substance, other than a dangerous drug,             |                    | 27 |
| that is a controlled drug, a restricted drug or           |                    | 28 |
| a poison under the <i>Health Act 1937</i> that may        |                    | 29 |
| impair a person's physical or mental                      |                    | 30 |
| capacity; or                                              |                    | 31 |

- (b) another substance, other than a dangerous drug, that may impair a person's physical or mental capacity. 1  
2  
3
- training program* means a training program about corrective services, the successful completion of which is a requirement for appointment as a corrective services officer. 4  
5  
6  
7

**306B Persons to whom part applies** 8

This part applies to a person (a *corrective services person*) who is— 9  
10

- (a) a corrective services officer; or 11  
(b) a corrective services officer recruit. 12

**Division 2 Provisions about alcohol testing** 13  
14

**306C When is a person over the limit** 15

For this part— 16

- (a) a person is over the *no alcohol limit* if— 17  
(i) the concentration of alcohol in the person's breath is more than 0g of alcohol in 210L of breath; or 18  
19  
20  
(ii) the concentration of alcohol in the person's blood is more than 0g of alcohol in 100mL of blood; and 21  
22  
23  
(b) a person is over the *low alcohol limit* if— 24  
(i) the concentration of alcohol in the person's breath is, or is more than, 0.2g of alcohol in 210L of breath; or 25  
26  
27

[s 48]

- |                                          |   |
|------------------------------------------|---|
| (ii) the concentration of alcohol in the | 1 |
| person's blood is, or is more than, 0.2g | 2 |
| of alcohol in 100mL of blood.            | 3 |

|                            |   |
|----------------------------|---|
| <b>306D Alcohol limits</b> | 4 |
|----------------------------|---|

- |                                                        |    |
|--------------------------------------------------------|----|
| (1) A corrective services person who is on duty for    | 5  |
| performing a function or exercising a power under      | 6  |
| this Act or another Act must not be over the low       | 7  |
| alcohol limit.                                         | 8  |
| (2) A corrective services person who is on duty for    | 9  |
| performing a function or exercising a power under      | 10 |
| this Act or another Act, and is performing a role      | 11 |
| prescribed by regulation for this section, must not    | 12 |
| be over the no alcohol limit.                          | 13 |
| (3) For subsections (1) and (2), a corrective services | 14 |
| person is on duty for performing a function or         | 15 |
| exercising a power under this Act or another Act       | 16 |
| if the person—                                         | 17 |
| (a) is about to perform the function or exercise       | 18 |
| the power; or                                          | 19 |
| (b) is performing the function or exercising the       | 20 |
| power; or                                              | 21 |
| (c) has just performed the function or exercised       | 22 |
| the power.                                             | 23 |

|                                               |    |
|-----------------------------------------------|----|
| <b>306E Circumstances for alcohol testing</b> | 24 |
|-----------------------------------------------|----|

- |                                                  |    |
|--------------------------------------------------|----|
| (1) The chief executive may require a corrective | 25 |
| services person to submit to an alcohol test if— | 26 |
| (a) the corrective services person has been      | 27 |
| involved in an incident; or                      | 28 |
| (b) the test is required under section 306F; or  | 29 |
| (c) the chief executive reasonably suspects the  | 30 |
| person is contravening, or has contravened,      | 31 |
| section 306D(1) or (2).                          | 32 |



- 
- (2) The chief executive may require a corrective services officer recruit to submit to an alcohol test at any time during the period in which the recruit is participating in a training program. 1  
2  
3  
4
- (3) The chief executive may require a person who has been notified of the person's appointment as a corrective services officer recruit to submit to an alcohol test before the person starts a training program. 5  
6  
7  
8  
9

**306F Random alcohol testing** 10

- (1) The chief executive may require a corrective services person to submit to a random alcohol test. 11  
12
- (2) A regulation may prescribe the criteria for deciding— 13  
14
- (a) when and where a random alcohol test may be conducted; and 15  
16
- (b) other matters about the conduct of a random alcohol test. 17  
18

**306G Giving samples for alcohol testing** 19

- (1) A regulation may prescribe the following for an alcohol test— 20  
21
- (a) the types of samples a person may be required to give; 22  
23
- (b) the methods of collection of a sample. 24
- (2) The chief executive may require a corrective services person to give to a person prescribed by regulation for this section (a *prescribed person*) at a specified place and time a sample for the purpose of an alcohol test. 25  
26  
27  
28  
29
- (3) If the sample is required because the corrective services person has been involved in an incident, the requirement must be made and the sample 30  
31  
32

[s 48]

- |                                                       |   |
|-------------------------------------------------------|---|
| must be given as soon as reasonably practicable       | 1 |
| after the incident happens.                           | 2 |
| (4) The prescribed person may give reasonably         | 3 |
| necessary directions to the corrective services       | 4 |
| person to facilitate the giving of the sample for the | 5 |
| alcohol test.                                         | 6 |
| (5) As soon as practicable after the sample has been  | 7 |
| given, the sample must be dealt with in the way       | 8 |
| prescribed by regulation for this section.            | 9 |

### **306H Failure to give sample for alcohol testing** 10

|                                                    |    |
|----------------------------------------------------|----|
| A corrective services person who fails to give a   | 11 |
| sample as required for alcohol testing is taken to | 12 |
| have been tested for alcohol and to have been over | 13 |
| the limit for alcohol applying to the person when  | 14 |
| the failure happened.                              | 15 |

## **Division 3                      Provisions about drug** 16

### **testing** 17

### **306I Dangerous drugs and targeted substances** 18

#### **levels** 19

- |                                                     |    |
|-----------------------------------------------------|----|
| (1) A corrective services person must not have      | 20 |
| evidence of a dangerous drug present in a sample    | 21 |
| taken from the person at any time for substance     | 22 |
| testing.                                            | 23 |
| (2) A corrective services person who is lawfully    | 24 |
| taking a targeted substance must not perform        | 25 |
| duties in or involving an operational capacity or   | 26 |
| critical role if the substance impairs the person's | 27 |
| capacity to perform the duties without danger to    | 28 |
| the person or someone else.                         | 29 |
| (3) A corrective services person must not have      | 30 |
| present in a sample taken from the person for       | 31 |

- 
- |                                               |   |
|-----------------------------------------------|---|
| substance testing—                            | 1 |
| (a) evidence of a targeted substance that the | 2 |
| person may not lawfully take; or              | 3 |
| (b) evidence of having taken a targeted       | 4 |
| substance in a way contrary to a direction of | 5 |
| a doctor or a recommendation of the           | 6 |
| manufacturer of the substance.                | 7 |

### **306J Circumstances for substance testing**

8

- |                                                      |    |
|------------------------------------------------------|----|
| (1) The chief executive may require a corrective     | 9  |
| services person to submit to a substance test if—    | 10 |
| (a) the corrective services person has been          | 11 |
| involved in an incident; or                          | 12 |
| (b) the test is required under section 306K; or      | 13 |
| (c) the chief executive reasonably suspects the      | 14 |
| person is contravening, or has contravened,          | 15 |
| section 306I.                                        | 16 |
| (2) The chief executive may require a corrective     | 17 |
| services officer recruit to submit to a substance    | 18 |
| test at any time during the period in which the      | 19 |
| recruit is participating in a training program.      | 20 |
| (3) The chief executive may require a person who has | 21 |
| been notified of the person's appointment as a       | 22 |
| corrective services officer recruit to submit to a   | 23 |
| substance test before the person starts a training   | 24 |
| program.                                             | 25 |

### **306K Random substance testing**

26

- |                                                  |    |
|--------------------------------------------------|----|
| (1) The chief executive may require a corrective | 27 |
| services person to submit to a random substance  | 28 |
| test.                                            | 29 |
| (2) A regulation may prescribe the criteria for  | 30 |
| deciding—                                        | 31 |

[s 48]

- |                                                                  |   |
|------------------------------------------------------------------|---|
| (a) when and where a random substance test may be conducted; and | 1 |
|                                                                  | 2 |
| (b) other matters about the conduct of a random substance test.  | 3 |
|                                                                  | 4 |

### 306L Giving sample for substance testing 5

- |                                                                                                                                                                                                                                |    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| (1) A regulation may prescribe the following for a substance test —                                                                                                                                                            | 6  |
|                                                                                                                                                                                                                                | 7  |
| (a) the types of samples a person may be required to give;                                                                                                                                                                     | 8  |
|                                                                                                                                                                                                                                | 9  |
| (b) the methods of collection of a sample.                                                                                                                                                                                     | 10 |
| (2) The chief executive may require a corrective services person to give to a person prescribed by regulation (a <i>prescribed person</i> ) at a specified place and time a sample for the purpose of a substance test.        | 11 |
|                                                                                                                                                                                                                                | 12 |
|                                                                                                                                                                                                                                | 13 |
|                                                                                                                                                                                                                                | 14 |
|                                                                                                                                                                                                                                | 15 |
| (3) If the sample is required because the corrective services person has been involved in an incident, the requirement must be made and the sample must be given as soon as reasonably practicable after the incident happens. | 16 |
|                                                                                                                                                                                                                                | 17 |
|                                                                                                                                                                                                                                | 18 |
|                                                                                                                                                                                                                                | 19 |
|                                                                                                                                                                                                                                | 20 |
| (4) The prescribed person may give reasonably necessary directions to the corrective services person to facilitate the giving of the sample for the substance test.                                                            | 21 |
|                                                                                                                                                                                                                                | 22 |
|                                                                                                                                                                                                                                | 23 |
|                                                                                                                                                                                                                                | 24 |
| (5) As soon as practicable after the sample has been given, the sample must be dealt with in the way prescribed by regulation for this section.                                                                                | 25 |
|                                                                                                                                                                                                                                | 26 |
|                                                                                                                                                                                                                                | 27 |

### 306M Failure to give sample for substance testing 28

|                                                                                                                                                                                                  |    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| A corrective services person who fails to give a sample as required for substance testing is taken to have been tested for a targeted substance and to have been found to have had evidence of a | 29 |
|                                                                                                                                                                                                  | 30 |
|                                                                                                                                                                                                  | 31 |
|                                                                                                                                                                                                  | 32 |

targeted substance in the person's sample. 1

**Division 4            What happens if a test            2**  
**result is positive            3**

**306N Positive alcohol or substance test            4**

- (1) This section applies if an alcohol test or substance            5  
test conducted under this part shows a corrective            6  
services person, when tested—            7
- (a) was over the limit applying to the person            8  
when the test was conducted; or            9
- (b) had evidence of a dangerous drug in the            10  
person's sample; or            11
- (c) had evidence of a targeted substance in the            12  
person's sample and the person was            13  
contravening section 306I(2) or (3).            14
- (2) The chief executive may do any 1 or more of the            15  
following—            16
- (a) suspend the corrective services person from            17  
duty until the person is no longer over the            18  
relevant alcohol limit or no longer has            19  
evidence of a dangerous drug or targeted            20  
substance in a sample given by the person;            21
- (b) correct the corrective services person by            22  
way of guidance;            23
- (c) require the corrective services person to            24  
undergo counselling or rehabilitation            25  
approved by the chief executive;            26
- (d) require the corrective services person to            27  
submit to a medical examination under the            28  
*Public Service Act 2008*, chapter 5, part 7;            29

[s 48]

- (e) take disciplinary or other action against the  
corrective services person under the *Public  
Service Act 2008*, chapter 5 or 6;
- (f) require the corrective services person to  
submit to further testing from time to time  
until the chief executive is satisfied the  
reason for making the requirement no longer  
exists.
- (3) Subsection (2)(a), (b), (c) and (e) does not apply  
to the corrective services person if the person was  
contravening section 306I(2).

### **306O Effect of failure to comply**

- (1) This section applies if a corrective services  
person—
  - (a) fails to attend or complete counselling or  
rehabilitation under a requirement under  
section 306N(2)(c); or
  - (b) fails to submit to a medical examination  
under a requirement under  
section 306N(2)(d).
- (2) The chief executive may take disciplinary action  
against the corrective services person under the  
*Public Service Act 2008*.

## **Division 5            General**

### **306P Interfering with samples**

- A person must not unlawfully interfere with a  
sample given under this part for an alcohol test or  
substance test.
- Maximum penalty—100 penalty units.

**306Q Alcohol or drug test results generally inadmissible**

- (1) Evidence of the following is inadmissible in a civil or criminal proceeding before a court—
  - (a) anything done under this part;
  - (b) the result of any test conducted under this part.
- (2) Also, the chief executive and anyone else involved in any way in anything done under this part can not be compelled to produce to a court any document kept or to disclose to a court any information obtained because of the doing of the thing.
- (3) This section does not apply to—
  - (a) a proceeding for a charge of an offence arising from an incident; or
  - (b) an inquest in a Coroners Court into the death of a person in an incident; or
  - (c) a proceeding on an application under the *Industrial Relations Act 2016*, section 317 for reinstatement because of unfair dismissal; or
  - (d) an investigation or other proceeding under the *Crime and Corruption Act 2001*; or
  - (e) disciplinary action as provided for under the *Public Sector Ethics Act 1994*.

**Clause 49 Amendment of s 311A (Dealing with amounts received for prisoners in particular cases)**

- (1) Section 311A(1)—  
*insert—*
  - (aa) the donor of the amount is not an approved donor for the prisoner;

[s 50]

|                  |                                                                                          |    |
|------------------|------------------------------------------------------------------------------------------|----|
|                  | (ab) the donor of the amount was released from a                                         | 1  |
|                  | corrective services facility within 1 year                                               | 2  |
|                  | before the chief executive received the                                                  | 3  |
|                  | amount;                                                                                  | 4  |
| (2)              | Section 311A(1)(aa) to (c)—                                                              | 5  |
|                  | <i>renumber</i> as section 311A(1)(b) to (e).                                            | 6  |
| (3)              | Section 311A—                                                                            | 7  |
|                  | <i>insert</i> —                                                                          | 8  |
| (2A)             | However, the chief executive may decide to                                               | 9  |
|                  | receive an amount for the prisoner even if the                                           | 10 |
|                  | donor of the amount was released from a                                                  | 11 |
|                  | corrective services facility within 1 year before                                        | 12 |
|                  | the chief executive received the amount.                                                 | 13 |
| (3A)             | A donor is an <b>approved donor</b> for a prisoner                                       | 14 |
|                  | unless the chief executive decides not to receive                                        | 15 |
|                  | an amount for the prisoner from the donor for                                            | 16 |
|                  | payment into the prisoner's account in the                                               | 17 |
|                  | prisoners trust fund.                                                                    | 18 |
| (4)              | Section 311A(4), 'subsection (3)(b)'—                                                    | 19 |
|                  | <i>omit, insert</i> —                                                                    | 20 |
|                  | subsection (4)(b)                                                                        | 21 |
| (5)              | Section 311A(2A) to (5)—                                                                 | 22 |
|                  | <i>renumber</i> as section 311A(3) to (7).                                               | 23 |
| <b>Clause 50</b> | <b>Omission of s 319F (Complaint to official visitor required first)</b>                 | 24 |
|                  | Section 319F—                                                                            | 25 |
|                  | <i>omit.</i>                                                                             | 26 |
| <b>Clause 51</b> | <b>Amendment of s 324A (Right of eligible persons to receive particular information)</b> | 27 |
|                  | (1) Section 324A(2)(a), after 'subsection (1)(a)'—                                       | 28 |
|                  |                                                                                          | 29 |
|                  |                                                                                          | 30 |



*insert—*

or (b)

(2) Section 324A(2)(b)—

*omit.*

(3) Section 324A(2)(c), ‘and’—

*omit, insert—*

or

(4) Section 324A(2)(c)—

*renumber* as section 324A(2)(b).

**Clause 52      Insertion of new ch 7A, pt 14**

Chapter 7A—

*insert—*

**Part 14                      Transitional provisions  
for Corrective Services  
and Other Legislation  
Amendment Act 2020**

**490Z Definition for part**

In this part—

*amending Act* means the *Corrective Services and  
Other Legislation Amendment Act 2020*.

**490ZA Extending period for submissions from  
eligible person**

(1) This section applies if—

(a) the chief executive gave each eligible  
person in relation to a prisoner written

[s 53]

- |                                                  |   |
|--------------------------------------------------|---|
| notice under section 188(2) of the prisoner's    | 1 |
| application for a parole order; and              | 2 |
| (b) the decision on the application had not been | 3 |
| made under section 193 before the                | 4 |
| commencement.                                    | 5 |
| (2) Section 188, as amended by the amending Act, | 6 |
| applies to the application.                      | 7 |

|                                                    |    |
|----------------------------------------------------|----|
| <b>490ZB Deciding particular applications made</b> | 8  |
| <b>before the commencement where victim's</b>      | 9  |
| <b>body or remains have not been located</b>       | 10 |

- |                                                   |    |
|---------------------------------------------------|----|
| (1) This section applies if a prisoner made an    | 11 |
| application under section 193A for a parole order | 12 |
| but the decision on the application had not been  | 13 |
| made before the commencement.                     | 14 |
| (2) Sections 193A and 234, as amended by the      | 15 |
| amending Act, apply to the application.           | 16 |

|                                                         |    |
|---------------------------------------------------------|----|
| <b>490ZC Meetings about particular matters relating</b> | 17 |
| <b>to parole orders</b>                                 | 18 |

- |                                                     |    |
|-----------------------------------------------------|----|
| (1) This section applies to a meeting of the parole | 19 |
| board under section 234 to consider an application  | 20 |
| for a parole order made but not decided before the  | 21 |
| commencement.                                       | 22 |
| (2) Section 234, as amended by the amending Act,    | 23 |
| applies to the meeting.                             | 24 |

|                  |                                        |    |
|------------------|----------------------------------------|----|
| <b>Clause 53</b> | <b>Amendment of sch 4 (Dictionary)</b> | 25 |
|------------------|----------------------------------------|----|

- |                                                                                       |    |
|---------------------------------------------------------------------------------------|----|
| (1) Schedule 4, definitions <i>conditional release</i> , <i>conditional</i>           | 26 |
| <i>release order</i> , <i>dangerous drug</i> , <i>probation and parole office</i> ,   | 27 |
| <i>released</i> , <i>scanning search</i> , <i>secure facility</i> (both mentions) and | 28 |
| <i>sexual offence</i> —                                                               | 29 |
| <i>omit.</i>                                                                          | 30 |
| (2) Schedule 4—                                                                       | 31 |

*insert—*

***alcohol test***, for chapter 6, part 9A, see section 306A.

***community corrections office*** means an office where an offender subject to a parole order or community based order may be required to report to a corrective services officer.

***corrective services officer recruit***, for chapter 6, part 9A, see section 306A.

***corrective services person***, for chapter 6, part 9A, see section 306B.

***dangerous drug*** means a dangerous drug under the *Drugs Misuse Act 1986*.

***low alcohol limit***, for chapter 6, part 9A, see section 306C(b).

***misconduct***, for a staff member, means conduct that would constitute a disciplinary ground under the *Public Service Act 2008*, section 187 if the staff member were a public service employee under that Act.

***no alcohol limit***, for chapter 6, part 9A, see section 306C(a).

***random alcohol test***, for chapter 6, part 9A, see section 306A.

***random substance test***, for chapter 6, part 9A, see section 306A.

***released*** means released on parole.

***sample***, for chapter 6, part 9A, see section 306A.

***scanning search***, of a person—

- 1 A *scanning search* of a person is a search of the person by electronic or other means that does not require the person to remove the person's clothing but may require another

[s 53]

|     |                                                                                                                                                                                      |                           |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
|     | person or an apparatus to touch or come into contact with the person.                                                                                                                | 1<br>2                    |
|     | <i>Examples—</i>                                                                                                                                                                     | 3                         |
|     | • using an electronic apparatus through which a person is required to pass                                                                                                           | 4<br>5                    |
|     | • using a corrective services dog that is trained to detect the scent of a prohibited thing to search a person                                                                       | 6<br>7<br>8               |
| 2   | For paragraph 1, an apparatus for touching or coming into contact with a person who is submitting to a scanning search is an apparatus prescribed by regulation for this definition. | 9<br>10<br>11<br>12<br>13 |
|     | <i>secure facility—</i>                                                                                                                                                              | 14                        |
|     | (a) generally, means a prison with a perimeter fence, or other security measures, that are designed to prevent the escape of a prisoner; and                                         | 15<br>16<br>17<br>18      |
|     | (b) for chapter 6, part 13A, see section 344B.                                                                                                                                       | 19                        |
|     | <i>sexual offence</i> means—                                                                                                                                                         | 20                        |
|     | (a) an offence mentioned in schedule 1; or                                                                                                                                           | 21                        |
|     | (b) an offence against a law applying, or that applied, in another jurisdiction if the offence substantially corresponds to an offence mentioned in schedule 1.                      | 22<br>23<br>24<br>25      |
|     | <i>substance test</i> , for chapter 6, part 9A, see section 306A.                                                                                                                    | 26<br>27                  |
|     | <i>targeted substance</i> , for chapter 6, part 9A, see section 306A.                                                                                                                | 28<br>29                  |
|     | <i>training program</i> , for chapter 6, part 9A, see section 306A.                                                                                                                  | 30<br>31                  |
| (3) | Schedule 4, definition <i>community corrective services</i> , paragraph (b), ‘probation and parole office’—                                                                          | 32<br>33                  |
|     | <i>omit, insert—</i>                                                                                                                                                                 | 34                        |

- 
- |                                                                       |    |
|-----------------------------------------------------------------------|----|
| community corrections office                                          | 1  |
| (4) Schedule 4, definition <i>corrective services facility</i> —      | 2  |
| <i>insert</i> —                                                       | 3  |
| (d) a temporary corrective services facility                          | 4  |
| declared under section 268(2).                                        | 5  |
| (5) Schedule 4, definition <i>general search</i> , paragraph (a)—     | 6  |
| <i>omit, insert</i> —                                                 | 7  |
| (a) to reveal the contents of the person's outer                      | 8  |
| garments or general clothes, or of a thing in                         | 9  |
| the person's possession, including touching                           | 10 |
| or moving the thing without touching the                              | 11 |
| person; or                                                            | 12 |
| (6) Schedule 4, definition <i>law enforcement agency</i> , paragraphs | 13 |
| (d) and (e)—                                                          | 14 |
| <i>omit, insert</i> —                                                 | 15 |
| (d) a police service of another State or of a                         | 16 |
| foreign country; or                                                   | 17 |
| (e) an entity established under the law of the                        | 18 |
| Commonwealth or a State to investigate                                | 19 |
| corruption or crime; or                                               | 20 |
| (f) the Australian Security Intelligence                              | 21 |
| Organisation under the <i>Australian Security</i>                     | 22 |
| <i>Intelligence Organisation Act 1979</i> (Cwlth);                    | 23 |
| or                                                                    | 24 |
| (g) a Commonwealth department in which any                            | 25 |
| of the following laws is administered—                                | 26 |
| (i) the <i>Australian Border Force Act 2015</i>                       | 27 |
| (Cwlth);                                                              | 28 |
| (ii) the <i>Customs Act 1901</i> (Cwlth), other                       | 29 |
| than parts XVB and XVC;                                               | 30 |
| (iii) the <i>Migration Act 1958</i> (Cwlth); or                       | 31 |
-

[s 54]

- |                                                                                                                                |                |
|--------------------------------------------------------------------------------------------------------------------------------|----------------|
| (h) another entity declared by regulation to be a law enforcement agency.                                                      | 1<br>2         |
| (7) Schedule 4, definition <i>offender</i> , paragraph (b)—<br><i>omit, insert—</i>                                            | 3<br>4         |
| (b) a person who is subject to a community based order.                                                                        | 5<br>6         |
| (8) Schedule 4, definition <i>prescribed provision</i> , paragraph (c), ‘section 234(7)’—<br><i>omit, insert—</i>              | 7<br>8<br>9    |
| section 234(3)                                                                                                                 | 10             |
| (9) Schedule 4, definition <i>unlawfully at large</i> , paragraph (b)—<br><i>omit, insert—</i>                                 | 11<br>12       |
| (b) the prisoner’s parole order has been suspended or cancelled; or                                                            | 13<br>14       |
| (10) Schedule 4, definition <i>unlawfully at large</i> , paragraph (c), ‘probation and parole office’—<br><i>omit, insert—</i> | 15<br>16<br>17 |
| community corrections office                                                                                                   | 18             |

## Part 3 Amendment of Criminal Code 19

- |                      |                                                  |        |
|----------------------|--------------------------------------------------|--------|
| <b>Clause 54</b>     | <b>Code amended</b>                              | 20     |
|                      | This part amends the Criminal Code.              | 21     |
|                      | <i>Note—</i>                                     | 22     |
|                      | See also the amendments in schedule 1.           | 23     |
| <br><b>Clause 55</b> | <br><b>Amendment of s 340 (Serious assaults)</b> | <br>24 |
|                      | Section 340(2), after ‘officer’—                 | 25     |
|                      | <i>omit, insert—</i>                             | 26     |

|                  |                                                                                                                                                                      |                      |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
|                  | commits a crime.                                                                                                                                                     | 1                    |
|                  | Maximum penalty—                                                                                                                                                     | 2                    |
|                  | (a) if the prisoner assaults a working corrective services officer in any of the following circumstances—                                                            | 3<br>4<br>5          |
|                  | (i) the prisoner bites or spits on the corrective services officer or throws at, or in any way applies to, the corrective services officer a bodily fluid or faeces; | 6<br>7<br>8<br>9     |
|                  | (ii) the prisoner causes bodily harm to the corrective services officer;                                                                                             | 10<br>11             |
|                  | (iii) the prisoner is, or pretends to be, armed with a dangerous or offensive weapon or instrument—14 years imprisonment; or                                         | 12<br>13<br>14<br>15 |
|                  | (b) otherwise—7 years imprisonment.                                                                                                                                  | 16                   |
| <b>Part 4</b>    | <b>Amendment of Racing Integrity Act 2016</b>                                                                                                                        | 17<br>18             |
| <b>Clause 56</b> | <b>Act amended</b>                                                                                                                                                   | 19                   |
|                  | This part amends the <i>Racing Integrity Act 2016</i> .                                                                                                              | 20                   |
| <b>Clause 57</b> | <b>Insertion of new ch 2, pt 6A, hdg</b>                                                                                                                             | 21                   |
|                  | Chapter 2—                                                                                                                                                           | 22                   |
|                  | <i>insert—</i>                                                                                                                                                       | 23                   |
|                  | <b>Part 6A Information sharing</b>                                                                                                                                   | 24                   |
| <b>Clause 58</b> | <b>Amendment of s 83 (Other matters about suitability)</b>                                                                                                           | 25                   |
|                  | Section 83(2), ‘section 98A’—                                                                                                                                        | 26                   |

[s 59]

*omit, insert—* 1  
section 53A 2

**Clause 59 Relocation and renumbering of s 98A (Exchange of information)** 3  
4  
Section 98A— 5  
*relocate* to chapter 2, part 6A, as inserted under this Act, and 6  
*renumber* as section 53A. 7

**Clause 60 Amendment of s 101 (Grounds for cancellation)** 8  
Section 101(3), ‘section 98A’— 9  
*omit, insert—* 10  
section 53A 11

## **Part 5 Amendment of Weapons Act 1990** 12 13

**Clause 61 Act amended** 14  
This part amends the *Weapons Act 1990*. 15

**Clause 62 Amendment of s 67 (Possessing and acquiring restricted items)** 16  
17  
(1) Section 67(3), ‘For subsection (1), a person has a reasonable 18  
excuse’— 19  
*omit, insert—* 20  
It is a reasonable excuse for a person 21  
(2) Section 67— 22  
*insert—* 23  
(3A) It is a reasonable excuse for a person to possess or 24



- 
- acquire a restricted item that is a replica of a  
firearm if—
- (a) both of the following apply—
- (i) the person is a member of an  
association, whether or not  
incorporated, that provides recreational  
activities involving replicas of firearms  
and the activities are conducted other  
than in, and in a way not reasonably  
able to be seen from, a public place;
- (ii) the person's reason for possession or  
acquisition of the replica of a firearm is  
to participate in the recreational  
activities; or
- (b) both of the following apply—
- (i) the person is the holder of a collector's  
licence;
- (ii) the person's reason for possession or  
acquisition of the replica of the firearm  
is for it to be part of the holder's  
collection of weapons.
- (3B) It is a reasonable excuse for a person to possess or  
acquire a weapon that is permanently inoperable  
and would be, if it were not permanently  
inoperable, a category A, B or C weapon if—
- (a) the person is the holder of a collector's  
licence; and
- (b) the person's reason for possession or  
acquisition of the weapon is for it to be part  
of the holder's collection of weapons.
- (3C) Subsections (3) to (5) do not limit what may be a  
reasonable excuse for subsection (1).
- (3) Section 67(4), 'subsection (5)'—  
*omit, insert—*
-

[s 63]

---

|                                                                         |   |
|-------------------------------------------------------------------------|---|
| subsection (8)                                                          | 1 |
| (4) Section 67(5)—                                                      | 2 |
| <i>insert—</i>                                                          | 3 |
| <i>association</i> see the <i>Associations Incorporation Act 1981</i> . | 4 |
|                                                                         | 5 |
| (5) Section 67(3A) to (5)—                                              | 6 |
| <i>renumber</i> as section 67(4) to (8).                                | 7 |

|                  |                                                                                                                                                                                   |    |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| <b>Clause 63</b> | <b>Replacement of s 168B (Amnesty declaration)</b>                                                                                                                                | 8  |
|                  | Section 168B—                                                                                                                                                                     | 9  |
|                  | <i>omit, insert—</i>                                                                                                                                                              | 10 |
|                  | <b>168B Amnesty for firearms and prescribed things in particular circumstances</b>                                                                                                | 11 |
|                  |                                                                                                                                                                                   | 12 |
|                  | (1) A person who unlawfully possesses a firearm or a prescribed thing can not be prosecuted for an offence against this Act for possession of the firearm or prescribed thing if— | 13 |
|                  |                                                                                                                                                                                   | 14 |
|                  |                                                                                                                                                                                   | 15 |
|                  |                                                                                                                                                                                   | 16 |
|                  | (a) the person is taking the firearm or prescribed thing directly to, or has the firearm or prescribed thing at—                                                                  | 17 |
|                  |                                                                                                                                                                                   | 18 |
|                  |                                                                                                                                                                                   | 19 |
|                  | (i) an approved licensed dealer for the purpose of the dealer disposing of or otherwise dealing with it; or                                                                       | 20 |
|                  |                                                                                                                                                                                   | 21 |
|                  |                                                                                                                                                                                   | 22 |
|                  | (ii) a police station for the purpose of surrendering it to a police officer; and                                                                                                 | 23 |
|                  |                                                                                                                                                                                   | 24 |
|                  | (b) the person complies with any conditions prescribed by regulation for the taking of the firearm or prescribed thing to the approved licensed dealer or police station.         | 25 |
|                  |                                                                                                                                                                                   | 26 |
|                  |                                                                                                                                                                                   | 27 |
|                  |                                                                                                                                                                                   | 28 |
|                  | (2) Subsections (3) and (4) apply if the person—                                                                                                                                  | 29 |

[s 64]

|                  |                                                                                                                                                                      |                            |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
|                  | (a) takes the firearm or prescribed thing to an approved licensed dealer under subsection (1)(a)(i); and                                                             | 1<br>2<br>3                |
|                  | (b) does not provide the approved licensed dealer with the particulars as required under section 73(a).                                                              | 4<br>5<br>6                |
|                  | (3) Section 73 does not apply to the approved licensed dealer.                                                                                                       | 7<br>8                     |
|                  | (4) The approved licensed dealer must surrender the firearm or prescribed thing to a police officer.<br>Maximum penalty—10 penalty units.                            | 9<br>10<br>11              |
|                  | (5) The commissioner may approve a licensed dealer for this section.                                                                                                 | 12<br>13                   |
|                  | (6) The commissioner must publish the names of the approved licensed dealers on the QPS website.                                                                     | 14<br>15                   |
|                  | (7) In this section—<br><i>approved licensed dealer</i> means a licensed dealer approved by the commissioner under subsection (5).<br><i>prescribed thing</i> means— | 16<br>17<br>18<br>19<br>20 |
|                  | (a) a magazine for a weapon; or                                                                                                                                      | 21                         |
|                  | (b) a category R weapon that is not a firearm; or                                                                                                                    | 22                         |
|                  | (c) another thing prescribed by regulation.                                                                                                                          | 23                         |
| <b>Clause 64</b> | <b>Amendment of s 168C (Dealing with surrendered firearm)</b>                                                                                                        | 24                         |
|                  | (1) Section 168C, heading, after ‘firearm’—<br><i>insert—</i><br><b>or prescribed thing</b>                                                                          | 25<br>26<br>27             |
|                  | (2) Section 168C(1), from ‘firearm’—<br><i>omit, insert—</i><br>firearm or prescribed thing under section                                                            | 28<br>29<br>30             |

[s 65]

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|                  |                                                                                                                   |                |
|------------------|-------------------------------------------------------------------------------------------------------------------|----------------|
|                  | 168B(1)(a)(ii) or (4).                                                                                            | 1              |
| (3)              | Section 168C(2), ‘firearm, the firearm’—                                                                          | 2              |
|                  | <i>omit, insert—</i>                                                                                              | 3              |
|                  | firearm or prescribed thing, the firearm or<br>prescribed thing                                                   | 4<br>5         |
| <b>Clause 65</b> | <b>Amendment of sch 1 (Subject matter for regulations)</b>                                                        | 6              |
|                  | Schedule 1—                                                                                                       | 7              |
|                  | <i>insert—</i>                                                                                                    | 8              |
|                  | <b>18 Amnesty for firearms and prescribed things</b>                                                              | 9              |
|                  | Providing for things for which, and the conditions<br>under which, an amnesty under section 168B may<br>be given. | 10<br>11<br>12 |
| <b>Clause 66</b> | <b>Amendment of sch 2 (Dictionary)</b>                                                                            | 13             |
|                  | Schedule 2, definition <i>restricted item</i> , ‘section 67(5)’—                                                  | 14             |
|                  | <i>omit, insert—</i>                                                                                              | 15             |
|                  | section 67(8)                                                                                                     | 16             |
| <b>Part 6</b>    | <b>Amendment of Weapons<br/>Regulation 2016</b>                                                                   | 17<br>18       |
| <b>Clause 67</b> | <b>Regulation amended</b>                                                                                         | 19             |
|                  | This part amends the <i>Weapons Regulation 2016</i> .                                                             | 20             |
| <b>Clause 68</b> | <b>Insertion of new s 160A</b>                                                                                    | 21             |
|                  | After section 160—                                                                                                | 22             |
|                  | <i>insert—</i>                                                                                                    | 23             |

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**160A Condition for amnesty for firearms and  
prescribed things**

For section 168B(1)(b) of the Act, it is a condition  
for a person who is surrendering a firearm or  
prescribed thing by taking it to an approved  
licensed dealer or police station that, unless the  
person has a reasonable excuse, the person must  
notify the approved licensed dealer or a police  
officer at the police station before taking it to the  
approved licensed dealer or police station.

**Part 7**                      **Minor and consequential  
amendments**

**Clause 69**              **Legislation amended**

Schedule 1 amends the legislation it mentions.

|                   |                                                                                                                                   |                |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>Schedule 1</b> | <b>Minor and consequential amendments</b>                                                                                         | 1<br>2         |
|                   | section 69                                                                                                                        | 3              |
| <b>Part 1</b>     | <b>Amendments commencing on assent</b>                                                                                            | 4<br>5         |
|                   | <b>Corrective Services Act 2006</b>                                                                                               | 6              |
| <b>1</b>          | <b>Section 28F(4)(c), ‘release’—</b><br><i>omit, insert—</i><br>release from custody                                              | 7<br>8<br>9    |
| <b>2</b>          | <b>Section 41(1)(b)(i), ‘conditional release order,’—</b><br><i>omit.</i>                                                         | 10<br>11       |
| <b>3</b>          | <b>Section 108(5), definition <i>release day</i>, from ‘be—’—</b><br><i>omit, insert—</i><br>be discharged or released on parole. | 12<br>13<br>14 |
| <b>4</b>          | <b>Section 113(3) and (5), ‘section 114(2)(b)’—</b><br><i>omit, insert—</i><br>section 114(5)                                     | 15<br>16<br>17 |
| <b>5</b>          | <b>Section 209(2), note, ‘section 211’—</b><br><i>omit, insert—</i>                                                               | 18<br>19       |

|   |                                                                                                                               |                |
|---|-------------------------------------------------------------------------------------------------------------------------------|----------------|
|   | sections 211 and 215                                                                                                          | 1              |
| 6 | <b>Section 233(3), 235, 247 and 351(4), ‘prescribed by regulation’—</b><br><i>omit.</i>                                       | 2<br>3<br>4    |
| 7 | <b>Section 273(3), ‘66(6)’—</b><br><i>omit, insert—</i><br>66(5)                                                              | 5<br>6<br>7    |
| 8 | <b>Section 319E(1)(b), ‘probation and parole office’—</b><br><i>omit, insert—</i><br>community corrections office             | 8<br>9<br>10   |
| 9 | <b>Section 344B, definition <i>dangerous drug</i>—</b><br><i>omit.</i>                                                        | 11<br>12       |
|   | <b>Criminal Code</b>                                                                                                          | 13             |
| 1 | <b>Section 227C(3), definition <i>supervision order</i>, paragraph (c), ‘or a conditional release order’—</b><br><i>omit.</i> | 14<br>15<br>16 |
|   | <b>Criminal Law Amendment Act 1945</b>                                                                                        | 17             |
| 1 | <b>Section 22B(2)(e)(i), ‘division 10 or 11’—</b><br><i>omit, insert—</i>                                                     | 18<br>19       |

|   |                                                                                                                                  |                |
|---|----------------------------------------------------------------------------------------------------------------------------------|----------------|
|   | division 11                                                                                                                      | 1              |
|   | <b>Penalties and Sentences Act 1992</b>                                                                                          | 2              |
| 1 | <b>Section 151A, heading, ‘Conditional release and parole’—</b><br><i>omit, insert—</i><br><b>Parole</b>                         | 3<br>4<br>5    |
| 2 | <b>Section 151A, ‘, and conditional release within the meaning of the <i>Corrective Services Act 2006</i>,’—</b><br><i>omit.</i> | 6<br>7<br>8    |
|   | <b>Racing Integrity Regulation 2016</b>                                                                                          | 9              |
| 1 | <b>Section 3A, heading, ‘s 98A’—</b><br><i>omit, insert—</i><br><b>s 53A</b>                                                     | 10<br>11<br>12 |
| 2 | <b>Section 3A, ‘section 98A(5)’—</b><br><i>omit, insert—</i><br>section 53A(5)                                                   | 13<br>14<br>15 |



|               |                                                                                           |                |
|---------------|-------------------------------------------------------------------------------------------|----------------|
| <b>Part 2</b> | <b>Amendments commencing by proclamation</b>                                              | 1<br>2         |
|               | <b>Corrective Services Act 2006</b>                                                       | 3              |
| <b>1</b>      | <b>Section 319D(3), ‘sections 319E and 319F’—</b><br><i>omit, insert—</i><br>section 319E | 4<br>5<br>6    |
| <b>2</b>      | <b>Section 319E(3)—</b><br><i>omit.</i>                                                   | 7<br>8         |
|               | <b>Weapons Categories Regulation 1997</b>                                                 | 9              |
| <b>1</b>      | <b>Sections 10 and 11, ‘section 67(5)’—</b><br><i>omit, insert—</i><br>section 67(8)      | 10<br>11<br>12 |